



**MINUTES OF THE REGULAR MEETING OF THE  
PALISADE PLANNING COMMISSION  
341 W 7<sup>th</sup> Palisade Civic Center  
(Also Virtual Participation Via ZOOM)  
May 18, 2021**

The regular meeting of the Planning Commission for the Town of Palisade was called to order at 6:04 pm by Chairman Parker with Commissioners present: Harbaugh, Hull, Wheeler, Prinster, Hamilton and Curry attended via Zoom. A quorum was declared. Also, in attendance were Community Development Director Brian Rusche and Town Clerk, Keli Frasier.

**AGENDA ADOPTION**

*Motion #1* by Commissioner Hull, seconded by Commissioner Harbaugh, to approve the Agenda as presented.

A voice vote was requested.  
Motion carried unanimously.

**ANNOUNCEMENTS and PRESENTATIONS**

Community Development Director Brian Rusche announced Farmer's Market will open Sunday, June 6<sup>th</sup>. Mr. Rusche stated the mobile vaccine bus will be at the Community Center parking lot on May 28<sup>th</sup> from 10:00am to 6:00pm.

**MINUTES**

*Motion #2* by Commissioner Prinster, seconded by Commissioner Hamilton, to approve the Minutes of May 4<sup>th</sup>, 2021.

A voice vote was requested.  
Motion carried unanimously.

**PUBLIC COMMENT**

None

**PUBLIC HEARING**

***PRO 2021-8 – Text Amendments to the Land Development Code Table 6.1 – Use Table***

## STAFF PRESENTATION

Community Development Director Brian Rusche displayed the Use Table from the LDC and explained that since the beginning of 2021, there have been a few commercial spaces that have come open for lease on Third Street and Bower Avenue that have spurred staff to review whether the uses allowed in these areas fit with the desires of the Town. Specifically, there is a limited amount of retail/restaurant space available on Third and Main Street, the lack of which could be detrimental to the marketing of Palisade as a tourist destination. In addition, the anticipated relocation of the Food Bank of the Rockies warehouse has prompted an evaluation of the warehouse use category within the Town.

As a result of this review, two primary changes have been identified to Table 6.1 (Use Table) that can be summarized as follows:

- 1) Warehouse and freight movement has been reclassified as a Conditional Use. The intent is to give the Town the opportunity to restrict the number of trucks utilizing such a facility to a number that can be reasonably accommodated on Town streets.
- 2) Office uses within the Town Center zone have been limited to only the upper-story of buildings. The intent is to reserve the street level space for uses that would promote shopping and dining within the Town Center and, by extension, generate sales tax revenue for the Town.
- 3) Other changes that clean up existing uses and/or are consistent with the two goals stated above.

Mr. Rusche added that it is important to note that this change does not affect any of these uses which may already exist under the current code (prior to adoption of these amendments) and/or approval by the Town. Instead, it is part of an ongoing effort to clarify and refine the Code so that staff can better respond to business inquiries regarding these uses that reflect the desires of the community. Any existing use that would be affected by these changes would be categorized as legal nonconforming and be subject to the standards of Section 12.03 – Nonconforming Uses.

## PUBLIC COMMENT

None

## COMMISSIONER DISCUSSION

Commissioner Prinster asked about the Chamber of Commerce location and noted that tourists would not want to walk upstairs for information. Rusche stated that they would not be affected because they are already existing, but with the code change, future office/business such as the Chamber, would have to be located in the upper floor. Commissioner Hull expressed concern that if medical offices have to be upstairs, the building would have to be ADA compliant. Mr. Rusche reminded the Commissioners that this only applies in TC which is a limited part of the downtown. Mr. Rusche then displayed a zoning map to illustrate where the TC parcels are located. Mr. Rusche explained how current businesses are considered “existing non-conforming.”

Commissioner Harbaugh noted that Short Term Vacation Rentals (STVR) are not allowed in TC and a Bed and Breakfast is allowed. Mr. Rusche explained that the Short Term Vacation Rental is a more recent addition to the code and there is a cap that has been reached. In addition, although allowed by code, there are no Bed and Breakfast businesses currently in the TC zone district. Commissioner Harbaugh asked to eliminate the “permitted” status of the Bed and Breakfast in the TC zone since STVRs are not allowed.

Commissioner discussion continued regarding minor utility, conditional use permits and marijuana cultivation in the TC zone district. Mr. Rusche explained that this proposal is to make a few changes to the Land Use Table that have been identified, but not to consider all possible changes to all uses at this time.

Motion #3 by Commissioner Prinster and seconded by Commission Wheeler, to approve item **PRO 2021-8 – Text Amendments to the Land Development Code Table 6.1 – Use Table with a recommendation to remove “Bed and Breakfast” as a permitted use in the TC zone district.**

A roll call vote was requested and the vote on the motion was as follows:

**YES: Chairman Parker, Commissioners: Prinster, Hamilton, Harbaugh, Hull, Curry and Wheeler**  
**NO: None**  
**ABSENT: None**

**The motion passed unanimously.**

**ADJOURNMENT**

Motion #4 by Commissioner Hamilton and seconded by Commission Hull, to adjourn.

The motion passed unanimously

The meeting was adjourned at 6:40 pm.

X



Riley Parker  
Planning Commission Chairman

X



Lydia Reynolds  
Planning Technician