



AGENDA
for the Board of Trustees
of the Town of Palisade, Colorado
341 W 7th Street (Palisade Civic Center)

January 25, 2022

6:00 pm Regular Meeting

Live stream of the meeting may be viewed at:
<https://youtu.be/ZLPOfnR89u0>

- I. **REGULAR MEETING CALLED TO ORDER AT 6:00 pm**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLLCALL**
- 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. **NORTH RIVER ROAD BRIDGE CLOSED:** The North River Road bridge will be closed to through traffic from January 10, 2022, through the first week of April. Access is still available through Town.
 - C. **PLANNING COMMISSION OPENING:** The Palisade Planning Commission has one vacancy, with a term that expires February 2023. Applications to fill that vacancy are being accepted until January 31, 2022, and the Board of Trustees will appoint the position at the regularly scheduled meeting on February 8, 2022.
- VI. **PRESENTATIONS**
 - A. **SING UP THE SUN! AND THE HANDMADE PARADE:** Presented by Alice Dusart
 - B. **STATE OF PALISADE HIGH SCHOOL ADDRESS:** Presented by Dan Bollinger, PHS Principal, and David Miller, President of the PHS Community Advisory Council.
- VII. **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.

VIII. TOWN MANAGER REPORT

- **\$2 Million Main Street Grant for 5th Street and Elberta Avenue Multi Modal Improvements**
- **Chief Balke Grant Application (SCADA Grant)**
- **Board of Trustees Project Updates**
- **February Work Session or Board Retreat?**

IX. 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 – January 7, 2022 – January 20, 2022

B. Minutes

- Minutes from January 11, 2022, Regular Board of Trustees Meeting

C. Ordinance 2022-05 Extending the Temporary Moratorium on Additional Retail Marijuana Stores

An Ordinance of the Town Of Palisade, Colorado, extending the temporary moratorium on the issuance of additional retail marijuana store licenses.

X. PUBLIC HEARING I**A. Ordinance 2022-06: PRO 2022-1 – Winding River Mobile Home Park - Rezone Property at 317 W. Eighth Street to Planned Unit Development (PUD)**

The Board of Trustees will consider a rezone to a Planned Unit Development (PUD) to rearrange the layout and increase the number of units within the existing mobile home park, located at 317 W. Eighth Street (Parcel # 2941-031-04-015) as applied for by the property owner SGA Palisade LLC.

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

XI. PUBLIC HEARING II**A. Ordinance 2022-07: PRO 2022-3 – 702 37 1/10 Road Rezone - Rezone Property at 702 37 1/10 Road to Mixed Use (MU)**

The Board of Trustees will consider a Rezone to Mixed Use (MU) for the purpose of a food truck court located at 702 37 1/10 Road (Parcel # 2937-084-00-078) as applied for by the property owners Karina and Nate Parenteau.

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

XII. NEW BUSINESS**A. Authorize the Mayor to sign a Lease Agreement with Community Hospital**

The Board of Trustees will consider authorizing the Mayor to sign a lease agreement with Community Hospital.

1. Staff Presentation
2. Board Discussion
3. Decision – *Motion, Second, Rollcall Vote*

B. Resolution 2022-02 - Grant the Town Manager and Mayor signing authority for the USDA Grant application to connect the Town of Palisade Sewer to Clifton Sanitation District

The Board of Trustees will consider granting the Town Manager and Mayor signing authority for the USDA grant application to connect the Town of Palisade Sewer to Clifton Sanitation District.

1. Staff Presentation
2. Board Discussion
3. Decision – *Motion, Second, Rollcall Vote*

C. Resolution 2022-01 – Setting Ballot Language

A Resolution of the Board of Trustees of the Town of Palisade, Colorado, Submitting a Ballot Issue to the Registered Electors of the Town of Palisade, Colorado, at the Regular Municipal Election to be Held on April 5, 2022, Concerning Whether the Town of Palisade Should Increase the Municipal Sales Tax Imposed in the Town From 2.0% To 3.0%.

1. Staff Presentation
2. Board Discussion
3. Decision – *Motion, Second, Rollcall Vote*

XIII. OPEN DISCUSSION

This is a chance for the Board of Trustees to voice concerns, opportunities, or other important topics, not on the Agenda. Each Trustee will be held to a limit of three (3) minutes apiece to speak.

XIV. COMMITTEE REPORTS**XV. ADJOURNMENT**

Town Project Timeline 2022

Town Manager Report 1-25-2022

	January	February	March	April
Asbestos Abatement old PHS	completed 2/7			
Demolition of old PHS	pre-construction meeting 2/25 begin when demolition permit signed by CDPHE			
New Clinic	finalalze lease 1.25	Notice to Proceed Architects - RFQ Const.		
New Clinic Grants	OEDIT grant submitted	CO Health 2/15		
Highway 6 construction	1.28 construction work to begin			
Comprehensive Plan	RFQ for Planner - Set Outline			
Clifton- Palisade Fire Authority	Complete Fire Authority IGA			
Wastewater Consolidation	USDA Grant/Loan Wastewater Consolidation - loan documents April			
Rate Study Water/ Wastewater	Grant funded by RCAC - complete in summer			
Broadband	work with DOLA & Region 10 on funding CNL/middle mile			
TAP Grant Sidewalks	on-hold CDOT performing additional planning			



175 E 3rd Street
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EXPENDITURES - APPROVAL BY DEPARTMENT

Council Meeting Date – Jan 25, 2022

Date Range of Payables – Jan 7, 2022 – Jan 21, 2022

Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Invoice Detail.Input date = 01/07/2022-01/21/2022

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
AFLAC INSURANCE	PR0108220	AFLAC Pre-tax Pay Period: 1/8/2	01/13/2022	126.57	.00		
AFLAC INSURANCE	PR0108220	AFLAC After-Tax Pay Period: 1/8/	01/13/2022	48.60	18.42	01/13/2022	
COLORADO DEPT OF REVENUE	PR0108220	State Withholding Tax Pay Period	01/13/2022	3,073.00	.00		
COLORADO STATE TREASURE	PR0108221	State Unemployment Tax Pay Per	01/13/2022	284.68	.00		
FICA/MED/ P/R TAXES	PR0108222	Federal Withholding Tax Pay Peri	01/13/2022	8,540.05	.00		
FICA/MED/ P/R TAXES	PR0108222	Social Security Pay Period: 1/8/2	01/13/2022	3,725.31	.00		
FICA/MED/ P/R TAXES	PR0108222	Social Security Pay Period: 1/8/2	01/13/2022	3,725.31	.00		
FICA/MED/ P/R TAXES	PR0108222	Medicare Pay Period: 1/8/2022	01/13/2022	1,326.71	.00		
FICA/MED/ P/R TAXES	PR0108222	Medicare Pay Period: 1/8/2022	01/13/2022	1,326.71	.00		
FIRE AND POLICE PENSION	PR0108220	FPPA Fire DD Pay Period: 1/8/20	01/13/2022	198.28	.00		
FIRE AND POLICE PENSION	PR0108220	FPPA 457 Pay Period: 1/8/2022	01/13/2022	70.00	.00		
FIRE AND POLICE PENSION	PR0108220	Police Pension Pay Period: 1/8/2	01/13/2022	2,806.54	.00		
FIRE AND POLICE PENSION	PR0108220	Police Pension Pay Period: 1/8/2	01/13/2022	2,104.92	.00		
FIRE AND POLICE PENSION	PR0108220	Fire Pension Pay Period: 1/8/202	01/13/2022	743.52	.00		
FIRE AND POLICE PENSION	PR0108220	Fire Pension Pay Period: 1/8/202	01/13/2022	557.64	.00		
FIRE AND POLICE PENSION	PR0108220	FPPA Police DD Pay Period: 1/8/	01/13/2022	748.42	.00		
ICMA TRST 401 - 107074	PR0108220	ICMA 401K Pay Period: 1/8/2022	01/13/2022	2,484.10	.00		
ICMA TRST 401 - 107074	PR0108220	ICMA 401K Pay Period: 1/8/2022	01/13/2022	2,484.10	.00		
ICMA TRST 457 - 304721	PR0108220	ICMA 457 Pay Period: 1/8/2022	01/13/2022	200.00	.00		
UTILITY REFUNDS	REFUND FOR	REFUND CHECK	01/21/2022	58.77	58.77	01/21/2022	
FAMILY SUPPORT REGISTRY	PR0108221	FIPS 056888833 Garnishment P	01/13/2022	342.07	342.07	01/13/2022	
MUTUAL OF OMAHA INSURANCE	PR0108221	LTD - MOA Pay Period: 1/8/2022	01/13/2022	291.49	.00		
RECREATION PROGRAM REFUND	1266330971 -	BLUEGRASS REFUND - 2021	01/20/2022	200.00	200.00	01/21/2022	
RECREATION PROGRAM REFUND	2022.01.07 - C	DEPOSIT REFUND	01/07/2022	250.00	250.00	01/13/2022	
CEBT Payments	PR0108221	PR - Medical Dental Vision Life M	01/13/2022	16,695.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life M	01/13/2022	1,122.78	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life M	01/13/2022	6,736.50	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life M	01/13/2022	1,944.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life M	01/13/2022	3,888.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life D	01/13/2022	735.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life D	01/13/2022	48.72	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life D	01/13/2022	292.50	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life D	01/13/2022	111.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life D	01/13/2022	222.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life VI	01/13/2022	220.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life VI	01/13/2022	10.50	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life VI	01/13/2022	63.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life VI	01/13/2022	26.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life VI	01/13/2022	52.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life LI	01/13/2022	224.00	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life LI	01/13/2022	110.33	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life LI	01/13/2022	13.51	.00		
CEBT Payments	PR0108221	PR - Medical Dental Vision Life LI	01/13/2022	15.75	.00		
Total :				68,247.38	869.26		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
ADMINISTRATION							
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	697.50-	697.50-	01/13/2022	
OFFICE DEPOT	219223444001	OFFICE SUPPLY - ADMIN	01/07/2022	207.00	207.00	01/21/2022	
OFFICE DEPOT	219798944001	OFFICE SUPPLY - ADMIN	01/06/2022	202.47	202.47	01/21/2022	
OFFICE DEPOT	219807361001	OFFICE SUPPLY - ADMIN	01/06/2022	11.99	11.99	01/21/2022	
CENTURY LINK	01.01.2022	9016 - ADMIN. FAX	01/01/2022	110.26	110.26	01/21/2022	
XCEL ENERGY	763119621	ADMINISTRATION LIGHTS	01/11/2022	1,833.63	.00		
HOLE IN THE WALL SHIRT SHO	24824	EMBROIDERY - JACKETS	01/06/2022	128.00	128.00	01/21/2022	
KARP NEU HANLON, PC	33577	ADMIN - PROFESSIONAL SERVI	01/04/2022	6,359.60	.00		
FRIENDLY ROD'S	3436	DOCUMENT DESTRUCTION	12/31/2021	19.00	19.00	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	NOTICE - LIQUOR LICENSE	08/19/2021	11.62	11.62	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	NOTICE - LIQUOR LICENSE	08/23/2021	11.62	11.62	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	Ordinance Notice	08/25/2021	9.68	9.68	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	Ordinance Notice	08/25/2021	9.20	9.20	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	PUBLIC NOTICE - TAB OPENIN	08/30/2021	18.39	18.39	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	Ordinance Notice	10/13/2021	8.23	8.23	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	Ordinance Notice	10/13/2021	9.20	9.20	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	PUBLIC NOTICE - RFP - OLD PH	11/05/2021	18.39	18.39	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	PUBLIC NOTICE - RFQ - CLINIC	11/11/2021	17.56	17.56	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	PUBLIC HEARING NOTICE - BU	11/11/2021	32.08	32.08	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	Ordinance Notice	11/16/2021	16.72	16.72	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	PUBLIC NOTICE - USDA GRANT	12/10/2021	20.20	20.20	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	PUBLIC NOTICE - APRIL 2022 E	12/15/2021	48.71	48.71	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-008	Ordinance Notice	01/14/2022	8.71	8.71	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-008	Ordinance Notice	01/14/2022	8.71	8.71	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-008	Ordinance Notice	01/14/2022	9.20	9.20	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-008	Ordinance Notice	01/14/2022	8.71	8.71	01/21/2022	
SPECTRUM ENTERPRISE	108289601010	IT CHARGES - COMMUNITY CE	01/01/2022	119.99	119.99	01/21/2022	
SPECTRUM ENTERPRISE	126548301010	ADMIN PHONE	01/01/2022	506.35	506.35	01/21/2022	
Total ADMINISTRATION:				9,067.72	874.49		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
COMMUNITY DEVELOPMENT							
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	663.45-	663.45-	01/13/2022	
IMPACT PROMOTIONAL PRODU	70723	PAV - FRUIT & WINE BYWAY TE	05/27/2021	2,745.00	2,745.00	01/21/2022	
SCOTT THOMPSON	20006	Project Review	12/16/2021	200.00	200.00	01/21/2022	
SCOTT THOMPSON	20007	Project Review	12/21/2021	100.00	100.00	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-005	COMM DEV - NOTICE	08/18/2021	14.04	14.04	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	COMM DEV - INVITATION TO BI	09/02/2021	38.46	38.46	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-006	COMM DEV - NOTICE	10/27/2021	24.20	24.20	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	COMM DEV - INVITATION TO BI	11/11/2021	29.70	29.70	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	COMM DEV - INVITATION TO BI	11/11/2021	25.08	25.08	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	COMM DEV - NOTICE	12/29/2021	14.04	14.04	01/21/2022	
COLUMN SOFTWARE, PBC	4E284DA7-007	COMM DEV - NOTICE	12/29/2021	15.00	15.00	01/21/2022	
Total COMMUNITY DEVELOPMENT:				2,542.07	2,542.07		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
TOURISM FUND							
SLATE COMMUNICATIONS, LLC	2570	5245 - TAB - MARKETING	12/30/2021	742.57	.00		
SLATE COMMUNICATIONS, LLC	2570	5247 - TAB - MARKETING	12/30/2021	1,237.62	.00		
SLATE COMMUNICATIONS, LLC	2570	5249 - TAB - MARKETING	12/30/2021	2,871.29	.00		
SLATE COMMUNICATIONS, LLC	2570	5250 - TAB - MARKETING	12/30/2021	3,465.35	.00		
SLATE COMMUNICATIONS, LLC	2570	5255 - TAB - MARKETING	12/30/2021	1,683.17	.00		
Total TOURISM FUND:				10,000.00	.00		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
RECREATION							
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	290.93-	290.93-	01/13/2022	
Total RECREATION:				290.93-	290.93-		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
COURT							
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	96.27-	96.27-	01/13/2022	
Total COURT:				96.27-	96.27-		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
POLICE							
FIRE AND POLICE PENSION	CM PR112721	Credit Memo 11/27/21	12/03/2021	2,146.23-	2,146.23-	12/31/2021	
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	270.39-	270.39-	01/13/2022	
CENTURY LINK	01.01.2022	1343 - PD INTOXICATOR PORTI	01/01/2022	35.00	35.00	01/21/2022	
CENTURY LINK	01.01.2022	1343 - TOWN HALL INTERNET-R	01/01/2022	164.32	164.32	01/21/2022	
TROPHY CASE, THE	80162	PD - NAME TAG	01/06/2022	13.00	13.00	01/21/2022	
LAW ENFORCEMENT SYSTEMS	215442	PARKIING VIOLATION LABEL	01/04/2022	61.00	61.00	01/21/2022	
FRIENDLY ROD'S	3347	DOCUMENT DESTRUCTION - P	12/31/2021	37.20	37.20	01/21/2022	
KINETIC LEASING, INC.	262926	INTERCEPTOR LEASE (3)	01/10/2022	3,869.04	3,869.04	01/21/2022	
LEXIPOL, LLC	INVLEX7009	PD - SOFTWARE - POLICY, TRA	12/01/2021	6,564.00	.00		
RHINEHART OIL CO., LLC	IN-584121-22	PD - GAS/DIESEL	01/07/2022	241.30	241.30	01/21/2022	
RHINEHART OIL CO., LLC	IN-594470-22	PD - GAS/DIESEL	01/14/2022	94.80	94.80	01/21/2022	
CO LAW ENFORCEMENT DRIVI	2022-1-01	PD - DRIVING TRAINING	01/07/2022	850.00	850.00	01/21/2022	
Total POLICE:				9,513.04	2,949.04		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
CEMETERY							
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	296.29-	296.29-	01/13/2022	
XCEL ENERGY	763119621	CEMETERY LIGHTS	01/11/2022	263.00	.00		
RHINEHART OIL CO., LLC	IN-584121-22	CEMETERY - GAS/DIESEL	01/07/2022	56.03	56.03	01/21/2022	
RHINEHART OIL CO., LLC	IN-594470-22	CEMETERY - GAS/DIESEL	01/14/2022	25.16	25.16	01/21/2022	
Total CEMETERY:				47.90	215.10-		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
FIRE / EMS							
BOUND TREE MEDICAL, LLC	84360147	MEDICAL SUPPLIES/EMS	01/12/2022	178.50	178.50	01/21/2022	
BOUND TREE MEDICAL, LLC	84366192	MEDICAL SUPPLIES/EMS	01/18/2022	58.74	58.74	01/21/2022	
CIRSA	212158	LIABILITY INSURANCE - FIRE	01/18/2022	312.32	.00		
CIRSA	212158	LIABILITY INSURANCE - FIRE -	01/18/2022	148.43	.00		
CLIFTON FIRE PROTECTION DI	22-01-001	CONTRACT ADMIN SERVICES	01/05/2022	5,000.00	.00		
CLIFTON FIRE PROTECTION DI	22-01-004	CONTRACT ADMIN SERVICES	01/07/2022	5,000.00	.00		
CO DIV OF FIRE PREVENTION	22-49704	FIRE FIGHTER TRAINING/CERTI	01/10/2022	60.00	60.00	01/21/2022	
HIGH COUNTRY GAS & SUPPLY	332591	FD - TOOLS & SUPPLIES	01/03/2022	150.31	150.31	01/21/2022	
CENTURY LINK	01.01.2022	4735 - FIRE INTERNET	01/01/2022	163.89	163.89	01/21/2022	
CENTURY LINK	01.01.2022	9913 - FIRE ALARM	01/01/2022	206.70	206.70	01/21/2022	
CENTURY LINK	01.01.2022	0032 DATA - FIRE ALERT SYS.	01/01/2022	375.00	375.00	01/21/2022	
CENTURY LINK	01.01.2022	0032 PHONE - FIRE ALERT SYS.	01/01/2022	1,934.06	1,934.06	01/21/2022	
TWO-WAY COMMUNICATIONS	20-00697	FD - VEHICLE REPAIR & MAINT	01/11/2022	47.50	47.50	01/21/2022	
XCEL ENERGY	763119621	FIRE/EMS LIGHTS	01/11/2022	2,328.85	.00		
DENNIS BODIE	1009	REIMBURSE GATE REPAIRS RA	01/11/2022	111.86	111.86	01/21/2022	
RHINEHART OIL CO., LLC	IN-584121-22	FD/EMS - GAS/DIESEL	01/07/2022	119.79	119.79	01/21/2022	
RHINEHART OIL CO., LLC	IN-594470-22	FD/EMS - GAS/DIESEL	01/14/2022	98.36	98.36	01/21/2022	
Total FIRE / EMS:				16,294.31	3,504.71		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
EMS							
BOOKCLIFF AUTO PARTS INC	360092	STREETS / PARKS SHARED CO	01/10/2022	59.16	59.16	01/13/2022	
BOOKCLIFF AUTO PARTS INC	360142	STREETS / PARKS SHARED CO	01/10/2022	71.48	71.48	01/13/2022	
BOOKCLIFF AUTO PARTS INC	360359	STREETS / PARKS SHARED CO	01/10/2022	74.15	74.15	01/13/2022	
BOOKCLIFF AUTO PARTS INC	360360	STREETS / PARKS SHARED CO	01/10/2022	30.68	.00		
BOOKCLIFF AUTO PARTS INC	360718	STREETS / PARKS SHARED CO	01/11/2022	71.48-	.00		
BOOKCLIFF AUTO PARTS INC	360742	STREETS / PARKS SHARED CO	01/11/2022	99.96	.00		
BOOKCLIFF AUTO PARTS INC	360743	STREETS / PARKS SHARED CO	01/11/2022	34.77	.00		
BOOKCLIFF AUTO PARTS INC	360843	STREETS / PARKS SHARED CO	01/11/2022	20.87	.00		
BOOKCLIFF AUTO PARTS INC	361231	STREETS / PARKS SHARED CO	01/12/2022	.00	.00		
HEUTON TIRE COMPANY INC.	160856	SHARED EXPENSES	01/13/2022	984.00	984.00	01/21/2022	
HIGH COUNTRY GAS & SUPPLY	332822	WELDING SUPPLIES - SHARED	01/12/2022	113.06	113.06	01/21/2022	
HONNEN EQUIPMENT CO.	1338024	SHARED DEPT EXPENSES	01/06/2022	389.08	389.08	01/13/2022	
HONNEN EQUIPMENT CO.	1338025	SHARED DEPT EXPENSES	01/06/2022	132.22	132.22	01/13/2022	
WESTERN IMPLEMENT	IN82270	SHARED EXPENSES	01/06/2022	244.99	244.99	01/13/2022	
WESTERN SLOPE AUTO	174370	STREETS/PARKS SHARED COS	01/07/2022	71.37	71.37	01/13/2022	
COOP COUNTRY	245571	PW CAR WASH	01/12/2022	10.00	10.00	01/21/2022	
COOP COUNTRY	245572	PW CAR WASH	01/12/2022	10.00	10.00	01/21/2022	
ALPINE HARDWARE OF COLOR	3036/4	SHARED EXPENSES	01/11/2022	472.11	472.11	01/21/2022	
Total EMS:				2,746.42	2,631.62		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
STREETS							
BOOKCLIFF AUTO PARTS INC	358415	STREETS - VEHICLES	01/05/2022	14.99	14.99	01/13/2022	
BOOKCLIFF AUTO PARTS INC	359262	STREETS - VEHICLES	01/07/2022	9.49	9.49	01/13/2022	
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	488.86-	488.86-	01/13/2022	
MESA COUNTY	RT-000604	2021 SAFE ROUTES TO SCHOO	12/14/2021	1,635.00	1,635.00	01/21/2022	
WHITEWATER BLDG. MATLS.	283443	STREETS - 4' & 6' BLOCKS - MIL	12/07/2021	443.75	443.75	01/21/2022	
WHITEWATER BLDG. MATLS.	283994	STREET SALT/SAND MIX	12/30/2021	470.22	470.22	01/21/2022	
XCEL ENERGY	761949080	STREET LIGHTS	01/03/2022	2,962.56	.00		
XCEL ENERGY	763119621	STREET LIGHTS	01/11/2022	465.65	.00		
XCEL ENERGY	763228542	307 MAIN ST. (CHARGING STATI	01/11/2022	25.92	.00		
TYLER BATTERY	010545	STREETS - REP & MAINT - VEHI	01/06/2022	7.33	7.33	01/13/2022	
AM SIGNAL INC.	M25950-1	RADAR STREET SIGN	12/31/2021	4,240.00	.00		
WESTERN SLOPE IRON & SUP	164239	STREETS - REPAIRS - UTILITY	01/05/2022	290.21	290.21	01/13/2022	
RHINEHART OIL CO., LLC	IN-584121-22	STREETS - GAS/DIESEL	01/07/2022	140.07	140.07	01/21/2022	
RHINEHART OIL CO., LLC	IN-594470-22	STREETS - GAS/DIESEL	01/14/2022	62.89	62.89	01/21/2022	
Total STREETS:				10,279.22	2,585.09		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
WATER							
CIRSA	212102	LIABILITY INSURANCE - WATER	01/18/2022	4,470.40	.00		
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	1,704.17-	1,704.17-	01/13/2022	
NEWMAN SIGNS INC.	TRFINV036635	WATER - OP SUPPLIES - TEMP	01/04/2022	880.85	880.85	01/21/2022	
PEACHTREE HARDWARE AND	468594	WATER - OPERATING	12/17/2021	142.54	142.54	01/21/2022	
CENTURY LINK	01.01.2022	7148 - CARETAKER RESERVOI	01/01/2022	65.14	65.14	01/21/2022	
UTE WATER CONSERVANCY	LAB21046	BACTERIOLOGICALWATER TES	01/05/2022	960.00	960.00	01/21/2022	
WHITEWATER BLDG. MATLS.	283443	WATER DIST - 4' & 6' BLOCKS -	12/07/2021	443.75	443.75	01/21/2022	
XCEL ENERGY	763119621	WATER LIGHTS	01/11/2022	671.10	.00		
XCEL ENERGY	763212486	175 1/2 E. 3RS - BULK WATER S	01/11/2022	194.59	.00		
SPECTRUM ENTERPRISE	126548301010	WATER PHONE	01/01/2022	116.85	116.85	01/21/2022	
RHINEHART OIL CO., LLC	IN-584121-22	WATER - GAS/DIESEL	01/07/2022	196.10	196.10	01/21/2022	
RHINEHART OIL CO., LLC	IN-594470-22	WATER - GAS/DIESEL	01/14/2022	88.05	88.05	01/21/2022	
Total WATER:				6,525.20	1,189.11		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
SEWER PLANT							
AQUA-AEROBIC SYSTEMS, INC	1031211	SEWER LAGOON REPAIR - AER	12/13/2021	2,386.43	2,386.43	01/21/2022	
BOOKCLIFF AUTO PARTS INC	357651	SEWER - REPAIR & MAINT VEHI	01/04/2022	234.64	234.64	01/13/2022	
BOOKCLIFF AUTO PARTS INC	360410	SEWER - REPAIR & MAINT VEHI	01/10/2022	234.64-	.00		
DELTA RIGGING & TOOLS, INC.	GRA_PSI0009	AERATOR MAINTENANCE	01/06/2022	232.50	232.50	01/21/2022	
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	564.51-	564.51-	01/13/2022	
FREMAREK, INC	0751289-IN	SEWER PLANT CHEMICALS - T	12/31/2021	1,792.14	1,792.14	01/21/2022	
CENTURY LINK	01.01.2022	1319 - SEWER & CALL OUT	01/01/2022	156.18	156.18	01/21/2022	
XCEL ENERGY	762860038	661 BRENTWOOD DR	01/07/2022	11.96	.00		
XCEL ENERGY	763119621	SEWER LIGHTS	01/11/2022	2,278.73	.00		
RHINEHART OIL CO., LLC	IN-584121-22	SEWER - GAS/DIESEL	01/07/2022	56.05	56.05	01/21/2022	
RHINEHART OIL CO., LLC	IN-594470-22	SEWER - GAS/DIESEL	01/14/2022	25.15	25.15	01/21/2022	
Total SEWER PLANT:				6,374.63	4,318.58		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
SEWER COLLECTION							
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	228.52-	228.52-	01/13/2022	
SPECTRUM ENTERPRISE	126548301010	SEWER COLLECTION PHONE	01/01/2022	116.85	116.85	01/21/2022	
Total SEWER COLLECTION:				111.67-	111.67-		


Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	66.55-	66.55-	01/13/2022	
WASTE MANAGEMENT INC -	1720649-0576-	DUMPSTER SERVICE	12/31/2021	1,405.20	1,405.20	01/21/2022	
WASTE MANAGEMENT INC -	1720828-0576-	TOWN CLEAN UP DAY	01/04/2022	1,799.96	1,799.96	01/21/2022	
WASTE MANAGEMENT INC -	1720871-0576-	GARBAGE SERVICE	01/04/2022	15,067.23	15,067.23	01/21/2022	
SPECTRUM ENTERPRISE	126548301010	TRASH PHONE	01/01/2022	38.95	38.95	01/21/2022	
Total :				18,244.79	18,244.79		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
PARKS							
HOME DEPOT CREDIT SERVICE	1011653	PARKS - MISC REPAIRS	01/06/2022	1,193.46	1,193.46	01/13/2022	
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	833.62-	833.62-	01/13/2022	
CENTURY LINK	01.01.2022	1207 - RIVERBEND PARK	01/01/2022	125.66	125.66	01/21/2022	
XCEL ENERGY	763119621	PARKS LIGHTS	01/11/2022	256.22	.00		
RHINEHART OIL CO., LLC	IN-584121-22	PARKS - GAS/DIESEL	01/07/2022	112.06	112.06	01/21/2022	
RHINEHART OIL CO., LLC	IN-594470-22	PARKS - GAS/DIESEL	01/14/2022	50.31	50.31	01/21/2022	
Total PARKS:				904.09	647.87		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
POOL							
CENTURY LINK	01.01.2022	1067 - POOL INTERNET	01/01/2022	156.18	156.18	01/21/2022	
XCEL ENERGY	763119621	POOL LIGHTS	01/11/2022	601.68	.00		
Total POOL:				757.86	156.18		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
FACILITIES							
ALL-PHASE	2688-1015644	FACILITIES - ELECTRICAL SUP	01/06/2022	252.04	252.04	01/13/2022	
ICMA TRST 401 - 107074	ICMA DEC 202	ICMA 401K Pay Period: 12/25/20	12/31/2021	323.85-	323.85-	01/13/2022	
XCEL ENERGY	762242047	711 IOWA - GYM	01/04/2022	964.61	.00		
XCEL ENERGY	763119621	FACILITIES LIGHTS	01/11/2022	811.99	.00		
TERMINIX	259528	PEST CONTROL	01/11/2022	67.00	67.00	01/13/2022	
TERMINIX	259737	PEST CONTROL	01/11/2022	65.00	65.00	01/21/2022	
ALSCO INC	LGRA2585609	BUILDING - REP & MAINT - FLO	01/07/2022	51.54	51.54	01/13/2022	
Total FACILITIES:				1,888.33	111.73		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
ALL STAR ENVIRONMENTAL SE	21-051.4	SITE REMEDIATION - OLD PALI	01/20/2022	268,862.62	.00		
Total :				268,862.62	.00		
Grand Totals:				431,796.71	39,910.57		

Finance Director: 

(Finance Department Review and Approval for Payment)

Date: 1/21/22

Town Manager: 

(Administrative Review and Approval for Payment)

Date: 1.21.2022

Mayor: _____

(Board of Trustees Review and Approval for Payment)

Date: _____

Town Clerk: _____

(Document Recorded)

Date: _____

Report Criteria:

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Invoice Detail.Input date = 01/07/2022-01/21/2022



**MINUTES OF THE REGULAR MEETING OF THE
PALISADE BOARD OF TRUSTEES
January 11, 2022**

A work session of the Board of Trustees for the Town of Palisade began at 5:15 pm to discuss a ballot measure to increase sales tax for the April 2022 Regular Election. Present were Mayor Greg Mikolai, Trustees Jamie Sommerville, Ellen Turner, and Bill Carlson. Mayor Pro-Tem Thea Chase and Trustees Susan L'Hommedieu and Nicole Maxwell were absent. A quorum was declared. Also in attendance were Town Manager Janet Hawkinson, Town Clerk Keli Frasier, Community Development (CD) Director Brian Rusche, Finance Director Travis Boyd, Parks, Recreation & Events (PRE) Director Troy Ward, Interim Police Chief Jesse Stanford, Utilities Supervisor Fred Miller, and Fire Chief Charles Balke.

The regular meeting of the Board of Trustees for the Town of Palisade was called to order at 6:00 pm by Mayor Greg Mikolai with Trustees present: Jamie Sommerville, Ellen Turner, Bill Carlson, and Mayor Pro-Tem Thea Chase. Trustees Susan L'Hommedieu and Nicole Maxwell were absent. A quorum was declared. Also in attendance were Town Manager Janet Hawkinson, Town Clerk Keli Frasier, Community Development (CD) Director Brian Rusche, Finance Director Travis Boyd, Parks, Recreation & Events (PRE) Director Troy Ward, Interim Police Chief Jesse Stanford, Utilities Supervisor Fred Miller, and Fire Chief Charles Balke.

AGENDA ADOPTION

Motion #1 by Trustee Sommerville, seconded by Trustee Turner, to approve the agenda as presented.

A voice vote was requested
Motion carried unanimously

PRESENTATIONS

Proclamation – National Crime Stoppers Month

Presented by Trustee Somerville to representatives of the Board of Directors of the Crime Stoppers of Mesa County – Shari Zen, Brittaney LeTurgez, and Rich Parish.

Proclamation – Martin Luther King Jr. Day

Presented by Mayor Mikolai to representatives of the Board of Directors of the Black Citizens and Friends.

Introduction of a new Lieutenant for the Palisade Fire Department

Introduction of Lieutenant Trevor Nieslanik by Chief Balke.

Donation Presentation from Vines 79 Wine Barn

Juliann Adams presented a donation to the Palisade Fire Department.

PUBLIC COMMENT

None was offered.

TOWN MANAGER REPORT

Town Manager Janet Hawkinson reviewed her Manager's Report and explained the timeline for various projects being undertaken by the Town.

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 the Board members may ask that an item be removed from the Consent Agenda for individual consideration.

- **Expenditures**

Approval of Bills from Various Town Funds – December 9, 2021 – January 6, 2022

- **Minutes**

- Minutes from the December 14, 2021, Regular Board Meeting
- Minutes from the January 4, 2022, Special Board Meeting

Motion #2 by Trustee Sommerville, seconded by Trustee Turner, to approve the consent agenda as presented.

A roll call vote was requested.

Yes: Mayor Mikolai, Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson,

No:

Absent: Trustee L'Hommedieu, Trustee Maxwell

Motion Carried.

PUBLIC HEARING I

ORDINANCE 2022-01: PRO 2021-14 – Text Amendments To The Land Development Code (LDC) Bed And Breakfast

Mayor Mikolai opened the public hearing at 6:23 pm.

CD Director Rusche reviewed his staff report citing the findings of fact and staff recommendation.

An application was received from Tammy Tallant to amend the standards for a Bed and Breakfast found in Section 7.03(C) of the Land Development Code (LDC). The proposed amendments would allow sleeping rooms in separate structures other than the primary residence and would clarify the requirements surrounding food service.

There will still be a review process required to ensure that any structure or structures meet the appropriate zoning, fire, and building codes to be utilized as a bed and breakfast. This was a point of discussion at the Planning Commission, and it should be emphasized that changing the code does not automatically approve any location to be used as a bed and breakfast.

Staff is recommending as part of this amendment changes to Table 6.1 – Use Table to modify the zones in which a bed and breakfast is either a permitted use or a conditional use. The goal is to ensure the appropriate level of review based on the potential location of future bed and breakfast uses. It is important to note that this change does not affect any of these uses that already exist under the current code prior to adopting these amendments.

In evaluating any proposed amendment of the text of the Land Development Code, the following shall be considered:

1. The extent to which the proposed text amendment is consistent with the remainder of the LDC, including, specifically, any purpose and intent statements;
The proposed text amendment is consistent with the remainder of the LDC. Both the definition and the standards for a bed and breakfast distinguish the use from a short-term vacation rental in that the owner must reside on the property, and food is expected by the guests. The proposed amendment would allow a property more options to provide guestrooms that would all still meet zoning, fire, and building codes.
2. The amendment must not adversely affect the public health, safety or general welfare;
The proposed text amendment would not adversely affect the public health, safety, or general welfare as the establishment of a new bed and breakfast would still require review of zoning, fire, and building codes.
3. The amendment is necessary because of changed or changing social values, new planning concepts or other social or economic conditions in the areas affected;
The proposed amendment would remove unnecessary restrictions for the homeowner/operator of the bed and breakfast to reside in the same building as all of the guests while retaining the oversight of the property that distinguishes this use from other lodging accommodations.
4. The proposed text amendment revises the LDC to comply with state or federal statutes or case law;
or
The proposed text amendment appears to be consistent with the Colorado Revised Statutes for the definition of a bed and breakfast.
5. The proposed text is found to be consistent with the Town's adopted comprehensive plan.
The adopted Comprehensive Plan delegates the regulation of individual land use actions to the Land Development Code. It has been asserted that Palisade needs additional overnight accommodations.

Applicant Tammy Tallent explained her application briefly and stated that she truly wants a traditional bed & breakfast, not a vacation rental. She clarified that the building she wants as a B&B is currently being rented on a monthly basis.

Mayor Mikolai opened the hearing to Board comment.

Cheryl Young 3857 North River Road, announced that she had wanted a bed & breakfast at her farm for a long time, but she cannot have one in her existing home due to drainage issues. She fully supported the proposed amendments to the code.

Mayor Mikolai opened the hearing to Board Comment.

Trustee Turner expressed concerns that people may take advantage of the changes to circumvent the rules and regulations we currently have for short-term vacation rentals. She went on to state that she feels the current definitions of bed & breakfast need to be discussed at length during the comprehensive plan revision process.

Trustee Somerville felt like the applicant is trying to follow the Town's regulations and had come upon a hurdle that prevented them from moving forward. He also felt that each industry has a very solid definition of a bed & breakfast and a short-term vacation rental and does not see any issues approving the change as requested.

Mayor Pro-Tem Chase agreed that the code regarding short-term vacation rentals needs to be reviewed but doesn't feel that the short-term vacation rental code review needs to prevent moving forward with the requested changes.

Mayor Mikolai asked staff how enforcement of the rules would be accomplished. CD Director Rusche stated that the applicants would have to meet all building codes and go through a Conditional Use Permit process with the Town.

Trustee Carlson announced that the Colorado legislature would be reviewing two bills later in the cycle that will require all short-term vacation rental homes to be taxed as commercial instead of residential, which may dissuade some homeowners from pursuing that option due to higher property taxes.

Ms. Tallent closed by stating that her proposed bed & breakfast will be owner-occupied (as required by bed & breakfast regulations). She went on to clarify that regardless of the proposed change, anyone can apply for a bed & breakfast instead of a short-term vacation rental to try and circumvent the regulations, but that is not what her intent is.

Motion #3 by Trustee Somerville, seconded by Mayor Pro-Tem Chase to approve Ordinance 2022-01 entitled “An Ordinance of the Town of Palisade, Colorado Amending the Land Development Code Regarding Bed and Breakfast Standards.”

A roll call vote was requested.

Yes: Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Mayor Mikolai

No: Trustee Turner

Absent: Trustee L’Hommedieu, Trustee Maxwell

Motion carried.

Mayor Mikolai closed the public hearing at 6:52 pm.

PUBLIC HEARING II

ORDINANCE 2022-02: PRO 2021-15 – Text Amendments To The Land Development Code (LDC)

Family Child Care Home

Mayor Mikolai opened the public hearing at 6:52 pm.

CD Director Rusche gave a brief presentation outlining the findings of fact and staff recommendation.

In 2021 the Colorado State Legislature passed HB21-1222, which was intended to help make it easier for people to operate “child care home” within a residence. The State Statute defines child care homes as “a state-licensed child care facility serving up to 12 children and operated by a person who resides in the same dwelling where the child care is provided”.

If a use meets this definition, the new statute requires local governments to treat these facilities as residences for the purposes of licensures and local regulations, including zoning, land use development, fire and life safety, and building codes.

The proposed Text Amendment is intended to align the Land Development Code (LDC) with State of Colorado law.

In evaluating any proposed amendment of the text of the Land Development Code, the following shall be considered:

1. The extent to which the proposed text amendment is consistent with the remainder of the LDC, including, specifically, any purpose and intent statements;
The proposed text amendment is consistent with the remainder of the LDC. The LDC already defines a child care home as having no more than twelve (12) children in a place of residence and treats it as an accessory use, so no changes are needed to Table 6.01 – Use Table. The amendment eliminates the need to obtain a conditional use permit for homes over eight (8) and up to twelve (12), which conflicts with the intent of newly adopted Colorado State Law HB21-1222.
2. The amendment must not adversely affect the public health, safety or general welfare;
The proposed text amendment would not adversely affect the public health, safety or general welfare as the State of Colorado would retain licensing authority over the individual family care homes.
3. The amendment is necessary because of changed or changing social values, new planning concepts or other social or economic conditions in the areas affected;
Colorado has a shortage of licensed, safe, and affordable child care options, while at the same time there is a growing need for child care in order to bolster the economy and allow parents to work, according to the State.
4. The proposed text amendment revises the LDC to comply with state or federal statutes or case law;
or
The Legislative declaration in HB21-1222 finds that a shortage of family care homes is a matter of statewide concern and local governments must remove inconsistent regulations to expand opportunities to access child care in family child care homes.
5. The proposed text is found to be consistent with the Town’s adopted comprehensive plan.
The adopted Comprehensive Plan delegates the regulation of individual land use actions to the Land Development Code.

Mayor Mikolai opened the hearing to public comment. None was offered.

Mayor Mikolai opened the hearing to Board comment.

Mayor Pro-Tem Chase expressed her enthusiasm for the topic and emphasized the difficulty many parents are currently suffering in finding child care in our area.

Motion #4 by Mayor Pro-Tem Chase, seconded by Trustee Somerville to approve Ordinance 2022-02 entitled “An Ordinance of the Town of Palisade, Colorado Amending the Land Development Code Regarding Child Care Homes.”

A roll call vote was requested.

Yes: Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Mayor Mikolai, Trustee Turner

No:

Absent: Trustee L’Hommedieu, Trustee Maxwell

Motion carried.

Mayor Mikolai closed the public hearing at 6:56 pm.

PUBLIC HEARING III:

ORDINANCE 2022-03: PRO 2021-16 – Text Amendments To The Land Development Code (LDC) Board Of Trustees Decision

Mayor Mikolai opened the public hearing at 6:57 pm.

CD Director Rusche reviewed his staff report clarifying that the purpose of this Ordinance is to make Section 3.10.A of the Land Development Code clear that once a decision is made in a public hearing, it takes effect immediately, and notification of the decision is a courtesy.

In evaluating any proposed amendment of the text of the Land Development Code, the following shall be considered:

1. The extent to which the proposed text amendment is consistent with the remainder of the LDC, including, specifically, any purpose and intent statements;

The proposed text amendment is consistent with the remainder of the LDC. The intent is that a decision made at the conclusion of the hearing is effective immediately and that notification of the decision is a courtesy. The proposed amendment makes that unambiguously clear.

2. The amendment must not adversely affect the public health, safety or general welfare;
The proposed text amendment would not adversely affect the public health, safety or general welfare as all other provisions of the public hearing process remain unchanged.
3. The amendment is necessary because of changed or changing social values, new planning concepts or other social or economic conditions in the areas affected;
The intent is that a decision made at the conclusion of the hearing is effective immediately and that notification of the decision is a courtesy. The proposed amendment makes that unambiguously clear.
4. The proposed text amendment revises the LDC to comply with state or federal statutes or case law;
or
The proposed text amendment does not go against any state or federal statutes or case law.
5. The proposed text is found to be consistent with the Town's adopted comprehensive plan.
The adopted Comprehensive Plan delegates the regulation of individual land use actions to the Land Development Code.

Mayor Mikolai opened the hearing to public comment. None was offered.

Mayor Mikolai opened the hearing to Board comment. None was offered.

Motion #5 by Trustee Somerville, seconded by Trustee Carlson to approve Ordinance 2022-03 entitled "An Ordinance of the Town Of Palisade, Colorado Amending the Land Development Code Clarifying the Effective Date of Final Land Use Decisions by the Board of Trustees."

A roll call vote was requested.

Yes: Mayor Pro-Tem Chase, Trustee Carlson, Mayor Mikolai, Trustee Turner, Trustee Somerville

No:

Absent: Trustee L'Hommedieu, Trustee Maxwell

Motion carried.

Mayor Mikolai closed the public hearing at 6:59 pm.

PUBLIC HEARING IV:

ORDINANCE 2022-04: PRO 2021-17 – Text Amendments To The Land Development Code (LDC) Screening Of Service Areas

Mayor Mikolai opened the public hearing at 6:59 pm.

CD Director Rusche reviewed his staff report citing the findings of fact and staff recommendation.

Commercial land uses often necessitate “service areas” such as loading docks, trash receptacles, and other items are stored outside of a building. These service areas are required to be screened through the provisions of Section 10.04 of the Land Development Code (LDC).

One specific screening requirement is that of trash collection or dumpsters. The current standard requires a fully enclosed, opaque screening structure at least eight (8) feet in height. An enclosure of this size is considered a structure and, technically, requires a building permit and must meet the setbacks the same as the primary structure. This requirement, however, can defeat the purpose of providing a screened location for these necessary functions, and, as such, many existing commercial uses (prior to the adoption of the current code) simply do not have any screening.

The proposed amendment would reduce the height of the required trash enclosure to six (6) feet, which is consistent with the typical height of a fence. The enclosure would still need to be opaque, but an option of using fencing or other building-type materials would be available. These proposed changes would incentivize businesses to construct trash enclosures by making it less onerous to comply with the screening standard.

In evaluating any proposed amendment of the text of the Land Development Code, the following shall be considered:

1. The extent to which the proposed text amendment is consistent with the remainder of the LDC, including, specifically, any purpose and intent statements;
The proposed text amendment is consistent with the remainder of the LDC. Screening is still required for all new trash enclosures, just not as tall.
2. The amendment must not adversely affect the public health, safety or general welfare;
The proposed text amendment would not adversely affect the public health, safety, or general welfare as the enclosures would still be opaque and not accessible to the public.
3. The amendment is necessary because of changed or changing social values, new planning concepts, or other social or economic conditions in the areas affected;
Staff has been approached by businesses who desire to improve their property but find that the current standard is too onerous, thereby defeating the objective of the standard.
4. The proposed text amendment revises the LDC to comply with state or federal statutes or case law;
or
The proposed text amendment does not go against any state or federal statutes or case law.
5. The proposed text is found to be consistent with the Town’s adopted comprehensive plan.
The adopted Comprehensive Plan delegates the regulation of individual land use actions to the Land Development Code.

The Planning Commission reviewed the proposed text amendment to the LDC and made a unanimous recommendation of approval, with the addition of adding architectural metals as an approved material [supported by staff and included in the Ordinance].

Mayor Mikolai opened the hearing to public comment. None was offered.

Mayor Mikolai opened the hearing to Board comment.

Mayor Mikolai declared his appreciation for the Planning Commission’s recommendation on adding corrugated metal to the list of approved materials.

Motion #6 by Mayor Pro-Tem Chase, seconded by Trustee Turner to approve Ordinance 2022-04 entitled “An Ordinance of the Town of Palisade, Colorado Amending the Land Development Code Regarding Trash Enclosure Standards.”

A roll call vote was requested.

Yes: Trustee Carlson, Mayor Mikolai, Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase

No:

Absent: Trustee L’Hommedieu, Trustee Maxwell

Motion carried.

Mayor Mikolai closed the public hearing at 7:04 pm.

NEW BUSINESS

J-U-B Engineers Contract

Town Manager Hawkinson reviewed her staff report and requested approval of the contact with J-U-B Engineers.

The Board had a lengthy discussion regarding the Town’s existing procurement policy, past RFQ process, and how the company has served the Town in the last three years. The Board agreed that J-U-B Engineers are doing a great job for the Town.

Motion #7 by Trustee Somerville, seconded by Mayor Pro-Tem Chase, to direct the Town Manager to enter into a contract with J-U-B Engineering for services to the Town.

A roll call vote was requested.

Yes: Mayor Mikolai, Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson

No:

Absent: Trustee L’Hommedieu, Trustee Maxwell

Motion carried.

Contract with Slate Communications for Marketing

PRE Director Ward reviewed his staff report and asked the Board if they had any questions regarding the proposed services or the contract.

Mayor Pro-Tem Chase inquired as to how the numbers in the contract compare to years past, and PRE Director Ward stated that they are the same and have not changed.

Trustee Turner stated that as a member of the Tourism Advisory Board, she has worked with Slate Communications and feels they are a phenomenal company.

Motion #8 by Trustee Turner, seconded by Mayor Pro-Tem Chase to direct the Town Manager to enter into a contract with Slate Marketing for marketing services for the 2022 Palisade Bluegrass and Roots Festival.

A roll call vote was requested.

Yes: Trustee Turner, Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Mayor Mikolai

No:

Absent: Trustee L'Hommedieu, Trustee Maxwell

Motion carried.

Agreement with Afton Tickets

PRE Director Ward reviewed his staff report and asked the Board if they had any questions regarding the proposed services or the contract.

After a brief discussion, the Board agreed to move forward with the contract and looks forward to the festival in June.

