



**AGENDA**  
**for the Board of Trustees**  
**of the Town of Palisade, Colorado**  
**341 W 7<sup>th</sup> Street (Palisade Civic Center)**

**June 27, 2023**

**6:00 pm Regular Meeting**

**A live stream of the meeting may be viewed at:**

**<https://us06web.zoom.us/j/3320075780>**

- I. **REGULAR MEETING CALLED TO ORDER AT 6:00 pm**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **AGENDA ADOPTION**
- V. **ANNOUNCEMENTS**
  - A. **PUBLIC COMMENT REMINDER:** All emails sent to the Town Clerk for public comment on a specific agenda item prior to the day packets are published will be included in the staff report. Emails received after the packets are posted will be forwarded to the Board of Trustees. Any member of the public who wishes to have a statement or email read into the Minutes is required to appear in person and make said statements to the Board directly.
  - B. **GET INVOLVED WITH OUR COMMUNITY! UPCOMING PUBLIC MEETINGS (Palisade Civic Center 341 W 7<sup>th</sup> Street):**
    1. **Planning Commission** – Tuesday, July 4, 2023, **CANCELED**
    2. **Board of Trustees Work Session** – Tuesday, July 4, 2023, **CANCELED**
    3. **Board of Trustees**– Tuesday, July 11, 2023, **CANCELED**
    4. **Tourism Advisory Board** – Thursday, July 13, 2023, at 9:00 am
    5. **Planning Commission** – Tuesday, July 18, 2023, at 6:00 pm
    6. **Board of Trustees** – Tuesday, July 25, 2023, at 6:00 pm
  - C. **TOWN OF PALISADE 4<sup>TH</sup> OF JULY PARADE** July 4, 2023 10:00 am Downtown Palisade.
  - D. **TOWN OFFICES WILL BE CLOSED Tuesday, July 4, 2023**, for Town staff to run the parade, and **Friday, July 7, 2023**, for holiday observation.
- VI. **TOWN MANAGER REPORT**
  - A. **Congratulation Chief Stanford and Palisade!** The FBI created a national command course for police agencies with under 50 police staff. This course is geared towards chiefs, sheriff's and other public safety leaders covering multiple mainstream topics and educational public safety information. I and one other chief were selected out of Colorado to attend, with the federal government paying for all expenses. A total of 56 leaders across the nation will be attending.
  - B. **Parade Route for 4<sup>th</sup> of July**

**VII. CONSENT AGENDA**

*The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or any Board Member may ask that an item be removed from the Consent Agenda for individual consideration.*

**A. Expenditures**

- Approval of Bills from Various Town Funds – June 7, 2023 – June 21, 2023

**B. Minutes**

- Minutes from June 13, 2023, Regular Board of Trustees Meeting

**C. One Riverfront Appointments**

- The Town of Palisade is required to ratify the selection of the One Riverfront Committee. The following individuals were selected by the One Riverfront Commission to serve the following terms:
  - i. Joel Sholtes - Term expiring 7/31/2026
  - ii. Jennifer Reyes - Term expiring 7/31/2026
  - iii. Jane Quimby - Term expiring 7/31/2026
  - iv. Sarah Brooks - Term expiring 7/31/2026
  - v. Tom Barry – Partial-term expiring 7/31/2024

**VIII. PUBLIC HEARING****A. PRO 2023-07 – COLTERRIS COLLECTIONS WINE MUSEUM CUP**

*The Board of Trustees will consider a Conditional Use Permit for a wine museum on the property located at 3708 G Road (Parcel # 2937-084-00-144), as applied for by Scott W. High of High Country Orchards LLC.*

1. Staff Presentation
2. Applicant Presentation
3. Public Comment (*Please limit comments to three (3) minutes, state your name and address*)
4. Commission Discussion
5. Applicant Closing Remarks
6. Decision - Motion, Second, and Rollcall Vote to:  
*Approve, deny, or table (until July 25, 2023), PRO-2023-07, Colterris Collections Wine Museum CUP, finding that the criteria of Section 4.07.E have/have not been met and with/without conditions recommended by staff.*

**B. 3708 G ROAD FENCE HEIGHT VARIANCE**

*The Board of Trustees, acting as the Board of Adjustment, will consider a variance from Section 7.05.D.6.a of the Palisade Land Development Code (LDC) for the height of a fence at 3708 G Road (Parcel # 2937-084-00-144), as applied for by Scott W. High of High Country Orchards LLC.*

1. Staff Presentation
2. Applicant Presentation
3. Public Comment (*Please limit comments to three (3) minutes, state your name and address*)
4. Commission Discussion
5. Applicant Closing Remarks
6. Decision - Motion, Second, and Rollcall Vote to:

*Approve, deny, or table (until July 25, 2023), 3708 G ROAD FENCE HEIGHT VARIANCE, finding that the criteria of Section 4.17.F have/have not been met.*

**IX. CONTINUED BUSINESS**

**A. Ordinance 2023-04 Off-Highway Vehicles and Golf Carts**

*The Board of Trustees will consider adopting Ordinance 2023-04, an ordinance amending Chapter 8, Article I of the Palisade Municipal Code regarding off-highway vehicles for Town use only and golf carts on local streets.*

1. Staff Presentation
2. Board Discussion
3. Decision - Motion, Second, and Rollcall Vote to:

*Approve, deny, or table (until June 27, 2023) Ordinance 2023-04, an ordinance amending Chapter 8, Article I of the Palisade Municipal Code regarding off-highway vehicles for Town use only and golf carts on local streets.*

**X. PUBLIC COMMENT**

*All those who wish to speak during public comment must sign up on the sheet provided outside the boardroom doors. Please keep comments to 3 MINUTES OR LESS and state your name and address. Neither the Board of Trustees nor staff will respond to comments at this time. The Board may direct staff to look into specific comments to bring back as an Agenda item at a future meeting; however, the Board reserves the right to clarify information from comments that are factually incorrect.*

**XI. COMMITTEE REPORTS**

**XII. ADJOURNMENT**





# Fourth of July Parade Route



PARADE STARTS AT 10 AM  
(PARADE LINE UP AT 9 AM)

START AT PALISADE FIREHOUSE

TRAVEL EAST ON 7TH ST

NORTH ON PEACH AVE

EAST ON W 3RD ST

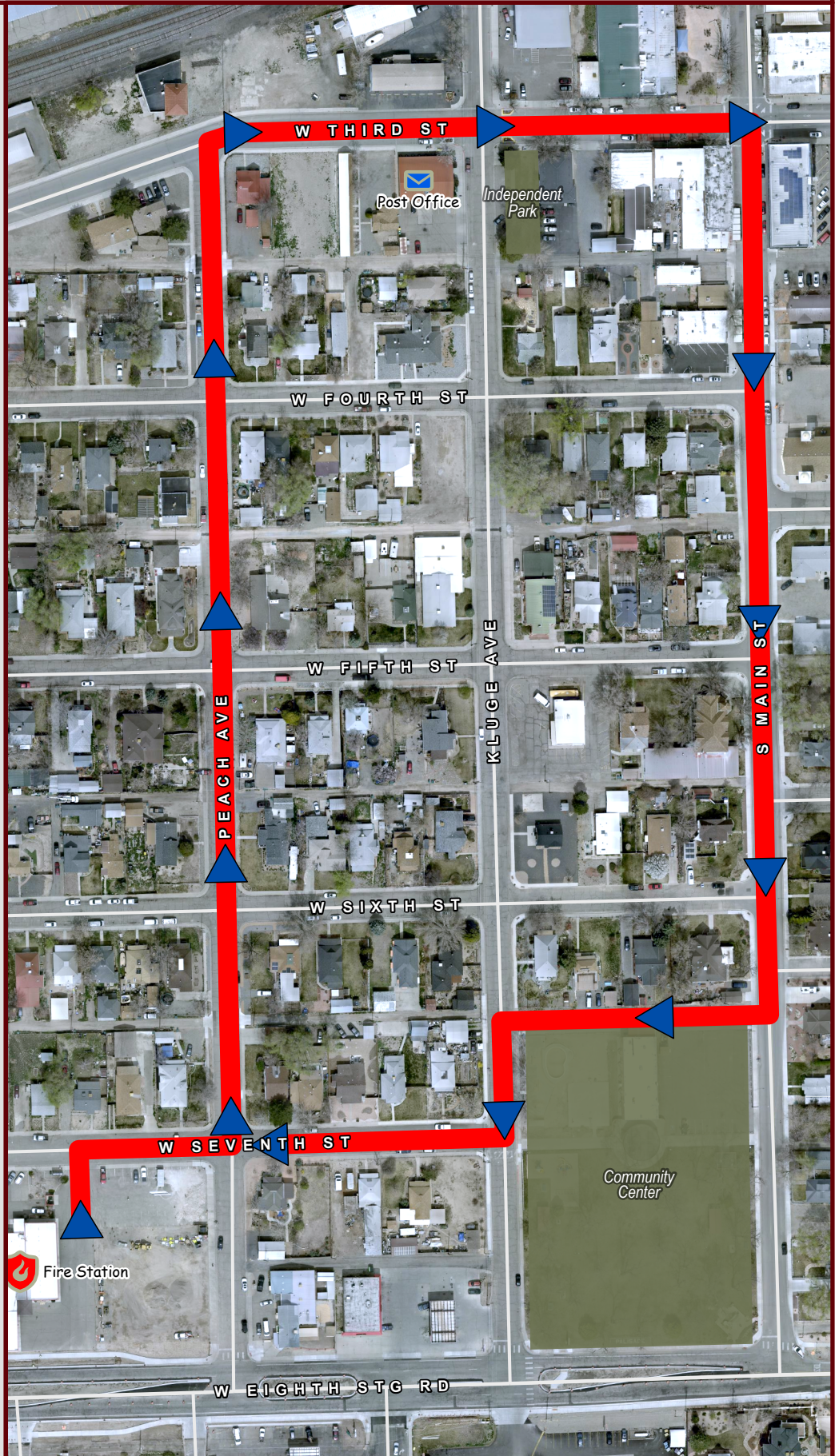
SOUTH ON MAIN ST



WEST ON PAVED ALLEY BEHIND  
COMMUNITY CENTER

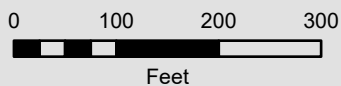
SOUTH ON KLUGE AVE

WEST ON 7TH ST

END AT FIREHOUSE ON 7TH ST



-  Fire Station
-  Post Office
-  Parks
-  Parade Route





*Glenwood Springs – Main Office*  
201 14<sup>th</sup> Street, Suite 200  
P. O. Drawer 2030  
Glenwood Springs, CO 81602

*Aspen*  
0133 Prospector Road,  
Suite 4102J  
Aspen, CO 81611

*Montrose*  
1544 Oxbow Drive  
Suite 224  
Montrose, CO 81402

James S. Neu  
Partner/Shareholder

[jsn@mountainlawfirm.com](mailto:jsn@mountainlawfirm.com)

Direct: 970.928.2121  
Office: 970.945.2261  
Fax: 970.945.7336

[\*\\*Direct Mail to Glenwood Springs\*](#)

TO: Board of Trustees, Town of Palisade, Colorado  
FROM: Karp Neu Hanlon, P.C.  
RE: Lodging Occupation Tax - Palisade Bluegrass and Roots Festival  
DATE: June 21, 2023

---

At the June 13, 2023 Board of Trustees meeting, the Board raised the applicability of the Town's Lodging Occupation Tax (the "Tax") codified in Article III of Chapter 6 of the Palisade Municipal Code (the "Code") on the Palisade Bluegrass and Roots Festival. It does not apply.

Section 6-53 of the Code levies the Tax:

**Sec. 6-53. Levy of tax.**

Effective January 1, 2023, there is hereby levied by the Town an occupation tax on the provision of lodging upon every person or business that furnishes any hotel room, motel room, lodging room, motor hotel room, recreational vehicle park or resort space, campground space or other similar accommodation for consideration for less than one (1) month or thirty-one (31) consecutive days, whichever is less, within the Town in the amount of six dollars (\$6.00) per day, per occupied lodging room or accommodation. *Emphasis provided.*

Section 6-52 of the Code provides definitions for this Article and the Town is not a "person" to which the Tax applies:

**Sec. 6-52. - Definitions.**

\*\*\*

Person means an individual, partnership, firm, joint enterprise, limited liability company, corporation, estate or trust or any group or combination acting as a unit, but shall not include the United States of America, the State and any political subdivision thereof. *Emphasis provided.*

It is widely accepted that political subdivisions are exempt from taxation, and it is not surprising that the Code expressly states that.

The Town contracts out many of the duties of the Palisade Bluegrass and Roots Festival, but it owns it and earns revenue from it, so it is unclear under what policy theory it should also tax itself. As stated in Section 6-51 of the Code, the purpose of the Tax is to “provide revenues for tourism promotion in and around the Town.” The origin of the Bluegrass and Roots Festival was to market the Town and its environs and bring people in to enjoy and experience Palisade, benefitting local businesses. It performs its own marketing and the community coordinates to promote Palisade to ensure a positive experience for Festival attendees so they return. One would assume it is a boon for the local accommodations industry since not all attendees want to camp.

In conclusion, not only is the Code clear that the Tax does not apply to the Bluegrass and Roots Festival since the Town owns it, but policy analysis indicates that the Festival furthers the purpose of the Tax.



## PALISADE BOARD OF TRUSTEES

**Meeting Date:** June 27, 2023

**Re:** Consent Agenda

---

The Consent Agenda has been attached as a separate document for ease of reading.

Included in the consent agenda are:

**A. Expenditures**

- Approval of Bills from Various Town Funds – June 7, 2023 – June 21, 2023

**B. Minutes**

- Minutes from June 13, 2023, Regular Board of Trustees Meeting

**C. One Riverfront Appointments**

The Town of Palisade is required to ratify the selection of the One Riverfront Committee. The following individuals were selected by the One Riverfront Commission to serve the following terms:

- Joel Sholtes - Term expiring 7/31/2026
- Jennifer Reyes - Term expiring 7/31/2026
- Jane Quimby - Term expiring 7/31/2026
- Sarah Brooks - Term expiring 7/31/2026
- Tom Barry – Partial-term expiring 7/31/2024





## PALISADE BOARD OF TRUSTEES Agenda Item Cover Sheet

**Meeting Date:** June 27, 2023

**Presented By:** Brian Rusche, Community Development Director

**Department:** Community Development

**Re:** PRO-2023-07, COLTERRIS COLLECTIONS WINE MUSEUM CONDITIONAL USE PERMIT (CUP)

---

**SUBJECT:** PRO-2023-07, COLTERRIS COLLECTIONS WINE MUSEUM CONDITIONAL USE PERMIT (CUP), located at 3708 G Road (Parcel # 2937-084-00-144).