Motion #9 by Mayor Pro-Tem Chase, seconded by Trustee Turner to direct the Town Manager to enter into a contract with Afton Tickets for services for the 2022 Palisade Bluegrass and Roots Festival.

A roll call vote was requested.

Yes: Trustee Somerville, Mayor Pro-Tem Chase, Trustee Carlson, Mayor Mikolai, Trustee Turner

No:

Absent: Trustee Maxwell, Trustee L'Hommedieu

Motion carried.

OPEN DISCUSSION

Trustee Carlson asked staff to look into having the Waste Management Recycling calendar delivered to residents that utilize the service. Finance Director Boyd assured the Board that he would reach out to Waste Management and have it taken care of.

Mayor Pro-Tem Chase stated that the Town Manager asked her if she was interested in being Palisade's representative on the Mesa County EMS Council, and she wanted to make sure that no one else was interested before accepting. ***The consensus of the Board is to support Mayo Pro-Tem Chase and forward a letter of recommendation to the Mesa County EMS Council for her appointment as Palisade's representative.***

Mayor Mikolai asked Finance Director Boyd and Town Clerk Frasier to update the Board at a future meeting on how the Town is collecting Sales Tax from vendors at special events.

COMMITTEE REPORTS

Board members briefly explained the various meetings they had recently attended.

ADJOURNMENT

Motion #10 by Mayor Pro-Tem Chase, seconded by Trustee Turner to adjourn the meeting at 7:32 pm.

A voice vote was requested.

Motion carried unanimously.

X

Greg Mikolai
Mayor

X

Keli Frasier
Town Clerk



**MINUTES OF THE REGULAR MEETING OF THE
PALISADE PLANNING COMMISSION
January 18, 2022**

The regular meeting of the Planning Commission for the Town of Palisade was called to order at 6:00 pm by Chair Riley Parker with Commissioners present: Penny Prinster, Charlotte Wheeler, Andy Hamilton, and Vice-Chair Stan Harbaugh. Commissioner David Hull was absent. A quorum was declared. Also in attendance were Community Development Director Brian Rusche and Administrative Assistant Shelley Kopasz.

AGENDA ADOPTION

Motion #1 by Commissioner Prinster, seconded by Commissioner Wheeler to approve the agenda as presented.

A voice vote was requested
Motion carried unanimously

APPROVAL OF MINUTES

Motion #2 by Commissioner Prinster, seconded by Commissioner Harbaugh, to approve the Minutes from the November 16, 2021, Regular meeting of the Palisade Planning Commission, as presented.

A voice vote was requested
Motion carried unanimously

PUBLIC COMMENT

None was offered.

PUBLIC HEARING, I

**PRO 2022-1 – Winding River Mobile Home Park – Rezone property at 317
W. Eighth Street to Planned Unit Development (PUD)**

Chair Parker opened the public hearing at 6:03pm.

Community Development Director (CDD) Rusche reviewed his staff report, clarifying the findings of fact, and recommendation of approval. Mr. Rusche referenced the following sections of the Land Development Code:

Section 4.03.A Planned Development Purpose:

The purpose of a Planned Development is to achieve greater flexibility than allowed by the strict application of this LDC while providing greater benefit to the Town.

Section 5.05.B Planned Development Purpose:

The PD district provides for modification of the otherwise applicable dimensional requirements, in order to accomplish one (1) or more of the following purposes:

1. Promote innovative and creative design of residential and nonresidential areas;
2. Promote flexibility in the placement of structures so as to preserve and take advantage of the site's unique, natural resource or scenic features and to avoid or mitigate any hazardous area;
3. Encourage more efficient use of land and public streets, utilities and governmental services;
4. Preserve open space for the benefit of residents of developments and the community;
5. Achieve a compatible land use relationship with surrounding areas; or
6. Promote a greater variety in the type and design of buildings and thereby improving the character and quality of new development.

Mr. Rusche indicated that the proposal for a Planned Development to rehabilitate the existing mobile home park, in staff's opinion, would be a creative design of a residential area, would promote flexibility in the placement of structures, would encourage more efficient use of land and public streets, utilities and governmental services, and would promote a greater variety in the type of buildings and improve the character and quality of this property.

Section 7.01.I Manufactured Home Park and Subdivision Standards:

This section applies to new manufactured home parks and/or subdivisions. As this request is for a remodel of an existing mobile home park, there are modifications necessary to accommodate the existing and proposed units. As part of a Planned Unit Development, modifications to requirements are permitted to achieve the purposes in Section 5.05.B (above).

The proposal requests deviations (found in the Letter of Intent) which represent, along with the drawing, form the control document for this development. Rusche highlighted a couple of those requested deviations, including:

1) General requirements:

- a. Minimum park and subdivision area: four (4) acres.

Project lot area is 3.18 acres

- b. Maximum density: six (6) homes and spaces or lots per acre.

Increase from the density at time of annexation 34 units (10.71 homes/acre) to 38 units (11.96 homes/acre)

- c. Minimum space or lot area: four thousand five hundred (4,500) square feet.

No minimum lot area

- d. Minimum space or lot width: forty (40) feet.

No minimum lot width

- e. Minimum building separation: fifteen (15) feet, provided that the minimum separation may be reduced to ten

(10) feet between carports, porches and patios open on three (3) sides and adjacent buildings.

No minimum building separation requirement. The proposed layout separates buildings at a minimum be thirteen (13) feet side-to-side. The proposed layout also separates buildings at a minimum seven (7) feet end-to end as is the existing condition.

- f. Each manufactured home shall be located on a manufactured home space designated on a site plan prepared in accordance with the requirements of Section 4.06, which shall be approved and filed as part of the approval of a new manufactured home park established after the effective date of this LDC and prior to the enlargement of any existing manufactured home park.

A site plan will be provided in accordance with Section 4.06 – Site Plan upon approval of the Planned Development Control Document

- h. Within a manufactured home park, one (1) manufactured home shall be used as an administrative office, identified by a sign, in which the office of the person in charge is located. Copies of all required

Town and State licenses and permits shall be posted therein and the park register shall be kept in this office at all times.

Requesting a deviation from the requirement that an administrative office be located on-site.

2) Allowed uses: a. Manufactured homes, single-family dwellings and mobile homes lawfully installed prior to the adoption of this LDC.

Only manufactured homes will be present. Requesting to rearrange existing layout and replace/install at least fifteen (15) new mobile homes.

4) Streets and accessways: a. Paved streets at least twenty-two (22) feet in width shall extend from the existing street system as necessary to provide convenient access to each manufactured home space and to common facilities and uses. Private streets shall be permitted in a manufactured home park or subdivision.

Paved streets connecting to the existing Town street system shall be twenty-two (22) feet in width. Paved streets inside of the manufactured home park providing one-way directional travel shall be at minimum twenty (20) feet in width. All streets within the manufactured home park shall be private streets.

b. Parking spaces shall be provided at the rate of two (2) parking spaces for each manufactured home, plus one (1) additional parking space for each four (4) manufactured home lots or spaces to provide for guest parking and delivery and service vehicles.

A total of eighty-six (86) parking spaces meeting the total parking space threshold are shown on the drawings.

9) Yard requirements a. The following yard requirements shall pertain to every manufactured home in the manufactured home park or subdivision:

i. Minimum depth of street yard, measured from front lot or space line: twenty (20) feet

Street yard setback minimum of zero (0) feet. Consistent with existing use.

ii. Minimum width of side yard, measured from side lot or space line: ten (10) feet.

Side yard setback minimum of zero (0) feet. Consistent with existing use.

iii. Minimum depth of rear yard, measured from rear lot or space line: twenty (20) feet.

Rear yard setback of zero (0) feet. Consistent with existing use.

16) Recreation areas and facilities

a. Not less than ten percent (10%) of the total land area of the park or subdivision shall be devoted to space for common facilities and uses, such as a laundry, swimming pool or recreation and play areas.

No common facilities and uses are proposed.

Section 4.03.F. Control Document Approval Criteria:

The planned development review shall include, and the applicant shall be responsible for successfully addressing the following (responses from the applicant in *italicized font*):

1) Compliance with Article 8, Planned Development, and all other applicable requirements of this LDC.

a. Applicability: In accordance with Article 67 Title 24, C.R.S., planned development districts may be approved only when the applicant demonstrates to the satisfaction of the Town Board that a proposed planned development project would not negatively affect surrounding property and uses and/or that the PD would result in a greater benefit to the Town than would development under conventional zoning district regulations.

The proposed planned development project would not negatively affect surrounding property and uses as the land use is not changing from the existing land use.

b. Review Process: All planned developments shall be reviewed and approved in accordance with the procedures of Section 4.03, Planned development and approval thereof shall constitute a Zoning Map amendment.

Section 4.03 procedures are being followed.

c. Approval Criteria: In approving a planned development, the Town Board shall find that the district designation and Planned Development Control Document (PDCD) both comply with the general provisions for all planned developments in this Section and the specific standards for the proposed planned development as listed in Section 4.03.E.

Planned development approval criteria and applicant's comments to approval criteria found in Section 4.03-E can be found in the preceding section of this letter.

Section 4.03.E. Approval Criteria:

No planned development may be approved by the Town Board unless all of the following criteria are satisfied:

1. Consistency with the adopted plans of the Town;

2. General conformance with the Town's adopted comprehensive plan.

The Comprehensive Plan – Future Land Use Map (2007) designates the property as a mobile home park, while the existing zoning of CB (Commercial Business), does not include manufactured home park as a permitted use.

3. Suitability of the subject property for uses permitted by the current versus the proposed district.

The proposed Planned Development would have a single use (manufactured home park) with specific standards due to the unique design of this existing park.

4. Whether the proposed change tends to improve the balance of uses or meets a specific demand in the Town;

There is a demand for affordable housing in Palisade in a form that allows more flexibility than traditional single-family development. The proposed upgrades to a number of the units, as well as the overall layout and functionality of the park, has long been a goal of the Town and the proposed investment is welcome.

5. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment and water supply facilities and stormwater drainage facilities for the proposed use;

Winding River is ideally situated adjacent to Taylor Elementary, and improvements are coming soon to the adjacent Highway 6 frontage that will provide a better pedestrian environment and access to the rest of the Town north of the highway.

Typically, new development dedicates additional open space or pays a fee in-lieu of. The existing mobile home park does not have any formal open space or recreational amenities of its own, nor is there much room to incorporate, but it is adjacent to the Town owned parcel that connects to Taylor Elementary. Staff has discussed and the owner is prepared to commit funds that could be used on this parcel offset the typical fees for open space. The utilities within the park are shared among the units, with meters and connections to the Town mains located along the highway. There is sufficient capacity to increase the number of units and the owners will prepare more detailed plans for how to connect these units to the system.

6. It has been determined that the legal purposes for which zoning exists are not contravened;

The legal purposes for which zoning exists are not contravened by this request.

7. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare; and

The proposed improvements to the existing mobile home park, along with the improvements made by the Town on Highway 6, will improve the public welfare and provide business to neighboring commercial properties. Investing in the provision of affordable housing satisfies a public need.

8. It has been determined that no one (1) property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The public would benefit from the investment in this property and from the improved housing choices in Palisade.

Applicant Andy Glinski (720 N. Colorado Blvd., Suite 1150, Denver, CO) presented his application for a Rezone to Planned Unit Development (PUD) to rearrange the layout and increase the number of units within the existing mobile home park, located at 317 W. Eighth Street (Parcel # 2941-031-04-015) as applied for by the property owner SGA Palisade LLC. Mr. Glinski emphasized the investment that his company has made in other communities, including Montrose, Delta, and Fruita, and stated that the goal

was to provide affordable home ownership. A copy of Mr. Glinski's presentation is attached to these minutes.

Chair Parker opened the hearing to public comment.

Jody Corey, (424 W. 8th Street), questioned the timeline of the construction and clean-up. She did not feel it had any negative impact.

Chair Parker opened the hearing to Commissioner comment.

Commissioner Prinster expressed her enthusiasm for the new proposed project and is excited to see the changes. She inquired if the walkway to Taylor Elementary was going to remain.

Commissioner Harbaugh wanted clarification on the process of moving the existing mobile homes and replacing them with the new mobile homes. He questioned the percentage of how many homes are rentals or owner occupied. He also expressed concern for deviating too far from the current standards for new mobile home parks.

Commissioner Wheeler asked if there are any pre-HUD homes within the park.

Chair Parker commented on the affordability of the mobile homes for the citizens.

Motion #3 by Commissioner Prinster, seconded by Commissioner Hamilton, to recommend approval of *PRO 2022-1 – Winding River Mobile Home Park – Rezone property at 317 W. Eighth Street to Planned Unit Development (PUD)* to the Board of Trustees as presented.

A roll call vote was requested.

Yes: Vice-Chair Harbaugh, Commissioner Prinster, Commissioner Wheeler, Commissioner Hamilton, Chair Parker,

No:

Absent: Commissioner Hull

Motion Carried.

Chair Parker closed the public hearing at 6:59 pm.

PUBLIC HEARING II

PRO 2022-3 – 702 37.1 Road Rezone – Rezone property at 702 37 1/10 Road to Mixed Use (MU)

Chair Parker opened the public hearing at 6:59 pm.

CDD Rusche reviewed his staff report, clarifying the findings of fact, and recommendation of approval. Mr. Rusche referenced the following sections of the Land Development Code:

LAND DEVELOPMENT CODE

Section 4.02 Rezoning (Zoning Map amendment):

The rezoning procedure provides a process to make amendments to the Official Zoning Map of the Town of Palisade to reflect changes in public policy, changed conditions or to advance the welfare of the Town.

Section 4.02.E. Approval Criteria:

No rezoning may be approved by the Town Board unless all of the following criteria are satisfied:

1. Consistency with the adopted plans and policies of the Town;

The Comprehensive Plan – Future Land Use Map (2007) designates the property as low density residential, which reflected its use at the time the plan was developed. It did not consider the fact that only three (3) residences exist along this stretch of 37 1/10 Road and that the adjacent property, consisting of nearly 20 acres, is zoned CB (Commercial Business).

The Mixed Use (MU) zone district was established to facilitate adaptive re-use and preservation of older residential structures and compatible new nonresidential development. The MU district is primarily a residential district, only modest-scale nonresidential uses are allowed. Nonresidential uses are encouraged to occupy existing residential structures without changing the character of such structures and to emphasize pedestrian rather than vehicular access. The MU district may be used as a transitional district between residential and nonresidential districts.

While the owner is not seeking to reuse the existing residence, as it remains a viable dwelling, there is unused property adjacent to the residence. This property is not suitable for another residence, as it is directly on the corner of the access road, nor is it the desire to demolish the existing residence and redevelop the entire property. The proposed food truck court could represent an interim use, with minimal investment necessary, until additional infrastructure is constructed (specifically sewer), likely when the adjacent parcel of 20 acres is developed. As noted, the MU zone district may be used as a transitional district between the remaining residences on 37 1/10 Road and the adjacent highway and undeveloped property, which has previously been considered for mixed-use as well.

2. Suitability of the subject property for uses permitted by the current versus the proposed district;

The property owner desires to use about a quarter (1/4) of an acre of unused property as a food truck court. There are currently no standards within the Land Development Code for a food truck court; however, restaurants are a permitted use within the Mixed Use (MU) Zone. The MU zone would not preclude an additional residence, while the current zoning would limit future use to just residential. The applicant has provided concept drawing (attached to this report) that show how food trucks, along with associated parking for cars and bikes, would fit within upon the quarter-acre portion of the lot.

3. Whether the proposed change tends to improve the balance of uses or meets a specific demand in the Town;

Food trucks have become popular in Palisade and throughout the Grand Valley in recent years. They provide a variety of cuisine and are an asset during the many events hosted in Palisade. They offer an opportunity to invest in a business without as much overhead as a typical restaurant and allows the business to “follow the crowds” due to their mobile nature. The proposed location of a food truck court just off Highway 6 (and across the street from a winery) provides additional opportunities, particularly to tourists, to dine in Palisade. There has been a cultural change that warrants consideration of the proposed rezone as an action that would advance the welfare of the Town.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment and water supply facilities and stormwater drainage facilities for the proposed use;

Unlike a residential use, a commercial use does not impact school enrollment or parks and recreation facilities. The site is accessible by 37 1/10 Road but is set back some distance from Highway 6, with no direct access available. There is the existing frontage road adjacent to the property on the south. The property is served by an existing Town water tap but is not connected to the sanitary sewer. However, the proposed use would not require public utilities, except electricity, as food trucks are self-contained units. Future development of the property may require improvements to public facilities, but the proposed zone change would still be necessary to justify investment at a higher level than currently exists.

5. It has been determined that the legal purposes for which zoning exists are not contravened;

The legal purposes for which zoning exists are not contravened by this request.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare; and

While there is another residence to the north, the existing residence would remain as a buffer and there is no development to the east. The property is a corner lot, visible from Highway 6, making it a good location for future commercial use. The intent behind a food truck court is a low impact, potentially temporary use of the property, as no significant infrastructure is proposed. Future development of the adjacent property may change the demand for this parcel, in which case the proposed zoning would allow a range of uses, subject to further review.

7. It has been determined that no one (1) property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The public would benefit from the increase in sales taxes generated by a food truck court, as well as the benefit of additional food options for residents and visitors alike.

Applicant Karina and Nate Parenteau (3603 Grand Valley Canal Road, Palisade, CO) presented an application for a Rezone to Mixed Use (MU) for the purpose of a food truck court, located at 702 37 1/10 Road (Parcel # 2937-084-00-078). They want to gravel what is currently an unused portion of the lot to provide more locations for food trucks and include lighting and a fire pit, as well as providing the community with updates on social media.

Chair Parker opened the hearing to public comment.

Jeff Snook (424 W. 8th Street, Palisade, CO) stated that although they currently own a restaurant in town, he showed his support.

Melissa Bardo (884 Rapid Creek Road, Palisade, CO) expressed the need for more affordable food options and felt that this is a much-needed option in the town.

Tim Boyle (3840 N. River Road, Palisade, CO) questioned the food court structure and was curious about the hygienic principles of food-handling. He was questioning if there would be hand-washing stations. He also inquired how the property would look when it was off-season and if we could support this kind of business. He brought up the safety of high schoolers walking across the highway to eat.

Chair Parker opened the hearing to Commissioner comment.

Commissioner Prinster stated that food trucks do not run during the day, except at the mall and they are jammed packed with customers. She also stated that the revenue comes from property taxes and revenue from food sales.

Commissioner Harbaugh suggested a location on site for trash collection.

Chair Parker questioned the parking and how the traffic is going to flow.

Motion #4 by Commissioner Prinster, seconded by Commissioner Harbaugh, to recommend approval of **PRO 2022-3 – 702 37.1 Road Rezone – Rezone property at 702 37 1/10 Road to Mixed Use (MU) to the Board of Trustees as presented.**

A roll call vote was requested.

Yes: Commissioner Prinster, Commissioner Wheeler, Commissioner, Commissioner Hamilton, Chair Parker, Vice-Chair Harbaugh

No:

Absent: Commissioner Hull

Motion Carried.

Chair Parker closed the public hearing at 7.24 pm.

NEW BUSINESS

Comprehensive Plan update

CDD Rusche announced he was preparing an RFQ to solicit planning firms to help with this process. He expressed spring would be a good time to get someone onboard. He suggested the Commission gather for a work session in February to get a start on that process.

ADJOURNMENT

Motion #7 by Chair Parker at 7:28 p.m.

X

Riley Parker
Planning Commission Chairman

X

Shelley Kopasz
Administrative Assistant

Winding River Mobile Home Park PUD Application



About Stonetown Capital Group & Cairn Communities

- Founded in 2010. Based in Denver, CO.
- Currently control over 18,847 manufactured home and RV pads in 112 communities in eleven states (TX, OK, IL, NM, AL, CO, NC, MS, AK, IN & TN).
- 253 employees including 46 at Stonetown Capital & 207 at Cairn Communities, our wholly owned property management company.

The Western Slope

- Stonetown purchased 4 properties on Western Slope in late 2019
- Communities are located in Montrose, Fruita, Delta and Palisade.
- We have spent the last two years making significant improvements at our Montrose, Fruita and Delta communities now our attention is turning to Palisade.
- In conjunction with the Town of Palisade's 8th Street Project, we are planning on improving this community in 2022.



Improving Our Communities is Our Main Focus

Capital Projects Completed Since 2019

- Removed abandoned homes
- Installed over 30 new homes
- Refreshed entrance in Montrose
- Updated signage
- Removed dead and dangerous trees
- Patched and repaired streets
- Installed new mailbox kiosks
- Added new playgrounds



Improving Our Communities is Our Main Focus



Improving Our Communities is Our Main Focus



Improving Our Communities is Our Main Focus

Active Management

- Enforced Rules & Regulations
- Encouraged tenants to care about their community
- Worked with the City of Montrose to force tenants to clean up yards
- Ensured that park-owned vacant lots are clean as an example to tenants
- Received multiple referrals from happy, current residents



Positive Feedback From Local Officials (Heidi Trimble - Montrose Police Department)

Good afternoon,

I want to pass along my gratitude for all the amazing work that has been done with your park at 67250 Locust Rd. The park is unrecognizable from what it was in 2019. Lorena is by far the easiest property manager that I have worked with. She is a proactive, pleasant and thorough manager which I hope becomes contagious.

I first spoke with Lorena at the beginning of 2020. She was positive from the beginning with great ambitions to accomplish at the park. We all know that 2020 was a train wreck, yet even with all the obstacles of the year so much has improved: abandoned trailers removed, residents' spaces cleaned up, junk and excess vehicles removed, trailers repaired and touched up, new signs, new playground, fence repair and several new trailers which are already occupied and have remained tidy after becoming occupied and much much more.

I have been working with other departments in the City trouble shooting the common issues in the trailer parks throughout the City of Montrose over the past two years. I have been so impressed with the improvements at Mountain View that I spotlighted the park in my slides to the departments to prove that coordinating with motivated Manager(s)/Park owner(s) is the recipe for a successful recovery of degraded parks.

I have attached a link to access the slides from my presentation so that you may also be aware and understand that your hard work has not gone unnoticed.

I'm looking forward to continuing to work with you.
Cheers,

Current State of the Palisade MH Community

Abandoned Mobile Homes / Buildings

- There are currently 4 vacant homes that are in a state of disrepair.



Failing Sewer Line

- The community has a sewer line that has required numerous repairs in the past two years.

Current State of the Palisade MH Community

Aged Asphalt Roads

- There are significant potholes, cracking and water pooling.



Overgrown Trees

- Dead and overgrown trees that are impacting some houses.