**SUMMARY:** The Town of Palisade has received a request from Scott W. High of High Country Orchards LLC, for a Conditional Use Permit (CUP) for a wine museum on the property located at 3708 G Road (Parcel # 2937-084-00-144). The property is zoned Agricultural and Forestry Transitional (AFT). The AFT zone was established to provide for wineries, vineyards and related lodging and commercial activity compatible with the Town's rural and agricultural character (Section 5.03.A – LDC).

Palisade Land Development Code (LDC) permits a winery in the AFT zone; however, a museum or library requires a Conditional Use Permit (CUP) per Section 6.01 – Use Table. A museum is defined as an establishment for the display of art or historic or science objects.

A conditional use is a use that may or may not be appropriate depending on the location and the conditions imposed upon the approval of the use that are designed to reasonably mitigate any adverse impacts on surrounding properties. Approval of a conditional use permit allows for flexibility and to help diversify uses within a zoning district.

No conditional use permit shall be approved unless the following findings are made concerning the application (addressed within the staff report):

1. That the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.
2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and other applicable regulations.
3. That the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.
4. That the application will not adversely affect the adopted plans and policies of the Town or violate the character of existing standards for development of the adjacent properties.

**BOARD DIRECTION:**

The Planning Commission conducted a Public Hearing on this request on June 20, 2023, and having received testimony from the applicant and one letter of support, and no persons appearing in opposition, unanimously forwards a recommendation of approval of a Conditional Use Permit (CUP) for a wine museum on the property located at 3708 G Road (Parcel # 2937-084-00-144), to the Board of Trustees, finding that the criteria of Section 4.07.E have been met and with the following conditions of approval:

- 1) The Conditional Use Permit shall only be valid in conjunction with a Business License issued by the Town of Palisade.
- 2) The Conditional Use Permit shall become null and void if the museum is not established within and/or is discontinued for twelve (12) consecutive months.
- 3) The conditional use permit is based on the uses identified by the submitted site plan, elevation plan, and as stated in the supporting documents submitted with this application. Modification of the conditional use permit shall follow the process established in the Land Development Code.
- 4) Any improvements (structural, electrical, fire, plumbing and building) associated with this use requires planning clearances and building permits before operations commence.
- 5) No outside lighting shall create glare or visual interference for vehicles along the US Highway 6 frontage.
- 6) The Board may review the CUP at any time if complaints are received and the Board determines that the use and the associated operations are unreasonably impacting adjoining properties. The Board may impose additional conditions to address any adverse impacts. If the Board determines that the impacts have not been adequately addressed, the Board may terminate the Conditional Use Permit.

**SUGGESTED MOTION:**

I move to **approve** PRO-2023-07 COLTERRIS COLLECTIONS WINE MUSEUM CONDITIONAL USE PERMIT, finding that the criteria of Section 4.07.E have been met and with the conditions of approval found in the staff report.

**ATTACHMENTS**

Staff Report  
Letter of Intent  
Site Plan, Floor Plan, Elevations  
Affidavit of Publication  
Letter of Support  
Brochure distributed to Planning Commission

**PRO 2023-07, COLTERRIS COLLECTIONS WINE MUSEUM**  
**CONDITIONAL USE PERMIT (CUP)**  
**LOCATED AT 3708 G ROAD, PARCEL # 2937-084-00-144**

---

**SUMMARY**

The Town of Palisade has received a request from Scott W. High of High Country Orchards LLC, for a Conditional Use Permit (CUP) for a wine museum on the property located at 3708 G Road (Parcel # 2937-084-00-144).





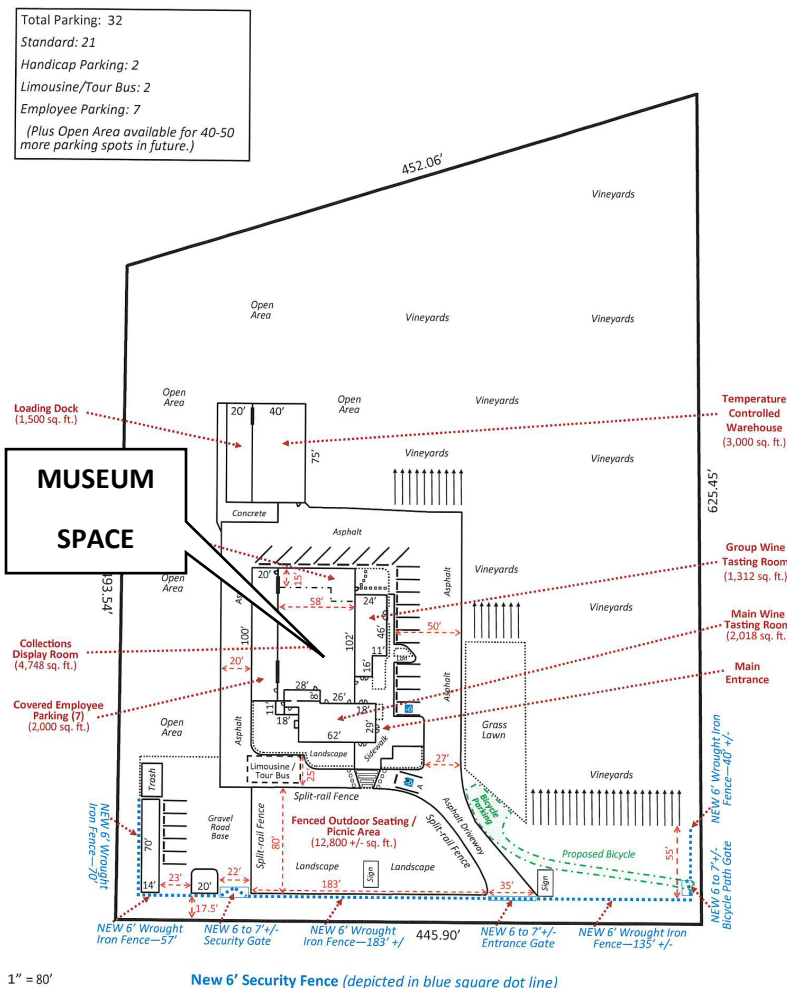
## BACKGROUND

The subject property is the home of Colterris Collections winery, previously known as Plum Creek Winery. The property is zoned Agricultural and Forestry Transitional (AFT). The AFT zone was established to provide for wineries, vineyards and related lodging and commercial activity compatible with the Town's rural and agricultural character (Section 5.03.A – LDC).



Palisade Land Development Code (LDC) permits a winery in the AFT zone; however, a museum or library requires a Conditional Use Permit (CUP) per Section 6.01 – Use Table. A museum is defined as an establishment for the display of art or historic or science objects.

The Colterris Collections Wine Musuem plans include displaying a world-class collection of historical wine-related objects and memorabilia, according to the applicant. This exhibition would provide an exceptional experience for visitors and solidify the Palisade area as the preeminent wine capital of Colorado.



The main building consists of 11,232 square feet of heated space, according to the County Assessor. This includes 2000 square feet of outdoor space covered by a canopy, which would be converted to parking. The musuem itself would occupy approximately 4800 square feet of space within the building, with approximately 3400 square feet devoted to tasting rooms and the remaining square footage for storage and restrooms.

Between the winery and the tasting room, the total amount of parking required for both uses is 36 spaces (1/200 sq. ft. musuem plus 1/300 sq. ft. winery). The applicant has proposed a total of 32 spaces, including handicapped and employee parking (under the canopy) with the ability to add parking to the site in the future. It is reasonable that visitors to the tasting room would also be visitors to the musuem and vice-versa, so the average parking provided is 1/250 square feet. In addition, bicycle parking is proposed, along with a fenced outdoor seating/picnic area.

## LAND DEVELOPMENT CODE – CRITERIA FOR DECISION

### CONDITIONAL USE PERMIT

A conditional use is a use that may or may not be appropriate depending on the location and the conditions imposed upon the approval of the use that are designed to reasonably mitigate any adverse impacts on surrounding properties. Approval of a conditional use permit allows for flexibility and to help diversify uses within a zoning district.

Palisade Land Development Code (LDC) permits a winery in the AFT zone; however, a museum or library requires a Conditional Use Permit (CUP) per Section 6.01 – Use Table. A museum is defined as an establishment for the display of art or historic or science objects.

#### **Section 4.07.E. Conditional Use Permit Findings of Fact:**

**NO CONDITIONAL USE PERMIT SHALL BE APPROVED UNLESS THE FOLLOWING FINDINGS ARE MADE CONCERNING THE APPLICATION:**

1. That the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved.

The proposed museum use will not materially endanger the public health or safety.

*The existing winery has underutilized space that is proposed to be used for the museum. The combination of a museum and winery adds to the destination draw of this facility. There is sufficient parking available for both uses. One of the existing driveways will be eliminated, which is consistent with the proposed access control plan by CDOT. No additional square footage will be added to the building. Any necessary interior remodeling will need to be done to current building codes.*

2. That the application meets all required specifications and conforms to the standards and practices of sound land use planning and other applicable regulations.

The proposed museum conforms to the standards and practices of sound land use planning.

*The Palisade Historical Society has a museum less than ½ mile to the east. The visibility of two (2) museums along Highway 6 as a means of conveying the culture of Palisade to those who visit is consistent with sound land use planning. Combining the museum with a winery further establishes the connection between the products grown here and the history of wine making in general.*

3. That the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

The application will not substantially injure the value of adjoining property or be detrimental to their use.

*The property is five (5) acres and is located across the street from another winery. The distance from the high school to the winery, computed by direct measurement from the nearest property line used for school purposes to the nearest portion of the building in which fermented malt beverages and wine are to be sold using a route of direct pedestrian access (per state law) is over 1000 feet. The addition of a museum focused on wine artifacts to a legally permitted winery will not be detrimental or injurious to adjoining or abutting property, as the property has been a winery for decades.*

4. That the application will not adversely affect the adopted plans and policies of the Town or violate the character of existing standards for development of the adjacent properties.

The proposed museum will not adversely affect the adopted plans of the Town or violate the character of the adjacent properties.

*The Palisade Game Plan (2022) acknowledges the importance of agriculture to the community. By adding a wine museum to an existing winery, the Goal of balancing growth with preserving the agricultural heritage to maintain a sense of community is addressed (Palisade Game Plan, Goal 2.1, Page 60). Exterior improvements to add parking for the museum will not reduce the amount of agricultural acreage that currently exists on the property.*

### **RECOMMENDATION ON THE CONDITIONAL USE PERMIT**

The Planning Commission conducted a Public Hearing on this request on June 20, 2023, and having received testimony from the applicant and one letter of support, and no persons appearing in opposition, unanimously forwards a recommendation of approval of a Conditional Use Permit (CUP) for a wine museum on the property located at 3708 G Road (Parcel # 2937-084-00-144), to the Board of Trustees, finding that the criteria of Section 4.07.E have been met and with the following conditions of approval:

- 1) The Conditional Use Permit shall only be valid in conjunction with a Business License issued by the Town of Palisade.
- 2) The Conditional Use Permit shall become null and void if the museum is not established within and/or is discontinued for twelve (12) consecutive months.
- 3) The conditional use permit is based on the uses identified by the submitted site plan, elevation plan, and as stated in the supporting documents submitted with this application. Modification of the conditional use permit shall follow the process established in the Land Development Code.
- 4) Any improvements (structural, electrical, fire, plumbing and building) associated with this use requires planning clearances and building permits before operations commence.
- 5) No outside lighting shall create glare or visual interference for vehicles along the US Highway 6 frontage.
- 6) The Board may review the CUP at any time if complaints are received and the Board determines that the use and the associated operations are unreasonably impacting adjoining properties. The Board may impose additional conditions to address any adverse impacts. If the Board determines that the impacts have not been adequately addressed, the Board may terminate the Conditional Use Permit.

### **ATTACHMENTS**

Letter of Intent, Site Plan, Floor Plan,  
Elevations, Affidavit of Publication, Letter of  
Support, Brochure distributed to Planning  
Commission



High Country Orchards, LLC  
P.O. Box 1435, Palisade, Colorado 81526  
Telephone: 303-748-4444  
Email: [theresa@colterris.com](mailto:theresa@colterris.com) / [scott@colterris.com](mailto:scott@colterris.com)

## Letter of Intent

May 23, 2023

Town of Palisade  
175 East Third Street  
P.O. Box 128  
Palisade, Colorado 81526

Attn: Brian Rusche  
Community Development Director

Regarding: Non-Binding Letter of Intent to open the Colterris Collections Wine Museum.

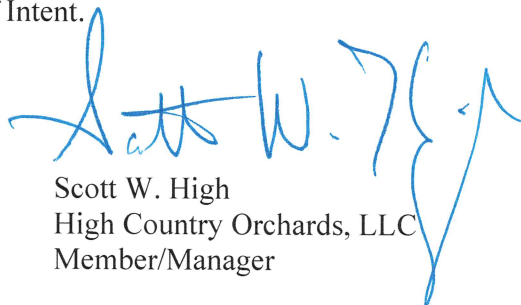
The proposed concept for a wine museum in Palisade originally was to be in a new structure to be erected and attached to the west of the existing Palisade Branch of the Grand Junction Fruit Growers Association building at 244 East Third Street. The numerous issues and challenges arising after further feasibility studies regarding this location necessitated that a new more viable museum site be found.

High Country Orchards, LLC is requesting a Conditional Use Permit be granted for a wine museum at the property located at 3708 G Road in Palisade. We have been informed that a Conditional Use Permit is needed to open a wine museum at this location. The Colterris Collections Wine Museum plans include displaying a world-class collection of historical wine-related objects and memorabilia. This exhibition would provide an exceptional experience for visitors and solidify the Palisade area as the preeminent wine capital of Colorado.

Currently the Colterris Winery is operating a wine tasting room called Colterris Collections in the front portion of the main building at this site. The existing building structures at this location are a suitable size for the planned museum concept with some minor upgrades to the interior and exterior finishes and the addition of significantly enhanced security measures.

One of the needed security measures is to implement tighter controlled-access points on the south, south-west, and south-east fronts of the location with fencing and gates. To that end, we are also requesting a variance be granted for a six-foot tall wrought iron fence with gates to focus and control available access points.

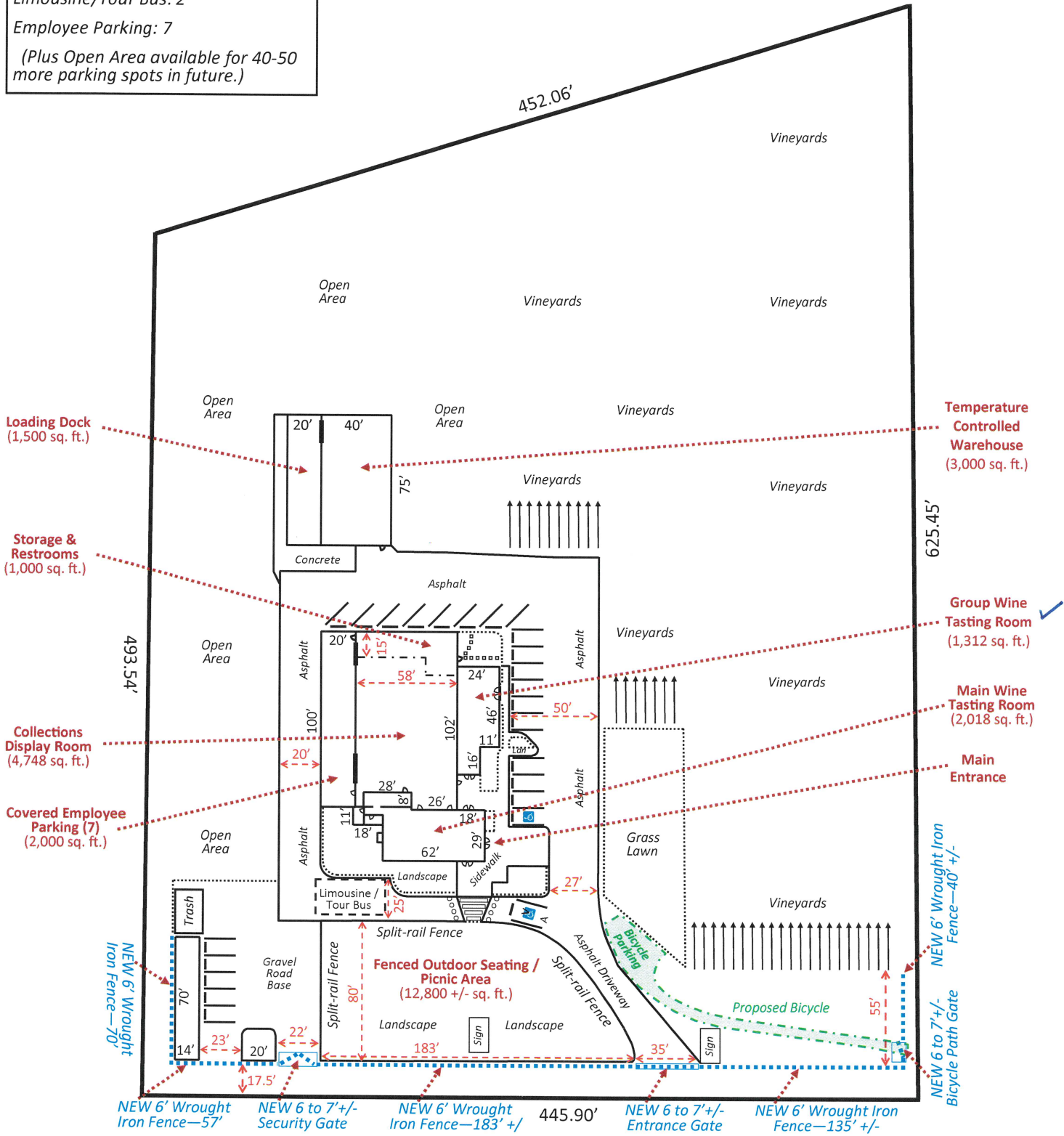
I am available to answer any questions you might have regarding the preliminary plans for the development of this project and this non-binding Letter of Intent.



Scott W. High  
High Country Orchards, LLC  
Member/Manager



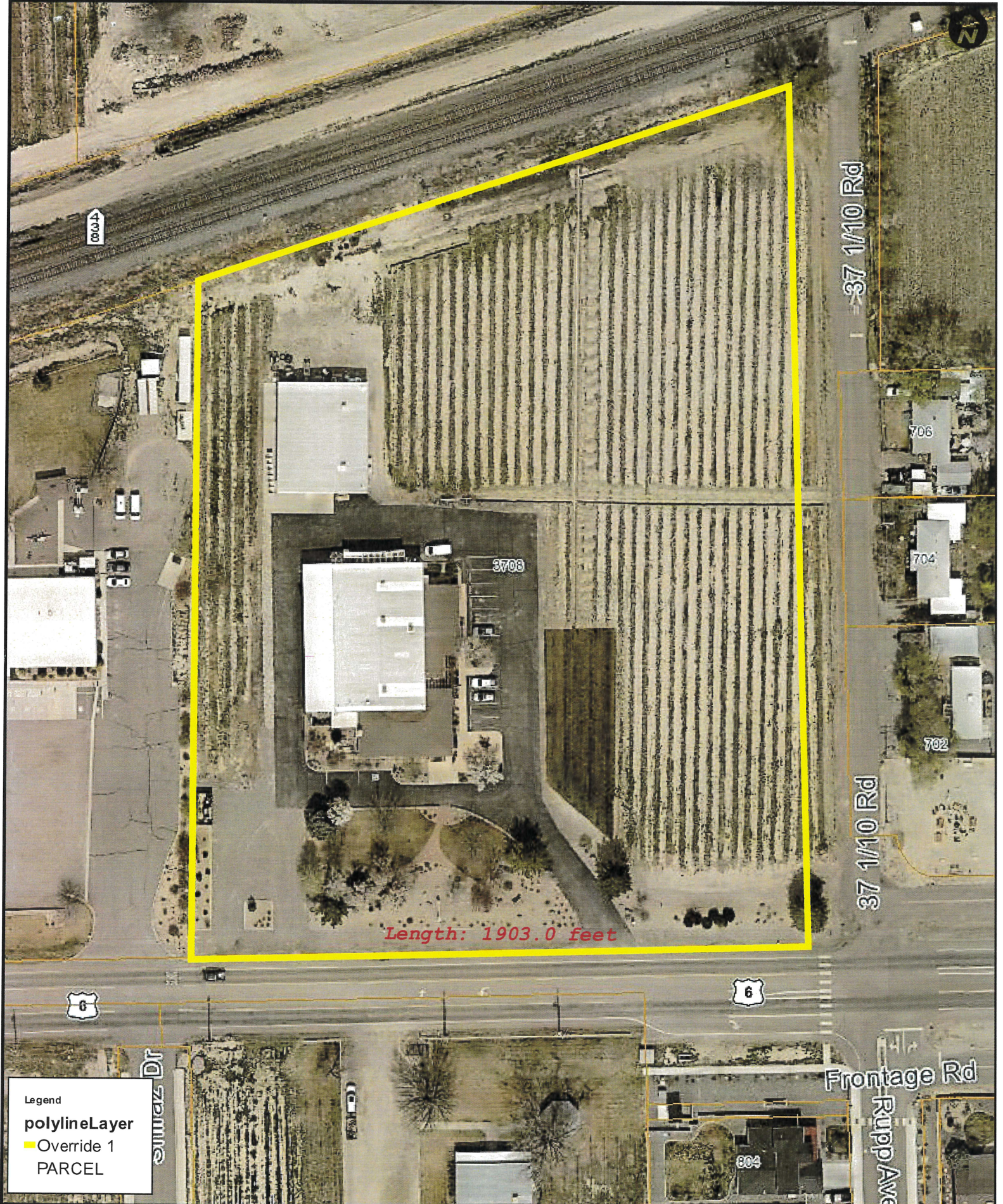
Total Parking: 32  
 Standard: 21  
 Handicap Parking: 2  
 Limousine/Tour Bus: 2  
 Employee Parking: 7  
 (Plus Open Area available for 40-50 more parking spots in future.)



1" = 80'

New 6' Security Fence (depicted in blue square dot line)





Legend

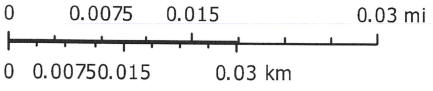
**polylineLayer**

- Override 1
- PARCEL

**Parcel #2937-084-00-144**

Print Date: May 4, 2023

The Geographic Information System (GIS) and its components are designed as a source of reference for answering inquiries for planning and for modeling. GIS is not intended or does not replace legal description information in the chain of title and other information contained in official government records such as the County Clerk and Records office or the courts. In addition, the representations of location in this GIS cannot be substituted for actual legal surveys. The information contained herein is believed accurate and suitable for the limited uses, and subject to the limitations, set forth above. Mesa County makes no warranty as to the accuracy or suitability of any information contained herein. Users assume all risk and responsibility for any and all damages, including consequential damages, which may flow from the user's use of this information.









**COLTERIS COLLECTIONS**

NO.	DATE	COMMENTS

**SD**  
**PRELIMINARY**  
 PROJECT NO: 2314  
 SHEET NAME: SITE PLAN  
 DATE: 4/27/2023  
 SHEET NO:  
**C1.1**  
 SCALE: AS INDICATED



- EXISTING DRIVEWAY LANDSCAPE AREA TO MATCH EXISTING
- NEW PARKING STALLS
- EXISTING FENCE ENCLOSURE

**2 ENLARGED SITE PLAN**  
 C1.1 1:1.80

**1 SITE PLAN**  
 C1.1 1"=30'-0"



REVISION	DATE	COMMENTS

<b>SD</b>
<b>PRELIMINARY</b>
PROJECT NO: 2314
SHEET NAME: DEMO PLAN
DATE: 4/27/2023
SHEET NO: <b>D1.1</b>
SCALE: As Indicated

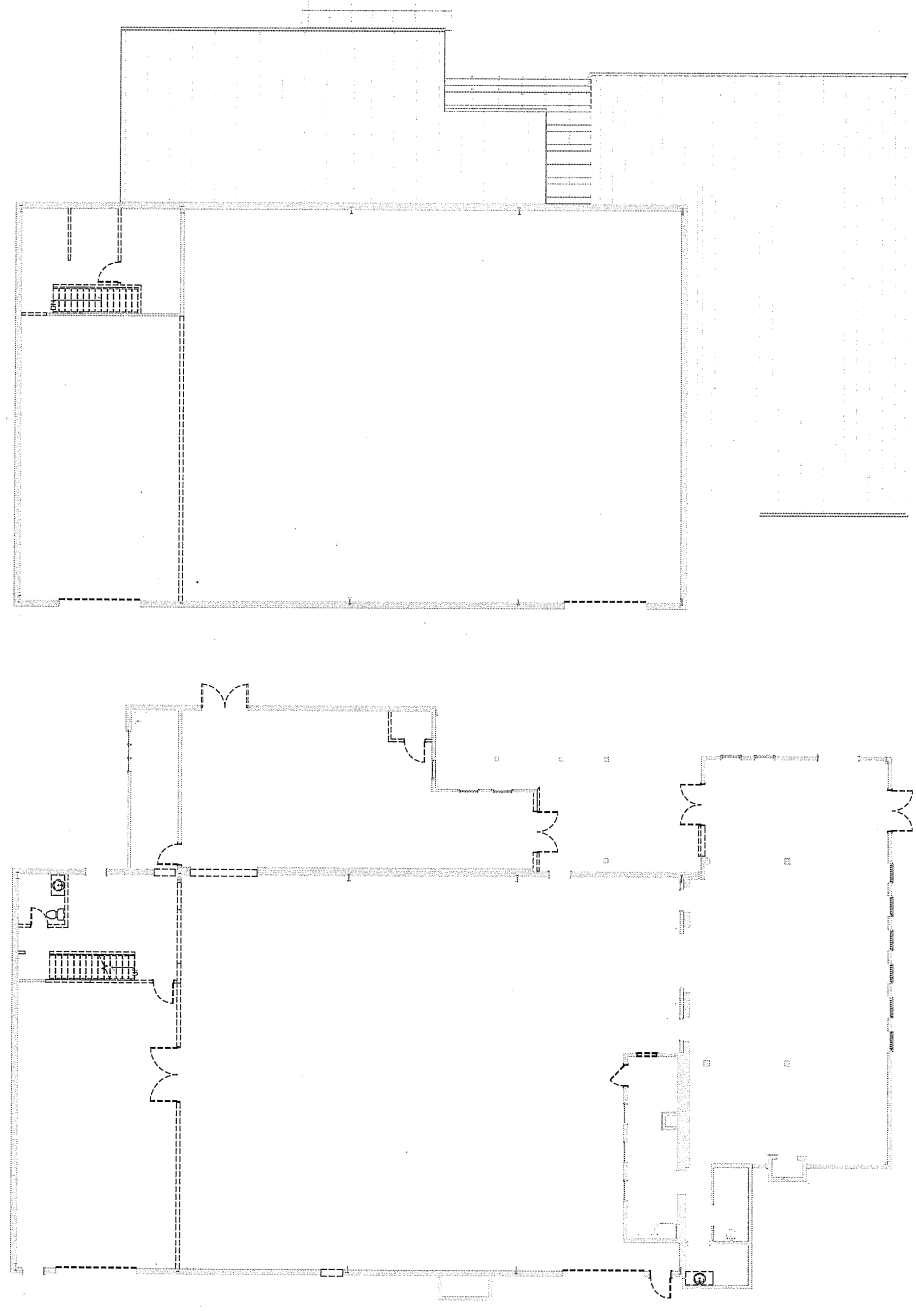
**DEMO SYMBOL LEGEND**

**GENERAL REMODEL PLAN NOTES**

- SEE PROJECT MANUAL SPECIFICATIONS AND REQUIREMENTS.
- BEFORE WORK BEGINS, THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.
- ALL DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.

**DEMO PLAN KEYNOTES**

- DEMO WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION OF THE NEW WORK. THE GENERAL CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND DEMO WORK ARE SHOWN ON THESE DEMO PLANS.