Current State of the Palisade MH Community

Vacant Lots

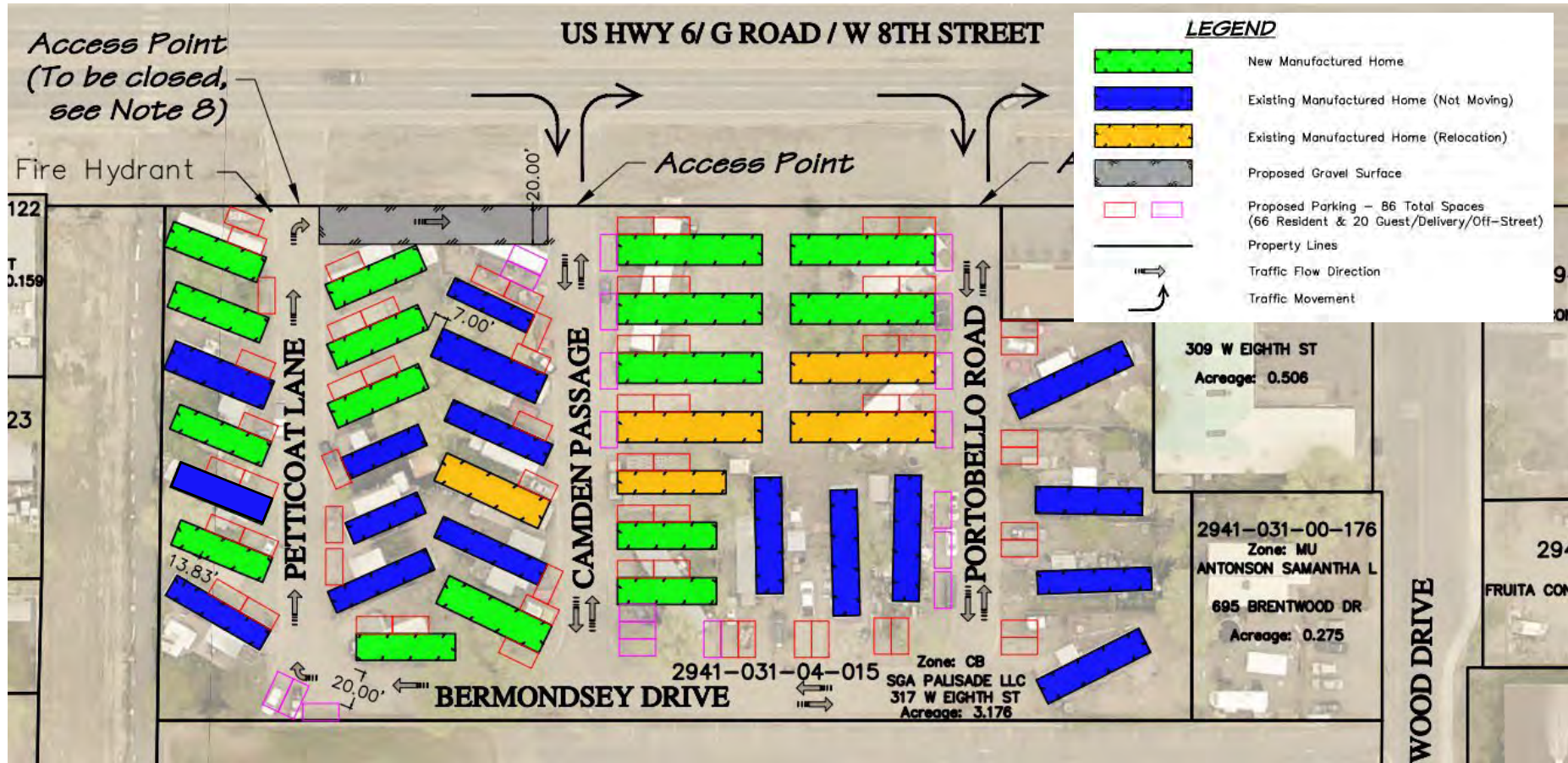
- There are numerous vacant lots in the community where homes were once present
- Under the current zoning and setback requirements, we are unable to fill vacancies due to size constraints
- These have the potential to be filled with new homes and provide an affordable housing solution for Palisade



Closing 8th Street Entrance

- As part of the 8th street expansion and revitalization, CDOT will be permanently closing the community entrance to Petticoat lane
- This presents our residents and the fire department with an access issue

Winding River PUD



PUD Highlights

- Increase density from 34 to 38 lots
- Maintain grandfathered property line setbacks
- Create one way road on Petticoat Lane
- Add fire lane along 8th street
- Fee in lieu of open space to improve walkway to Taylor Elementary
- Add designated parking spaces

Proposed Improvements

New Homes

- Remove vacant and dilapidated homes
- Install brand new, modern homes in conjunction with an updated site plan
- Relocate some existing homes to improve space efficiency
- Offer multiple floor plans
- Designate two parking spaces for every home in the community
- Promote home ownership vs. short term rentals



Proposed Improvements

Landscaping, Fence & Signage

- Update frontage along 8th Street with new signage, landscaping and fence
- In the community, limb trees & revitalize landscaping with an emphasis on xeriscaping
- Utilizing the fee in lieu to landscape the walkway to Taylor Elementary



Proposed Improvements

Road Improvements & Parking

- Repave roads and address drainage issues
- Designated parking spots for each home
- Build fire road due to closed entrance



Mailboxes

- Relocate current mailboxes to a new location in the community
- Install new mailboxes with a covered canopy



Questions?



**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2022-05**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO,
EXTENDING THE TEMPORARY MORATORIUM ON THE ISSUANCE
OF ADDITIONAL RETAIL MARIJUANA STORE LICENSES.**

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, pursuant to Article XVIII, Sections 14 and 16 of the Colorado Constitution, the cultivation and use of medical and retail marijuana has been authorized within the State of Colorado subject to state regulation and the right of local control; and

WHEREAS, pursuant to Section 31-15-401, C.R.S., the Town has broad authority to exercise its police powers to promote the health, safety and welfare of the community and its residents; and

WHEREAS, the Town has set forth criteria for the administration and regulation of permitted classes of medical and retail marijuana businesses in the Town in Articles IV and V of Chapter 6 of the Palisade Municipal Code (“Town Code”); and

WHEREAS, the Town adopted and amended a limitation of retail marijuana store licenses, codified at Section 6-105 of the Town Code, and a lottery that awards priority to obtain a retail marijuana store license, codified at Town Code Section 6-108; and

WHEREAS, by Ordinance No. 2019-12, the Board of Trustees found that in the event no Priority Applicant received a license and a license became available, the Town would need to analyze its policy and amend the Palisade Municipal Code accordingly, and the Board of Trustees enacted a temporary moratorium on the acceptance of applications of additional retail marijuana store licenses to allow it to do so, which moratorium became effective September 22, 2020; and

WHEREAS, by Ordinance Nos. 2021-02 and 2021-08, the Board of Trustees extended the moratorium because of a pending lawsuit from a Priority Applicant over a conditional use permit denial; and

WHEREAS, with that litigation still pending, the Board of Trustees finds it needs additional time before it can analyze its policy and amend the Palisade Municipal Code.

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. The Town of Palisade extends the temporary moratorium on the acceptance, processing and approval of any applications for additional retail marijuana store licenses until December 31, 2022; provided, however, this moratorium does not apply to any license applications

from and relating to the two existing retail marijuana store licenses currently issued by the Town.

Section 3. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Board of Trustees hereby declares it would have passed this Ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

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 January 25, 2022.

TOWN OF PALISADE, COLORADO

By: _____
Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk



PALISADE BOARD OF TRUSTEES Agenda Item Cover Sheet

Meeting Date: January 25, 2022

Presented By: Brian Rusche, Community Development Director

Department: Planning

Re: PRO-2022-1, WINDING RIVER MHP PUD

SUBJECT: PRO-2022-1, WINDING RIVER MHP PUD,
LOCATED AT 317 W. EIGHTH STREET (PARCEL # 2941-031-04-015)

SUMMARY: The Town of Palisade has received a request for a rezone of the property located at 317 W. 8th Street (Parcel # 2941-031-04-015). The property is an existing mobile home park zoned CB (Commercial Business) and the request is to consider a Planned Unit Development (PUD) to rearrange the layout and increase the number of units within the park, now known as Winding River.

The mobile home park was annexed to the Town in 1977. At that time, there were a total of 34 dwelling units on approximately 3.18 acres. The applicant has submitted a proposal that would include a total of 38 dwelling units within the same land area. To accommodate these new units, which will replace several abandoned and deteriorating units that currently exist as well as relocate others, the applicant is requesting deviations from the current dimensional standards, which were established well after the annexation and development of this park. The specific requests are incorporated into the rezone request to designate the property as a Planned Development.

The Comprehensive Plan Future Land Use Map (2007) designates the property specifically as a mobile home park and the use remains legal, despite the current zoning, as it has been used consistently for this purpose since prior to 1977. The proposed Planned Unit Development (PUD) zoning would specify the sole use of the property as a manufactured home park with standards as set forth in the required control document.

There are three (3) access points to the park – Petticoat Lane, Camden Passage, and Portobello Road (from west to east). As part of the Highway 6 MMOF improvement project, the westernmost entrance from Petticoat Lane will be closed. This will change the circulation pattern within the park. In consideration of one of the three existing access points being removed, and upon finding that the proposed increase in units would amount to an 8% increase in traffic (below the 20% threshold), no additional improvements are required by CDOT.

The proposed plan includes a six (6) foot fence along the northern property line adjacent to the highway, to provide aesthetic screening that would complement the improvements of the MMOF project. The owner will work with the Town on the exact design and installation of the fence in coordination with the upcoming MMOF project.

In consideration of the open space requirement for residential and mobile home park development, the owner has agreed to pay a fee in-lieu to the Town that can be used to make improvements to the Town owned parcel adjacent to the park on the west. The owner will also be making infrastructure improvements within the park to accommodate the proposed plan, the details of which will be reviewed through an administrative site plan review if the proposed plan is approved.

The purpose of a Planned Development is to achieve greater flexibility than allowed by the strict application of this LDC while providing greater benefit to the Town. This proposal for a Planned Development would rehabilitate the infrastructure and aesthetic of the existing mobile home park, add affordable housing to the community, and provide the funds for improvement of public open space. As part of a Planned Unit Development, modifications to requirements are permitted to achieve a creative design of residential areas, promote flexibility in placement of structures, and encourage a more efficient use of land and governmental services. The details, known as the control document, are incorporated into the attached rezoning ordinance.

BOARD DIRECTION:

The Planning Commission conducted a Public Hearing on January 18, 2022, and having received testimony from the applicant and others, **forwards a recommendation of approval of the proposed planned development.**

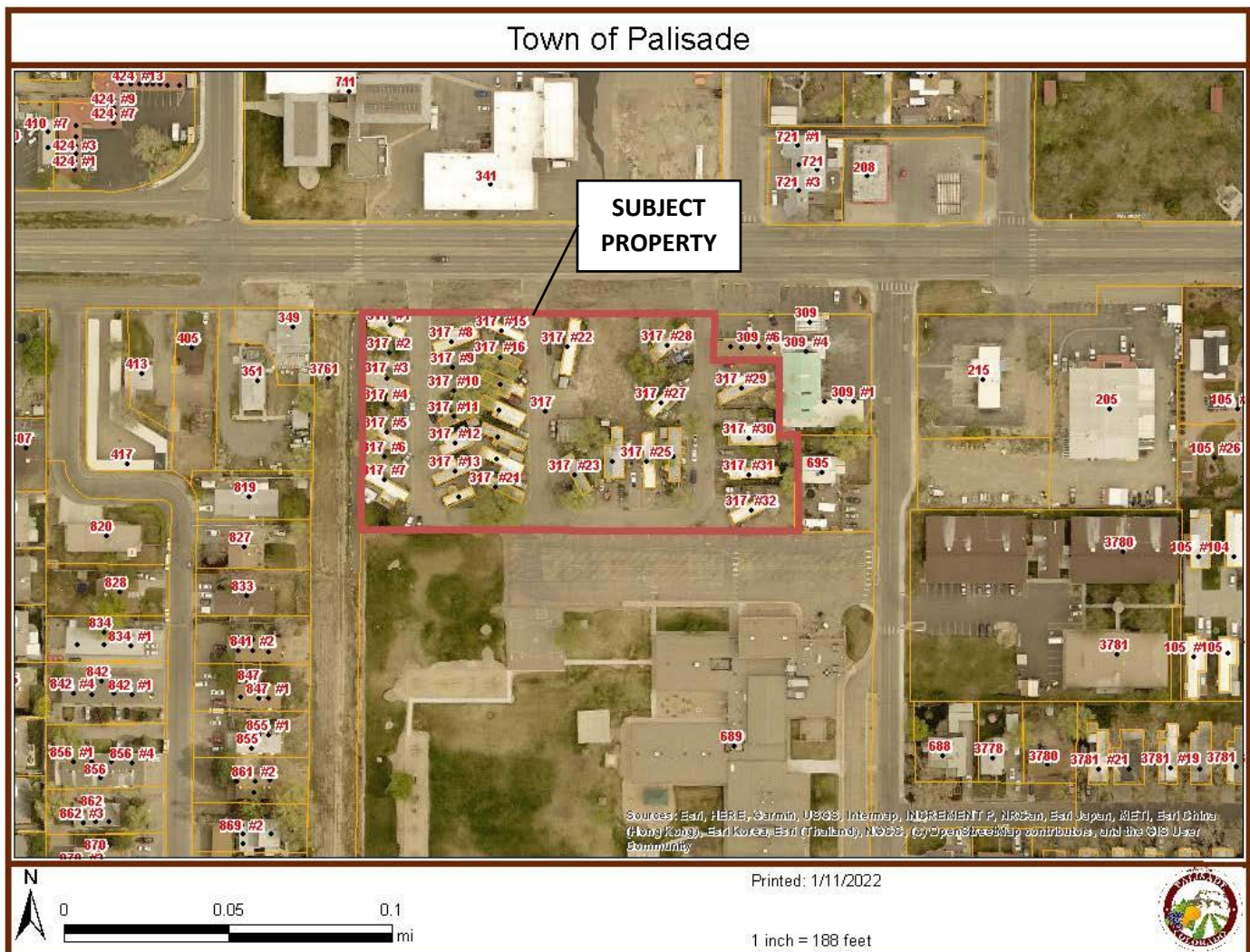
PRO 2022-1, WINDING RIVER MHP PUD

LOCATED AT 317 W. EIGHTH ST, PARCEL # 2941-031-04-015

SUMMARY

The Town of Palisade has received a request for a rezone of the property located at 317 W. 8th Street (Parcel # 2941-031-04-015). The property is an existing mobile home park zoned CB (Commercial Business) and the request is to consider a Planned Unit Development (PUD) to rearrange the layout and increase the number of units within the park, now known as Winding River.

The mobile home park was annexed to the Town in 1977. At that time, there were 21 mobile homes, 10 platted lots, a duplex, and another rental unit, for a total of 34 dwelling units on approximately 3.18 acres. Currently, there are 32 mobile home pads (though not all are occupied) within the same land area. The applicant has submitted a proposal to keep 16 of the existing units, relocate 5 units to different spaces within the park, and to add 17 new manufactured homes for a total of 38 dwelling units within the same land area. To accommodate these new units, which will replace several abandoned and deteriorating units that currently exist, the applicant is requesting deviations from the current dimensional standards, which were established well after the annexation and development of this park. The specific requests are incorporated into the rezone request to designate the property as a Planned Development.

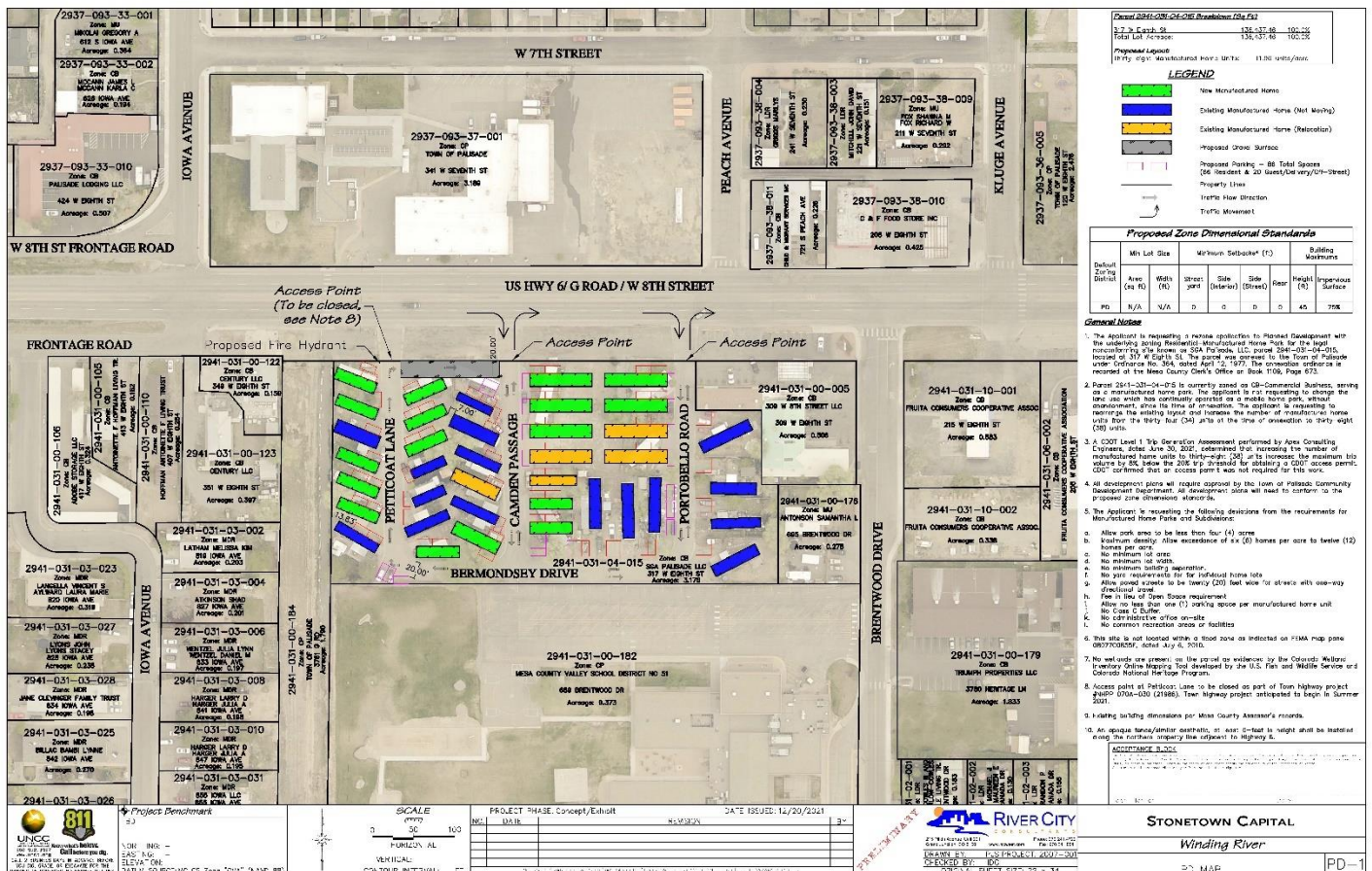


The current CB (Commercial Business) zoning does not permit a manufactured home park; however, the Comprehensive Plan Future Land Use Map (2007) designates the property specifically as a mobile home park and the use remains legal, as it has been used consistently for this purpose since prior to 1977. The proposed Planned Unit Development (PUD) zoning would specify the sole use of the property as a manufactured home park with standards as set forth in the required control document.

There are three (3) access points to the park – Petticoat Lane, Camden Passage, and Portobello Road (from west to east). These names are derived from the Clark's Trailer Park plat, recorded after the annexation in 1977. The park has operated under the current ownership since purchase in 2019.

As part of the Highway 6 MMOF improvement project, the westernmost entrance to Highway 6 from Petticoat Lane will be closed. This will change the circulation pattern within the park. An additional vehicle path between Petticoat and Camden is shown to provide circulation back to the main entrance. In consideration of one of the three existing access points being removed, and upon finding that the proposed increase in units would amount to an 8% increase in traffic (below the 20% threshold), no additional studies or improvements to the highway are required as part of this project. The proposed plan does include, at the request of the Town, a six (6) foot fence along the northern property line adjacent to the highway, to provide aesthetic screening that would complement the improvements of the MMOF project. This height does exceed the standard for a fence in the Code but would be incorporated into the PUD standards and would provide benefit to the residents of the park as well.

The owner anticipates infrastructure improvements will be necessary to accommodate the proposed layout of the park. An initial review of this plan has been done by JUB engineers as well as the Palisade Fire Department, among others. An additional fire hydrant, as well as other potential infrastructure upgrades, will be the next step through an administrative site plan review if the proposed plan is approved.



[See attached Ordinance for full size map]

LAND DEVELOPMENT CODE

Section 4.03.A Planned Development Purpose:

The purpose of a Planned Development is to achieve greater flexibility than allowed by the strict application of this LDC while providing greater benefit to the Town.

Section 5.05.B Planned Development Purpose:

The PD district provides for modification of the otherwise applicable dimensional requirements, in order to accomplish one (1) or more of the following purposes:

1. Promote innovative and creative design of residential and nonresidential areas;
2. Promote flexibility in the placement of structures so as to preserve and take advantage of the site's unique, natural resource or scenic features and to avoid or mitigate any hazardous area;
3. Encourage more efficient use of land and public streets, utilities and governmental services;
4. Preserve open space for the benefit of residents of developments and the community;
5. Achieve a compatible land use relationship with surrounding areas; or
6. Promote a greater variety in the type and design of buildings and thereby improving the character and quality of new development.

The proposal for a Planned Development to rehabilitate the existing mobile home park, in staff's opinion, would be a creative design of a residential area, would promote flexibility in the placement of structures, would encourage more efficient use of land and public streets, utilities and governmental services, and would promote a greater variety in the type of buildings and improve the character and quality of this property.

Section 7.01.I Manufactured Home Park and Subdivision Standards:

This section applies to new manufactured home parks and/or subdivisions. As this request is for a remodel of an existing mobile home park, there are modifications necessary to accommodate the existing and proposed units. As part of a Planned Unit Development, modifications to requirements are permitted to achieve the purposes in Section 5.05.B (above).

The proposal requests the following deviations (found in the Letter of Intent) which represent, along with the drawing, form the control document for this development:

The requirements for the underlying Residential – Manufactured Home Park Zoning, Section 7.01-I, are shown below with the requested deviations, if any, from these requirements shown in *italicized font*.

1) General requirements:

- a. Minimum park and subdivision area: four (4) acres.

Project lot area is 3.18 acres

- b. Maximum density: six (6) homes and spaces or lots per acre.

Increase from the density at time of annexation 34 units (10.71 homes/acre) to 38 units (11.96 homes/acre)

- c. Minimum space or lot area: four thousand five hundred (4,500) square feet.

No minimum lot area

- d. Minimum space or lot width: forty (40) feet.

No minimum lot width

e. Minimum building separation: fifteen (15) feet, provided that the minimum separation may be reduced to ten (10) feet between carports, porches and patios open on three (3) sides and adjacent buildings.

No minimum building separation requirement. The proposed layout separates buildings at a minimum be thirteen (13) feet side-to-side. The proposed layout also separates buildings at a minimum seven (7) feet end-to end as is the existing condition.

f. Each manufactured home shall be located on a manufactured home space designated on a site plan prepared in accordance with the requirements of Section 4.06, which shall be approved and filed as part of the approval of a new manufactured home park established after the effective date of this LDC and prior to the enlargement of any existing manufactured home park.

A site plan will be provided in accordance with Section 4.06 – Site Plan upon approval of the Planned Development Control Document

g. Up to (2) manufactured home park identification signs may be utilized, but the sum of the areas of one (1) side of these signs shall not exceed forty (40) square feet. Only external, non-flashing lighting shall be used for illumination. The top portion of any sign shall not exceed twelve (12) feet in height.

Acknowledged

h. Within a manufactured home park, one (1) manufactured home shall be used as an administrative office, identified by a sign, in which the office of the person in charge is located. Copies of all required Town and State licenses and permits shall be posted therein and the park register shall be kept in this office at all times.

Requesting a deviation from the requirement that an administrative office be located on-site.

i. Maximum impervious cover shall not exceed fifty percent (50%) of the manufactured lot or space.

Acknowledged

2) Allowed uses: a. Manufactured homes, single-family dwellings and mobile homes lawfully installed prior to the adoption of this LDC.

Only manufactured homes will be present. Requesting to rearrange existing layout and replace/install at least fifteen (15) new mobile homes.

b. Common uses and uses accessory to dwelling units, including recreation facilities for the use of residents of the park only, management offices, laundry rooms, tenant storage lockers, parking areas and garbage and trash disposal facilities.

Acknowledged

3) Site plan, internal relationship: a. The site, including manufactured home spaces, structures and all site improvements, shall be harmoniously and effectively organized in relation to topography, the shape of the tract and the shape, size and position of structures, with consideration for usability of space, appearance and livability. An informal park type of arrangement, with grouping or clustering of manufactured home dwelling units and which conforms to the terrain and natural landscape features, is preferable to a rigid, stylized pattern.

Acknowledged. The site plan will be submitted upon approval of the Planned Development Control Document

4) Streets and accessways: a. Paved streets at least twenty-two (22) feet in width shall extend from the existing street system as necessary to provide convenient access to each manufactured home space and to common facilities and uses. Private streets shall be permitted in a manufactured home park or subdivision.