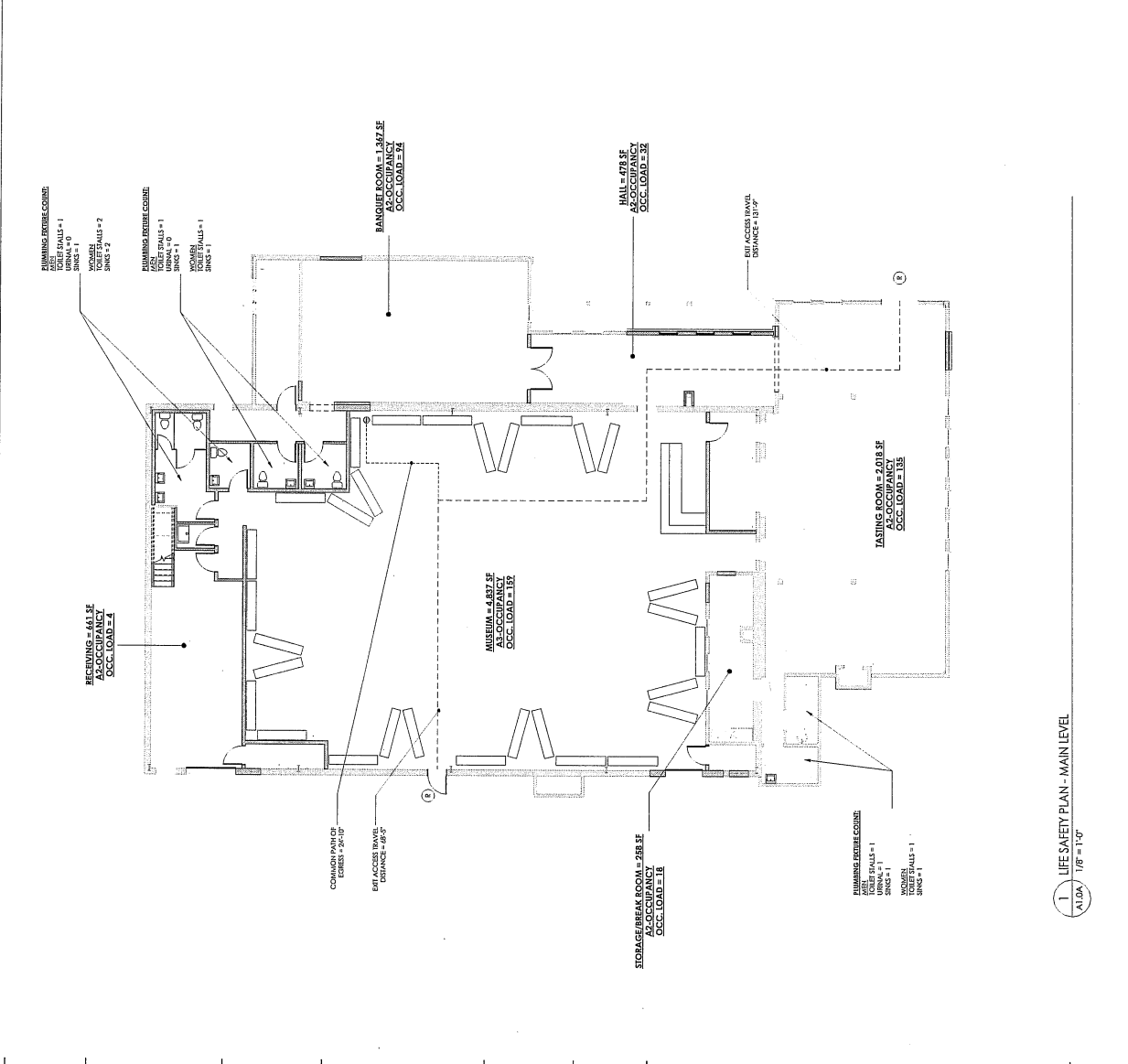


**1**  
 D1.1  
 MAIN LEVEL DEMO PLAN  
 1/8" = 1'-0"

**2**  
 D1.1  
 UPPER LEVEL - FLOOR PLAN  
 1/8" = 1'-0"

SYMBOL	DATE	COMMENTS

<b>SD</b>
<b>PRELIMINARY</b>
PROJECT NO: 2314
SHEET NAME: LIFE SAFETY PLANS
DATE: 4/27/2023
SHEET NO: A1.0A
SCALE: As Indicated



**1. LIFE SAFETY PLAN - MAIN LEVEL**  
 1/8" = 1'-0"

**CODE IN USE:**  
 2018 INTERNATIONAL BUILDING CODE (IBC)  
 2018 INTERNATIONAL MECHANICAL CODE (IMC)  
 2018 INTERNATIONAL PLUMBING CODE (IPC)  
 2018 INTERNATIONAL FIRE CODE (IFC)  
 2009 NATIONAL ELECTRICAL CODE (NEC)  
 2009 IFC AT177 - ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES

**CHAPTER 3 - USE AND OCCUPANCY CLASSIFICATION:**

NAME	TOTAL CSF	OCCUPANCY TYPE
MAIN LEVEL	5,412	A-2
STORAGE/BREAK ROOM	238	A-2
HALLWAY	1,287	A-2
HALLWAY	487	A-2
HALLWAY	428	A-2
OFFICE	428	B
<b>TOTAL CSF:</b>	<b>10,847 SF</b>	

**CHAPTER 5 - GENERAL BUILDING HEIGHTS AND AREAS:**

ALLOWABLE FLOOR AREA (TABLE 502.2)	TYPE	MIN. SPRINKLERED FLOOR PER STORY	HEIGHT
40,000 SF	V-A	1 STORY	40' HEIGHT

REQUIRED SEPARATION OF OCCUPANCIES: N/A

**CHAPTER 6 - TYPES OF CONSTRUCTION:**

RESISTANCE FOR BUILDING ELEMENTS:	ROOF	WALLS	FLOOR	CEILING	MEANS OF EGRESS ENCLOSURES	MEANS OF EGRESS ENCLOSURES	MEANS OF EGRESS ENCLOSURES
0	0	0	0	0	0	0	0

RESISTANCE FOR EXTERIOR WALLS BASED ON SEPARATION: N/A

SEPARATION: GROUP A2  
 1, 2, 3, 0

**CHAPTER 7 - FIRE AND SMOKE PROTECTION FEATURES:**

EXTERIOR WALLS (SECTION 705.5)	N/A
FLOOR AND ROOF ASSEMBLIES (SECTION 711)	N/A
VERTICAL PENETRATIONS (SECTION 712)	N/A
MEANS OF EGRESS ENCLOSURES (SECTION 713)	N/A
FIRE PARTITIONING (SECTION 714)	N/A
SMOKE BARRIERS (SECTION 715)	N/A
SMOKE PARTITIONS (SECTION 716)	N/A
CONCEALED SPACES (SECTION 718)	N/A

**CHAPTER 8 - FIRE PROTECTION AND LIFE SAFETY SYSTEMS:**

FIRE ALARM AND SMOKE DETECTION (SECTION 903)	YES
AUTOMATIC SPRINKLER SYSTEMS (SECTION 904)	YES
PORTABLE FIRE EXTINGUISHERS (SECTION 906)	YES - 75
FIRE DETECTION SYSTEMS (SECTION 907)	NO

**CHAPTER 10 - MEANS OF EGRESS:**

NAME	TOTAL CSF	OCCUPANCY TYPE	FLOOR AREA PER OCCUPANT	NUMBER OF OCCUPANTS
MAIN LEVEL	4,918	A-2	15	15
STORAGE/BREAK ROOM	238	A-2	15	15
HALLWAY	1,287	A-2	15	15
BANQUET ROOM	4,837	A-2	20	15
MUSEUM	441	A-2	20	2
HALLWAY	428	B	150	3
OFFICE	428	B	150	3
<b>TOTAL:</b>	<b>10,847 SF</b>			<b>445</b>

EGRESS WIDTH PER OCCUPANT: (SECTION 1003)

STAIRWAYS: (SECTION 1004) 10.2 x 43 = 441' PROVIDED

NUMBER OF STAIR AND EXIT ACCESS DOORWAYS: (SECTION 1006) 75

MINIMUM COMMON PART OF EGRESS TRAVEL: (TABLE 1004.1) 75'

MINIMUM COMMON PART OF EGRESS TRAVEL: (SECTION 1008) 75'

ACCESSIBLE EGRESS: (SECTION 1009.1) YES

HARDWARE: (SECTION 1010.1.1) NO MANUALLY OPERATED FLOOR OR SURFACE MOUNTED BOLTS ARE GRIPPING, PUNCHING OR TYPING OF THE FAST

STAIRWAYS: (SECTION 1011) MIN STAIRWAY WIDTH = 44'

STAIRWAY WIDTH: (SECTION 1012) 50'

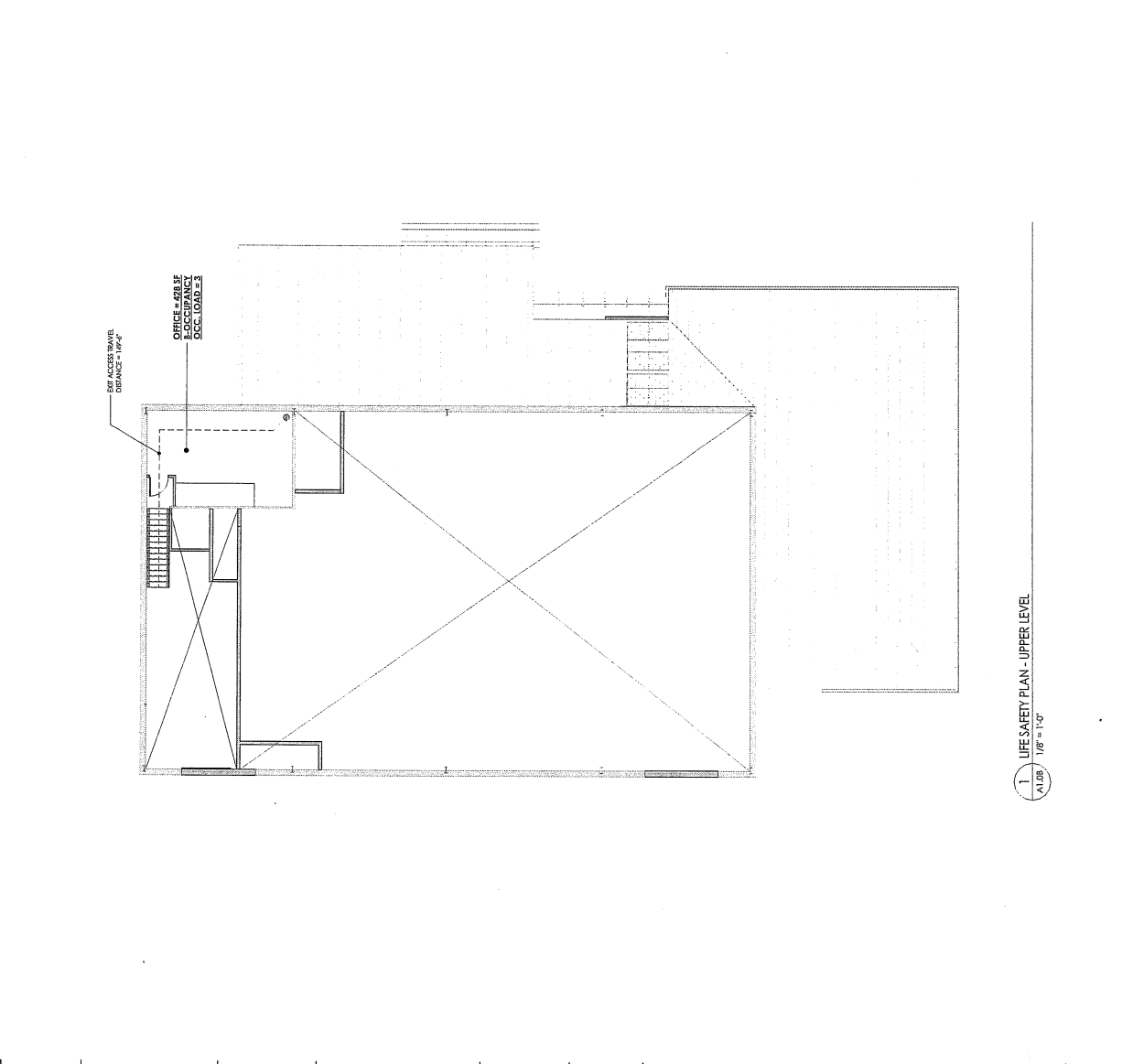
CONDORES: (SECTION 1003) MIN CONDORES WIDTH = 44' (PER SEC. 1003.1) DEAD END = 50'

**LEGEND:**

- (E) = REQUIRED EXIT
- (FE) = FIRE EXTINGUISHER
- (FEC) = FIRE EXTINGUISHER CABINET

REVISION	DATE	COMMENTS

SD PRELIMINARY
PROJECT NO: 2314
SHEET NAME: LIFE SAFETY PLANS
DATE: 4/27/2023
SHEET NO: A1.0B
SCALE: As Indicated



1 LIFE SAFETY PLAN - UPPER LEVEL  
 A1.0B 1/8" = 1'-0"

**CODE IN USE:**  
 2018 INTERNATIONAL MECHANICAL CODE (IMC)  
 2018 INTERNATIONAL PLUMBING AND MECHANICAL CODE (IPMC)  
 2018 INTERNATIONAL FIRE CODE (IFC)  
 2018 INTERNATIONAL BUILDING CODE (IBC)  
 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)  
 2009 IBC (A17.1) ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES

**CHAPTER 3. USE AND OCCUPANCY CLASSIFICATION:**

NAME	TOTAL GSF	OCCUPANCY TYPE
MAIN LEVEL	5,612	A-2
- STAIRWELL	218	A-2
- STAIRWELL BREAK ROOM	78	A-2
- HALL	1,378	A-2
- ELEVATOR	487	A-3
- MECHANICAL	61	A-2
- OFFICE	428	B
<b>TOTAL GSF:</b>	<b>10,447 SF</b>	

**CHAPTER 6. GENERAL BUILDING HEIGHTS AND AREAS:**

ALLOWABLE FLOOR AREA:  
 (TABLE 602.1, IBC 1004.1)  
 TYPE: N.A. FULLY SPRINKLERED  
 15,000 PER STORY, 1 STORY  
 4' RISE

REQUIRED SEPARATION OF OCCUPANCIES:  
 (TABLE 606.4) N/A

**CHAPTER 6. TYPES OF CONSTRUCTION:**

FIRE RESISTANCE FOR BUILDING ELEMENTS:  
 (TABLE 601)

STRUCTURAL	EXTERIOR WALLS	EXTERIOR WALLS	INTERIOR WALLS	ROOF	ROOF
TYPE	MINIMUM	MINIMUM	MINIMUM	MINIMUM	MINIMUM
0	0	0	0	0	0

FIRE RESISTANCE FOR EXTERIOR WALLS BASED ON SEPARATION:  
 (TABLE 602)

SEPARATION	GROUP A-2
1	2-1/2
2	0
3	0

**CHAPTER 7. FIRE AND SMOKE PROTECTION FEATURES:**

EXTERIOR WALL PENETRATIONS	FLOOR AND ROOF ASSEMBLIES (SECTION 711)
N/A	N/A
VERTICAL PENETRATIONS (SECTION 712)	VERTICAL PENETRATIONS (SECTION 712)
N/A	N/A
FIRE PARTITIONS (SECTION 713)	FIRE RESISTANT JOINT SYSTEMS (SECTION 715)
N/A	N/A
SMOKE BARRIERS (SECTION 716)	SMOKE PARTITIONS (SECTION 717)
N/A	N/A
SMOKE PARTITIONS (SECTION 716)	CONCEALED SPACES (SECTION 718)
N/A	N/A

**CHAPTER 9. FIRE PROTECTION AND LIFE SAFETY SYSTEMS:**

1. AUTOMATIC SPRINKLER SYSTEMS (SECTION 901)  
 YES  
 2. PORTABLE FIRE EXTINGUISHERS (SECTION 902)  
 YES - 75  
 3. FIRE DETECTION SYSTEMS (SECTION 907)  
 NO

**CHAPTER 10. MEANS OF EGRESS:**  
 (TABLE 1004.3)

NAME	TOTAL GSF	OCCUPANCY TYPE	FLOOR AREA PER OCCUPANT	NUMBER OF OCCUPANTS
MAIN LEVEL	5,612	A-2	15	138
STAIRWELL	218	A-2	15	13
STAIRWELL BREAK ROOM	78	A-2	15	5
HALL	1,378	A-2	15	92
ELEVATOR	487	A-3	30	16
MECHANICAL	61	A-2	30	2
OFFICE	428	B	150	3
<b>TOTAL:</b>	<b>10,447 SF</b>			<b>445</b>

EGRESS WIDTH PER OCCUPANT:  
 (SECTION 1003)

1 STAIRWAYS	OTHER EGRESS COMPONENTS
103.4.3 - 21' 4" PROVIDED	103.4.4.3 - 58.1' 10" PROVIDED

NUMBER OF EGRESS AND EXIT ACCESS DOORWAYS:  
 (SECTION 1005)

REQUIRED EGRESS	REQUIREMENTS
75	75

MINIMUM COMMON PATH OF EGRESS TRAVEL:  
 (TABLE 1006.2.1)

EGRESS ILLUMINATION:	PER MEANS OF EGRESS
15	15

ACCESIBLE EGRESS:  
 (SECTION 1007.1)

HARDWARE:  
 (SECTION 1007.1.1)

STAIRWAYS:  
 (SECTION 1011)

EXIT ACCESS TRAVEL DISTANCE:  
 (SECTION 1012)

CONCEALED SPACES:  
 (SECTION 1013)

209

MIN. CORRIDOR WIDTH - 44" (SEE SEC. 1008.1)  
 EXIST. CORRIDOR WIDTH - 20"

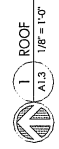
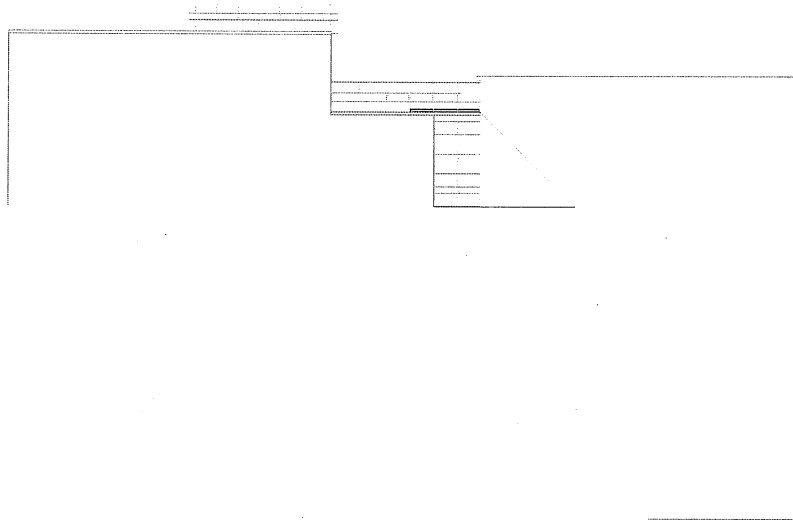
E = REQUIRED EXIT  
FE = FIRE EXTINGUISHER  
FEC = FIRE EXTINGUISHER CABINET





REVISION	DATE	COMMENTS

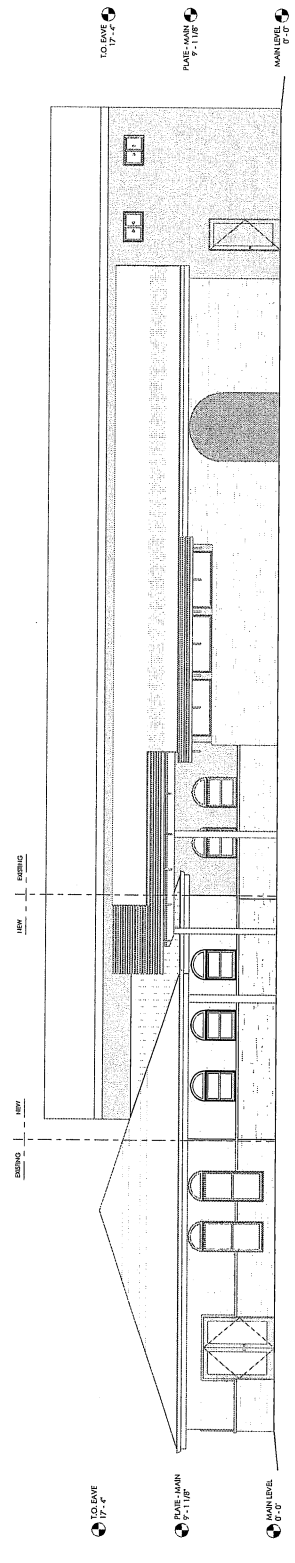
<b>SD</b> <b>PRELIMINARY</b>
PROJECT NO: 2314
SHEET NAME: ROOF PLAN
DATE: 4/27/2023
SHEET NO: <b>A1.3</b>
SCALE: 1/8" = 1'-0"



COLTERIS COLLECTIONS

REVISION	DATE	COMMENTS

SD PRELIMINARY
PROJECT NO: 2314
SHEET NAME: EXTERIOR ELEVATIONS
DATE 4/27/2023
SHEET NO: <b>A2.1</b>
SCALE: 3/16" = 1'-0"



1 EAST ELEVATION  
 A2.1 3/16" = 1'-0"

**AFFIDAVIT OF PUBLICATION**

State of Florida, County of Charlotte, ss:

Stefan Edward Pla, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agents of Grand Junction Daily Sentinel, a newspaper printed and published 5 days a week in the City of Grand Junction, County of Mesa, State of Colorado, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

**PUBLICATION DATES:**  
4 Jun 2023

**NOTICE ID:** 6z9ZxePc7tTQKK2zMLmu  
**PUBLISHER ID:** BW169862  
**NOTICE NAME:** Colterris Collections Wine Museum CUP

*Stefan Edward Pla*

(Signed) \_\_\_\_\_

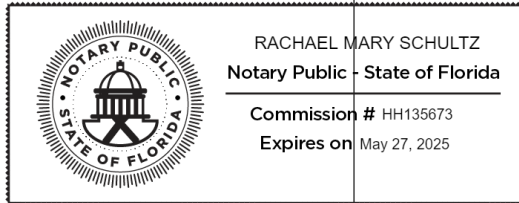
**VERIFICATION**

State of Florida  
County of Charlotte

Subscribed in my presence and sworn to before me on this:  
06/05/2023

*Rachael Mary Schultz*

Notary Public  
Notarized online using audio-video communication



**NOTICE OF PUBLIC HEARING –  
COLTERRIS COLLECTIONS WINE  
MUSEUM CUP**

Notice is hereby given that public hearings will be held before the Planning Commission of the Town of Palsade at the Palsade Civic Center, 341 W. 7th Street, Palsade, Colorado at 6:00 p.m. on June 20, 2023, and by the Town of Palsade Board of Trustees at the Palsade Civic Center, 341 W. 7th Street, Palsade, Colorado at 6:00 p.m. on June 27, 2023 to consider a Conditional Use Permit for a wine museum on the property located at 3708 G Road (Parcel # 2937-084-00-144), as applied for by Scott W. High of High Country Orchards LLC. All interested parties are encouraged to attend. Additional information may be obtained from the Town Clerk's office at 175 E. Third Street or by calling 970-464-5602. For meeting information, please visit [www.palsade.colorado.gov](http://www.palsade.colorado.gov)

**Published: June 4, 2023.**



6/20/2023

Town of Palisade Planning Commission  
175 E. 3rd Street  
Palisade, CO 81526

RE: PRO 2023-07 – COLTERRIS COLLECTIONS WINE MUSEUM CUP

Dear Commissioners,

The Palisade Chamber of Commerce asks that you unanimously support the Conditional Use Permit of the proposed wine museum on the property located at 3708 G Road.

A vibrant Palisade economy depends upon diversity in business, consistent jobs with fair wages, and businesses to be open year round. Museums are fun, educational, and provide an indirect revenue-generator and contributor to the town's sales-tax base by attracting visitors that, in turn, support local businesses and restaurants. The museum in question would be one of a kind, responsibly utilize currently underutilized space, and support the aforementioned in being vital and valuable to the economy.

Thank you for your consideration and support of a healthy Palisade economy and an exciting new Palisade business!

Sincerely,  
Jessica Burford, President & CEO  
Palisade Chamber of Commerce

Palisade Chamber of Commerce  
305 Main Street  
P.O. Box 729  
Palisade, CO 81526-0729  
(970) 464-7458  
Palisadecoc.com

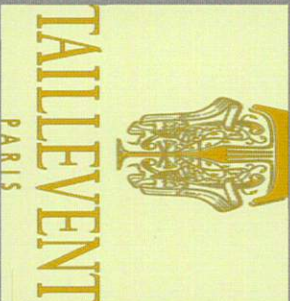


Hotel St. Francis  
Wine List  
(circa 1936)  
335 Powell Street, San  
Francisco, California  
Opened 1904

"The center of San  
Francisco's social, literary,  
and artistic life."

Just two years after its grand opening, the hotel experienced the ravages of the Great 1906 San Francisco Earthquake. The structure of the hotel withstood the quake, but the fire that followed destroyed its interior. After a complete restoration in 1907, in commemoration, the great Magnolia clock (the first master electric clock introduced to the western United States) was installed in its place of honor in the lobby. A fashionable phrase for San Franciscan society for more than a century has been "Meet me under the clock."

**Wine Facts:** Many of the important California wineries at the time are represented on this list: Beaulieu, Beringer Brothers, Concannon, Cresta Blanc, Inglenook, Italian Swiss Colony, Korbel, Paul Masson, and Roma. The wine category term "French Rhine Wines" used in the Imported White Wines section was seldom used again after World War II.



Restaurant Le Taillevent  
Carte des Vins  
(May 1987)

15 Rue Lamennais, Paris,  
France  
Opened 1946

"A reference point in the world of gastronomy. A legendary Parisian restaurant if ever there was one, set in the classic French tradition."

The establishment was named as a tribute to Guillaume Tirel, called Taillevent, a chef in the 14<sup>th</sup> century known to have written the first cuisine book in French, "Le Viandier," on the order of King Charles V of France. This top haute cuisine restaurant is situated close to the Avenue des Champs Elysees and just a short walk from the Arc de Triomphe was founded in 1946 by André Vignat, and now owned by the Gardinier family (which also owns Les Crayères in Reims).

**Wine Facts:** This "La Cave de Taillevent" wine list includes a significant number of the greatest French wine producers from Bordeaux and Burgundy but if you wanted to order Champagne or Eaux de Vie you would need to request another special wine list as these categories are hardly represented here. Today, the restaurant's remarkable wine cellars "La Cave de Taillevent" offers a choice of over 2,800 wines and spirits.

Carte  
des Vins

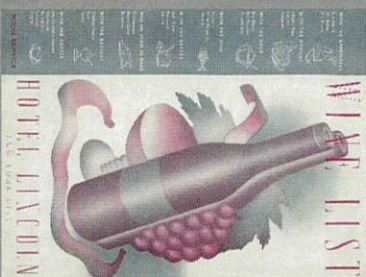


Maison Prunier  
Carte des Vins  
(January 1937)  
16 Avenue Victor-Hugo,  
Paris, France  
Established in 1872

"The world of Prunier is an adventure of 150 years, rich in love, joy and celebration for the pleasure of the senses and spirit".

Maison Prunier is an icon of French gastronomy specializing in seafood. The flagship restaurant Prunier on Avenue Victor-Hugo opened in 1921 and it was the first establishment to prepare and sell French caviar, invented the oyster bar, champagne by the glass and home delivery by bicycle in Paris.

**Wine Facts:** An outstanding French wine list for being 83+ years old. Oscar Wilde, Sarah Bernhardt, Arthur Conan Doyle, F. Scott Fitzgerald, and Ernest Hemingway all frequented Prunier and drank Champagne (when their finances allowed) and its easy to understand why, the Champagne selection offered on this wine list is extraordinary. There are well over sixty vintage dated Champagnes presented for sale on the wine list.



Hotel Lincoln Wine List  
(March 1937)

700 Eighth Avenue, New York  
City, New York  
Opened 1928 – Closed 1956

The Hotel Lincoln was one of the largest hotels located conveniently in Midtown Manhattan's Theatre District and its restaurants and ballroom were continually packed with partygoers. It featured 1,300 rooms spread out across 27 floors. For almost three decades, the hotel hosted salesmen, tourists, and people connected to the theater district.

Starting in 1956, the building went through a series of new owners and names, Hotel Manhattan (1956-1969), Royal Manhattan (1969-1974), Milford Plaza Hotel (1980-2011), and now operated as the Row NYC Hotel.

**Wine Facts:** Chateau d'Yquem, 1925 (Bordeaux White) was priced at \$6.50 per bottle, today the same vintage of that wine can be purchased for around \$9,000 per bottle. The wine list includes six wonderful French Champagnes from the extraordinary 1928 vintage (arguably one of the best vintages ever in Champagne).

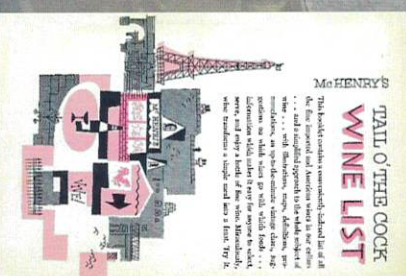


Tavern at The Broadmoor  
Hotel  
(June 1959)  
1 Lake Avenue, Colorado  
Springs, Colorado  
Opened 1918

"The Grand Dame of the Rockies. One of the World's Premier Resorts."