Paved streets connecting to the existing Town street system shall be twenty-two (22) feet in width. Paved streets inside of the manufactured home park providing one-way directional travel shall be at minimum twenty (20) feet in width. All streets within the manufactured home park shall be private streets.

b. Convenient access shall be provided to each manufactured home space by an accessway at least fifteen (15) feet in width. Such accessway shall be reserved for maneuvering manufactured homes into position and shall be kept free of trees and other immovable obstructions, but need not be paved. Temporary planks or steel mats may be used during the placement of a manufactured home.

Acknowledged.

c. In the event that the developer of a manufactured home park chooses to retain ownership of streets and accessways, he or she shall be required to dedicate to the Town a blanket emergency service access easement to permit police, ambulance and fire protection personnel to enter the park or subdivision.

A blanket emergency access agreement shall be provided.

In addition, pursuant to Section 42-4-1102, C.R.S., the Town elects to impose and enforce stop sign regulations, speed limits and parking restrictions posted in accordance with the Section 7.01 – Residential Use Standards 7-5 | Page Manual of Uniform Traffic Control Devices upon all streets which are privately maintained in manufactured home parks or subdivisions. The owner of the manufactured home park or subdivision shall provide such signs as may be required by the Town's Engineer and agrees to erect and maintain such signs in conformity with the Model Traffic Code and other applicable regulations.

i. The stop sign placement, speed limits and parking restrictions shall be determined by the Town's Engineer, but shall be consistent with the provisions of Sections 42-4-1101 to 42-4-1104 et al., C.R.S., Sections 42-4-1204, C.R.S. and Section 42-4-1208, C.R.S.

Acknowledged.

ii. There shall be posted at each entrance to any manufactured home park or subdivision a sign giving notice of such enforcement in the following text: "NOTICE: Stop sign, speed limits and parking restrictions enforced by the Town."

Acknowledged.

iii. When all signs are in place, stop signs, speed limits and parking regulations shall be enforced and violations thereof punished in accordance with the provisions of the Model Traffic Code, as adopted by the Town.

Acknowledged.

5) Pedestrian Access a. Pedestrian walkways at least two (2) feet in width and having an all-weather surface shall be provided for access to each manufactured home from a paved street or from a paved driveway or parking area connected to a public street.

Acknowledged.

b. Common walkways at least three (3) feet in width and having an all-weather surface shall be provided for access to common facilities and uses from each manufactured home group or cluster. Walkways through the interiors of blocks are preferable to walkways adjacent to streets.

Acknowledged.

6) Parking a. Parking areas shall be located off-street and shall have an all-weather surface. Parking spaces may be located on each lot or space or on the lot or space immediately adjacent, and the remainder shall be located in common parking areas adjacent to the street or adjacent to a vehicular accessway connected to a street.

Acknowledged.

b. Parking spaces shall be provided at the rate of two (2) parking spaces for each manufactured home, plus one (1) additional parking space for each four (4) manufactured home lots or spaces to provide for guest parking and delivery and service vehicles.

A total of eighty-six (86) parking spaces meeting the total parking space threshold are shown on the drawings.

7) Project boundary buffer a. A Class C buffer shall be provided (see Section 10.03.D, Landscaping and Buffering) along all project boundaries of a manufactured home park or subdivision, provided that the minimum distance from the line or corner of any manufactured home space to a boundary line of the park or subdivision shall be twenty (20) feet.

A Class C buffer is not proposed to be provided as the minimum distance from the line or corner of any manufactured home space to a boundary line of the park is less than twenty (20) feet on all sides of the manufactured home park.

8) Signs and numbering of manufactured home spaces

a. Each manufactured home park shall have a sign located adjacent to a public street which includes the name of the park and the street address in letters and numbers in accordance with the following requirement:

Acknowledged.

i. Up to two (2) on-premises permanent signs for each street frontage are permitted, but the sum of the areas of one (1) face of these signs shall not exceed forty (40) square feet.

Acknowledged.

b. Each manufactured home space shall be numbered with four-inch reflective numbers on contrasting background and/or letters set at least forty (40) inches above ground level and clearly visible from public right-of-way.

Acknowledged.

9) Yard requirements a. The following yard requirements shall pertain to every manufactured home in the manufactured home park or subdivision:

i. Minimum depth of street yard, measured from front lot or space line: twenty (20) feet

Street yard setback minimum of zero (0) feet. Consistent with existing use.

ii. Minimum width of side yard, measured from side lot or space line: ten (10) feet.

Side yard setback minimum of zero (0) feet. Consistent with existing use.

iii. Minimum depth of rear yard, measured from rear lot or space line: twenty (20) feet.

Rear yard setback of zero (0) feet. Consistent with existing use.

b. Detached garages and accessory buildings may be erected on manufactured home spaces as permitted in Section 7.05, Accessory Uses and Structures

Acknowledged.

10) Utility requirements a. Water and Sewer: i. Water and sewer services and hookups shall conform with the Colorado Department of Public Health and Environment, Sanitary Standards and Regulations for Manufactured Home Parks, as amended from time to time.

Acknowledged

11) Service buildings: a. Service buildings, when constructed and which supply laundry facilities for occupants of the manufactured home park, shall have:

N/A. No proposed service buildings

12) Storage a. Tenant storage facilities shall be provided for materials which cannot be conveniently stored in a manufactured home. A minimum of thirty-two (32) square feet shall be provided for each manufactured home unit.

Acknowledged. Storage sheds can be added.

b. Storage facilities may be located adjacent to the manufactured homes or in common compounds within a reasonable distance from the manufactured homes. Storage facilities shall be designed in a manner that will enhance the park and shall be constructed of suitable weather-resistant materials appropriate under the use and maintenance contemplated.

Acknowledged.

c. Covered storage sheds on individual spaces and lots shall contain a minimum of forty-eight (48) square feet of floor area for the storage of personal belongings. This requirement may be satisfied by a separate common building that serves more than one (1) manufactured home space, provided that a like amount of space is set aside in each building for each manufactured home space serviced by that building.

Acknowledged.

d. No storage shall be allowed under a manufactured home.

Acknowledged.

13) Landscaping a. Lawn and ground cover, which may include aggregates, shall be provided on all common ground areas except those undisturbed areas, such as watercourses, left in their natural state.

Acknowledged.

b. Screen planting and/or fencing at least six (6) feet in height shall be provided where Section 7.01 – Residential Use Standards 7-7 | Page necessary for screening purposes, such as around refuse collection points, common recreation areas and playgrounds and at such other points as necessary for screening of objectionable views.

Acknowledged.

14) Streetlights a. All streets in the manufactured home park or subdivision shall be adequately illuminated. Streetlights shall be installed/ located at each intersection.

Acknowledged.

15) Telephone and power lines a. All telephone lines and power lines are to be located underground. Utility easements shall not be less than ten (10) feet in width.

Existing utility poles with overhead wires are present on the northern and western perimeter of the site. Telephone and power line hook-ups to individual units within the site are made via underground connections. No new aboveground telephone or power lines are proposed.

16) Recreation areas and facilities

a. Not less than ten percent (10%) of the total land area of the park or subdivision shall be devoted to space for common facilities and uses, such as a laundry, swimming pool or recreation and play areas.

No common facilities and uses are proposed.

b. Laundry, recreation rooms, management offices and other common facilities may be consolidated in a single building if the single location will adequately serve all manufactured home units.

No common facilities and uses are proposed.

17) Maintenance: The manufactured home park owner or manager shall have the following park maintenance responsibilities.

a. Annual business license for manufactured home parks: No person shall operate a manufactured home park within the Town without first having obtained an annual business license therefor from the Town Clerk. Each manufactured home park shall be licensed for each calendar year and each license shall expire on December 31 of each year.

Acknowledged.

b. Compliance with regulations required: Both the owner and operator of any manufactured home park shall arrange for the management and supervision of the manufactured home park so as to enforce or cause compliance with all of the provisions of this Section.

Acknowledged.

c. Register of tenants required: It shall be the duty of the owner or operator to keep at all times a register, which shall be open at all times to inspection by United States, State, County and Town officers, showing for all tenants in the manufactured home park:

i. The names of all persons inhabiting each manufactured home.

ii. The date of entry and departure of each manufactured home.

iii. The license numbers and state issuing, for each manufactured home and the towing vehicle used to tow the manufactured home into or from the manufactured home park.

Acknowledged.

d. Use restrictions: Both the owner and operator shall prohibit the use of any manufactured home located in the manufactured home park for other than use as a single-family dwelling, with the exception of the park's office.

Acknowledged.

e. Repair and maintenance of facilities: Both the owner and operator of every home park shall be responsible for maintaining in good repair and condition all facilities of the manufactured home park and for maintaining the manufactured home park in a clean, orderly and sanitary condition at all times.

Acknowledged.

f. Owner duty to report violations: Both the owner and operator of each manufactured home park shall report promptly to the proper authorities any violations of this Section which may come to his, her or their attention.

Acknowledged.

18) Roadway repair and maintenance a. No part of any manufactured home shall obstruct any roadway. All easements and public areas shall be cared for and kept free from weeds and trash. The physical repair and maintenance to all roadways, to include street sweeping and snow removal, shall be the responsibility of the manufactured home park owner.

Acknowledged.

Section 4.03.F. Control Document Approval Criteria:

The planned development review shall include and the applicant shall be responsible for successfully addressing the following (responses from the applicant in *italicized font*):

1) Compliance with Article 8, Planned Development, and all other applicable requirements of this LDC;

a. Applicability: In accordance with Article 67 Title 24, C.R.S., planned development districts may be approved only when the applicant demonstrates to the satisfaction of the Town Board that a proposed planned development project would not negatively affect surrounding property and uses and/or that the PD would result in a greater benefit to the Town than would development under conventional zoning district regulations.

The proposed planned development project would not negatively affect surrounding property and uses as the land use is not changing from the existing land use.

b. Review Process: All planned developments shall be reviewed and approved in accordance with the procedures of Section 4.03, Planned development and approval thereof shall constitute a Zoning Map amendment.

Section 4.03 procedures are being followed.

c. Approval Criteria: In approving a planned development, the Town Board shall find that the district designation and Planned Development Control Document (PDCD) both comply with the general provisions for all planned developments in this Section and the specific standards for the proposed planned development as listed in Section 4.03.E.

Planned development approval criteria and applicant's comments to approval criteria found in Section 4.03-E can be found in the preceding section of this letter.

d. Planned Development Control Document Requirement: In approving a PD, the Town Board shall require a PDCD of the proposed development. The PDCD shall show the development to be compatible with the character of surrounding land uses, the Palisade Comprehensive Plan, and maintain and enhance the value of surrounding properties. The PDCD shall be prepared by a landscape architect, engineer or architect or land use planner. The PDCD shall include the necessary maps, permitted land uses as well as Section 4.03.F of this LDC. The PDCD shall be reviewed and recorded as part of the approval process.

Necessary maps, permitted land uses, and Applicant's comments to Section 4.03.F of the LDC are included as part of this Planned Development Control Document

e. Identification on Zoning Maps: Approved PD district shall be indicated on the Official Zoning Map

The Town of Palisade Existing Zoning Map and the Town of Palisade Comprehensive Plan – Future Land Use – Core Area Map are enclosed to this letter.

f. Recreation and Open Space: At least twenty percent (20%) of the gross land area of any planned development district must be dedicated as recreation and open space in accordance with Section 9.14.

Applicant is proposing to pay the fee in lieu of open space dedication on-site pursuant to Section 9.13 of the LDC. Alternatively, applicant could make improvements to the pedestrian path to the west on town parcel 2941-031-00-184.

g. Preservation of Natural Features: Mature trees, vegetative cover, watercourses and other natural site features must be preserved to the maximum extent feasible.

The site is primarily urban developed land, but mature trees, vegetative cover, watercourses, and other natural site features shall be preserved to the maximum extent feasible, to the extent such mature trees or other natural site features do not interfere with the existing or planned houses.

h. Allowed Uses: Allowed uses in the PD district shall be established as part of the review application approval process and shall be clearly indicated on the PDCD.

Allowed use is clearly stated: Residential – Mobile Home Park

i. Dimensional Standards: Dimensional Standards in the PD District shall be established as part of the rezoning application approval process and shall be clearly indicated on the PDCD.

Dimensional Standards for which the Applicant is seeking approval on are clearly identified in the Residential-Manufactured Home Park Requirements section of this letter/PDCD.

j. Roadway Access: Unless otherwise expressly approved during the application process (see Section 4.03), principal vehicular access must be from collector or higher classification streets.

Principal vehicular access is provided from a collector or higher classification street (US Highway 6/G Road/W Eighth Street)

k. Project Boundary Buffer: i. Residential PD

1. No buffer is required where the width of the project's perimeter lots is equal to or greater than the minimum lot width of the adjoining development or the minimum lot width required by the zoning district applied to any adjoining undeveloped parcel.

2. Where narrower lot widths are provided, a Class C buffer shall be provided (see Section 10.03.D) along all project boundaries.

A Class C buffer is not proposed to be provided as the minimum distance from the line or corner of any manufactured home space to a boundary line of the park is less than twenty (20) feet on all sides of the manufactured home park pursuant with Section 7.01.I of the LDC.

l. Architectural Review: The Planning Commission may require an architectural site plan review for the purpose of promoting the preservation of the visual character of the neighborhood, the stability of land values and investment, the public safety and the general welfare by preventing the erection of structures or additions or alterations thereto of unsightly or obnoxious appearance, which are not properly related to their sites or to prevent the indiscriminate clearing of property, excessive grading and the destruction of trees and shrubbery. In carrying out the purpose of this Section with respect to the external design of the buildings, approval shall be considered in accordance with the following objectives:

i. Reducing the adverse visual impacts of structures which, because of size, scale, color or location are out of harmony with the neighborhood in which they are to be constructed.

ii. Minimizing disturbances to the natural terrain and existing significant vegetation; enhancing drainage; reducing soil erosion; and otherwise maximizing compatibility with policies and regulations of this LDC.

iii. It is the intent of this Section that the Town shall exercise the minimum control necessary to achieve the overall objectives thereof.

Acknowledged.

m. Additional Conditions: The Town Board shall impose such other conditions as are deemed necessary to accomplish the purposes of this Section, this LDC and the Comprehensive Plan.

Acknowledged.

n. Amendments:

- i. All proposed amendments to an approved PDCD or text thereof shall be considered a major amendment and must be processed in accordance with the procedures and requirements of Section 4.03, Planned Development.
- ii. The applicant requesting such change shall notify the property owners' association, at least fifteen (15) days prior to any decision and ask that all comments be directed to the Community Development Director. Proof of such notification shall be provided to the Community Development Director. If the Community Development Director determines that the change does not have the support of the affected property owners, the request will be referred to the Town Board for review.

Acknowledged.

- o. Effect on Other Code Standards: Except as expressly authorized by the regulations of this Section and approved as a part of a PD control document in accordance with the procedures of Section 4.03, Planned Development, the standards of this LDC shall apply to development within any PD.

Acknowledged.

2) Uses to be allowed in a planned development;

The proposed land use for the planned development is the same as the existing land use, Residential – Mobile Home Park.

3) Conformance of the proposal with the stated purpose of the requested planned development district;

It is believed that the planned development proposal conforms with the stated purpose of the requested planned development district: Residential – Mobile Home Park

4) Compatibility of the proposed development with the adjacent community;

The proposed development is believed to be compatible with the adjacent community. The proposed development is serving as a transition point between the Low-Density Residential properties to the west and the various Commercial, Mixed-Use, and Community Public properties to the north, east, and south. The proposed development matches the Future Land Use designated for the property as seen in the Palisade Comprehensive Plan.

5) The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out;

The project is anticipated to consist of only one component. The proposed, neater layout of manufactured home units provides a more unified, cohesive environment at full build-out compared to the existing condition.

6) Compatible relationships between each component of the overall project;

Each component of the project is anticipated to have compatible relationships with the other components of the overall project. The proposed sequence is to remove the indicated existing manufactured homes, perform utility improvements, perform roadway improvements, and install new manufactured homes in that order.

7) Self-sufficiency of each phase of the overall project;

The project is anticipated to consist of only one overall phase. The proposed sequence is to remove the indicated existing manufactured homes, perform utility improvements, perform roadway improvements, and install new manufactured homes in that order.

8) Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems;

All utilities to the site will be extended to the new improvements as necessary. The addition of two, with the ability to add up to two additional units, will not create an unusual demand on existing infrastructure or public services (i.e. police, fire, road maintenance, etc.).

9) The fiscal impact of the proposal and the proposed financing of required improvements;

The proposed financing of the project is to be privately funded. Required infrastructure improvements are not anticipated.

10) The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community

Roadways within the proposed development are intended to be classified as private ways

11) The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

The existing property is primarily developed urban land. No ecologically sensitive areas are known to exist within the development.

Section 4.03.E. Approval Criteria:

No planned development may be approved by the Town Board unless all of the following criteria are satisfied:

1. Consistency with the adopted plans of the Town;

2. General conformance with the Town's adopted comprehensive plan;

The Comprehensive Plan – Future Land Use Map (2007) designates the property as a mobile home park, while the existing zoning of CB (Commercial Business), does not include manufactured home park as a permitted use.

3. Suitability of the subject property for uses permitted by the current versus the proposed district;

The proposed Planned Development would have a single use (manufactured home park) with specific standards due to the unique design of this existing park.

4. Whether the proposed change tends to improve the balance of uses or meets a specific demand in the Town;

There is a demand for affordable housing in Palisade in a form that allows more flexibility than traditional single-family development. The proposed upgrades to a number of the units, as well as the overall layout and functionality of the park, has long been a goal of the Town and the proposed investment is welcome.

5. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment and water supply facilities and stormwater drainage facilities for the proposed use;

Winding River is ideally situated adjacent to Taylor Elementary, and improvements are coming soon to the adjacent Highway 6 frontage that will provide a better pedestrian environment and access to the rest of the Town north of the highway.

Typically, new development dedicates additional open space or pays a fee in-lieu of. The existing mobile home park does not have any formal open space or recreational amenities of its own, nor is there much room to incorporate, but it is adjacent to the Town owned parcel that connects to Taylor Elementary.

Staff has discussed and the owner is prepared to commit funds that could be used on this parcel offset the typical fees for open space.

The utilities within the park are shared among the units, with meters and connections to the Town mains located along the highway. There is sufficient capacity to increase the number of units and the owners will prepare more detailed plans for how to connect these units to the system.

6. It has been determined that the legal purposes for which zoning exists are not contravened;

The legal purposes for which zoning exists are not contravened by this request.

7. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare; and

The proposed improvements to the existing mobile home park, along with the improvements made by the Town on Highway 6, will improve the public welfare and provide business to neighboring commercial properties. Investing in the provision of affordable housing satisfies a public need.

8. It has been determined that no one (1) property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The public would benefit from the investment in this property and from the improved housing choices in Palisade.

RECOMMENDATION

The Planning Commission conducted a Public Hearing on this request on January 18, 2022 and recommend approval of this request to the Board of Trustees.



October 27, 2021

Mr. Brian Rusche
Community Development Director
Town of Palisade
175 East 3rd Street
Palisade, Colorado 81526

RE: Letter of Intent/Planned Development Control Document – SGA Palisade, LLC
Mobile Home Park (317 W Eighth St)

Dear Mr. Rusche,

This Letter of Intent is regarding a Rezone Application to Planned Development request for the legal nonconforming site known as SGA Palisade, LLC mobile home park located at 317 W Eighth Street. SGA Palisade, LLC (the Applicant) is not requesting to alter the existing land use, which has continually operated as a manufactured home park, without abandonment, since the property was annexed to the Town of Palisade in 1977. The Applicant is requesting to rezone to a planned development designation with an underlying mobile home park zoning in congruence with the Town of Palisade Comprehensive Plan's future land uses. The applicant is also requesting to rearrange the existing layout of manufactured homes to accommodate an increase in the number of units. Greater detail is provided below.

The SGA Palisade, LLC mobile home park (Site) is located South of US Highway 6/G Road/W Eighth Street, North of Taylor Elementary School, East of Iowa Avenue, and West of Brentwood Drive. The project property's legal description is listed as Lots 1 thru 14 & Tracts 1 & 2 Clarks Trailer Park, Section 3, Township 1S Range 2E. The Mesa County Assessor's Parcel Number is 2941-031-04-015. The parcel consists of approximately 3.18 acres.

Access to the Site is currently provided by three private roads (Petticoat Lane, Camden Passage, and Portobello Road) from W Eighth Street on the northern border of the parcel. Petticoat Lane is slated to be closed as part of Town highway project #NHPP 070A-030 (21986) which is anticipated to begin in Summer 2021. Existing development in the vicinity of the proposed subdivision includes Town emergency services to the north, public schooling to south, and various commercial, mixed-use, residential and properties to the west and east. The proposed project property is currently zoned as Commercial Business (CB).

The mobile home park parcel was annexed to the Town of Palisade by Ordinance #364 on April 12, 1977. The annexation ordinance is recorded at the Mesa County Clerk's Office on Book 1109, Page 673. At the time of annexation, the parcel consisted of twenty-four (24) units and ten (10) yet to be developed lots for a total of thirty-four (34) units. SGA Palisade, LLC is requesting to rearrange the existing layout and increase the number of manufactured home units from the thirty-four (34) at the time of annexation to thirty-six (36) units with the ability to increase to thirty-eight (38) units in the future. The proposed layout of the manufactured home units can be seen on the enclosed plan sheet, PD-1.



With the closure of the private Petticoat Lane access point to W Eighth Street, SGA Palisade, LLC is proposing to convert Petticoat Lane into a one-way street. Petticoat Lane will be connected to Camden Passage approximately 272-feet to the east by a private 20-foot-wide gravel roadway.

A CDOT Level 1 Trip Generator Assessment has been performed by Apex Consulting Engineers (Apex) for the increase from thirty-four (34) units to the proposed future thirty-eight (38) manufactured home units. Apex determined that the maximum trip volume would be increased by 8% which is below the 20% trip threshold that would necessitate a CDOT access permit. A copy of the Level 1 Trip Generator Assessment is enclosed.

The SGA Palisade, LLC mobile home park is believed to be considered a legal nonconforming site as the site was in existence and lawfully constructed, located and operated prior to the adoption of the Town of Palisade's Land Development Code (LDC) and has continued to operate without abandonment pursuant to Section 12.02 of the Town of Palisade's Land Development Code.

Residential-Manufactured Home Park Requirements:

To perform the proposed work, the Applicant is requesting to rezone to a Planned Development with underlying the zoning Residential – Manufactured Home Park. The requirements for the underlying Residential – Manufactured Home Park Zoning, Section 7.01-I, are shown below with the requested deviations, if any, from these requirements shown in *italicized font*.

1) General requirements:

- a. Minimum park and subdivision area: four (4) acres.

Project lot area is 3.18 acres

- b. Maximum density: six (6) homes and spaces or lots per acre.

Increase from the density at time of annexation 34 units (10.71 homes/acre) to 36 units (11.34 homes/acre) with the ability to increase to 38 units (11.96 homes/acre) in the future

- c. Minimum space or lot area: four thousand five hundred (4,500) square feet.

No minimum lot area

- d. Minimum space or lot width: forty (40) feet.

No minimum lot width

- e. Minimum building separation: fifteen (15) feet, provided that the minimum separation may be reduced to ten (10) feet between carports, porches and patios open on three (3) sides and adjacent buildings.



No minimum building separation requirement. The proposed layout separates buildings at a minimum be thirteen (13) feet side-to-side. The proposed layout also separates buildings at a minimum seven (7) feet end-to end as is the existing condition.

- f. Each manufactured home shall be located on a manufactured home space designated on a site plan prepared in accordance with the requirements of Section 4.06, which shall be approved and filed as part of the approval of a new manufactured home park established after the effective date of this LDC and prior to the enlargement of any existing manufactured home park.

A site plan will be provided in accordance with Section 4.06 – Site Plan upon approval of the Planned Development Control Document

- g. Up to (2) manufactured home park identification signs may be utilized, but the sum of the areas of one (1) side of these signs shall not exceed forty (40) square feet. Only external, non-flashing lighting shall be used for illumination. The top portion of any sign shall not exceed twelve (12) feet in height.

Acknowledged

- h. Within a manufactured home park, one (1) manufactured home shall be used as an administrative office, identified by a sign, in which the office of the person in charge is located. Copies of all required Town and State licenses and permits shall be posted therein and the park register shall be kept in this office at all times.

Requesting a deviation from the requirement that an administrative office be located on-site.

- i. Maximum impervious cover shall not exceed fifty percent (50%) of the manufactured lot or space.

Acknowledged

2) Allowed uses:

- a. Manufactured homes, single-family dwellings and mobile homes lawfully installed prior to the adoption of this LDC.

Only manufactured homes will be present. Requesting to rearrange existing layout and replace/install at least fifteen (15) new mobile homes to bring total manufactured homes to thirty-six (36) units.



- b. Common uses and uses accessory to dwelling units, including recreation facilities for the use of residents of the park only, management offices, laundry rooms, tenant storage lockers, parking areas and garbage and trash disposal facilities.

Acknowledged

3) Site plan, internal relationship:

- a. The site, including manufactured home spaces, structures and all site improvements, shall be harmoniously and effectively organized in relation to topography, the shape of the tract and the shape, size and position of structures, with consideration for usability of space, appearance and livability. An informal park type of arrangement, with grouping or clustering of manufactured home dwelling units and which conforms to the terrain and natural landscape features, is preferable to a rigid, stylized pattern.

Acknowledged. The site plan will be submitted upon approval of the Planned Development Control Document

4) Streets and accessways:

- a. Paved streets at least twenty-two (22) feet in width shall extend from the existing street system as necessary to provide convenient access to each manufactured home space and to common facilities and uses. Private streets shall be permitted in a manufactured home park or subdivision.

Paved streets connecting to the existing Town of Palisade street system shall be twenty-two (22) feet in width. Paved streets inside of the manufactured home park providing one-way directional travel shall be at minimum twenty (20) feet in width. All streets within the manufactured home park shall be private streets.

- b. Convenient access shall be provided to each manufactured home space by an accessway at least fifteen (15) feet in width. Such accessway shall be reserved for maneuvering manufactured homes into position and shall be kept free of trees and other immovable obstructions, but need not be paved. Temporary planks or steel mats may be used during the placement of a manufactured home.

Acknowledged.

- c. In the event that the developer of a manufactured home park chooses to retain ownership of streets and accessways, he or she shall be required to dedicate to the Town a blanket emergency service access easement to permit police, ambulance and fire protection personnel to enter the park or subdivision.

A blanket emergency access agreement shall be provided.



In addition, pursuant to Section 42-4-1102, C.R.S., the Town elects to impose and enforce stop sign regulations, speed limits and parking restrictions posted in accordance with the Section 7.01 – Residential Use Standards 7-5 | Page Manual of Uniform Traffic Control Devices upon all streets which are privately maintained in manufactured home parks or subdivisions. The owner of the manufactured home park or subdivision shall provide such signs as may be required by the Town's Engineer and agrees to erect and maintain such signs in conformity with the Model Traffic Code and other applicable regulations.

- i. The stop sign placement, speed limits and parking restrictions shall be determined by the Town's Engineer, but shall be consistent with the provisions of Sections 42-4-1101 to 42-4-1104 et al., C.R.S., Sections 42-4-1204, C.R.S. and Section 42-4-1208, C.R.S

Acknowledged.

- ii. There shall be posted at each entrance to any manufactured home park or subdivision a sign giving notice of such enforcement in the following text: "NOTICE: Stop sign, speed limits and parking restrictions enforced by the Town."

Acknowledged.

- iii. When all signs are in place, stop signs, speed limits and parking regulations shall be enforced and violations thereof punished in accordance with the provisions of the Model Traffic Code, as adopted by the Town.

Acknowledged.

5) Pedestrian Access

- a. Pedestrian walkways at least two (2) feet in width and having an all-weather surface shall be provided for access to each manufactured home from a paved street or from a paved driveway or parking area connected to a public street.

Acknowledged.

- b. Common walkways at least three (3) feet in width and having an all-weather surface shall be provided for access to common facilities and uses from each manufactured home group or cluster. Walkways through the interiors of blocks are preferable to walkways adjacent to streets.

Acknowledged.

6) Parking

- a. Parking areas shall be located off-street and shall have an all-weather surface. Parking spaces may be located on each lot or space or on the lot or space immediately adjacent, and the remainder shall be located in common parking areas adjacent to the street or adjacent to a vehicular accessway connected to a street.

Acknowledged.

- b. Parking spaces shall be provided at the rate of two (2) parking spaces for each manufactured home, plus one (1) additional parking space for each four (4) manufactured home lots or spaces to provide for guest parking and delivery and service vehicles.

Parking spaces shall be provided at the rate of two (2) parking spaces for twenty-six (26) of the manufactured home units. Parking spaces shall be provided at the rate of one (1) parking space for the remaining ten (10) manufactured home units where space for two (2) parking spaces is not feasible. Nineteen (19) additional off-street parking spaces shall be provided for a total of eighty-one (81) parking spaces meeting the total parking space threshold.

7) Project boundary buffer

- a. A Class C buffer shall be provided (see Section 10.03.D, Landscaping and Buffering) along all project boundaries of a manufactured home park or subdivision, provided that the minimum distance from the line or corner of any manufactured home space to a boundary line of the park or subdivision shall be twenty (20) feet.

A Class C buffer is not proposed to be provided as the minimum distance from the line or corner of any manufactured home space to a boundary line of the park is less than twenty (20) feet on all sides of the manufactured home park.

8) Signs and numbering of manufactured home spaces

- a. Each manufactured home park shall have a sign located adjacent to a public street which includes the name of the park and the street address in letters and numbers in accordance with the following requirement:

Acknowledged.

- i. Up to two (2) on-premises permanent signs for each street frontage are permitted, but the sum of the areas of one (1) face of these signs shall not exceed forty (40) square feet.

Acknowledged.



- b. Each manufactured home space shall be numbered with four-inch reflective numbers on contrasting background and/or letters set at least forty (40) inches above ground level and clearly visible from public right-of-way.

Acknowledged.

9) Yard requirements

- a. The following yard requirements shall pertain to every manufactured home in the manufactured home park or subdivision:

- i. Minimum depth of street yard, measured from front lot or space line: twenty (20) feet

Street yard setback minimum of zero (0) feet. Consistent with existing use.

- ii. Minimum width of side yard, measured from side lot or space line: ten (10) feet.

Side yard setback minimum of zero (0) feet. Consistent with existing use.

- iii. Minimum depth of rear yard, measured from rear lot or space line: twenty (20) feet.

Rear yard setback of zero (0) feet. Consistent with existing use.

- b. Detached garages and accessory buildings may be erected on manufactured home spaces as permitted in Section 7.05, Accessory Uses and Structures

Acknowledged.

10) Utility requirements

- a. Water and Sewer:

- i. Water and sewer services and hookups shall conform with the Colorado Department of Public Health and Environment, Sanitary Standards and Regulations for Manufactured Home Parks, as amended from time to time.

Acknowledged

11) Service buildings:

- a. Service buildings, when constructed and which supply laundry facilities for occupants of the manufactured home park, shall have:

N/A. No proposed service buildings

12) Storage

- a. Tenant storage facilities shall be provided for materials which cannot be conveniently stored in a manufactured home. A minimum of thirty-two (32) square feet shall be provided for each manufactured home unit.

Acknowledged. Storage sheds can be added.

- b. Storage facilities may be located adjacent to the manufactured homes or in common compounds within a reasonable distance from the manufactured homes. Storage facilities shall be designed in a manner that will enhance the park and shall be constructed of suitable weather-resistant materials appropriate under the use and maintenance contemplated.

Acknowledged.

- c. Covered storage sheds on individual spaces and lots shall contain a minimum of forty-eight (48) square feet of floor area for the storage of personal belongings. This requirement may be satisfied by a separate common building that serves more than one (1) manufactured home space, provided that a like amount of space is set aside in each building for each manufactured home space serviced by that building.

Acknowledged.

- d. No storage shall be allowed under a manufactured home.

Acknowledged.

13) Landscaping

- a. Lawn and ground cover, which may include aggregates, shall be provided on all common ground areas except those undisturbed areas, such as watercourses, left in their natural state.

Acknowledged.

- b. Screen planting and/or fencing at least six (6) feet in height shall be provided where Section 7.01 – Residential Use Standards 7-7 | Page necessary for screening purposes, such as around refuse collection points, common recreation areas and playgrounds and at such other points as necessary for screening of objectionable views.

Acknowledged.

14) Streetlights

- a. All streets in the manufactured home park or subdivision shall be adequately illuminated. Streetlights shall be installed/ located at each intersection.

Acknowledged.



15) Telephone and power lines

- a. All telephone lines and power lines are to be located underground. Utility easements shall not be less than ten (10) feet in width.

Existing utility poles with overhead wires are present on the northern and western perimeter of the site. Telephone and power line hook-ups to individual units within the site are made via underground connections. No new aboveground telephone or power lines are proposed.

16) Recreation areas and facilities

- a. Not less than ten percent (10%) of the total land area of the park or subdivision shall be devoted to space for common facilities and uses, such as a laundry, swimming pool or recreation and play areas.

No common facilities and uses are proposed.

- b. Laundry, recreation rooms, management offices and other common facilities may be consolidated in a single building if the single location will adequately serve all manufactured home units.

No common facilities and uses are proposed.

17) Maintenance: The manufactured home park owner or manager shall have the following park maintenance responsibilities.

- a. Annual business license for manufactured home parks: No person shall operate a manufactured home park within the Town without first having obtained an annual business license therefor from the Town Clerk. Each manufactured home park shall be licensed for each calendar year and each license shall expire on December 31 of each year.

Acknowledged.

- b. Compliance with regulations required: Both the owner and operator of any manufactured home park shall arrange for the management and supervision of the manufactured home park so as to enforce or cause compliance with all of the provisions of this Section.

Acknowledged.

- c. Register of tenants required: It shall be the duty of the owner or operator to keep at all times a register, which shall be open at all times to inspection by United States, State, County and Town officers, showing for all tenants in the manufactured home park:

- i. The names of all persons inhabiting each manufactured home.
- ii. The date of entry and departure of each manufactured home.



- iii. The license numbers and state issuing, for each manufactured home and the towing vehicle used to tow the manufactured home into or from the manufactured home park.

Acknowledged.

- d. Use restrictions: Both the owner and operator shall prohibit the use of any manufactured home located in the manufactured home park for other than use as a single-family dwelling, with the exception of the park's office.

Acknowledged.

- e. Repair and maintenance of facilities: Both the owner and operator of every home park shall be responsible for maintaining in good repair and condition all facilities of the manufactured home park and for maintaining the manufactured home park in a clean, orderly and sanitary condition at all times.

Acknowledged.

- f. Owner duty to report violations: Both the owner and operator of each manufactured home park shall report promptly to the proper authorities any violations of this Section which may come to his, her or their attention.

Acknowledged.

18) Roadway repair and maintenance

- a. No part of any manufactured home shall obstruct any roadway. All easements and public areas shall be cared for and kept free from weeds and trash. The physical repair and maintenance to all roadways, to include street sweeping and snow removal, shall be the responsibility of the manufactured home park owner.

Acknowledged.

Planned Development Approval Criteria:

Pursuant to Section 4.03-E of the Town of Palisade's Land Development Code, no planned development may be approved by the Town Board unless certain requirements are met. Those requirements are transcribed below and comments from the Applicant addressing each requirement is shown in *italicized font*.

- 1) Consistency with the adopted plans of the Town
- 2) General Conformance with the Town's adopted comprehensive plan
- 3) Suitability of the subject property for uses permitted by the current versus the proposed district.
- 4) Whether the proposed change tends to improve the balance of uses or meets a specific demand in the Town



- 5) The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment, and water supply facilities, and stormwater drainage facilities for the proposed use
- 6) It has been determined that the legal purposes for which zoning exists are not contravened
- 7) It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare
- 8) It has been determined that no one (1) property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The proposed land use, manufactured home park, will remain unchanged from the existing land use. The proposed land use is consistent with and in conformance with the Town of Palisade's adopted plans and does not contravene the legal purposes of zoning as evidenced by the property's designation of "Mobile Home Park" on the Palisade Comprehensive Plan Future Land Use – Core Area Map enclosed with this letter. The proposed change will maintain the balance of uses while making the manufactured home park more aesthetically pleasing. The addition of two, with the ability to add up to two additional units, will not create an unusual demand on existing infrastructure or public services. There are no anticipated adverse effects upon adjoining property owners. No one (1) property owner or small group of property owners will benefit materially from the proposed change to the detriment of the general public.

Control Document Approval Criteria:

Pursuant to Section 4.03-F of the Town of Palisade's Land Development Code, the planned development review shall include applicant responses to several criteria. Those criteria are transcribed below with comments from the Applicant addressing each requirement shown in *italicized font*.

- 1) Compliance with Article 8, Planned Development, and all other applicable requirements of this LDC;
 - a. Applicability: In accordance with Article 67 Title 24, C.R.S., planned development districts may be approved only when the applicant demonstrates to the satisfaction of the Town Board that a proposed planned development project would not negatively affect surrounding property and uses and/or that the PD would result in a greater benefit to the Town than would development under conventional zoning district regulations.

The proposed planned development project would not negatively affect surrounding property and uses as the land use is not changing from the existing land use.

- b. Review Process: All planned developments shall be reviewed and approved in accordance with the procedures of Section 4.03, Planned development and approval thereof shall constitute a Zoning Map amendment.

Section 4.03 procedures are being followed.



- c. Approval Criteria: In approving a planned development, the Town Board shall find that the district designation and Planned Development Control Document (PDCD) both comply with the general provisions for all planned developments in this Section and the specific standards for the proposed planned development as listed in Section 4.03.E.

Planned development approval criteria and applicant's comments to approval criteria found in Section 4.03-E can be found in the preceding section of this letter.

- d. Planned Development Control Document Requirement: In approving a PD, the Town Board shall require a PDCD of the proposed development. The PDCD shall show the development to be compatible with the character of surrounding land uses, the Palisade Comprehensive Plan, and maintain and enhance the value of surrounding properties. The PDCD shall be prepared by a landscape architect, engineer or architect or land use planner. The PDCD shall include the necessary maps, permitted land uses as well as Section 4.03.F of this LDC. The PDCD shall be reviewed and recorded as part of the approval process.

Necessary maps, permitted land uses, and Applicant's comments to Section 4.03.F of the LDC are included as part of this Planned Development Control Document

- e. Identification on Zoning Maps: Approved PD district shall be indicated on the Official Zoning Map

The Town of Palisade Existing Zoning Map and the Town of Palisade Comprehensive Plan – Future Land Use – Core Area Map are enclosed to this letter.

- f. Recreation and Open Space: At least twenty percent (20%) of the gross land area of any planned development district must be dedicated as recreation and open space in accordance with Section 9.14.

Applicant is proposing to pay the fee in lieu of open space dedication on-site pursuant to Section 9.13 of the LDC. Alternatively, applicant could make improvements to the pedestrian path to the west on town parcel 2941-031-00-184.

- g. Preservation of Natural Features: Mature trees, vegetative cover, watercourses and other natural site features must be preserved to the maximum extent feasible.

The site is primarily urban developed land, but mature trees, vegetative cover, watercourses, and other natural site features shall be preserved to the maximum extent feasible, to the extent such mature trees or other natural site features do not interfere with the existing or planned houses.



- h. Allowed Uses: Allowed uses in the PD district shall be established as part of the review application approval process and shall be clearly indicated on the PDCD.

Allowed use is clearly stated: Residential – Mobile Home Park

- i. Dimensional Standards: Dimensional Standards in the PD District shall be established as part of the rezoning application approval process and shall be clearly indicated on the PDCD.

Dimensional Standards for which the Applicant is seeking approval on are clearly identified in the Residential-Manufactured Home Park Requirements section of this letter/PDCD.

- j. Roadway Access: Unless otherwise expressly approved during the application process (see Section 4.03), principal vehicular access must be from collector or higher classification streets.

Principal vehicular access is provided from a collector or higher classification street (US Highway 6/G Road/W Eighth Street)

- k. Project Boundary Buffer:

- i. Residential PD

- 1. No buffer is required where the width of the project's perimeter lots is equal to or greater than the minimum lot width of the adjoining development or the minimum lot width required by the zoning district applied to any adjoining undeveloped parcel.
 - 2. Where narrower lot widths are provided, a Class C buffer shall be provided (see Section 10.03.D) along all project boundaries.

A Class C buffer is not proposed to be provided as the minimum distance from the line or corner of any manufactured home space to a boundary line of the park is less than twenty (20) feet on all sides of the manufactured home park pursuant with Section 7.01.I of the LDC.

- l. Architectural Review: The Planning Commission may require an architectural site plan review for the purpose of promoting the preservation of the visual character of the neighborhood, the stability of land values and investment, the public safety and the general welfare by preventing the erection of structures or additions or alterations thereto of unsightly or obnoxious appearance, which are not properly related to their sites or to prevent the indiscriminate clearing of property, excessive grading and the destruction of trees and shrubbery. In carrying out the purpose of this Section with respect to the external design of the buildings, approval shall be considered in accordance with the following objectives:



- i. Reducing the adverse visual impacts of structures which, because of size, scale, color or location are out of harmony with the neighborhood in which they are to be constructed.
- ii. Minimizing disturbances to the natural terrain and existing significant vegetation; enhancing drainage; reducing soil erosion; and otherwise maximizing compatibility with policies and regulations of this LDC.
- iii. It is the intent of this Section that the Town shall exercise the minimum control necessary to achieve the overall objectives thereof.

Acknowledged.

- m. Additional Conditions: The Town Board shall impose such other conditions as are deemed necessary to accomplish the purposes of this Section, this LDC and the Comprehensive Plan.

Acknowledged.

- n. Amendments:

- i. All proposed amendments to an approved PDCD or text thereof shall be considered a major amendment and must be processed in accordance with the procedures and requirements of Section 4.03, Planned Development.
- ii. The applicant requesting such change shall notify the property owners' association, at least fifteen (15) days prior to any decision and ask that all comments be directed to the Community Development Director. Proof of such notification shall be provided to the Community Development Director. If the Community Development Director determines that the change does not have the support of the affected property owners, the request will be referred to the Town Board for review.

Acknowledged.

- o. Effect on Other Code Standards: Except as expressly authorized by the regulations of this Section and approved as a part of a PD control document in accordance with the procedures of Section 4.03, Planned Development, the standards of this LDC shall apply to development within any PD.

Acknowledged.



- 2) Uses to be allowed in a planned development;

The proposed land use for the planned development is the same as the existing land use, Residential – Mobile Home Park.

- 3) Conformance of the proposal with the stated purpose of the requested planned development district;

It is believed that the planned development proposal conforms with the stated purpose of the requested planned development district: Residential – Mobile Home Park

- 4) Compatibility of the proposed development with the adjacent community;

The proposed development is believed to be compatible with the adjacent community. The proposed development is serving as a transition point between the Low-Density Residential properties to the west and the various Commercial, Mixed-Use, and Community Public properties to the north, east, and south. The proposed development matches the Future Land Use designated for the property as seen in the Palisade Comprehensive Plan.

- 5) The quality of design intended for each component of the project and the ability of the overall development plan to ensure a unified, cohesive environment at full build-out;

The project is anticipated to consist of only one component. The proposed, neater layout of manufactured home units provides a more unified, cohesive environment at full build-out compared to the existing condition.

- 6) Compatible relationships between each component of the overall project;

Each component of the project is anticipated to have compatible relationships with the other components of the overall project. The proposed sequence is to remove the indicated existing manufactured homes, perform utility improvements, perform roadway improvements, and install new manufactured homes in that order.

- 7) Self-sufficiency of each phase of the overall project;

The project is anticipated to consist of only one overall phase. The proposed sequence is to remove the indicated existing manufactured homes, perform utility improvements, perform roadway improvements, and install new manufactured homes in that order.

- 8) Documentation that the proposed infrastructure improvements accommodate the additional impacts caused by the development or documentation to assure that the development, as proposed, will not overtax the existing public infrastructure systems;

All utilities to the site will be extended to the new improvements as necessary. The addition of two, with the ability to add up to two additional units, will not create an unusual demand on existing infrastructure or public services (i.e. police, fire, road maintenance, etc.).



- 9) The fiscal impact of the proposal and the proposed financing of required improvements;

The proposed financing of the project is to be privately funded. Required infrastructure improvements are not anticipated.

- 10) The success of the proposal in providing adequate pedestrian and bicycle links within the development and with the adjacent community

Roadways within the proposed development are intended to be classified as private ways

- 11) The effectiveness with which the proposal protects and preserves the ecologically sensitive areas within the development.

The existing property is primarily developed urban land. No ecologically sensitive areas are known to exist within the development.

If you have any questions regarding this submittal, please contact me by phone (970) 241-4722 or by email at igeer@rccwest.com.

Sincerely,

Ivan Geer, P.E.
Principal/Project Manager

Enclosures:

Planned Clearance: Planned Development Form
Plan Sheet PD-1, PD Map
Town of Palisade Existing Zoning Map
Town of Palisade Comprehensive Plan – Future Land Use – Core Area Map
Planned Development Control Document (incorporated into this Letter)
CDOT Level 1 Trip Generator Assessment

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2022-06**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO,
AMENDING THE ZONE DISTRICT MAP OF THE TOWN BY ZONING
CERTAIN PROPERTY KNOWN AS 317 W. 8th STREET (MESA COUNTY
PARCEL NO. 2941-031-04-015) FROM COMMERCIAL BUSINESS (CB)
TO PLANNED DEVELOPMENT (PD) ZONE DISTRICT.**

WHEREAS, the Town of Palisade received an application to amend the zone district map for the Town for property located at 317 W. 8th Street, Palisade, Colorado legally described on as Lots 1 thru 12 & Tracts 1 & 2 Clarks Trailer Park (Mesa County Parcel No. 2941-031-04-015) (the “Property”) from Commercial Business (CB) to Planned Development (PD) Zone District; and

WHEREAS, public notice has been given as required by Article 3, Section 3.08 of the Palisade Land Development Code; and

WHEREAS, said application was reviewed before the Planning Commission on January 18, 2022 as required by Article 4, Section 4.02 of the Palisade Land Development Code; and

WHEREAS, the Planning Commission has recommended to the Board of Trustees that it grant the applicant’s request to rezone the Property from Commercial Business (CB) to Planned Development (PD) Zone District; and

WHEREAS, the Board of Trustees finds and determines that the applicants have provided sufficient evidence that the proposed amendment is desirable, based on the criteria set forth in Section 4.02 of the Land Development Code, and it desires to grant the request and rezone the Property.

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. The zone district map of the Town of Palisade is hereby amended so as to provide that the Property located at 317 W. 8th Street in the Town of Palisade is zoned from Commercial Business (CB) to Planned Development (PD) Zone District with the Planned Development Control Document attached hereto as Exhibit A and incorporated herein by this reference and as shown on Exhibit B.

Section 3. In lieu of the recreation and open space required by Section 8.01(F) and the recreation areas and facilities requirement in Section 7.01.(I)(16) of the Palisade Land Development Code, and in consideration of the pre-existing development of the Property, the owner of the Property shall make a payment to the Town of \$50,000 as a condition of rezoning the Property and recording this Ordinance with the Mesa County Clerk and Recorder.

**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 January 25, 2025.

TOWN OF PALISADE, COLORADO

By: _____
Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk

EXHIBIT A

Planned Development Control Document

Winding River Manufactured Home Park Standards:

The requirements contained herein shall, along with the attached map, shall function as the PD Control Document for the Winding River Manufactured Home Park. Should any provision in this document be unclear, Section 7.01.I - Residential – Manufactured Home Park Zoning, of the Land Development Code (LDC) shall be the default.

1) General requirements:

a. Minimum park area: *3.18 acres*

b. Maximum density: *38 units (11.96 homes/acre)*

c. Minimum space or lot area: *No minimum lot area*

d. Minimum space or lot width: *No minimum lot width*

e. Minimum building separation:

No minimum building separation requirement. The proposed layout separates buildings at a minimum be thirteen (13) feet side-to-side. The proposed layout also separates buildings at a minimum seven (7) feet end-to end as is the existing condition.

f. Each manufactured home shall be located on a manufactured home space designated on a site plan prepared in accordance with the requirements of Section 4.06, which shall be approved and filed as part of the approval of a new manufactured home park established after the effective date of this LDC and prior to the enlargement of any existing manufactured home park.