The Broadmoor is a legendary world-class destination resort founded by Spencer Penrose over 100 years ago. Located on 5,000 acres at the base of Cheyenne Mountain, it was originally designed to evoke the elegant look, excellent service, and fine cuisine of celebrated European hotels.

**Wine Facts:** The back page of this Tavern Menu lists a portion of the extensive collection of Pre-Prohibition era wine and spirits bottles that were part of Spencer Penrose's personal collection. The 1,000+ bottles are displayed in glass cases along the walls just off the lobby in the original main building.



McHenry's Tail o' The Cock  
Restaurants Wine List  
(1955)

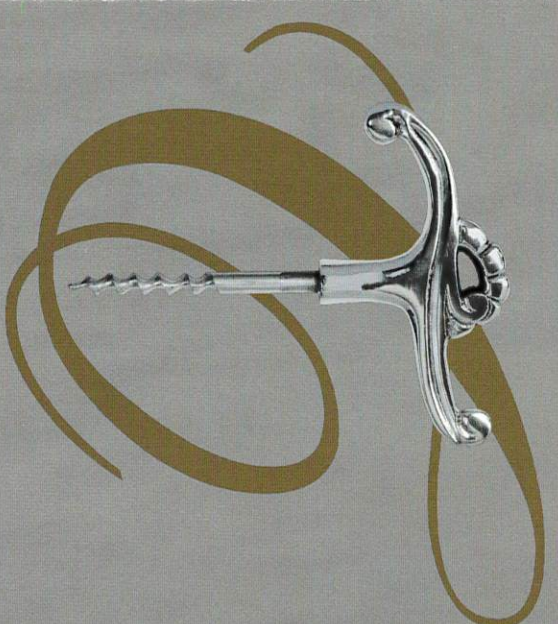
477 South La Cienega  
Boulevard, Los Angeles, and  
12950 Ventura Boulevard,  
Studio City, California  
Opened 1940s – Closed 1980s  
(both locations)

As one might gather from the name, the big selling point at Tail o' The Cock wasn't the food so much as the cocktails. It was a popular place to meet for drinks, especially late in the afternoon.

An awful lot of Hollywood deals were consummated there over martinis. The restaurant claimed to be the first place in Los Angeles to serve Margaritas. During its heyday, the Studio City restaurant was the place where stars ate lunch while working at nearby Warner Brothers Studios and CBS Studio Center. Celebrities like Ronald Reagan, Elizabeth Taylor, Richard Burton, Gene Autry, and John Wayne were regulars.

**Wine Facts:** This extensive twenty-four page wine list includes many pages of helpful information to better educate wine consumers during the 1950s such as: "The Bordeaux Classified Growths", a wine "Pronouncing Glossary", and a "Vintage Chart" in addition to the lists of wines available for sale.

# Colterris® Collections



The "Vintage" wine lists on display in the Colterris Collections Tasting Room represent just a few of the more interesting wine offerings from famous hotels and restaurants covering the past eighty years. These are high resolution enlargements taken from the original wine lists that are displayed in the Colterris Collections Museum.

3708 G Road Palisade, CO 81526  
(970) 464-1150  
Colterris.com









## PALISADE BOARD OF TRUSTEES Agenda Item Cover Sheet

**Meeting Date:** June 27, 2023  
**Presented By:** Brian Rusche, Community Development Director  
**Department:** Community Development  
**Re:** 3708 G ROAD FENCE HEIGHT VARIANCE

---

**SUBJECT:** 3708 G ROAD FENCE HEIGHT VARIANCE, located at 3708 G ROAD (PARCEL # 2937-084-00-144)

**SUMMARY:** The Town of Palisade has received a request from Scott W. High of High Country Orchards LLC, for a variance from Section 7.05.D.6.a of the Palisade Land Development Code for the height of a fence on the property located at 3708 G Road (Parcel # 2937-084-00-144) in conjunction with the Colterris Collections Wine Museum CUP.

Pursuant to Section 4.07.L – Coordination with Variance, an application for variance may be submitted concurrently with a request for a conditional use permit. The conditional use permit request shall be considered first (including any site plan) and where it is denied, the variance request shall be null and void.

The applicant is proposing a six (6) foot fence along G Road (Highway 6), extending north along 37 1/10 Road as well as the western property line. All of this area is considered the front yard of this property, which extends a distance of 35 feet from the property line, according to Section 5.03.A of the LDC. Fences within any required street (front) yard shall not exceed four (4) feet in height, pursuant to Section 7.05.D.6.a of the LDC.

**BOARD DIRECTION:** The Board of Adjustment may approve, deny, or continue a request for a variance. No variance shall be approved by the Board of Adjustment unless all of the following findings are made:

1. There are exceptional conditions pertaining to the particular piece of property in question because of its shape, size, or topography that are not applicable to other lands or structures in the same district [or there is a peculiar characteristic of an establishment which makes the parking and/or loading requirements of this LDC unrealistic];
2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located.
3. A literal interpretation of the provisions of the LDC would deprive the applicant of rights

commonly enjoyed by other residents of the district in which the property is located.

4. The requested variance will be in harmony with the purpose and intent of this LDC and will not be injurious to the neighborhood or to the general welfare.

5. The special circumstances are not the result of the actions of the applicant.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

**SUGGESTED MOTION:**

I move to **approve** 3708 G ROAD FENCE HEIGHT VARIANCE, finding that the criteria of Section 4.17.F have been met.

**ATTACHMENTS**

Staff Report

Letter of Intent

Site Plan

Fence Example

Affidavit of Publication



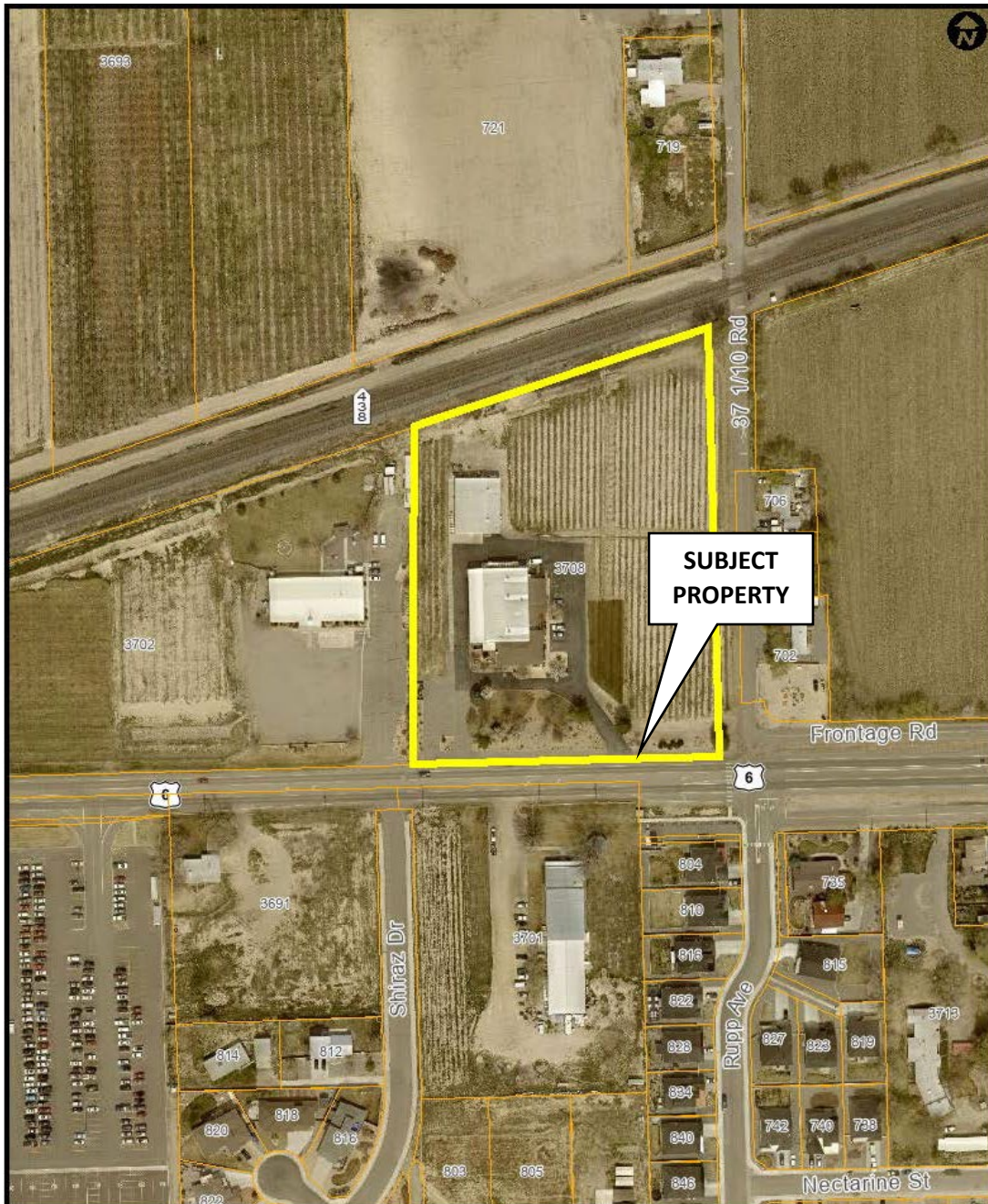
**3708 G ROAD FENCE HEIGHT VARIANCE**  
**LOCATED AT 3708 G ROAD, PARCEL # 2937-084-00-144**

---

**SUMMARY**

The Town of Palisade has received a request from Scott W. High of High Country Orchards LLC, for a variance from Section 7.05.D.6.a of the Palisade Land Development Code for the height of a fence on the property located at 3708 G Road (Parcel # 2937-084-00-144) in conjunction with the Colterris Collections Wine Museum CUP.

Pursuant to Section 4.07.L – Coordination with Variance, an application for variance may be submitted concurrently with a request for a conditional use permit. The conditional use permit request shall be considered first (including any site plan) and where it is denied, the variance request shall be null and void.





## BACKGROUND

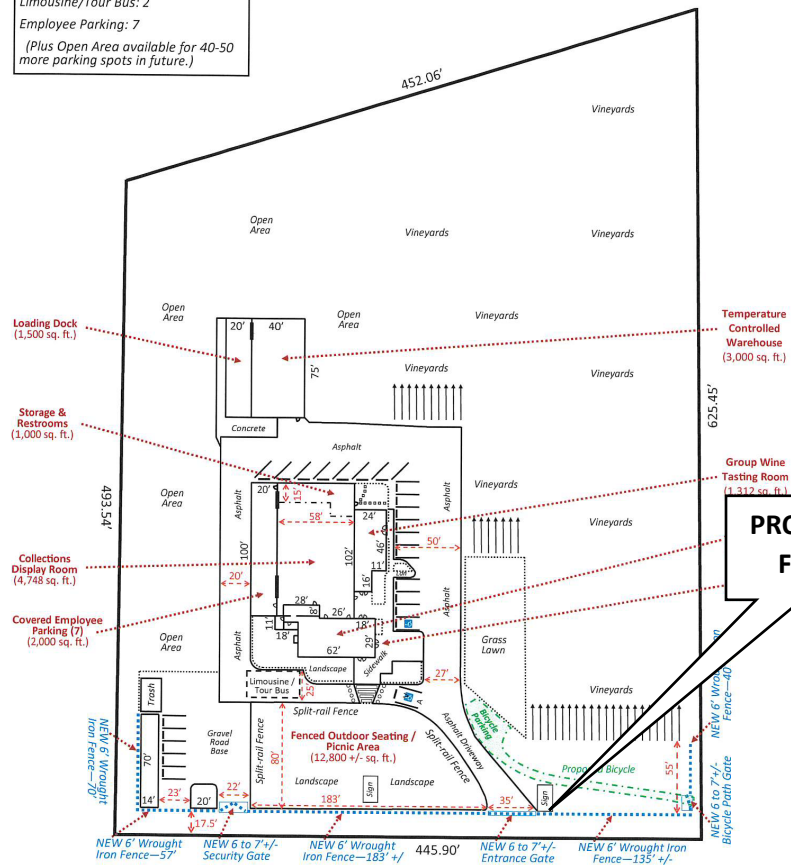
The subject property is the home of Colterris Collections winery, previously known as Plum Creek Winery. The property is zoned Agricultural and Forestry Transitional (AFT). The AFT zone was established to provide for wineries, vineyards and related lodging and commercial activity compatible with the Town’s rural and agricultural character (Section 5.03.A – LDC).

The Colterris Collections Wine Musuem plans include displaying a world-class collection of historical wine-related objects and memorabilia, according to the applicant.

This exhibition would provide an exceptional experience for visitors and solidify the Palisade area as the preeminent wine capital of Colorado.



Total Parking: 32  
 Standard: 21  
 Handicap Parking: 2  
 Limousine/Tour Bus: 2  
 Employee Parking: 7  
 (Plus Open Area available for 40-50 more parking spots in future.)



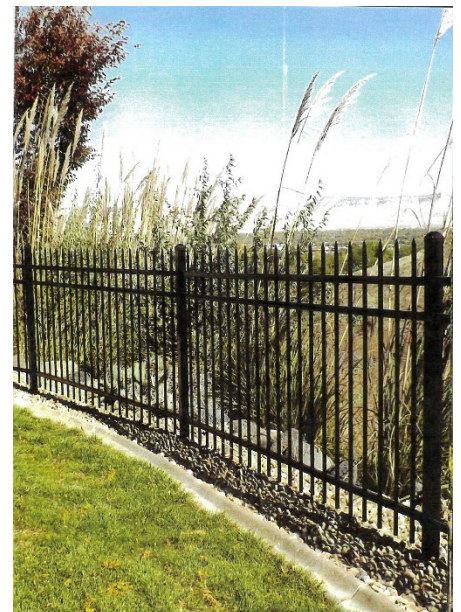
**PROPOSED FENCE**

1" = 80'

New 6' Security Fence (depicted in blue square dot line)

According to the application: “One of the needed security measures is to implement tighter controlled-access points to the south, south-west, and south-east fronts of the location with fencing and gates. To that end, we are also requesting a variance be granted for a six-foot tall wrought iron fence with gates to focus and control available access points.”

The applicant is proposing a six (6) foot fence along G Road (Highway 6), extending north along 37 1/10 Road as well as the western property line. All of this area is considered the front yard of this property, which extends a distance of 35 feet from the property line, according to Section 5.03.A of the LDC.



Fences within any required street (front) yard shall not exceed four (4) feet in height, pursuant to Section 7.05.D.6.a of the LDC.

## LAND DEVELOPMENT CODE – CRITERIA FOR DECISION

### VARIANCE

The variance procedure provides a process to grant limited relief from the requirements of this LDC for property where strict application of the LDC would result in an exceptional practical difficulty or undue hardship.

#### **Section 4.17.F. Variance Findings of Fact:**

#### **NO VARIANCE SHALL BE APPROVED BY THE BOARD OF ADJUSTMENT UNLESS ALL OF THE FOLLOWING FINDINGS ARE MADE:**

**1. There are exceptional conditions pertaining to the particular piece of property in question because of its shape, size, or topography that are not applicable to other lands or structures in the same district [or there is a peculiar characteristic of an establishment which makes the parking and/or loading requirements of this LDC unrealistic];**

There are exceptional conditions pertaining to this property because of the size of the lot and the proposed conditional use.

*The property consists of 4.99 acres, with approximately 420 linear feet of frontage along Highway 6. The nature of the proposed museum, according to the applicant, warrants additional security that would not be afforded by a four-foot fence. No other properties within the AFT zone have a front yard adjacent to a state highway.*

**2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located.**

Granting the variance requested will not confer upon the applicant any special privilege.

*The Town does receive other inquiries for variances to this rule on fence height. Applications for a variance, therefore, must be evaluated on a case-by-case basis using the criteria set forth in this section.*

*As noted above, no other properties within the AFT zone have a front yard adjacent to a state highway.*

**3. A literal interpretation of the provisions of the LDC would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.**

A literal interpretation of the code would deprive the applicant of the ability to provide additional parking and outdoor gathering space.

*A six-foot tall fence may be built outside of the front yard setback, which would be 35 feet from the front property line. This would effectively reduce the ability to add parking on the west side of the property and leave a no-man's land between the edge of the highway and the start of the allowed fence, if the variance is not approved.*

**4. The requested variance will be in harmony with the purpose and intent of this LDC and will not be injurious to the neighborhood or to the general welfare.**

The requested variance will be in harmony with the purpose and intent of the LDC and will not be injurious to the neighborhood or to the public.

*The intent of the LDC is to have four-foot fences along the street to encourage interaction with neighbors and pedestrians. In this case, there are no pedestrian facilities on the north side of the highway and the actual land use is set far from the road, creating a potential issue with after-hours trespass upon the property. The proposed fence will be wrought iron, to not create a blank or opaque screen along the road. Other agricultural or commercial uses in the area would not be affected by a new fence along the road.*

**5. The special circumstances are not the result of the actions of the applicant.**

The current owner purchased the property in its existing configuration.

*The property was recently acquired, and the winery was renamed. There is a wooden, split rail fence that surrounds the circle drive, but the additional parking and configuration of the site (see conditional use site plan) is different than the previous use.*

**6. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.**

The requested variance is the minimum necessary to effectively provide security for the site.

*The only variance requested is to the height of the fence. A 6-foot fence is a typical fence height; just the location of the fence along the front property line, which is directly on the state highway, is different than other properties.*

### **RECOMMENDATION ON THE VARIANCE**

The Board of Adjustment may approve, deny, or continue a request for a variance. In approving a variance, the Board of Adjustment may prescribe reasonable and appropriate conditions which will ensure that the use will be compatible with adjacent properties and will not alter the character of the neighborhood.

The Community Development Department recommends that the Board approve the requested variance, finding that the criteria of Section 4.17.F have been met. No additional conditions are recommended.

### **ATTACHMENTS**

Letter of Intent

Site Plan

Fence Example

Affidavit of Publication

High Country Orchards, LLC  
P.O. Box 1435, Palisade, Colorado 81526  
Telephone: 303-748-4444  
Email: [theresa@colterris.com](mailto:theresa@colterris.com) / [scott@colterris.com](mailto:scott@colterris.com)

## Letter of Intent

May 23, 2023

Town of Palisade  
175 East Third Street  
P.O. Box 128  
Palisade, Colorado 81526

Attn: Brian Rusche  
Community Development Director

Regarding: Non-Binding Letter of Intent to open the Colterris Collections Wine Museum.

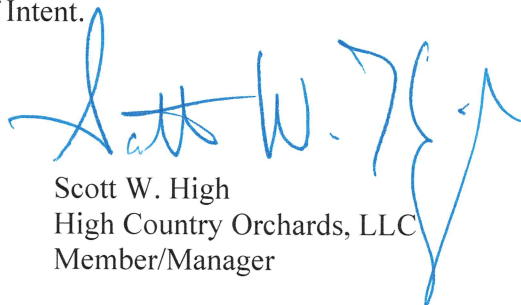
The proposed concept for a wine museum in Palisade originally was to be in a new structure to be erected and attached to the west of the existing Palisade Branch of the Grand Junction Fruit Growers Association building at 244 East Third Street. The numerous issues and challenges arising after further feasibility studies regarding this location necessitated that a new more viable museum site be found.

High Country Orchards, LLC is requesting a Conditional Use Permit be granted for a wine museum at the property located at 3708 G Road in Palisade. We have been informed that a Conditional Use Permit is needed to open a wine museum at this location. The Colterris Collections Wine Museum plans include displaying a world-class collection of historical wine-related objects and memorabilia. This exhibition would provide an exceptional experience for visitors and solidify the Palisade area as the preeminent wine capital of Colorado.

Currently the Colterris Winery is operating a wine tasting room called Colterris Collections in the front portion of the main building at this site. The existing building structures at this location are a suitable size for the planned museum concept with some minor upgrades to the interior and exterior finishes and the addition of significantly enhanced security measures.

One of the needed security measures is to implement tighter controlled-access points on the south, south-west, and south-east fronts of the location with fencing and gates. To that end, we are also requesting a variance be granted for a six-foot tall wrought iron fence with gates to focus and control available access points.

I am available to answer any questions you might have regarding the preliminary plans for the development of this project and this non-binding Letter of Intent.

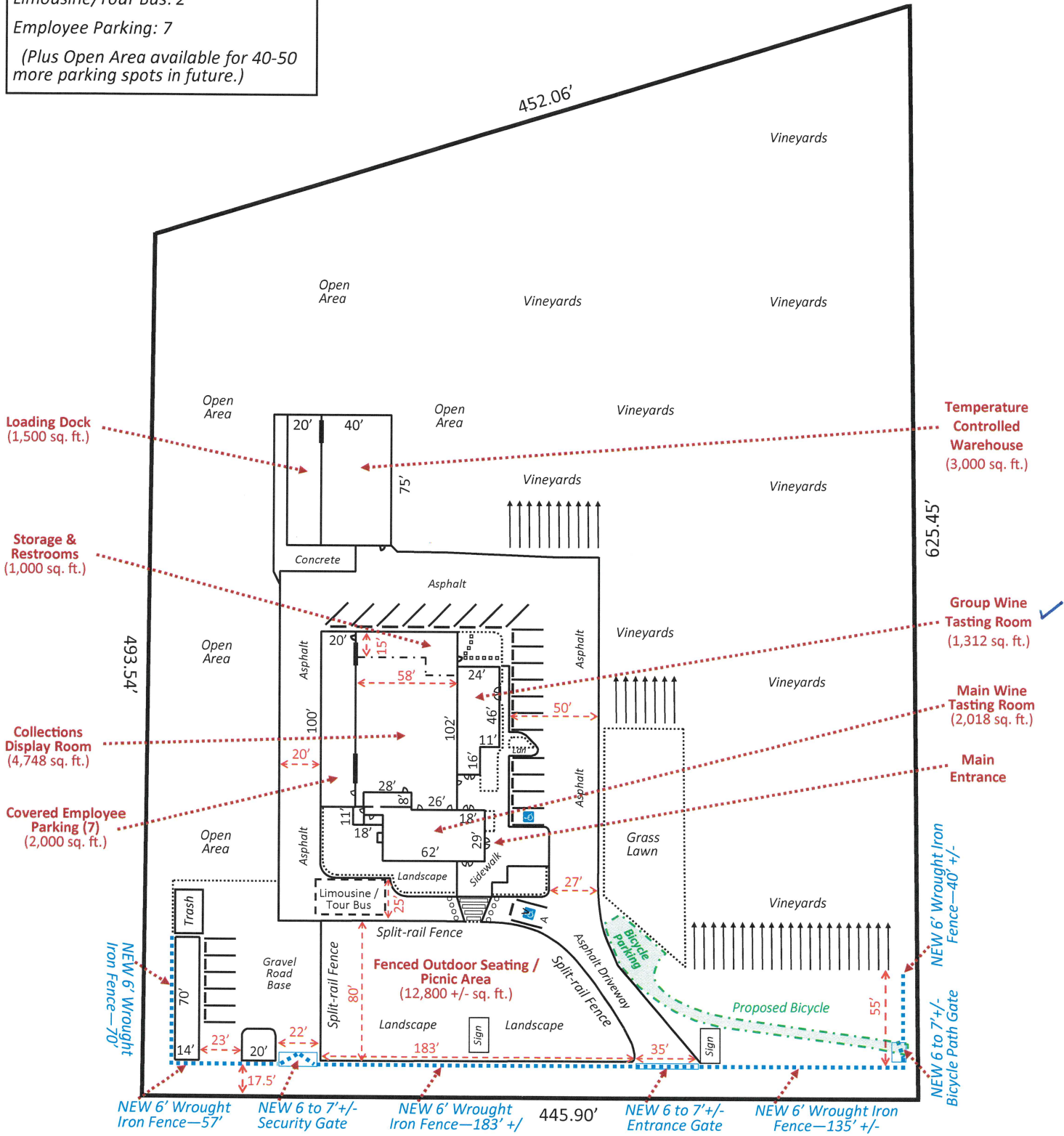


Scott W. High  
High Country Orchards, LLC  
Member/Manager





Total Parking: 32  
 Standard: 21  
 Handicap Parking: 2  
 Limousine/Tour Bus: 2  
 Employee Parking: 7  
 (Plus Open Area available for 40-50 more parking spots in future.)



1" = 80'

New 6' Security Fence (depicted in blue square dot line)







**AFFIDAVIT OF PUBLICATION**

State of Florida, County of Charlotte, ss:

Stefan Edward Pla, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agents of Grand Junction Daily Sentinel, a newspaper printed and published 5 days a week in the City of Grand Junction, County of Mesa, State of Colorado, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

**PUBLICATION DATES:**  
11 Jun 2023

**NOTICE ID:** XPwNP7y1zLldfjriTdmX  
**PUBLISHER ID:** BW170197  
**NOTICE NAME:** 3708 G ROAD FENCE VARIANCE

*Stefan Edward Pla*

(Signed) \_\_\_\_\_

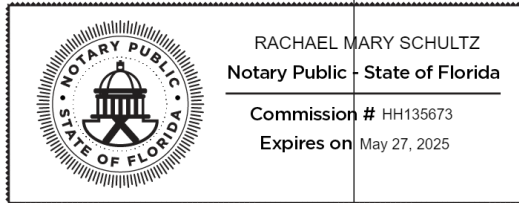
**VERIFICATION**

State of Florida  
County of Charlotte

Subscribed in my presence and sworn to before me on this:  
06/12/2023

*Rachael Mary Schultz*

Notary Public  
Notarized online using audio-video communication



**NOTICE OF PUBLIC HEARING - 3708 G Road Fence Variance**

Notice is hereby given that a public hearing will be held before the Board of Trustees serving as the Board of Adjustment for the Town of Palsade, Colorado, at the Palsade Civic Center, 341 W. 7th Street, Palsade, Colorado at 6:00 p.m. on June 27, 2023 to consider an application for a variance from Section 7.05.D.6.a of the Palsade Land Development Code for the height of a fence at 3708 G Road (Parcel # 2937-084-00-144), as applied for by Scott W. High of High Country Orchards LLC, in conjunction with the Colterris Collections Wine Museum CUP. All interested parties are encouraged to attend. Additional information may be obtained from the Town Clerk's office at 175 E. Third Street or by calling 970-464-5602. For meeting information, please visit [www.palsade.colorado.gov](http://www.palsade.colorado.gov)

**Published: June 11, 2023.**

# Karp Neu Hanlon<sup>PC</sup>

ATTORNEYS AT LAW

[www.mountainlawfirm.com](http://www.mountainlawfirm.com)

*Glenwood Springs – Main Office*  
201 14<sup>th</sup> Street, Suite 200  
P. O. Drawer 2030  
Glenwood Springs, CO 81602

*Aspen*  
0133 Prospector Road,  
Suite 4102J  
Aspen, CO 81611

*Montrose*  
1544 Oxbow Drive  
Suite 224  
Montrose, CO 81402

James S. Neu  
*Partner/Shareholder*

[jsn@mountainlawfirm.com](mailto:jsn@mountainlawfirm.com)

Direct: 970.928.2121

Office: 970.945.2261

Fax: 970.945.7336

[\*\\*Direct Mail to Glenwood Springs\*](#)

TO: Board of Trustees, Town of Palisade, Colorado

FROM: Karp Neu Hanlon, P.C.

RE: Ordinance No. 2023-04 OHV Vehicles and Golf Carts

DATE: June 22, 2023

---

At the June 13, 2023 Board of Trustees meeting, the Board considered Ordinance No. 2023-04 that amended Article I of Chapter 8 of the Palisade Municipal Code (the “Code”) that adopts the Model Traffic Code, 2020 Edition, by reference. Section 8-4 of the Code includes additions and modifications to the Model Traffic Code, including a prohibition on off-highway vehicle (“OHV”) operation. The Town purchased an OHV for the Police Department’s use and other Town departments utilize golf carts in performing their duties. Therefore, staff felt it was prudent to amend the Code to specifically authorize the Town’s use of OHVs.

While discussing with staff, it was noted that golf carts are considered slow-moving vehicles that can operate on roads that have speed limits of less than 35 miles per hour and Palisade residents are using them. The Model Traffic Code provides a specific provision allowing local governments to authorize and regulate the use of golf carts so that was added to the Ordinance.

At the meeting, the Board indicated that the Ordinance was not clear enough that OHVs were only authorized to be used by Town employees, and specifically because it contained an insurance requirement. Therefore, the Ordinance has been amended for your consideration. Section 8-13.2 now states that the Town will provide liability insurance so there is no mistake where that responsibility lies. In addition, the Ordinance now includes the term “Town employee” in several places related to the operation of an OHV so it cannot be misconstrued to apply to the general public. Other non-substantive amendments were made to the Ordinance for brevity or expressed recitations regarding emergency responses pursuant to Title 42, C.R.S. Please know that the Model Traffic Code and Title 42, C.R.S. still apply to the operation of the OHV even if those provisions are not restated in the Ordinance. All of the changes to Ordinance No. 2023-04 from the last meeting can be seen on the enclosed redline.