A site plan will be provided in accordance with Section 4.06 – Site Plan upon approval of the Planned Development Control Document

g. Up to (2) manufactured home park identification signs may be utilized, but the sum of the areas of one (1) side of these signs shall not exceed forty (40) square feet. Only external, non-flashing lighting shall be used for illumination. The top portion of any sign shall not exceed twelve (12) feet in height.

Acknowledged

h. Within a manufactured home park, one (1) manufactured home shall be used as an administrative office, identified by a sign, in which the office of the person in charge is located. Copies of all required Town and State licenses and permits shall be posted therein and the park register shall be kept in this office at all times.

Requesting a deviation from the requirement that an administrative office be located on-site.

i. Maximum impervious cover shall not exceed fifty percent (50%) of the manufactured lot or space.

Acknowledged

2) Allowed uses: a. Manufactured homes, single-family dwellings and mobile homes lawfully installed prior to the adoption of this LDC.

Only manufactured homes will be present. Requesting to rearrange existing layout and replace/install at least fifteen (15) new mobile homes.

b. Common uses and uses accessory to dwelling units, including recreation facilities for the use of residents of the park only, management offices, laundry rooms, tenant storage lockers, parking areas and garbage and trash disposal facilities.

Acknowledged

3) Site plan, internal relationship: a. The site, including manufactured home spaces, structures and all site improvements, shall be harmoniously and effectively organized in relation to topography, the shape of the tract and the shape, size and position of structures, with consideration for usability of space, appearance and livability. An informal park type of arrangement, with grouping or clustering of manufactured home dwelling units and which conforms to the terrain and natural landscape features, is preferable to a rigid, stylized pattern.

Acknowledged. The site plan will be submitted upon approval of the Planned Development Control Document

4) Streets and accessways:

a. *Paved streets connecting to the existing Town street system shall be twenty-two (22) feet in width. Paved streets inside of the manufactured home park providing one-way directional travel shall be at minimum twenty (20) feet in width. All streets within the manufactured home park shall be private streets.*

b. Convenient access shall be provided to each manufactured home space by an accessway at least fifteen (15) feet in width. Such accessway shall be reserved for maneuvering manufactured homes into position and shall be kept free of trees and other immovable obstructions, but need not be paved. Temporary planks or steel mats may be used during the placement of a manufactured home.

Acknowledged.

c. In the event that the developer of a manufactured home park chooses to retain ownership of streets and accessways, he or she shall be required to dedicate to the Town a blanket emergency service access easement to permit police, ambulance and fire protection personnel to enter the park or subdivision.

A blanket emergency access agreement shall be provided.

In addition, pursuant to Section 42-4-1102, C.R.S., the Town elects to impose and enforce stop sign regulations, speed limits and parking restrictions posted in accordance with the Section 7.01 – Residential Use Standards 7-5 | Page Manual of Uniform Traffic Control Devices upon all streets which are privately maintained in manufactured home parks or subdivisions. The owner of the manufactured home park or subdivision shall provide such signs as may be required by the Town's Engineer and agrees to erect and maintain such signs in conformity with the Model Traffic Code and other applicable regulations.

i. The stop sign placement, speed limits and parking restrictions shall be determined by the Town's Engineer, but shall be consistent with the provisions of Sections 42-4-1101 to 42-4-1104 et al., C.R.S., Sections 42-4-1204, C.R.S. and Section 42-4-1208, C.R.S

Acknowledged.

ii. There shall be posted at each entrance to any manufactured home park or subdivision a sign giving notice of such enforcement in the following text: "NOTICE: Stop sign, speed limits and parking restrictions enforced by the Town."

Acknowledged.

iii. When all signs are in place, stop signs, speed limits and parking regulations shall be enforced and violations thereof punished in accordance with the provisions of the Model Traffic Code, as adopted by the Town.

Acknowledged.

5) Pedestrian Access a. Pedestrian walkways at least two (2) feet in width and having an all-weather surface shall be provided for access to each manufactured home from a paved street or from a paved driveway or parking area connected to a public street.

Acknowledged.

b. Common walkways at least three (3) feet in width and having an all-weather surface shall be provided for access to common facilities and uses from each manufactured home group or cluster. Walkways through the interiors of blocks are preferable to walkways adjacent to streets.

Acknowledged.

6) Parking

a. Parking areas shall be located off-street and shall have an all-weather surface. Parking spaces may be located on each lot or space or on the lot or space immediately adjacent, and the remainder shall be located in common parking areas adjacent to the street or adjacent to a vehicular accessway connected to a street.

Acknowledged.

b. Parking spaces shall be provided at the rate of two (2) parking spaces for each manufactured home, plus one (1) additional parking space for each four (4) manufactured home lots or spaces to provide for guest parking and delivery and service vehicles.

A total of eighty-six (86) parking spaces meeting the total parking space threshold are shown on the drawings.

7) Project boundary buffer

a. A Class C buffer shall be provided (see Section 10.03.D, Landscaping and Buffering) along all project boundaries of a manufactured home park or subdivision, provided that the minimum distance from the line or corner of any manufactured home space to a boundary line of the park or subdivision shall be twenty (20) feet.

A Class C buffer is not proposed to be provided as the minimum distance from the line or corner of any manufactured home space to a boundary line of the park is less than twenty (20) feet on all sides of the manufactured home park.

8) Signs and numbering of manufactured home spaces

a. Each manufactured home park shall have a sign located adjacent to a public street which includes the name of the park and the street address in letters and numbers in accordance with the following requirement:

Acknowledged.

i. Up to two (2) on-premises permanent signs for each street frontage are permitted, but the sum of the areas of one (1) face of these signs shall not exceed forty (40) square feet.

Acknowledged.

b. Each manufactured home space shall be numbered with four-inch reflective numbers on contrasting background and/or letters set at least forty (40) inches above ground level and clearly visible from public right-of-way.

Acknowledged.

9) Yard requirements a. The following yard requirements shall pertain to every manufactured home in the manufactured home park or subdivision:

i. Minimum depth of street yard, measured from front lot or space line:

Street yard setback minimum of zero (0) feet. Consistent with existing use.

ii. Minimum width of side yard, measured from side lot or space line:

Side yard setback minimum of zero (0) feet. Consistent with existing use.

iii. Minimum depth of rear yard, measured from rear lot or space line:

Rear yard setback of zero (0) feet. Consistent with existing use.

b. Detached garages and accessory buildings may be erected on manufactured home spaces as permitted in Section 7.05, Accessory Uses and Structures

Acknowledged.

10) Utility requirements a. Water and Sewer: i. Water and sewer services and hookups shall conform with the Colorado Department of Public Health and Environment, Sanitary Standards and Regulations for Manufactured Home Parks, as amended from time to time.

Acknowledged

11) Service buildings: *No proposed service buildings*

12) Storage a. Tenant storage facilities shall be provided for materials which cannot be conveniently stored in a manufactured home. A minimum of thirty-two (32) square feet shall be provided for each manufactured home unit.

Acknowledged. Storage sheds can be added.

b. Storage facilities may be located adjacent to the manufactured homes or in common compounds within a reasonable distance from the manufactured homes. Storage facilities shall be designed in a manner that will enhance the park and shall be constructed of suitable weather-resistant materials appropriate under the use and maintenance contemplated.

Acknowledged.

c. Covered storage sheds on individual spaces and lots shall contain a minimum of forty-eight (48) square feet of floor area for the storage of personal belongings. This requirement may be satisfied by a separate common building that serves more than one (1) manufactured home space, provided that a like amount of space is set aside in each building for each manufactured home space serviced by that building.

Acknowledged.

d. No storage shall be allowed under a manufactured home.

Acknowledged.

13) Landscaping a. Lawn and ground cover, which may include aggregates, shall be provided on all common ground areas except those undisturbed areas, such as watercourses, left in their natural state.

Acknowledged.

b. Screen planting and/or fencing at least six (6) feet in height shall be provided where Section 7.01 – Residential Use Standards 7-7 | Page necessary for screening purposes, such as around refuse collection points, common recreation areas and playgrounds and at such other points as necessary for screening of objectionable views.

Acknowledged.

14) Streetlights a. All streets in the manufactured home park or subdivision shall be adequately illuminated. Streetlights shall be installed/ located at each intersection.

Acknowledged.

15) Telephone and power lines a. All telephone lines and power lines are to be located underground. Utility easements shall not be less than ten (10) feet in width.

Existing utility poles with overhead wires are present on the northern and western perimeter of the site. Telephone and power line hook-ups to individual units within the site are made via underground connections. No new aboveground telephone or power lines are proposed.

16) Recreation areas and facilities

a. Not less than ten percent (10%) of the total land area of the park or subdivision shall be devoted to space for common facilities and uses, such as a laundry, swimming pool or recreation and play areas.

No common facilities and uses are proposed. The developer agrees to contribute \$50,000 to the Town in exchange for this requirement.

17) Maintenance: The manufactured home park owner or manager shall have the following park maintenance responsibilities.

a. Annual business license for manufactured home parks: No person shall operate a manufactured home park within the Town without first having obtained an annual business license therefor from the Town Clerk. Each manufactured home park shall be licensed for each calendar year and each license shall expire on December 31 of each year.

Acknowledged.

b. Compliance with regulations required: Both the owner and operator of any manufactured home park shall arrange for the management and supervision of the manufactured home park so as to enforce or cause compliance with all of the provisions of this Section.

Acknowledged.

c. Register of tenants required: It shall be the duty of the owner or operator to keep at all times a register, which shall be open at all times to inspection by United States, State, County and Town officers, showing for all tenants in the manufactured home park:

i. The names of all persons inhabiting each manufactured home.

ii. The date of entry and departure of each manufactured home.

iii. The license numbers and state issuing, for each manufactured home and the towing vehicle used to tow the manufactured home into or from the manufactured home park.

Acknowledged.

d. Use restrictions: Both the owner and operator shall prohibit the use of any manufactured home located in the manufactured home park for other than use as a single-family dwelling, with the exception of the park's office.

Acknowledged.

e. Repair and maintenance of facilities: Both the owner and operator of every home park shall be responsible for maintaining in good repair and condition all facilities of the manufactured home park and for maintaining the manufactured home park in a clean, orderly and sanitary condition at all times.

Acknowledged.

f. Owner duty to report violations: Both the owner and operator of each manufactured home park shall report promptly to the proper authorities any violations of this Section which may come to his, her or their attention.

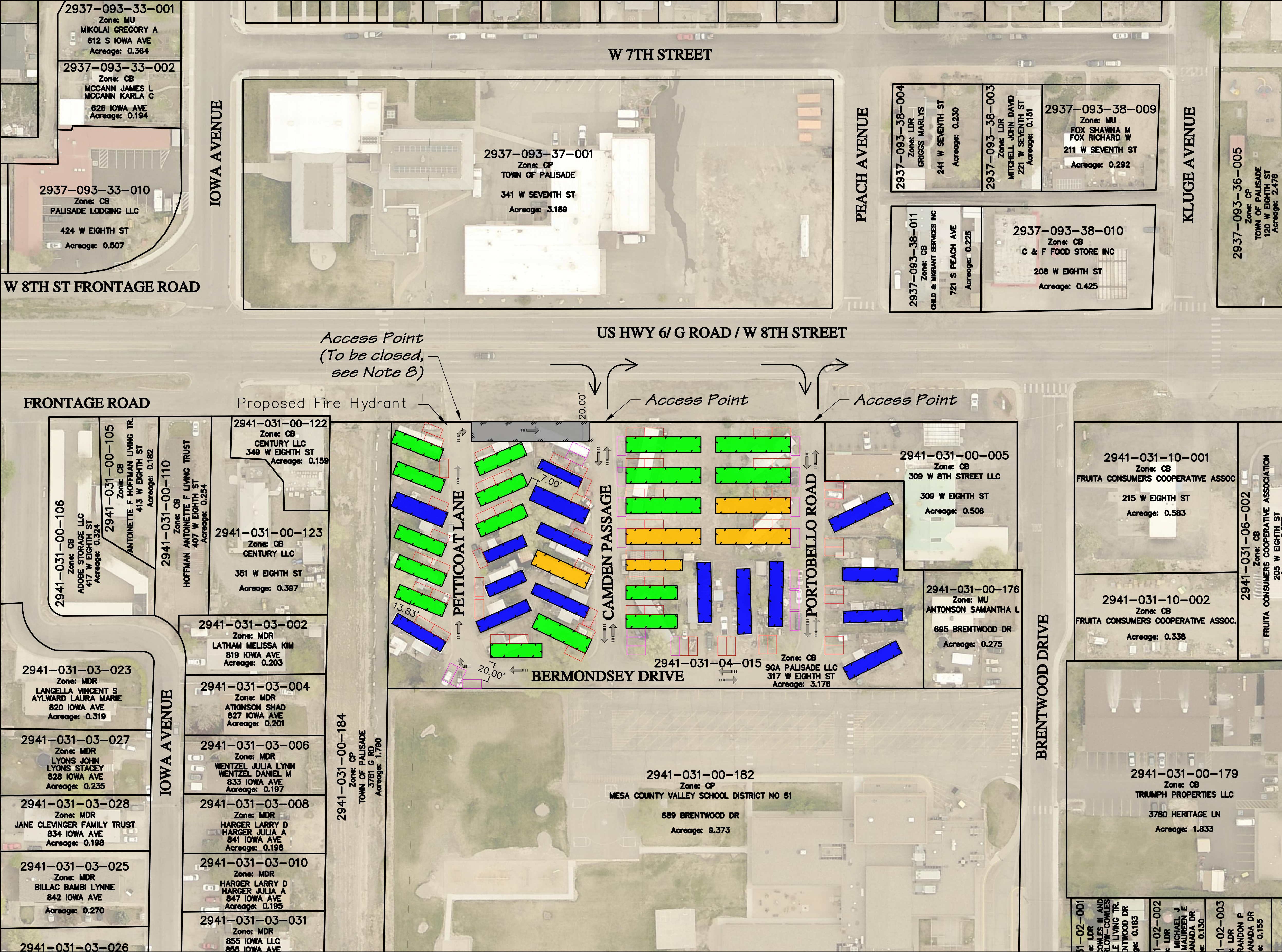
Acknowledged.

18) Roadway repair and maintenance a. No part of any manufactured home shall obstruct any roadway. All easements and public areas shall be cared for and kept free from weeds and trash. The physical repair and maintenance to all roadways, to include street sweeping and snow removal, shall be the responsibility of the manufactured home park owner.

Acknowledged.

EXHIBIT B

Map



Parcel 2941-031-04-015 Breakdown (Sq Ft)			
317 W Eighth St	138,437.46	100.0%	
Total Lot Acreage:	138,437.46	100.0%	
Proposed Layout			
Thirty-eight Manufactured Home Units:	11.96 units/acre		

LEGEND

- New Manufactured Home
- Existing Manufactured Home (Not Moving)
- Existing Manufactured Home (Relocation)
- Proposed Gravel Surface
- Proposed Parking – 86 Total Spaces (66 Resident & 20 Guest/Delivery/Off-Street)
- Property Lines
- Traffic Flow Direction
- Traffic Movement

Proposed Zone Dimensional Standards								
Default Zoning District	Min Lot Size		Minimum Setbacks* (ft)				Building Maximums	
	Area (sq ft)	Width (ft)	Street yard	Side (Interior)	Side (Street)	Rear	Height (ft)	Impervious Surface
PD	N/A	N/A	0	0	0	0	45	75%

- General Notes**
- The Applicant is requesting a rezone application to Planned Development with the underlying zoning Residential-Manufactured Home Park for the legal nonconforming site known as SGA Palisade, LLC, parcel 2941-031-04-015, located at 317 W Eighth St. The parcel was annexed to the Town of Palisade under Ordinance No. 364, dated April 12, 1977. The annexation ordinance is recorded at the Mesa County Clerk's Office on Book 1109, Page 673.
 - Parcel 2941-031-04-015 is currently zoned as CB-Commercial Business, serving as a manufactured home park. The applicant is not requesting to change the land use which has continually operated as a mobile home park, without abandonment, since its time of annexation. The applicant is requesting to rearrange the existing layout and increase the number of manufactured home units from the thirty-four (34) units at the time of annexation to thirty-eight (38) units.
 - A CDOT Level 1 Trip Generation Assessment performed by Apex Consulting Engineers, dated June 30, 2021, determined that increasing the number of manufactured home units to thirty-eight (38) units increased the maximum trip volume by 8%, below the 20% trip threshold for obtaining a CDOT access permit. CDOT confirmed that an access permit was not required for this work.
 - All development plans will require approval by the Town of Palisade Community Development Department. All development plans will need to conform to the proposed zone dimensional standards.
 - The Applicant is requesting the following deviations from the requirements for Manufactured Home Parks and Subdivisions:
 - Allow park area to be less than four (4) acres
 - Maximum density: Allow exceedance of six (6) homes per acre to twelve (12) homes per acre.
 - No minimum lot area
 - No minimum lot width.
 - No minimum building separation.
 - No yard requirements for individual home lots
 - Allow paved streets to be twenty (20) feet wide for streets with one-way directional travel.
 - Fee in lieu of Open Space requirement
 - Allow no less than one (1) parking space per manufactured home unit
 - No Class C Buffer.
 - No administrative office on-site
 - No common recreation areas or facilities
 - This site is not located within a flood zone as indicated on FEMA map panel 08077C0855F, dated July 6, 2010.
 - No wetlands are present on the parcel as evidenced by the Colorado Wetland Inventory Online Mapping Tool developed by the U.S. Fish and Wildlife Service and Colorado National Heritage Program.
 - Access point at Petticoat Lane to be closed as part of Town highway project #NHPP 070A-030 (21986). Town highway project anticipated to begin in Summer 2021.
 - Existing building dimensions per Mesa County Assessor's records.
 - An opaque fence/similar aesthetic, at least 6-feet in height shall be installed along the northern property line adjacent to Highway 6.

ACCEPTANCE BLOCK
The Town of Palisade review constitutes general compliance with the Town's Development Standards, subject to these plans being sealed, signed, and dated by the Professional of Record. Review by the Town does not constitute approval of the plan design. The Town neither accepts nor assumes any liability for errors or omissions. Errors in the design or calculations remain the responsibility of the Professional of Record. Construction must commence within one year from the date of plan signature.

Project Benchmark
TBD

UNCC
800.922.1987
www.uncc.org
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

811
Know what's below. Call before you dig.

NORTHING: —
EASTING: —
ELEVATION: —
DATUM SOURCE: MCLCS Zone "GVA" (NAVD 88)

SCALE (FEET)
0 50 100
HORIZONTAL
VERTICAL:
CONTOUR INTERVAL: FT

PROJECT PHASE: Concept/Exhibit			DATE ISSUED: 12/20/2021		
NO.	DATE	REVISION	BY		

PRELIMINARY

RIVER CITY CONSULTANTS
215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
Phone: 970.241.4722
Fax: 970.241.8841
www.rcwest.com

DRAWN BY: PJS/PROJECT: 2007-001
CHECKED BY: IDG
ORIGINAL SHEET SIZE: 22 x 34

STONETOWN CAPITAL
Winding River
PD MAP
PD-1



PALISADE BOARD OF TRUSTEES

Agenda Item Cover Sheet

Meeting Date: January 25, 2022

Presented By: Brian Rusche, Community Development Director

Department: Planning

Re: PRO-2022-3, 702 37.1 ROAD REZONE

SUBJECT: PRO-2022-3, 702 37.1 ROAD REZONE,
LOCATED AT 702 37 1/10 ROAD (PARCEL # 2937-084-00-078)

SUMMARY: The Town of Palisade has received a request for a rezone of the property located at 702 37 1/10 Road (Parcel # 2937-084-00-078). The property consists of just under one-half (1/2) with about 173 feet of street frontage. The north half of the property has a mobile home used as a long-term rental. The property is currently zoned Low Density Residential (LDR), and the request is for Mixed Use (MU) zoning, with the intent of establishing a food truck court on the south half of the property.

The applicant has submitted a concept drawing of the proposed food truck court (attached to the staff report), which would be reviewed in more detail pending the outcome of the requested rezone.

BOARD DIRECTION:

The Planning Commission conducted a Public Hearing on January 18, 2022, and having received testimony from the applicant and others, **forwards a recommendation of approval of the proposed rezone.**

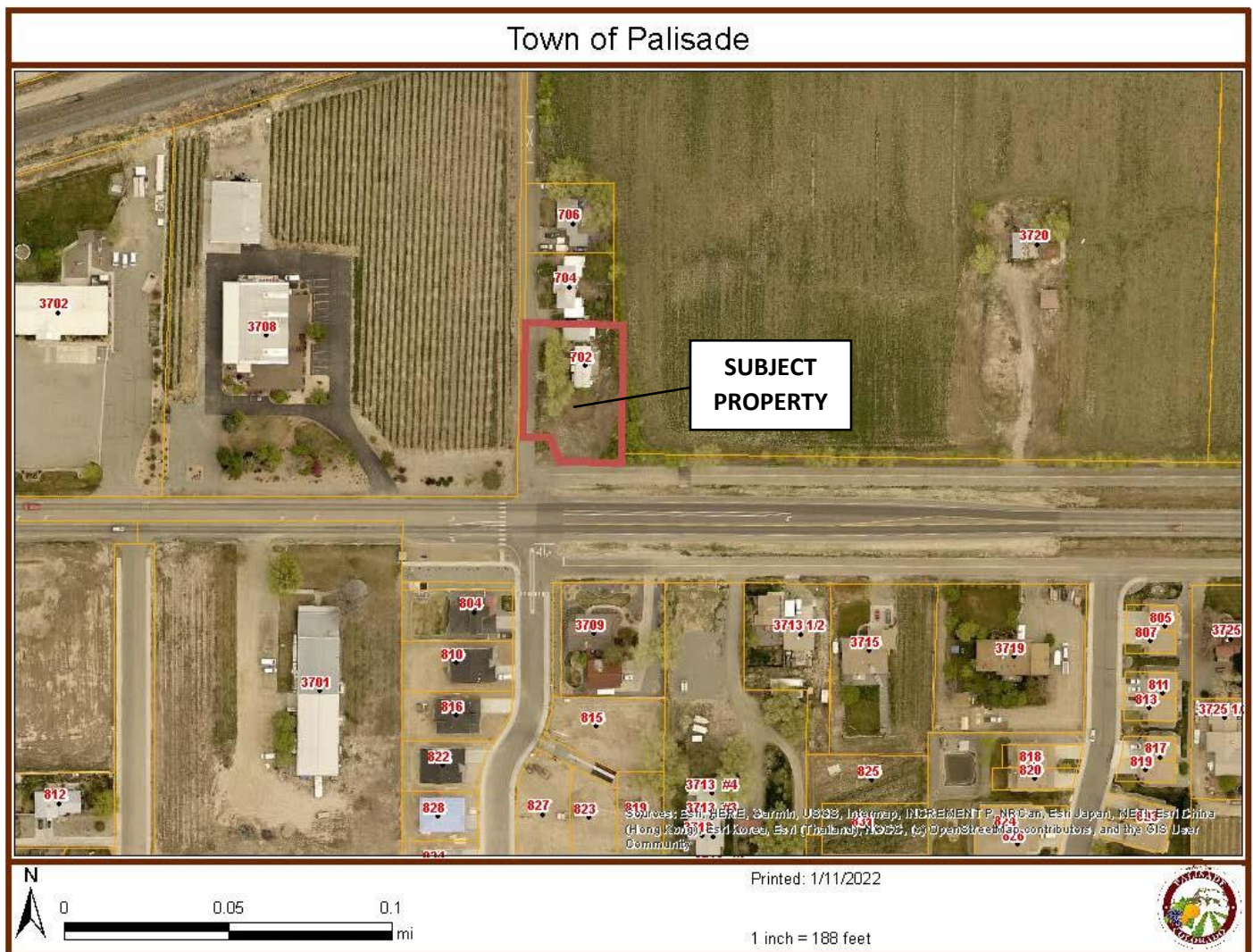
PRO 2022-3, 702 37.1 ROAD REZONE

LOCATED AT 702 37 1/10 ROAD, PARCEL # 2937-084-00-078

SUMMARY

The Town of Palisade has received a request for a rezone of the property located at 702 37 1/10 Road (Parcel # 2937-084-00-078). The property consists of just under one-half (1/2) with about 173 feet of street frontage. The north half of the property has a mobile home used as a long-term rental. The property is currently zoned Low Density Residential (LDR), and the request is for Mixed Use (MU) zoning, with the intent of establishing a food truck court on the south half of the property.