Following the direction of the Board on the advice of Chief Stanford, the Ordinance has been amended to require in Section 8-15 of the Code that operators of golf carts be at least 16 years old and have a drivers license in their possession. In addition, golf carts shall display a triangular slow-moving vehicle emblem on the rear and other safety features.

**TOWN OF PALISADE, COLORADO  
ORDINANCE NO. 2023-04**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO,  
AMENDING CHAPTER 8, ARTICLE I OF THE PALISADE MUNICIPAL  
CODE REGARDING OFF-HIGHWAY VEHICLES FOR TOWN USE  
ONLY AND GOLF CARTS ON LOCAL STREETS.**

**WHEREAS**, the Town of Palisade (“Palisade” or the “Town”) is a Colorado municipality organized pursuant to Title 31 of the Colorado Revised Statutes and with the authority set forth therein; and

**WHEREAS**, Article I of Chapter 8 of the Palisade Municipal Code (the “Code”) adopted the Model Traffic Code, 2020 Edition; and

**WHEREAS**, Section 8-4 of the Code includes additions and modifications to the Model Traffic Code, including a prohibition on off-highway vehicle operation; and

**WHEREAS**, pursuant to 109.2(1)(f) of Section 8-4 of the Code, off-highway vehicle operation is prohibited but may be permitted when the Town has authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on Town streets, but no street which is part of the State highway system may be so designated; and

**WHEREAS**, the Town desires to utilize off-highway vehicles for law enforcement and other Town official purposes within the Town limits and to authorize the use of golf carts on local streets pursuant to C.R.S. §42-4-111(1)(bb); and

**WHEREAS**, the Board of Trustees finds and determines that it is in the interest of the Town to update and amend the Code for use of off-highway vehicles on Town streets as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO THAT:**

**Section 1.** The foregoing recitals are incorporated herein as if set forth in full.

**Section 2.** Article I of Chapter 8 of the Palisade Municipal Code is hereby amended by enacting the following sections to Article I as follows:

\*\*\*

**Sec. 8-11. Off-Highway Vehicles – Applicability Only for Town Purposes.**

Off-highway vehicles shall be allowed on local streets within the Town of Palisade for Town law enforcement and Town official purposes only and not for the general public, subject to the restrictions provided herein. The provisions of the Model Traffic Code, as amended within the Palisade Municipal Code, ~~concerning reckless driving, careless driving, eluding a police officer, accidents and accident reports, and impaired driving~~ shall apply throughout the Town.

### Sec. 8-12. Off-Highway Vehicles – Designated Routes.

Off-highway vehicles may be operated on all local streets within the Town of Palisade by Town law enforcement and Town official purposes, consistent with the following:

1. Off-highway vehicles may not be operated on US Highway 6 (aka G Road, Front Street, Eighth Street), as outlined in C.R.S. § 33-14.5-108(f).
2. Crossing of US Highway 6 (aka G Road, Front Street, Eighth Street), including the adjacent frontage roads, shall only be permitted in accordance with C.R.S. § 33-14.5-108.05.

### Sec. 8-13. Off-Highway Vehicles – Restrictions.

~~Any person~~ Town employee operating an off-highway vehicle in the incorporated areas of the Town of Palisade shall comply with all rules and regulations applicable to such vehicles adopted by the state of Colorado and/or the Federal Government, including, but not limited to, Article 14.5 of Title 33, C.R.S., and the following:

- 1.- ~~Any person~~ Town employee operating an off-highway vehicle within the Town of Palisade must be at least sixteen (16) years of age and have in their possession a valid current driver's license issued by the state of Colorado, or by any other state; ~~that is appropriate for the style of vehicle being operated.~~
2. ~~When operated on any local street or county road within the Town, off-highway vehicles shall be considered to be "motor vehicles" as defined in the Colorado Motor Vehicle Financial Responsibility Law, Article 7 of Title 42, C.R.S., and the Town shall be required to maintain, and produce upon request by any law enforcement officer, liability insurance equal to at least the minimum amount required by law;~~
3. ~~Off-highway vehicles operated within the Town~~ by Town departments shall be equipped with:
  - a. A muffler in constant operation and properly maintained;
  - b. A spark arrestor in good working order which has been approved by the U.S. Forest Service as evidenced by a bona fide permanent marking of "qualified" or "approved" on the spark arrestor;
  - c. A braking system that may be operated by hand or foot, capable of producing deceleration of fourteen (14) feet per second on level ground at a speed of twenty (20) miles per hour;
  - d. At least one (1) lighted head lamp and one (1) lighted tail lamp, each having the minimum candlepower prescribed by regulation of the Division of Parks and Wildlife while being operated between the hours of sunset and sunrise;

- e. At least one (1) rear-view mirror; and
- f. At least one (1) functioning brake light.

4. ~~Operators of Town employees operating~~ off-highway vehicles within the Town shall use proper hand signals to warn other drivers of their intentions such as to turn or stop.

5. It shall be unlawful for a Town employee to operate an off-highway vehicle within the Town in any of the following manners:

- a. In excess of twenty-five (25) miles per hour or the posted speed limit, whichever is less;
- b. On any portion of any street except the far right portion of the street, or as designated by signage or roadway striping;
- c. To drive together in any pattern except single file;
- d. Upon any state highway under the jurisdiction of the Colorado Department of Transportation;
- e. Notwithstanding any other portion of this section, off-highway vehicles may be driven in the left portion of the street when preparing for a left turn;
- f. To tow objects or people behind such vehicle;
- g. To carry more people than such vehicle is designed to carry;
- h. To operate such vehicle on sidewalks within the Town.

6. Notwithstanding any restriction contained herein, pursuant to C.R.S. §42-4-108(2), the driver of an authorized emergency vehicle, when responding to an emergency call, or when in pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may:

- a. Park or stand, irrespective of the provisions of this C.R.S. Title 42;
- b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- c. Exceed the lawful speeds set forth in section C.R.S. §42-4-1101 (2) or exceed the maximum lawful speed limits set forth in section C.R.S. §42-4-1101 (8) so long as said driver does not endanger life or property; and
- d. Disregard regulations governing directions of movement or turning in specified directions.



**Sec. 8-14. Off-Highway Vehicles – Special Events.**

For the purposes of a prearranged organized special event and upon a showing that safety will be reasonably maintained, the Town Manager may grant a special permit exempting the operation of an off-highway vehicle from any requirement of this chapter.

**Sec. 8-15. Golf Cars.**

\_\_\_\_ Pursuant to C.R.S. §42-4-111(1)(bb), the Town authorizes the use of golf cars, also known as golf carts, on any local street within the Town consistent and in compliance with Title 42, C.R.S; provided, ~~however, it does not authorize:~~

- ~~1. An unlicensed driver of a golf car to carry a passenger who is under twenty one years of age;~~
- ~~2. Operation of a golf car by a person under sixteen years of age; or~~
1. Any person operating a golf car within the Town of Palisade must be at least sixteen (16) years of age and have in their possession a valid current driver's license issued by the state of Colorado, or by any other state;
2. A golf car operated within the Town shall display a triangular slow-moving vehicle emblem on the rear, have rear tail/break lights and reflex reflectors one on each side and one on the rear; and
3. ~~Operation of a~~A golf car ~~shall not operate~~ on a state highway; except a golf car may directly ~~aeross~~cross a state highway at an at-grade crossing to continue traveling along a roadway that is not a state highway.

**INTRODUCED, READ, PASSED, APPROVED AND ORDERED PUBLISHED BY TITLE**, at the regular meeting of the Board of Trustees of the Town of Palisade, Colorado held on June 13, 2023; and continued to June 27, 2023.

TOWN OF PALISADE, COLORADO

By: \_\_\_\_\_  
Greg Mikolai, Mayor

ATTEST:

\_\_\_\_\_  
Keli Frasier, Town Clerk

**TOWN OF PALISADE, COLORADO  
ORDINANCE NO. 2023-04**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO,  
AMENDING CHAPTER 8, ARTICLE I OF THE PALISADE MUNICIPAL  
CODE REGARDING OFF-HIGHWAY VEHICLES FOR TOWN USE  
ONLY AND GOLF CARTS ON LOCAL STREETS.**

**WHEREAS**, the Town of Palisade (“Palisade” or the “Town”) is a Colorado municipality organized pursuant to Title 31 of the Colorado Revised Statutes and with the authority set forth therein; and

**WHEREAS**, Article I of Chapter 8 of the Palisade Municipal Code (the “Code”) adopted the Model Traffic Code, 2020 Edition; and

**WHEREAS**, Section 8-4 of the Code includes additions and modifications to the Model Traffic Code, including a prohibition on off-highway vehicle operation; and

**WHEREAS**, pursuant to 109.2(1)(f) of Section 8-4 of the Code, off-highway vehicle operation is prohibited but may be permitted when the Town has authorized by ordinance or resolution the establishment of off-highway vehicle routes to permit the operation of off-highway vehicles on Town streets, but no street which is part of the State highway system may be so designated; and

**WHEREAS**, the Town desires to utilize off-highway vehicles for law enforcement and other Town official purposes within the Town limits and to authorize the use of golf carts on local streets pursuant to C.R.S. §42-4-111(1)(bb); and

**WHEREAS**, the Board of Trustees finds and determines that it is in the interest of the Town to update and amend the Code for use of off-highway vehicles on Town streets as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO THAT:**

**Section 1.** The foregoing recitals are incorporated herein as if set forth in full.

**Section 2.** Article I of Chapter 8 of the Palisade Municipal Code is hereby amended by enacting the following sections to Article I as follows:

\*\*\*

**Sec. 8-11. Off-Highway Vehicles – Applicability Only for Town Purposes.**

Off-highway vehicles shall be allowed on local streets within the Town of Palisade for Town law enforcement and Town official purposes only and not for the general public, subject to the restrictions provided herein. The provisions of the Model Traffic Code, as amended within the Palisade Municipal Code, shall apply throughout the Town.

**Sec. 8-12. Off-Highway Vehicles – Designated Routes.**

Off-highway vehicles may be operated on all local streets within the Town of Palisade by Town law enforcement and Town official purposes, consistent with the following:

1. Off-highway vehicles may not be operated on US Highway 6 (aka G Road, Front Street, Eighth Street), as outlined in C.R.S. § 33-14.5-108(f).
2. Crossing of US Highway 6 (aka G Road, Front Street, Eighth Street), including the adjacent frontage roads, shall only be permitted in accordance with C.R.S. § 33-14.5-108.05.

**Sec. 8-13. Off-Highway Vehicles – Restrictions.**

Any Town employee operating an off-highway vehicle in the incorporated areas of the Town of Palisade shall comply with all rules and regulations applicable to such vehicles adopted by the state of Colorado and/or the Federal Government, including, but not limited to, Article 14.5 of Title 33, C.R.S., and the following:

1. Any Town employee operating an off-highway vehicle within the Town of Palisade must be at least sixteen (16) years of age and have in their possession a valid current driver’s license issued by the state of Colorado, or by any other state.
2. When operated on any local street or county road within the Town, off-highway vehicles shall be considered to be “motor vehicles” as defined in the Colorado Motor Vehicle Financial Responsibility Law, Article 7 of Title 42, C.R.S. and the Town shall maintain liability insurance equal to at least the minimum amount required by law
3. Off-highway vehicles operated within the Town by Town departments shall be equipped with:
  - a. A muffler in constant operation and properly maintained;
  - b. A spark arrestor in good working order which has been approved by the U.S. Forest Service as evidenced by a bona fide permanent marking of “qualified” or “approved” on the spark arrestor;
  - c. A braking system that may be operated by hand or foot, capable of producing deceleration of fourteen (14) feet per second on level ground at a speed of twenty (20) miles per hour;
  - d. At least one (1) lighted head lamp and one (1) lighted tail lamp, each having the minimum candlepower prescribed by regulation of the Division of Parks and Wildlife while being operated between the hours of sunset and sunrise;
  - e. At least one (1) rear-view mirror; and



- f. At least one (1) functioning brake light.
4. Town employees operating off-highway vehicles within the Town shall use proper hand signals to warn other drivers of their intentions such as to turn or stop.
  5. It shall be unlawful for a Town employee to operate an off-highway vehicle within the Town in any of the following manners:
    - a. In excess of twenty-five (25) miles per hour or the posted speed limit, whichever is less;
    - b. On any portion of any street except the far right portion of the street, or as designated by signage or roadway striping;
    - c. To drive together in any pattern except single file;
    - d. Upon any state highway under the jurisdiction of the Colorado Department of Transportation;
    - e. Notwithstanding any other portion of this section, off-highway vehicles may be driven in the left portion of the street when preparing for a left turn;
    - f. To tow objects or people behind such vehicle;
    - g. To carry more people than such vehicle is designed to carry;
    - h. To operate such vehicle on sidewalks within the Town.
  6. Notwithstanding any restriction contained herein, pursuant to C.R.S. §42-4-108(2), the driver of an authorized emergency vehicle, when responding to an emergency call, or when in pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may:
    - a. Park or stand, irrespective of the provisions of this C.R.S. Title 42;
    - b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
    - c. Exceed the lawful speeds set forth in section C.R.S. §42-4-1101 (2) or exceed the maximum lawful speed limits set forth in section C.R.S. §42-4-1101 (8) so long as said driver does not endanger life or property; and
    - d. Disregard regulations governing directions of movement or turning in specified directions.

**Sec. 8-14. Off-Highway Vehicles – Special Events.**

For the purposes of a prearranged organized special event and upon a showing that safety will be reasonably maintained, the Town Manager may grant a special permit exempting the operation of an off-highway vehicle from any requirement of this chapter.

**Sec. 8-15. Golf Cars.**

Pursuant to C.R.S. §42-4-111(1)(bb), the Town authorizes the use of golf cars, also known as golf carts, on any local street within the Town consistent and in compliance with Title 42, C.R.S; provided:

1. Any person operating a golf car within the Town of Palisade must be at least sixteen (16) years of age and have in their possession a valid current driver's license issued by the state of Colorado, or by any other state;
2. A golf car operated within the Town shall display a triangular slow-moving vehicle emblem on the rear, have rear tail/break lights and reflex reflectors one on each side and one on the rear; and
3. A golf car shall not operate on a state highway; except a golf car may directly cross a state highway at an at-grade crossing to continue traveling along a roadway that is not a state highway.

**INTRODUCED, READ, PASSED, APPROVED AND ORDERED PUBLISHED BY TITLE**, at the regular meeting of the Board of Trustees of the Town of Palisade, Colorado held on June 13, 2023 and continued to June 27, 2023.

TOWN OF PALISADE, COLORADO

By: \_\_\_\_\_  
Greg Mikolai, Mayor

ATTEST:

\_\_\_\_\_  
Keli Frasier, Town Clerk