The applicant has submitted a concept drawing of the proposed food truck court, which would be reviewed in more detail pending the outcome of the requested rezone.



LAND DEVELOPMENT CODE

Section 4.02 Rezoning (Zoning Map amendment):

The rezoning procedure provides a process to make amendments to the Official Zoning Map of the Town of Palisade to reflect changes in public policy, changed conditions or to advance the welfare of the Town.

Section 4.02.E. Approval Criteria:

No rezoning may be approved by the Town Board unless all of the following criteria are satisfied:

1. Consistency with the adopted plans and policies of the Town;

The Comprehensive Plan – Future Land Use Map (2007) designates the property as low density residential, which reflected its use at the time the plan was developed. It did not consider the fact that only three (3) residences exist along this stretch of 37 1/10 Road and that the adjacent property, consisting of nearly 20 acres, is zoned CB (Commercial Business).

The Mixed Use (MU) zone district was established to facilitate adaptive re-use and preservation of older residential structures and compatible new nonresidential development. The MU district is primarily a residential district, only modest-scale nonresidential uses are allowed. Nonresidential uses are encouraged to occupy existing residential structures without changing the character of such structures and to emphasize pedestrian rather than vehicular access. The MU district may be used as a transitional district between residential and nonresidential districts.

While the owner is not seeking to reuse the existing residence, as it remains a viable dwelling, there is unused property adjacent to the residence. This property is not suitable for another residence, as it is directly on the corner of the access road, nor is it the desire to demolish the existing residence and redevelop the entire property. The proposed food truck court could represent an interim use, with minimal investment necessary, until additional infrastructure is constructed (specifically sewer), likely when the adjacent parcel of 20 acres is developed. As noted, the MU zone district may be used as a transitional district between the remaining residences on 37 1/10 Road and the adjacent highway and undeveloped property, which has previously been considered for mixed-use as well.

2. Suitability of the subject property for uses permitted by the current versus the proposed district;

The property owner desires to use about a quarter (1/4) of an acre of unused property as a food truck court. There are currently no standards within the Land Development Code for a food truck court; however, restaurants are a permitted use within the Mixed Use (MU) Zone. The MU zone would not preclude an additional residence, while the current zoning would limit future use to just residential.

The applicant has provided concept drawing (attached to this report) that show how food trucks, along with associated parking for cars and bikes, would fit within upon the quarter-acre portion of the lot.

3. Whether the proposed change tends to improve the balance of uses or meets a specific demand in the Town;

Food trucks have become popular in Palisade and throughout the Grand Valley in recent years. They provide a variety of cuisine and are an asset during the many events hosted in Palisade. They offer an opportunity to invest in a business without as much overhead as a typical restaurant and allows the business to “follow the crowds” due to their mobile nature. The proposed location of a food truck court just off Highway 6 (and across the street from a winery) provides additional opportunities, particularly to tourists, to dine in Palisade. There has been a cultural change that warrants consideration of the proposed rezone as an action that would advance the welfare of the Town.

4. The capacity of adequate public facilities and services including schools, roads, recreation facilities, wastewater treatment and water supply facilities and stormwater drainage facilities for the proposed use;

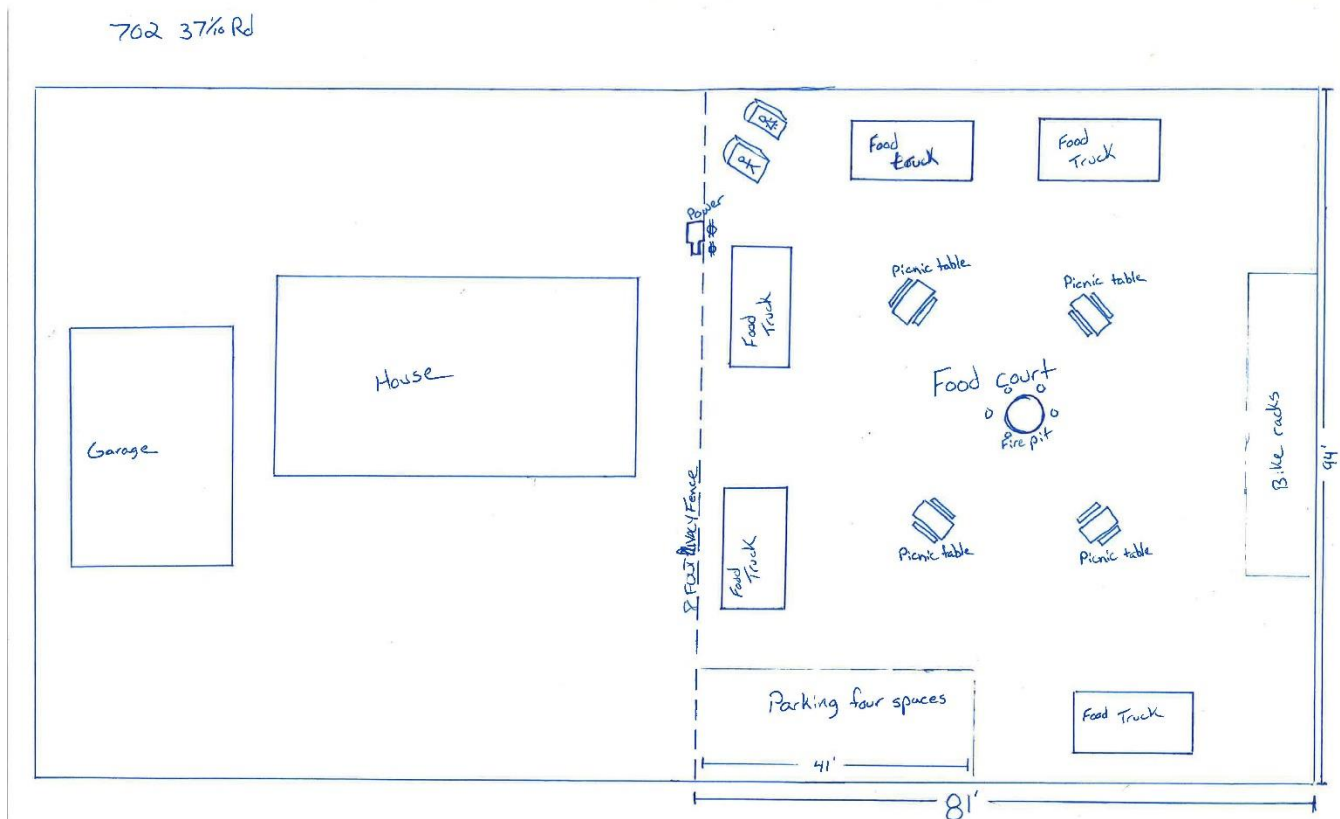
Unlike a residential use, a commercial use does not impact school enrollment or parks and recreation facilities. The site is accessible by 37 1/10 Road but is set back some distance from Highway 6, with no direct access available. There is the existing frontage road adjacent to the property on the south. The property is served by an existing Town water tap but is not connected to the sanitary sewer. However, the proposed use would not require public utilities, except electricity, as food trucks are self-contained units. Future development of the property may require improvements to public facilities, but the proposed zone change would still be necessary to justify investment at a higher level than currently exists.

5. It has been determined that the legal purposes for which zoning exists are not contravened;

The legal purposes for which zoning exists are not contravened by this request.

6. It has been determined that there will be no adverse effect upon adjoining property owners unless such effect can be justified by the overwhelming public good or welfare; and

While there is another residence to the north, the existing residence would remain as a buffer and there is no development to the east. The property is a corner lot, visible from Highway 6, making it a good location for future commercial use. The intent behind a food truck court is a low impact, potentially temporary use of the property, as no significant infrastructure is proposed. Future development of the adjacent property may change the demand for this parcel, in which case the proposed zoning would allow a range of uses, subject to further review.



7. It has been determined that no one (1) property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

The public would benefit from the increase in sales taxes generated by a food truck court, as well as the benefit of additional food options for residents and visitors alike.

RECOMMENDATION

The Planning Commission conducted a Public Hearing on this request on January 18, 2022 and recommend approval of this request to the Board of Trustees.

ATTACHMENTS

Letter of Intent

Concept Plans

Letter of Intent for 702 37 1/10 rd

This is a request to rezone above property to Mixed Use for the purpose of a food truck court facing the frontage road.

37 1/10

We will have ample electricity and porta potty's to suffice until we install bathrooms on site.

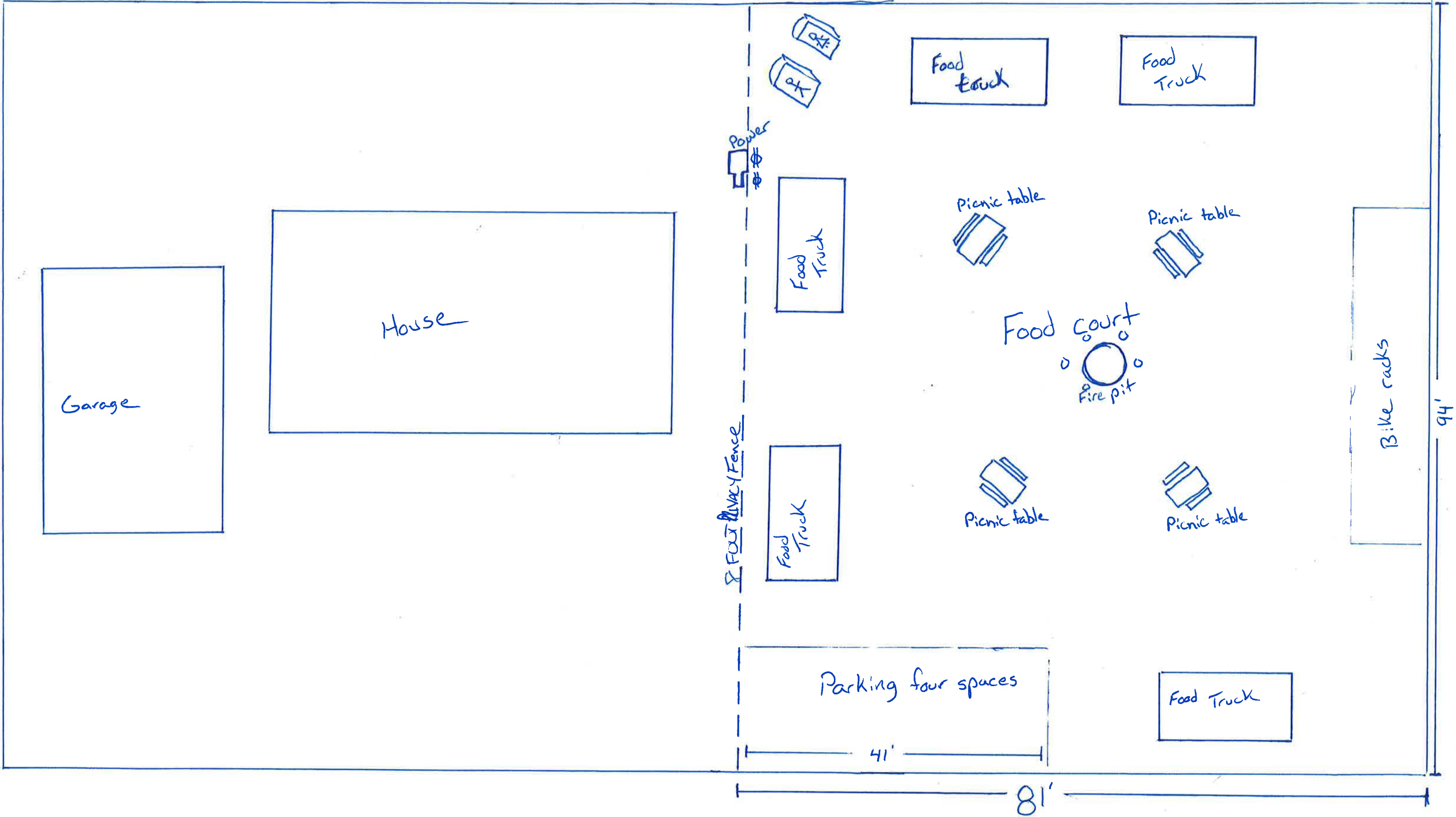
Thank you for consideration

Karina and Nate Parenteau

A handwritten signature in blue ink, appearing to be 'Nate Parenteau', with a large loop at the start and a long horizontal stroke extending to the right.



702 37 1/10 Rd



**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2022-07**

**AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO,
AMENDING THE ZONE DISTRICT MAP OF THE TOWN BY ZONING
CERTAIN PROPERTY KNOWN AS 702 37 1/10 ROAD (MESA COUNTY
PARCEL NO. 2937-084-00-078) FROM LOW DENSITY RESIDENTIAL
(LDR TO MIXED USE (MU) ZONE DISTRICT.**

WHEREAS, the Town of Palisade received an application to amend the zone district map for the Town for property located at 702 37 1/10 Road, Palisade, Colorado legally described below and with a Mesa County Parcel No. 2937-084-00-078 (the "Property") from Low Density Residential (LDR) to Mixed Use (MU) Zone District; and

WHEREAS, public notice has been given as required by Article 3, Section 3.08 of the Palisade Land Development Code; and

WHEREAS, said application was reviewed before the Planning Commission on January 18, 2022 as required by Article 4, Section 4.02 of the Palisade Land Development Code; and

WHEREAS, the Planning Commission has recommended to the Board of Trustees that it grant the applicant's request to rezone the Property from Low Density Residential (LDR) to Mixed Use (MU) Zone District; and

WHEREAS, the Board of Trustees finds and determines that the applicants have provided sufficient evidence that the proposed amendment is desirable, based on the criteria set forth in Section 4.02 of the Land Development Code, and it desires to grant the request and rezone the Property.

**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. The zone district map of the Town of Palisade is hereby amended so as to provide that the Property located at 702 37 1/10 Road in the Town of Palisade legally described below is zoned from Low Density Residential (LDR) to Mixed Use (MU) Zone District:

BEG AT A PT W 1318.7FT + N 0DEG15MIN E 75FT FR SE COR SEC 8 11S 98W SD
PT BEING ON N LI HWY 6 + 24 N 0DEG15MIN E 172FT E 121.5FT S 0DEG15MIN
W 172FT W 121.5FT TO BEG EXC W 40FT FOR RD

**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 January 25, 2025.

TOWN OF PALISADE, COLORADO

By: _____
Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk



PALISADE BOARD OF TRUSTEES

Agenda Cover Item

Meeting Date: January 25, 2022

Department: Administration

Department Director: J. Hawkinson, Manager & JSN, Town Attorney

SUBJECT:

The Town of Palisade has been working with Community Hospital on the construction of a new clinic in the Town of Palisade at the Old Palisade High School site on Highway 6 & Iowa street. This is a community partnership project with Mesa County, Community Hospital and Town of Palisade.

Community Hospital will be leasing the clinic from the Town for 15 years with 5 year optional term extensions.

Community Hospital has graciously set up a health foundation for Palisade that will have \$25,000 donation every year to provide health benefits to the Town of Palisade, for example a health fair.

The base rent is \$12,000 per month = \$144,000 a year Community Hospital will pay in rent to the Town.

Over the 15 year lease agreement the Community Hospital rent will come to \$2.16 million to the town.

Board Action:

Board of Trustees to authorize the Mayor to sign the negotiated Lease Agreement, written by the Town Attorney, with Community Hospital on behalf of the Town.

COMMUNITY HOSPITAL LEASE FOR PALISADE CLINIC

- › **Terms**
 - › **Fifteen years with 5-year optional term extension**
 - › **Base rent of \$12,000.00/month = \$144,000.00/year**
- › **Revenues associated with clinic**
 - › **\$2,160,000.00**
 - › **Based upon 15 year term at \$144,000.00/year lease**
 - › **\$1,500,000.00**
 - › **ARP Funding through Mesa County IGA**
 - › **\$750,000.00**
 - › **Community Hospital contribution for Interior Buildout**
 - › **Total Revenues = \$4,410,000.00**

COMMUNITY HOSPITAL LEASE FOR PALISADE CLINIC

- › **Building Costs**
 - › **Shell**
 - › **Not to exceed \$2,500,000.00**
 - › **Interior Build Out**
 - › **\$750,000.00 (from Community Hospital)**
 - › **Architectural Design**
 - › **\$300,000.00**
 - › **Parking lot**
 - › **\$100,000.00 estimate**
 - › **Total Building Cost**
 - › **\$3,650,000.00**

COMMUNITY HOSPITAL LEASE FOR PALISADE CLINIC

- › **Final Balance Sheet**
 - › **Revenues**
 - › **\$4,410,000.00**
 - › **Costs**
 - › **\$3,650,000.00**
 - › **Final Balance**
 - › **\$760,000.00 Net Gain for the Town of Palisade**
 - › **Over fifteen year lease agreement**

COMMUNITY HOSPITAL LEASE FOR PALISADE CLINIC

- › **Additional Considerations**
 - › **Community Hospital Foundation Donation**
 - › **Annual Contribution to escrow account of \$25,000.00 per year of lease to promote health in the community**



PALISADE BOARD OF TRUSTEES

Agenda Cover Item

Meeting Date: January 25, 2022

Department: Administration

Department Director: J. Hawkinson

SUBJECT:

The Town of Palisade is applying for a loan and grant from the United States Department of Agriculture (USDA) Rural Development Water and Waste Disposal Loan and Grant Program.

The USDA loan & grant application requires the Board of Trustees to provide authority to the Town Administrator and the Mayor to sign the application where required on behalf of the Town on any and all documents related to the Loan and Grant Application.

This does not include the Loan from USDA.

Board Action: Motion to approve Resolution No 2022-02

TOWN OF PALISADE, COLORADO
RESOLUTION NO. 2022-02

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF
PALISADE, COLORADO PROVIDING SIGNING AUTHORITY FOR THE
TOWN FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE
(USDA) RURAL DEVELOPMENT WATER AND WASTE DISPOSAL LOAN
AND GRANT PROGRAM.

WHEREAS, the Town of Palisade is applying for a loan and grant from the United States Department of Agriculture (USDA) Rural Development Water and Waste Disposal Loan and Grant Program (“Loan and Grant”); and

WHEREAS, the Board of Trustees of the Town of Palisade desires to provide authority to the Town Administrator and the Mayor to sign on behalf of the Town any and all documents related to the Loan and Grant (“Project Documents”).

**NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF TRUSTEES
FOR THE TOWN OF PALISADE, COLORADO THAT:**

- Section 1: The Town of Palisade, Colorado is duly organized and validly existing as a municipal corporation and is presently active and in good standing in the State of Colorado. The Colorado Statutes under which the Town was organized is C.R.S. §31-2-101 et seq.
- Section 2: The Town of Palisade, Colorado, per Colorado Statutes C.R.S. §31-15-101 has proper authority under the laws of the State to enter into the proposed USDA loan and/or grant transaction, to construct and/or acquire and operate the proposed facility with the developed plans, budgets, and operational procedures, and (for a loan) provide the security required for the loan.
- Section 3: The titles of the persons who are legally authorized to sign Project Documents on behalf of the Town of Palisade, Colorado are Town Administrator Janet Hawkinson and Mayor Greg Mikolai.

RESOLVED, APPROVED, and ADOPTED this 25th day of January 2022.

TOWN OF PALISADE, COLORADO

Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk



PALISADE BOARD OF TRUSTEES
Agenda Cover Item

Meeting Date: January 25, 2022

Department: Clerk

Department Director: Keli Frasier

SUBJECT:

At a work session held on January 11, 2022, the Board discussed a 1% sales tax increase question being added to the April 5, 2022 election.

The attached Resolution sets the language that will be placed on the ballot.

Board Action: Motion to approve Resolution No 2022-01

TOWN OF PALISADE, COLORADO
RESOLUTION NO. 2022-01

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO, SUBMITTING A BALLOT ISSUE TO THE REGISTERED ELECTORS OF THE TOWN OF PALISADE, COLORADO, AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 5, 2022, CONCERNING WHETHER THE TOWN OF PALISADE SHOULD INCREASE THE MUNICIPAL SALES TAX IMPOSED BY THE TOWN FROM 2.0% TO 3.0% WITH THE REVENUES FROM THE ADDITIONAL 1.0% SALES TAX FUNDING TOWN INFRASTRUCTURE PROJECTS.

WHEREAS, the Board of Trustees desires to submit to the registered voters of the Town of Palisade the question of whether to increase the sales tax imposed by the Town from 2.0% to 3.0% with the revenue from additional 1.0% sales tax funding Town infrastructure projects (the “Ballot Question”), which question will be submitted to the registered voters at the regular municipal election to be held on April 5, 2022.

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

Section 1. Submission to Voters. There shall be submitted to the eligible electors of the Town at the regular municipal election held on April 5, 2022 a question authorizing the increase in sales tax imposed by the Town, which question shall be in substantially the form attached to and incorporated into this resolution as Exhibit A.

Section 2. Implementation of Sales Tax. If a majority of the votes cast on the Ballot Question submitted at the election are in favor of such question, the Board of Trustees shall be authorized to proceed with the necessary action to increase the sales tax imposed by the Town in accordance with such question. Any authority to increase the sales tax, if conferred by the results of the election, shall be deemed and considered a continuing authority to increase the sales tax so authorized at any one time, or from time to time, and neither the partial exercise of the authority so conferred, nor any lapse of time, shall be considered as exhausting or limiting the full authority so conferred.

Section 3. Effective Date. Subject to voter approval of the Ballot Question at the April 5, 2022 regular municipal election, the increase in sales tax shall commence on or after July 1, 2022.

Section 4. TABOR Notice. At least thirty (30) days prior to the election, on or before March 4, 2022, the Town Clerk shall mail at the least cost, a titled notice or set of notices addressed to “All Registered Voters” at each address of one or more active registered voters concerning the ballot question referenced in this resolution. The notice shall be entitled **“NOTICE OF ELECTION TO INCREASE TAXES.”** The notice shall also include all information required by Article X, Section 20(3)(b) (“The Taxpayer’s Bill of Rights”).

Section 5. Effect of Election Results. If a majority of the votes cast on the Ballot Question submitted at the election shall be in favor of the ballot issue, the Board of Trustees shall take such action, by ordinance, to amend the Palisade Municipal Code to incorporate the Ballot Question so approved consistent with the terms and provisions of the Ballot Question and this resolution.

Section 6. All actions heretofore taken (not inconsistent with the provisions of this resolution) by the Town and officers thereof, directed toward the election and the objects and purposes herein stated are hereby ratified, approved, and confirmed.

Section 7. The officers and employees of the Town are hereby authorized and directed to take all other actions necessary or appropriate to effectuate the provisions of this resolution.

INTRODUCED, PASSED AND APPROVED this 25th day of January 2022.

TOWN OF PALISADE, COLORADO

Greg Mikolai, Mayor

ATTEST:

Keli Frasier, Town Clerk

EXHIBIT A

SHALL TOWN OF PALISADE TAXES BE INCREASED BY AN ESTIMATED \$900,000 IN THE FIRST FULL FISCAL YEAR (2023) AND BY SUCH AMOUNTS AS MAY BE GENERATED ANNUALLY THEREAFTER BY INCREASING THE TOWN'S SALES TAX RATE FROM 2.0% TO 3.0%, BEGINNING JULY 1, 2022, WITH ALL REVENUES GENERATED FROM THE ADDITIONAL 1.0%, NET THE COSTS OF COLLECTION, SEPARATELY ACCOUNTED FOR BY THE TOWN AND USED SOLELY FOR:

TOWN INFRASTRUCTURE PROJECTS

AND IN CONNECTION THEREWITH SHALL THE TOWN BE AUTHORIZED TO COLLECT AND RETAIN OR EXPEND THE PROCEEDS OF SUCH TAX AND INVESTMENT EARNINGS THEREON FOR SUCH PURPOSES, NOTWITHSTANDING ANY APPLICABLE LIMITATION ON REVENUES AND EXPENDITURES, INCLUDING THE LIMITATIONS SET FORTH IN ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION?