



AGENDA
for the Planning Commission
of the Town of Palisade, Colorado
341 W. 7th Street (Palisade Civic Center)

November 5, 2024

6:00 pm Regular Meeting

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

Meeting ID: 332 007 5780

I. REGULAR MEETING CALLED TO ORDER AT 6:00 pm

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. AGENDA ADOPTION

V. ANNOUNCEMENTS

- A.** The Town of Palisade has begun weekly leaf pick-up, and it will run until approximately the first week of December (weather permitting). Leaves will be mulched and used to improve soil conditions at Riverbend Park. More information on:
<https://palisade.colorado.gov/>
- B.** Get out the vote! Election day is Tuesday, November 5, 2024. A secure 24-hour ballot drop box can be found at Palisade Community Center - 120 W 8th St, Palisade.
- C.** Town Hall will be closed on November 11, 2024, in observance of Veteran's Day.

VI. APPROVAL OF MINUTES

- A.** Minutes from October 15, 2024, Regular Planning Commission Meeting

VII. PUBLIC HEARING

A. Proposed vacation of right-of-way along 311 W Third St & 307 W Third St

The Planning Commission will consider a vacation of Town right-of-way along 311 and 307 W Third Streets.

1. Staff Presentation
2. Applicant Presentation
3. Public Comment
4. Board Discussion
5. Applicant Closing Remarks
6. Decision - Motion, Second, and Rollcall Vote to: *Forward a recommendation to the Board of Trustees to approve or deny vacating Town right-of-way along 311 W Third & 307 W Third St.*

VIII. CONTINUED BUSINESS

A. Review of Ordinance 2024-XX

An ordinance amending section 7.05 of the Palisade Land Development Code concerning specific accessory use and structure standards.

1. Staff Presentation
2. Public Comments and Questions - *Please state your name and address, keep comments on the current planning topic, and 3 minutes or less.*
3. Board Discussion
4. Direction – *Provide staff with direction to make further edits or schedule a public hearing for amending section 7.05 of the Palisade Land Development Code concerning specific accessory use and structure standards.*

B. Review of Lot Requirements

To reduce barriers to entry for buildings and development without compromising neighborhood integrity or causing overcrowding and increase protections for agricultural lands.

1. Staff Presentation
2. Public Comments and Questions - *Please state your name and address, keep comments on the current planning topic, and 3 minutes or less.*
3. Board Discussion
4. Direction – *move to direct staff to prepare formal amendments to the Land Development Code adjusting minimum lot sizes as recommended, including increasing AFT zone minimum lot size to 5 acres and reducing residential minimum lot sizes to 5,000 square feet for single-family and 3,500 square feet for multi-family and mixed-use developments.*

IX. PUBLIC COMMENT – For items not on the Public Hearing agenda

Please keep comments to 3 minutes or less and state your name and address. Neither the Planning Commissioners nor staff will respond to comments at this time. The Commission may direct staff to look into specific comments to bring back as an Agenda item at a future meeting.

X. ADJOURNMENT



**MINUTES OF THE REGULAR MEETING OF THE
PALISADE PLANNING COMMISSION
October 15, 2024**

The regular meeting of the Planning Commission for the Town of Palisade was called to order at 6:00 pm by Chair Amy Gekas. Present were Commissioners LisaMarie Pinder, Brandon Burke, Don Bosch, and Alex Sparks. Commissioner Dave Hull and Vice-Chair Ed Seymour were absent. A quorum was declared. Also in attendance were Community Development Director Devan Aziz, GIS Coordinator Todd Widegren, and Town Clerk Keli Frasier.

AGENDA ADOPTION

Motion #1 by Commissioner Bosch, seconded by Commissioner Burke, to approve the agenda as presented.

A voice vote was requested.
Motion carried unanimously.

APPROVAL OF MINUTES

Motion #2 by Commissioner Burke, seconded by Commissioner Bosch, to approve the minutes of the Palisade Planning Commission from October 1, 2024.

A voice vote was requested.
Motion carried unanimously.

TOWN MANAGER REPORT

Community Development Director Devan Aziz reviewed the current utility street patch project and announced that the Town is awaiting a bid for pothole repairs.

STAFF REPORT

GIS Coordinator Todd Widegren spoke about confronting address non-conformity within Town limits, and the future of address changes.

NEW BUSINESS

Review of Lot Requirements

Community Development Director Aziz gave a brief presentation and led Commission discussion on the current form of regulating lot sizes and potential alternatives.

The consensus of the Commission is for staff to create a map that includes current density, and how reduced lot sizes would affect in-fill.

Review of Additional Dwelling Units (ADU) for Residential and Non-Residential Zones

Community Development Director Aziz gave a brief presentation and led Commission discussion on current ADU requirements and standards and potential alternatives.

The consensus of the Commission is to bring an Ordinance back for review that includes capping ADU's at 900 sq ft or 50% of principal dwelling (whichever is less), one parking space required, and allowable in all zones except Light Industrial.

Evaluation of Zero-Lot Line and Alley Load Housing

Community Development Director Aziz gave a brief presentation and led Commission discussion on zero-lot lines and alley-load housing.

The consensus of the Commission is for staff to bring back an Ordinance for review implementing a 5-foot setback requirement for alley-loaded structures.

PUBLIC COMMENT

None were offered.

ADJOURNMENT

Motion #3 by Commissioner Bosch, seconded by Commissioner Burke, to adjourn the meeting at 7:45 pm.

A voice vote was requested.

Motion carried unanimously.

X

Keli Frasier, CMC
Town Clerk

X

Amy Gekas
Planning Commission Chair



**PALISADE Planning Commission
Agenda Item Cover Sheet**

Meeting Date: November 5, 2024
Presented By: Devan Aziz, Community Development Director
Department: Community Development & Planning
Re: Vacation of Right-Of-Way Request

SUBJECT:
Public Hearing Vacation of Right-Of-Way

SUMMARY:
The Town has received an application to vacate 6,581 square feet of public right-of-way located north of 311 W Third Street (Parcel #2937-092-44-001) and northwest of 307 W Third Street (Parcel #2937-092-44-002). The applicant plans to construct a two-level, 9-room motel called "Two Bottles Inn Motel" at 311 W Third Street. The proposed development would utilize the vacated right-of-way area for their building, with parking accessed from the alley.

PROJECT DETAILS

- Total Area to be Vacated: 6,581 sq. ft.
- Total Perimeter: 708 feet
- Current Use: Undeveloped dirt lot and vacant building
- Proposed Use: Two-level motel with 12 parking spaces
- Location: Town Center zoning district

DIRECTION

Motion, Second, and Rollcall Vote to: Forward a recommendation to the Board of Trustees to approve or deny vacating Town right-of-way along 311 W Third & 307 W Third St.



**PALISADE PLANNING COMMISSION
STAFF REPORT
VACATION OF RIGHT-OF-WAY (ROW)**

Meeting Date: November 5, 2024

Presented By: Devan Aziz, Community Development Director

Department: Community Development

Re: Application for the vacation of a portion of public right-of-way located north of the property 311 W Third St. (Parcel # 2937-092-44-001) and northwest of the property 307 W Third ST. (Parcel # 2937-092-44-002)

APPLICATION SUMMARY:

The Town of Palisade received an application to vacate a portion of a public right-of-way. The owner of the property at 311 W Third Street (Parcel # 2937-092-44-001) is requesting the vacation of a portion of a public right-of-way located north of the property 311 W Third St. (Parcel # 2937-092-034-001) also affecting 307 W Third St. (Parcel # 2937-092-44-002) in Palisade, CO's Town Center zoning district. The total perimeter to be vacated is 708 feet, and the area to be vacated is 6,581 sq. ft. The applicant intends to construct a two-level 9 room motel - called "Two Bottles Inn Motel" at 311 W 3rd St. The stated goal is to improve property use and increase lodging options in the Town Center.

The design incorporates construction on the current right of way adjacent to 311 W 3rd St., with parking for all units planned for the south and southeast portions of the parcel accessed by the alleyway. The applicant contends that the project would improve the current dirt lot to its highest and best use, as the Town reportedly has no plans to extend W 3rd St.

The design features eco-friendly landscaping, 12 parking spots accessible from the alley, on-site management facilities, and compliance with local development codes. The street-facing design includes building patios at the setback limit and outdoor seating to create a buffer between the street and the building.



Street view of public right-of-way from Peach & Third



Street view of public right-of way from Third St West bound



Street view of public right-of-way from Third St East bound

Town of Palisade Land Development Code Section 4.17 Vacation of Right-of-Way or Public Easement

Section 4.17.E Approval Criteria

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

1. The Comprehensive Plan, Grand Valley Circulation Plan, and other adopted plans and policies of the Town;

The community sentiment towards hotels and additional development in Palisade, as reflected in the 2022 Comprehensive Plan public comments, appears mixed with a leaning towards caution regarding growth. - While there's recognition of the need for economic diversification, many emphasize the importance of prioritizing businesses that serve local residents rather than focusing solely on tourism. The comments suggest that any proposals for new hotels or similar developments would need to carefully consider these community sentiments and address concerns about preserving the town's unique qualities.

2. No parcel shall be landlocked as a result of the vacation;

No parcel will be landlocked as a result of the vacation of the public right-of-way.

3. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

Vacating this public right-of-way will not restrict access to any parcel, as this right-of-way is not currently utilized as an access to any property. This should not devalue any property surrounding this proposed vacation.

4. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services);

The proposed vacation of the right-of-way is not expected to have adverse impacts on the health, safety, or welfare of the general community. The current right-of-way is not utilized for through traffic, and its vacation should not affect emergency vehicle access or circulation. The proposed development plans to improve the area with eco-friendly landscaping and safer parking options accessed from the alley, potentially enhancing pedestrian safety along W 3rd St. No reduction in public services is anticipated as a result of this vacation.

5. The provision of adequate public facilities and services shall not be inhibited to any property as required in this LDC; and

The proposed vacation of the right-of-way is not expected to inhibit the provision of adequate public facilities and services to any property as required by the Land Development Code. The area to be vacated is currently not utilized for through traffic or as a primary access point for any surrounding properties. The vacation does not appear to impact any current pedestrian pathways or sidewalks along W 3rd St. It's advisable to consider any potential long-term impacts on future public infrastructure improvements in the area as this vacation of right-of-way would significantly limit the scope of those projects. Historically and currently this property has not been used for any public activity. It has remained a dirt lot.

6. The proposal shall provide benefits to the Town such as reduced maintenance requirements, improved traffic circulation, etc.

The proposed vacation of the right-of-way may offer potential benefits to the Town of Palisade. If vacated, the current dirt lot would no longer require Town maintenance, potentially reducing associated costs. The proposal aims to develop an underutilized area in the Town Center zoning district, which could contribute to more efficient land use. The proposed 9 room motel - will increase lodging options in the town, potentially impacting lodging tax, local business activity and pedestrian traffic in the downtown area. The project's plan to relocate parking to the south and southeast portions of the parcel, accessed from the alley, could influence parking patterns and traffic flow on W 3rd St which may have implications for local traffic management and upkeep of the alleyway. Any upgrades to the alleyway will be the responsibility of the applicant to prevent increased maintenance costs to the Town. Additionally, the proposed landscaping along the current sidewalk may improve the streetscape's appearance.

RECOMMENDATION:

The proposed vacation of right-of-way and subsequent development present both opportunities and challenges for the Town of Palisade. While the project could potentially enhance lodging options, increase tax revenue, and improve land use efficiency in the town center, it also raises concerns about the precedent this decision may set for future right-of-way management in Palisade.

The Planning Commission should carefully weigh the immediate benefits of the proposal against these long-term implications. Particular attention should be given to how this decision aligns with the Town's Comprehensive Plan, especially regarding managed growth, economic diversification, and preservation of Palisade's unique small-town atmosphere.

Suggested motion:

I make a motion to recommend to the Board of Trustees [approve, deny, or continue] vacating a portion of public right-of-way located north of the property 311 W Third St. (Parcel # 2937-092-44-001) and north west of the property of the property 307 W Third ST. (Parcel # 2937-092-44-002)

ATTACHMENTS:
ROW Vacation & Legal Description
Applicant Letter of Intent

The proposed right-of-way to be vacated is:

Lewis Subdivision NW ¼ Section 9, Township 11 South, Range 98 West 6th principal Meridian, Mesa County, Colorado.

Beginning at the western corner of Lot 1, then extending 269 feet northeast along the western side of Lot 1 and Lot 2 to the northeastern corner of Lot 2 at the Town of Palisade Peach Ave right-of-way;

Then 21 feet north from the northeastern corner of Lot 2 along the Town of Palisade Peach Ave right-of-way;

Then 345 feet southwest along the Town of Palisade W Third St. right-of-way;

Then 73 feet east along the Town of Palisade alley right-of-way.

The total perimeter to be vacated is 708 feet, and the area to be vacated is 6,581 sq. ft.



311 W Third St, LLC c/o Matthew High PO BOX 97514

Phoenix, AZ 85060

October 1st, 2024

Town of Palisade Planning Department 175 East Third St Palisade, CO 81526

LETTER OF INTENT

This Letter of Intent is in support of my request to vacate the right of way between W 3rd St. and the properties of 307 W 3rd St., Palisade, CO 81526 (PN: 2937-092-44-002) and 311 W 3rd St., Palisade, CO 81526 (PN: 2937-092-44-001) in the Town Center zoning district. The intentions of this project will be to construct a two-level motel named the Two Bottles Inn Motel on the property situated at 311 W 3rd St. in a prime Town Center location. This will significantly improve the current property use and create additional lodging in the center of town allowing for walkable accommodations to downtown. The design incorporates construction on the current right of way running adjacent to W 3rd St. allowing for a more modern aesthetic while incorporating parking for all of the units on the south and southeast portion of the parcel rather than on the current right of way.

Considerations in support of approval:

- 1) This project will improve the current right of way to its highest and best use for the town. The current right of way is a dirt lot that has been used as parking by both parcels and their commercial needs for several decades. The town has no intentions of extending W 3rd St. for additional lanes as it would immediately return back to two lanes before and after passing the two adjacent parcels listed.
- 2) The intention will be to incorporate ecofriendly landscaping along the current sidewalk running adjacent to W 3rd St. The lodging design will accommodate parking for all units behind the motel on the south and southeast portions of the parcel to remove automobile traffic, automobile parking and congestion from the town streets in favor of walkable access to town businesses and restaurants. As seen in the attached site plan, the motel has 12 parking spots accessible from the alley to the south of the property. This design will allow for safer parking options, rather than access directly from W 3rd St. as is currently being used. The site plan also has incorporated an onsite manager office and residence, onsite laundry/cleaning facilities, and adequate parking spaces meeting the Palisade Land Development Code requirements for a motel.
- 3) The intention would be to have the building patios at the setback limit from the street. The design incorporates patios and outdoor seating for the units to offer a buffer and effectively a complete street rather than appearing as a parking lot. 2

Approval Criteria

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

1. The Comprehensive Plan, Grand Valley Circulation Plan and other adopted plans and policies of the Town; - *The vacation of right of way does not violate any of the aforementioned plans or policies.*
2. No parcel shall be landlocked as a result of the vacation; - *No parcels will be landlocked as both parcels will now extend out completely to 3rd Street.*
3. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation;

- *The vacation of right of way will not result in additional restricted access for any parcels.*

4. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g., police/fire protection and utility services); - *The vacation of right of way does not adversely impact health, safety or the general welfare of the community, nor does it impact the quality of public facilities or services. The vacation will allow for the land to reach its highest and best use.*

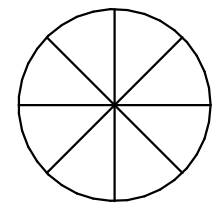
5. The provision of adequate public facilities and services shall not be inhibited to any property as required in this LDC; and – *The vacation of right of way does not inhibit any property from access to public facilities and services.*

6. The proposal shall provide benefits to the Town such as reduced maintenance requirements, improved traffic circulation, etc. – *The vacation of right of way will bring the current land under the maintenance and improvements of both parcel owners, reducing maintenance requirements of the town and will allow for higher and better use of the land for benefit of the town.*

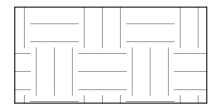
Thank you for your consideration,

Matthew High

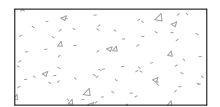
SYMBOL LEGEND - LANDSCAPING



PROPOSED HONEYSUCKLE
OR CRABAPPLE TREE



LANDSCAPE AREA

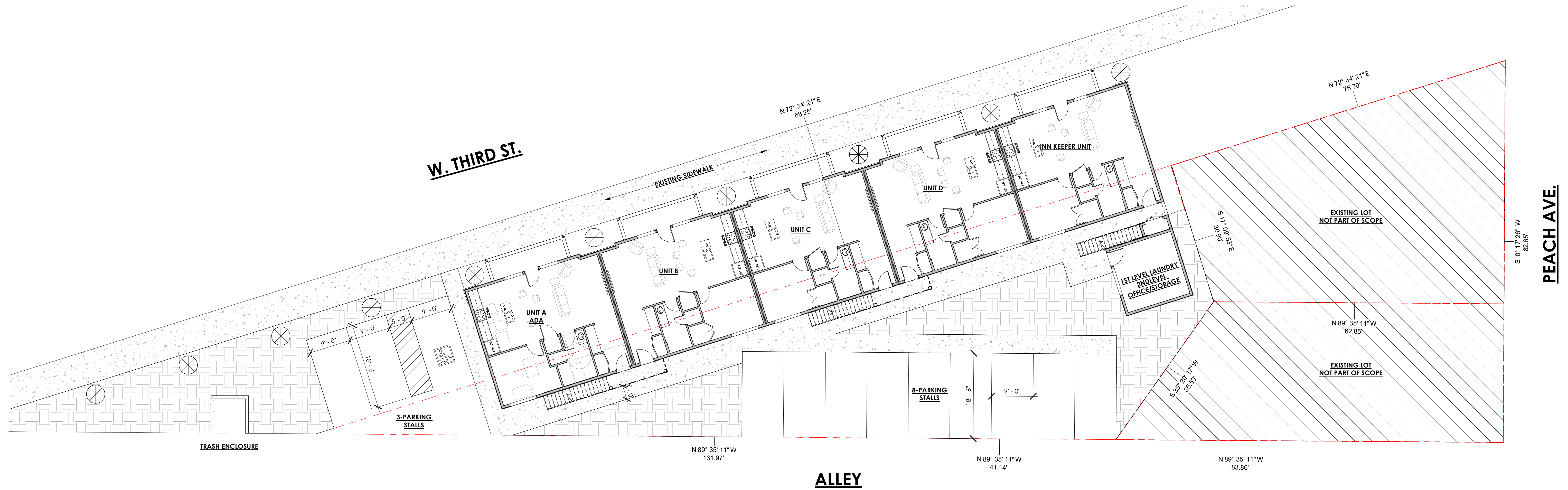


CONCRETE

KEYNOTES:



573 W. CRETE CIR. BLDG 201
GRAND JUNCTION, CO 81505
T: 970.712.5045



1 SITE PLAN
C1.1 3/32" = 1'-0"

TWO BOTTLES INN MOTEL
311 W. THIRD STREET,
PALISADE, CO

REVISION:	#	DATE	COMMENTS

DESIGN DEVELOPMENT

PROJECT NO:
2362

SHEET NAME:
SITE PLAN

DATE: 06/21/2024

SHEET NO:

C1.1

SCALE: As indicated

NOT FOR CONSTRUCTION

GENERAL FLOOR PLAN NOTES

- A. REFER TO SHEET T1.0 FOR ABBREVIATIONS AND GENERAL PROJECT NOTES.
- B. DO NOT SCALE DRAWINGS. IF DIMENSIONS ARE IN QUESTION THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATION FROM THE ARCHITECT PRIOR TO CONTINUING CONSTRUCTION.
- C. ALL DIMENSIONS ARE TO FACE OF STUDS UNLESS NOTED OTHERWISE.
- D. ITEMS NOT NOTED ON THE DRAWINGS SHALL BE CONSIDERED THE SAME AS NOTED ITEMS WHICH ARE GRAPHICALLY REPRESENTED IN THE SAME MANNER.
- E. REFER TO STRUCTURAL DRAWINGS FOR STRUCTURAL BEAMS, WALLS, COLUMNS SIZE AND LOCATIONS.
- F. TYPICAL INTERIOR STUD WALLS ARE DIMENSIONED AS 3-1/2" (2X6) THICK AND PLUMBING WALLS AS 5-1/2" (2X6) THICK.
- G. PROVIDE SOUND INSULATION WALLS AT LAUNDRY ROOMS, BATHROOMS, AND HVAC CLOSET.
- H. PROVIDE WOOD STUD BLOCKING FOR ALL WALL EQUIPMENT, TOILET ACCESSORIES, MILLWORK AND OTHER WALL MOUNTED ITEMS.
- I. BATHROOMS MIRRORS TO BE INSTALLED 42" A.F.F. AND CENTERED ON LAVATORY.
- J. CONTRACTOR SHALL CAULK AT THE INTERFACE OF INTERIOR FACES OF DOOR FRAMES WITH ADJACENT MATERIALS THOUGH JOINT MAY NOT BE VISIBLE.
- K. EXTEND FLOOR FINISHES UNDER SHELVEING, DISHWASHER AND REFRIGERATOR, AND CABINETS.
- L. PROVIDE TRANSITION STRIPS BETWEEN FLOOR MATERIALS OF DISSIMILAR HEIGHTS. CENTER TRANSITION STRIPS UNDER DOORS OR OTHER PLACES OUT OF SIGHT.
- M. PROVIDE POSITIVE SLOPE ON ALL FLOOR DRAINS. MINIMUM OF 1/8" PER FOOT. SLOPE FLOOR ALL AROUND FROM ADJACENT WALLS TO FLOOR DRAINS. DO NOT DEPRESS ONLY THE AREA IMMEDIATELY AROUND THE DRAIN.
- N. REFER TO DOOR AND WINDOW SCHEDULE FOR DOOR AND WINDOW SIZES.
- O. DOORS NOT DIMENSIONED ARE TO BE CENTERED IN WALL OR TO BE 4" FROM ADJACENT WALLS UNLESS NOTED OTHERWISE.
- P. CRAWLSPACE ACCESS THROUGH THE FLOOR SHALL NOT BE LESS THAN 18 INCHES BY 24 INCHES. ACCESS THROUGH PERIMETER WALL SHALL NOT BE LESS 16 INCHES BY 24 INCHES. ACCESS THROUGH A WALL BELOW GRADE SHALL HAVE AN AREAWAY NOT LESS 16 INCHES BY 24 INCHES.
- Q. CRAWLSPACE ACCESS DOORS TO UNCONDITIONED CRAWLSPACE SHALL BE WEATHERSTRIPPED AND INSULATED TO MATCH THE INSULATION LEVEL ON SURROUNDING SURFACES.

SQUARE FOOTAGE TABULATION

MAIN LEVEL FINISHED AREA: 756 SQ. FT.
 UPPER LEVEL FINISHED AREA: 756 SQ. FT.
TOTAL FINISHED AREA: 1,512 SQ. FT.

LOAD BEARING HEADER TABLE

OPENING WIDTH	HEADER SIZE	# TRIMMER	# KING
X < 2'-11"	(2) 2X8 HEM FIR #2	1	1 (2X6)
3'-0" < X < 7'-11"	(2) 2X10 HEM FIR #2	2	2 (2X6)
8'-0" < X < 13'-11"	(2) 2X12 HEM FIR #2	2	2 (2X6)
14'-0" < X < 19'-0"	(2) 1.75 X 9.25 LVL	2	3 (2X6)

MECHANICAL VENTILATION

MECHANICAL VENTILATION SHALL BE IN ACCORDANCE WITH 2018 IRC SECTION M1505 (REFER TO TABLES BELOW)

- FOR CONTINUOUS WHOLE-HOUSE MECHANICAL VENTILATION REFER TO TABLE M1505.4.3(1)
- FOR INTERMITTENT WHOLE-HOUSE MECHANICAL VENTILATION REFER TO TABLE M1505.4.3(2)
- FOR KITCHENS AND BATHROOMS MINIMUM REQUIRED LOCAL EXHAUST RATES REFER TO TABLE M1505.4.4

ACTUAL MECH. VENTILATION	DWELLING SF.	# OF BEDS	AIRFLOW CFM
XXXX - XXXX	X-X	XX	

TABLE M1505.4.3(1)
 CONTINUOUS WHOLE-HOUSE MECHANICAL VENTILATION SYSTEM MINIMUM RATE REQUIREMENTS

VENTILATION RATE	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8
1,000 - 1,500	10	15	20	25	30	35	40	45
1,500 - 2,000	15	20	25	30	35	40	45	50
2,000 - 2,500	20	25	30	35	40	45	50	55
2,500 - 3,000	25	30	35	40	45	50	55	60
3,000 - 3,500	30	35	40	45	50	55	60	65
3,500 - 4,000	35	40	45	50	55	60	65	70
4,000 - 4,500	40	45	50	55	60	65	70	75
4,500 - 5,000	45	50	55	60	65	70	75	80
5,000 - 5,500	50	55	60	65	70	75	80	85
5,500 - 6,000	55	60	65	70	75	80	85	90
6,000 - 6,500	60	65	70	75	80	85	90	95
6,500 - 7,000	65	70	75	80	85	90	95	100
7,000 - 7,500	70	75	80	85	90	95	100	105
7,500 - 8,000	75	80	85	90	95	100	105	110
8,000 - 8,500	80	85	90	95	100	105	110	115
8,500 - 9,000	85	90	95	100	105	110	115	120
9,000 - 9,500	90	95	100	105	110	115	120	125
9,500 - 10,000	95	100	105	110	115	120	125	130
10,000 - 10,500	100	105	110	115	120	125	130	135
10,500 - 11,000	105	110	115	120	125	130	135	140
11,000 - 11,500	110	115	120	125	130	135	140	145
11,500 - 12,000	115	120	125	130	135	140	145	150
12,000 - 12,500	120	125	130	135	140	145	150	155
12,500 - 13,000	125	130	135	140	145	150	155	160
13,000 - 13,500	130	135	140	145	150	155	160	165
13,500 - 14,000	135	140	145	150	155	160	165	170
14,000 - 14,500	140	145	150	155	160	165	170	175
14,500 - 15,000	145	150	155	160	165	170	175	180
15,000 - 15,500	150	155	160	165	170	175	180	185
15,500 - 16,000	155	160	165	170	175	180	185	190
16,000 - 16,500	160	165	170	175	180	185	190	195
16,500 - 17,000	165	170	175	180	185	190	195	200
17,000 - 17,500	170	175	180	185	190	195	200	205
17,500 - 18,000	175	180	185	190	195	200	205	210
18,000 - 18,500	180	185	190	195	200	205	210	215
18,500 - 19,000	185	190	195	200	205	210	215	220
19,000 - 19,500	190	195	200	205	210	215	220	225
19,500 - 20,000	195	200	205	210	215	220	225	230
20,000 - 20,500	200	205	210	215	220	225	230	235
20,500 - 21,000	205	210	215	220	225	230	235	240
21,000 - 21,500	210	215	220	225	230	235	240	245
21,500 - 22,000	215	220	225	230	235	240	245	250
22,000 - 22,500	220	225	230	235	240	245	250	255
22,500 - 23,000	225	230	235	240	245	250	255	260
23,000 - 23,500	230	235	240	245	250	255	260	265
23,500 - 24,000	235	240	245	250	255	260	265	270
24,000 - 24,500	240	245	250	255	260	265	270	275
24,500 - 25,000	245	250	255	260	265	270	275	280
25,000 - 25,500	250	255	260	265	270	275	280	285
25,500 - 26,000	255	260	265	270	275	280	285	290
26,000 - 26,500	260	265	270	275	280	285	290	295
26,500 - 27,000	265	270	275	280	285	290	295	300
27,000 - 27,500	270	275	280	285	290	295	300	305
27,500 - 28,000	275	280	285	290	295	300	305	310
28,000 - 28,500	280	285	290	295	300	305	310	315
28,500 - 29,000	285	290	295	300	305	310	315	320
29,000 - 29,500	290	295	300	305	310	315	320	325
29,500 - 30,000	295	300	305	310	315	320	325	330
30,000 - 30,500	300	305	310	315	320	325	330	335
30,500 - 31,000	305	310	315	320	325	330	335	340
31,000 - 31,500	310	315	320	325	330	335	340	345
31,500 - 32,000	315	320	325	330	335	340	345	350
32,000 - 32,500	320	325	330	335	340	345	350	355
32,500 - 33,000	325	330	335	340	345	350	355	360
33,000 - 33,500	330	335	340	345	350	355	360	365
33,500 - 34,000	335	340	345	350	355	360	365	370
34,000 - 34,500	340	345	350	355	360	365	370	375
34,500 - 35,000	345	350	355	360	365	370	375	380
35,000 - 35,500	350	355	360	365	370	375	380	385
35,500 - 36,000	355	360	365	370	375	380	385	390
36,000 - 36,500	360	365	370	375	380	385	390	395
36,500 - 37,000	365	370	375	380	385	390	395	400
37,000 - 37,500	370	375	380	385	390	395	400	405
37,500 - 38,000	375	380	385	390	395	400	405	410
38,000 - 38,500	380	385	390	395	400	405	410	415
38,500 - 39,000	385	390	395	400	405	410	415	420
39,000 - 39,500	390	395	400	405	410	415	420	425
39,500 - 40,000	395	400	405	410	415	420	425	430
40,000 - 40,500	400	405	410	415	420	425	430	435
40,500 - 41,000	405	410	415	420	425	430	435	440
41,000 - 41,500	410	415	420	425	430	435	440	445
41,500 - 42,000	415	420	425	430	435	440	445	450
42,000 - 42,500	420	425	430	435	440	445	450	455
42,500 - 43,000	425	430	435	440	445	450	455	460
43,000 - 43,500	430	435	440	445	450	455	460	465
43,500 - 44,000	435	440	445	450	455	460	465	470
44,000 - 44,500	440	445	450	455	460	465	470	475
44,500 - 45,000	445	450	455	460	465	470	475	480
45,000 - 45,500	450	455	460	465	470	475	480	485
45,500 - 46,000	455	460	465	470	475	480	485	490
46,000 - 46,500	460	465	470	475	480	485	490	495
46,500 - 47,000	465	470	475	480	485	490	495	500
47,000 - 47,500	470	475	480	485	490	495	500	505
47,500 - 48,000	475	480	485	490	495	500	505	510
48,000 - 48,500	480	485	490	495	500	505	510	515
48,500 - 49,000	485	490	495	500	505	510	515	520
49,000 - 49,500	490	495	500	505	510	515	520	525
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50,500 - 51,000	505	510	515	520	525	530	535	540
51,000 - 51,500	510	515	520	525	530	535	540	545
51,500 - 52,000	515	520	525	530	535	540	545	550
52,000 - 52,500	520	525	530	535	540	545	550	555
52,500 - 53,000	525	530	535	540	545	550	555	560
53,000 - 53,500	530	535	540	545	550	555	560	565
53,500 - 54,000	535	540	545	550	555	560	565	570
54,000 - 54,500	540	545	550	555	560	565	570	575
54,500 - 55,000	545	550						

GENERAL FLOOR PLAN NOTES

- A. REFER TO SHEET T1.0 FOR ABBREVIATIONS AND GENERAL PROJECT NOTES.
- B. DO NOT SCALE DRAWINGS. IF DIMENSIONS ARE IN QUESTION THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATION FROM THE ARCHITECT PRIOR TO CONTINUING CONSTRUCTION.
- C. ALL DIMENSIONS ARE TO FACE OF STUDS UNLESS NOTED OTHERWISE.
- D. ITEMS NOT NOTED ON THE DRAWINGS SHALL BE CONSIDERED THE SAME AS NOTED ITEMS WHICH ARE GRAPHICALLY REPRESENTED IN THE SAME MANNER.
- E. REFER TO STRUCTURAL DRAWINGS FOR STRUCTURAL BEAMS, WALLS, COLUMNS SIZE AND LOCATIONS.
- F. TYPICAL INTERIOR STUD WALLS ARE DIMENSIONED AS 3-1/2" (2X4) THICK AND PLUMBING WALLS AS 5-1/2" (2X6) THICK.
- G. PROVIDE SOUND INSULATION WALLS AT LAUNDRY ROOMS, BATHROOMS, AND HVAC CLOSET.
- H. PROVIDE WOOD STUD BLOCKING FOR ALL WALL EQUIPMENT, TOILET ACCESSORIES, MILLWORK AND OTHER WALL MOUNTED ITEMS.
- I. BATHROOMS MIRRORS TO BE INSTALLED 42" A.F.F. AND CENTERED ON LAVATORY.
- J. CONTRACTOR SHALL CAULK AT THE INTERFACE OF INTERIOR FACES OF DOOR FRAMES WITH ADJACENT MATERIALS THROUGH JOINT MAY NOT BE VISIBLE.
- K. EXTEND FLOOR FINISHES UNDER SHELVEING, DISHWASHER AND REFRIGERATOR, AND CABINETS.
- L. PROVIDE TRANSITION STRIPS BETWEEN FLOOR MATERIALS OF DISSIMILAR HEIGHTS. CENTER TRANSITION STRIPS UNDER DOORS OR OTHER PLACES OUT OF SIGHT.
- M. PROVIDE POSITIVE SLOPE ON ALL FLOOR DRAINS. MINIMUM OF 1/8" PER FOOT. SLOPE FLOOR ALL AROUND FROM ADJACENT WALLS TO FLOOR DRAINS. DO NOT DEPRESS ONLY THE AREA IMMEDIATELY AROUND THE DRAIN.
- N. REFER TO DOOR AND WINDOW SCHEDULE FOR DOOR AND WINDOW SIZES.
- O. DOORS NOT DIMENSIONED ARE TO BE CENTERED IN WALL OR TO BE 4" FROM ADJACENT WALLS UNLESS NOTED OTHERWISE.
- P. CRAWLSPACE ACCESS THROUGH THE FLOOR SHALL NOT BE LESS THAN 18 INCHES BY 24 INCHES. ACCESS THROUGH PERIMETER WALL SHALL NOT BE LESS 16 INCHES BY 24 INCHES. ACCESS THROUGH A WALL BELOW GRADE SHALL HAVE AN AREAWAY NOT LESS 16 INCHES BY 24 INCHES.
- Q. CRAWLSPACE ACCESS DOORS TO UNCONDITIONED CRAWLSPACE SHALL BE WEATHERSTRIPPED AND INSULATED TO MATCH THE INSULATION LEVEL ON SURROUNDING SURFACES.

SQUARE FOOTAGE TABULATION

MAIN LEVEL FINISHED AREA: 756 SQ. FT.
 UPPER LEVEL FINISHED AREA: 756 SQ. FT.
TOTAL FINISHED AREA: 1,512 SQ. FT.

LOAD BEARING HEADER TABLE

OPENING WIDTH	HEADER SIZE	# TRIMMER	# KING
X < 2'-11"	(2) 2X8 HEM FIR #2	1	1 (2X6)
3'-0" < X < 7'-11"	(2) 2X10 HEM FIR #2	2	2 (2X6)
8'-0" < X < 13'-11"	(2) 2X12 HEM FIR #2	2	2 (2X6)
14'-0" < X < 19'-0"	(2) 1.75 X 9.25 LVL	2	3 (2X6)

MECHANICAL VENTILATION

MECHANICAL VENTILATION SHALL BE IN ACCORDANCE WITH 2018 IRC SECTION M1505 (REFER TO TABLES BELOW)

- FOR CONTINUOUS WHOLE-HOUSE MECHANICAL VENTILATION REFER TO TABLE M1505.4.3(1)
- FOR INTERMITTENT WHOLE-HOUSE MECHANICAL VENTILATION REFER TO TABLE M1505.4.3(2)
- FOR KITCHENS AND BATHROOMS MINIMUM REQUIRED LOCAL EXHAUST RATES REFER TO TABLE M1505.4.4

ACTUAL MECH. VENTILATION	DWELING SF.	# OF BEDS	AIRFLOW CFM
XXXX - XXXX	X-X	XX	

TABLE M1505.4.3(1)
 CONTINUOUS WHOLE-HOUSE MECHANICAL VENTILATION SYSTEM AIRFLOW RATE REQUIREMENTS

Dwelling Area (Square Feet)	Number of Bedrooms		
	1	2	3
1,001 - 1,500	30	45	60
1,501 - 2,000	45	60	75
2,001 - 2,500	60	75	90
2,501 - 3,000	75	90	105
3,001 - 3,500	90	105	120
3,501 - 4,000	105	120	135
4,001 - 4,500	120	135	150
4,501 - 5,000	135	150	165

TABLE M1505.4.3(2)
 INTERMITTENT WHOLE-HOUSE MECHANICAL VENTILATION RATE REQUIREMENTS

Dwelling Area (Square Feet)	Number of Bedrooms		
	1	2	3
1,001 - 1,500	15	22	30
1,501 - 2,000	22	33	45
2,001 - 2,500	33	49	67
2,501 - 3,000	49	73	100
3,001 - 3,500	73	109	147
3,501 - 4,000	109	163	220
4,001 - 4,500	163	244	330
4,501 - 5,000	244	366	500

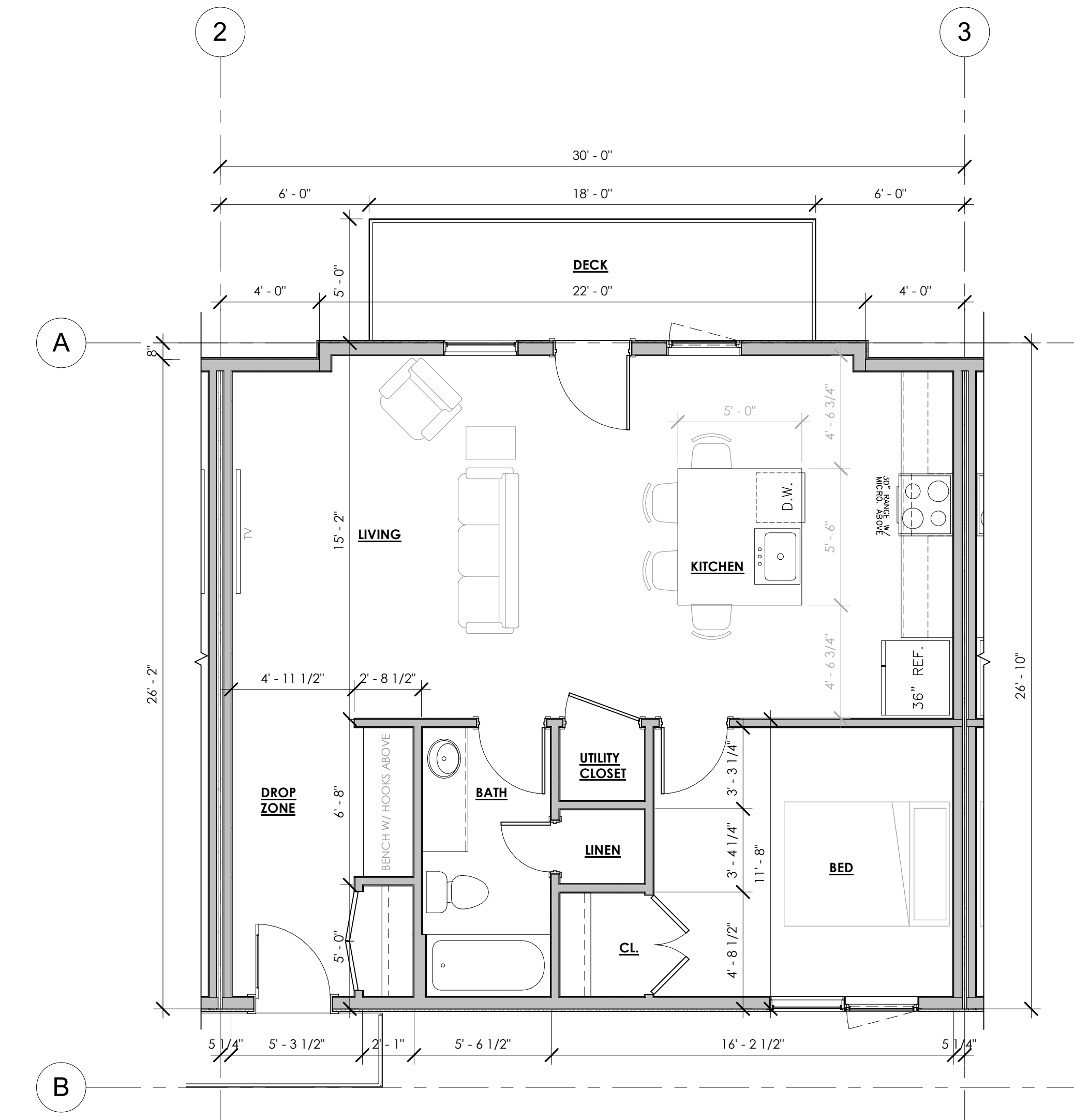
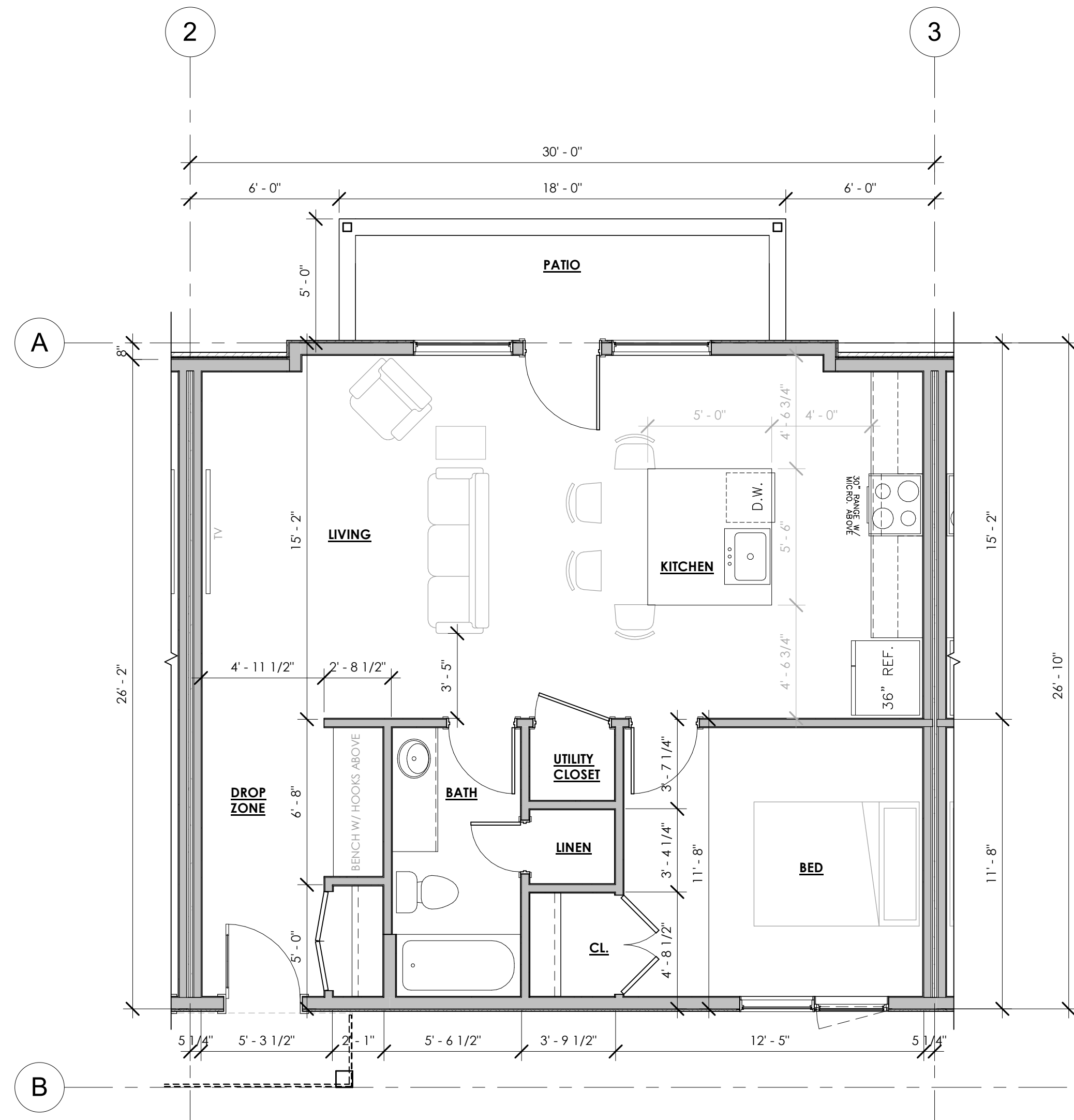
TABLE M1505.4.4
 MINIMUM REQUIRED LOCAL EXHAUST RATES FOR KITCHENS AND BATHROOMS

Room	Minimum Required Exhaust Rate (CFM)
Kitchen	100 (one exhaust fan or 20 cfm continuous)
Bathroom	Minimum of volume of room or 50 cfm (whichever is greater)

FLOOR PLAN KEYNOTES

1. XXX

kda
KRAAI DESIGN
ARCHITECTURE
 2394 PATTERSON ROAD, SUITE 201
 GRAND JUNCTION, CO 81505
 126 ELK AVENUE, UNIT 1
 CRESTED BUTTE, CO 81224
 T: 970.712.5045



TWO BOTTLES INN MOTEL
 311 WEST 3RD,
 PALISADE, CO

REVISION(S):

#	DATE	COMMENTS

DESIGN DEVELOPMENT

PROJECT NO: 2362

SHEET NAME: ENLARGED FLOOR PLAN

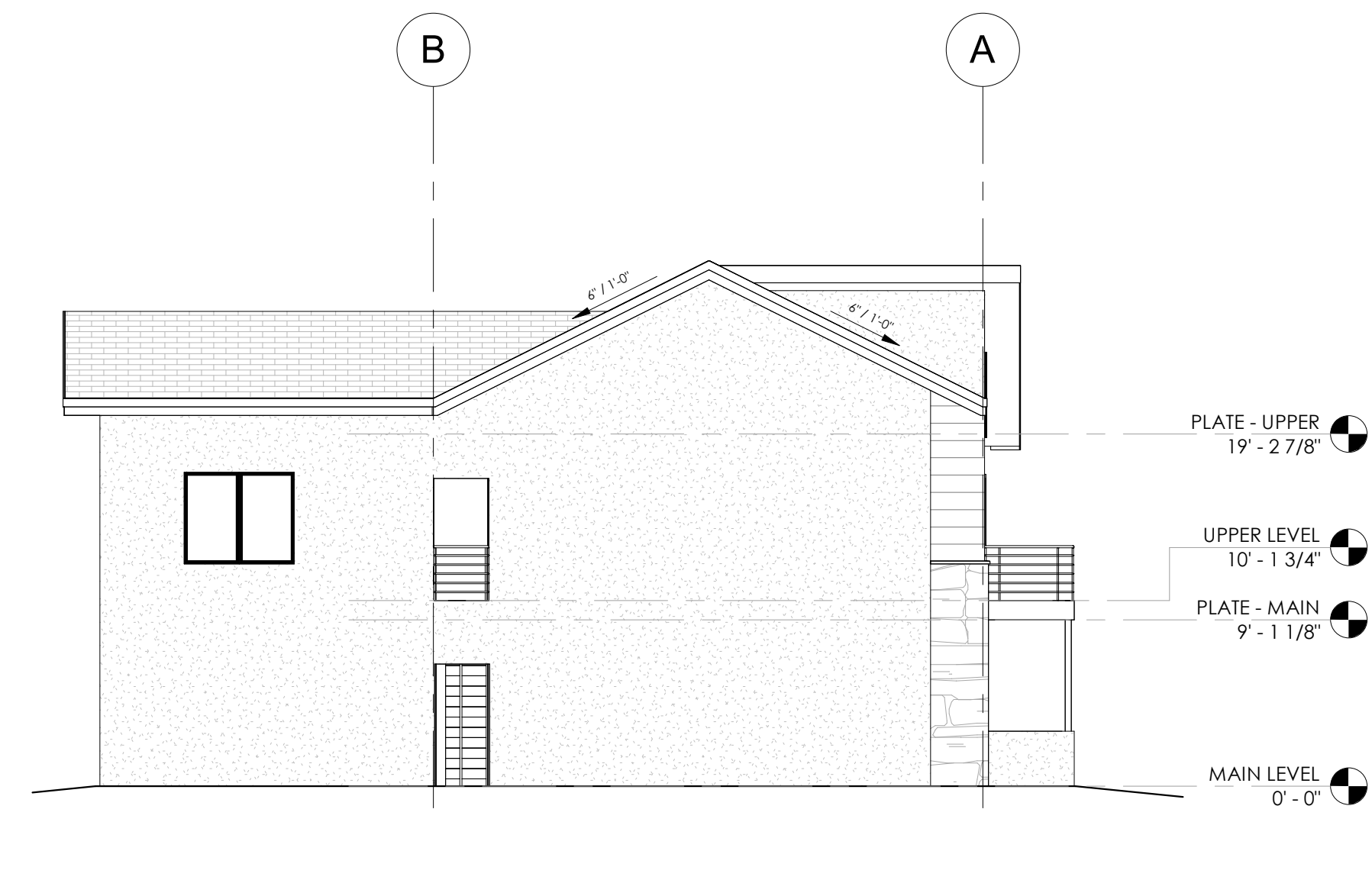
DATE: 06/21/2024

SHEET NO:

A1.2

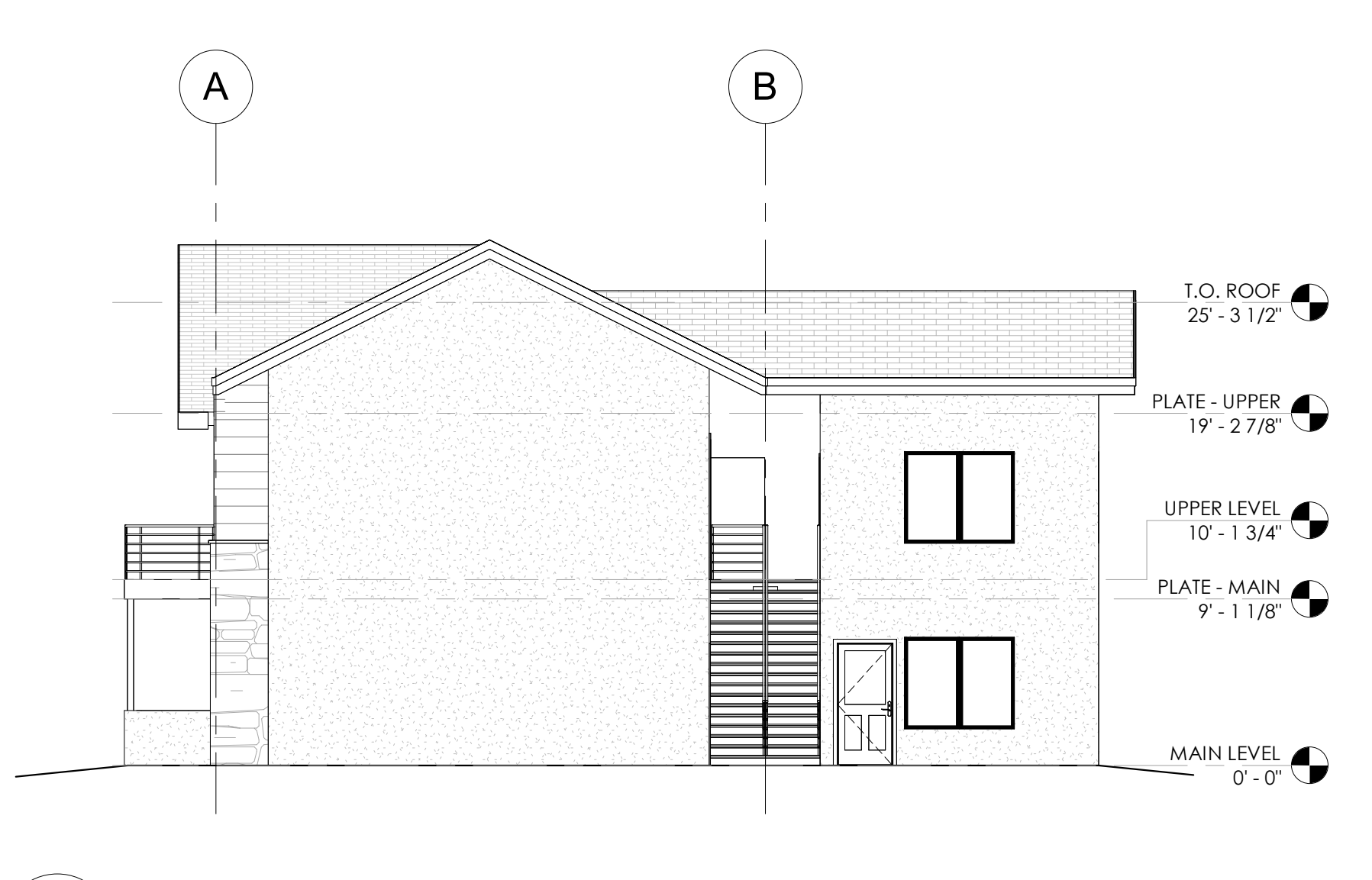
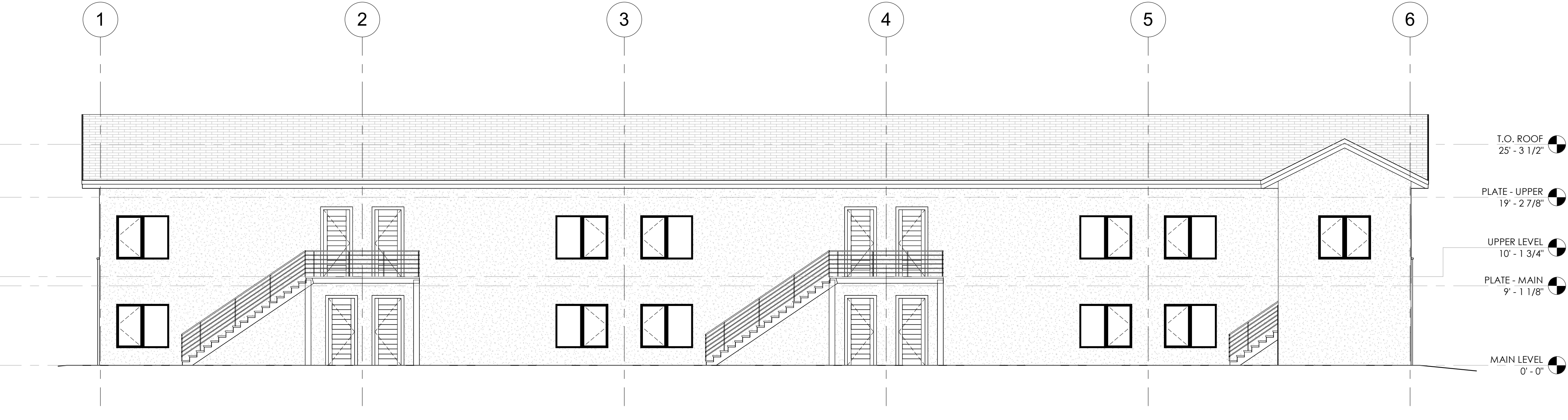
SCALE: As indicated

NOT FOR CONSTRUCTION



2 FRONT ELEVATION
 A2.1 1/8" = 1'-0"

3 SIDE ELEVATION
 A2.1 1/8" = 1'-0"



1 BACK ELEVATION
 A2.1 1/8" = 1'-0"

4 SIDE ELEVATION
 A2.1 1/8" = 1'-0"



TWO BOTTLES INN MOTEL
 311 WEST 3RD,
 PALISADE, CO

REVISION(S):		
#	DATE	COMMENTS

DESIGN DEVELOPMENT

PROJECT NO:
2362

SHEET NAME:
 EXTERIOR ELEVATIONS

DATE: 06/21/2024

SHEET NO:
A2.1

SCALE: 1/8" = 1'-0"

NOT FOR CONSTRUCTION



PALISADE Planning Commission Agenda Item Cover Sheet

Meeting Date: November 5, 2024

Presented By: Devan Aziz, Community Development Director

Department: Community Development & Planning

Re: Land Development Code Update

SUBJECT:

Land Development Code Text Amendment

SUMMARY:

This ordinance proposes amendments to Section 7.05 of the Palisade Land Development Code to update regulations for accessory structures and uses, with significant changes to Accessory Dwelling Unit (ADU) requirements, setbacks along alleys, and fence placement standards. The amendments align with the Town's Comprehensive Plan Goal 2.1 to "Balance growth with preserving the agricultural heritage to maintain a sense of community" and specifically implements Action 2.1D4 to encourage ADUs in all zone districts.

1. Accessory Structure Standards:
 - Increases minimum distance between accessory structures and other buildings from 5 feet to 10 feet
 - Eliminates zero-foot setback allowance for garages and carports along alley right-of-ways
 - Establishes uniform 5-foot rear yard setback for all accessory structures, with limited exceptions for small structures on non-alley lots
2. Alley Right-of-Way Setbacks:
 - Removes previous allowances for zero-foot setbacks adjacent to alley right-of-ways
 - Implements new 5-foot minimum setback requirement from alley right-of-way lines
 - Maintains exception for structures under 200 square feet on non-alley adjacent lots
3. Fence Placement Standards:
 - Requires 5-foot minimum setback from alley right-of-way line for fences
 - Establishes 2-foot minimum setback from existing sidewalks or probable future sidewalk locations
 - Updates requirements for fence placement adjacent to streets and rights-of-way
 - Clarifies approval process based on property line monumentation status
4. Accessory Dwelling Units (ADUs):
 - Expands maximum allowable size from 650 square feet to 900 square feet or 50% of principal structure whichever is less
 - Removes minimum size requirement of 400 square feet
 - Eliminates one-bedroom limitation
 - Modifies owner-occupancy requirements for non-residential zones
 - Maintains requirement for one off-street parking space

DIRECTION

Provide staff with direction to make further edits or schedule a public hearing for amending section 7.05 of the Palisade Land Development Code concerning specific accessory use and structure standards.

TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2024-__
AN ORDINANCE AMENDING SECTION 7.05 OF THE PALISADE LAND DEVELOPMENT
CODE CONCERNING SPECIFIC ACCESSORY USE AND STRUCTURE STANDARDS

WHEREAS, pursuant to Section 31-23-305, C.R.S., the Board of Trustees may adopt, alter or amend zoning and regulations; and

WHEREAS, the Palisade Comprehensive Plan establishes Goal 2.1 to "Balance growth with preserving the agricultural heritage to maintain a sense of community"; and

WHEREAS, Action 2.1D4 of the Comprehensive Plan specifically directs the Town to "Encourage accessory dwelling units (ADUs) in all zone districts and allow ADUs as a use-by-right in all single-family homes"; and

WHEREAS, the Board of Trustees finds that updating the accessory dwelling unit regulations will help implement the Comprehensive Plan while providing additional housing options for the community; and

WHEREAS, the Board of Trustees finds that preventing future encroachment on Town right-of-ways is necessary to provide adequate emergency and utility services and maintain the small town feel; and

WHEREAS, the Board of Trustees desires to amend Section 7.05. to modify regulations concerning specific accessory use and structure standards; and

WHEREAS, the Town's Planning Commission has recommended to the Board of Trustees that the amendments to the Land Development Code contained in this Ordinance be adopted; and

WHEREAS, in accordance with Sections 3.02 and 4.01 of the Land Development Code, and Section 31-23-306, C.R.S., on December 3, 2024, a public hearing was held before the Planning Commission to consider a recommendation of an amendment of the Land Development Code to the Board of Trustees as set forth herein, following public notice as required by law; and

WHEREAS, in accordance with Sections 3.02 and 4.01 of the Land Development Code, and Section 31-23-304, C.R.S., on December 10, 2024, a public hearing was held before the Board of Trustees to consider the amendment of the Land Development Code as set forth herein, following public notice as required by law; and

WHEREAS, the Board of Trustees finds and determines that the amendments to the Land Development Code, as contained herein, are necessary and designed for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town of Palisade and are consistent with the Town's Comprehensive Plan and the Town's other goals, policies and plans.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, COLORADO, AS FOLLOWS:

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

Section 1. Land Development Code Section 7.05 Accessory Uses and Structures, is hereby amended with new additions underlined and deletions in ~~strikethrough~~ as follows:

A. General Standards

1. Accessory uses and structures shall be clearly incidental and subordinate to an existing permitted principal use or structure.
2. Accessory uses and structures shall not involve operations or structures not in keeping with the character of the primary use or principal structure served.
3. Tractor trailers and pods are prohibited as storage buildings or structures except as permitted on an active construction site or as otherwise specifically allowed.
4. Accessory structures which constitute a building (shed, dwelling unit, guardhouse, etc.) shall not be located closer than ~~five (5) feet~~ ten (10) feet to any other building.
5. Maximum height of accessory structures shall be fifteen (15) feet; provided, however, accessory garages with approved accessory dwellings over a garage may be twenty-four (24) feet or the height of the principal structure, whichever is less. In no case shall the height of the accessory structure be greater than that of the principal structure.
6. Maximum floor area of any accessory structure shall be no greater than fifty percent (50%) of the floor area of the principal structure.
7. In the event that two (2) or more adjacent landowners choose to mutually accept the placement of a structure of two hundred (200) square feet or less with no electric or water improvements, they may reduce side and rear setbacks of said structure(s) to zero (0) on non-alley adjacent lots after submission of a notarized Mutual Placement Agreement.

B. Setback Requirements

1. Front yard

Accessory structures shall not be located in the front yard.

2. Side (street) yard

Accessory structures shall not be located in the side (street) yard of a corner lot with the following exception:

- a. If the adjacent property is oriented to face opposite the applicant's front or the adjacent property is separated from the applicant's by an alley or right-of-way or the property is

located in a higher or more intense land use zone, the following side (street) yard setbacks may apply:

- i. Setbacks for accessory structures up to eight (8) feet in height may be reduced to five (5) feet.
- ii. Setbacks for accessory structures up to twelve (12) feet in height may be reduced to ten (10) feet.

3. Side (interior) yard

Side (interior) yard setbacks for accessory structures shall be five (5) feet.

4. Rear yard

~~a. Rear yard setbacks for accessory structures, other than garages, carports and similar structures, may be reduced to zero (0) feet adjacent to an alley right-of-way.~~

~~b. Rear yard setbacks for garages, carports and similar structures may be reduced to zero (0) feet adjacent to an alley right-of-way with a width of at least twenty (20) feet.~~

~~c. Rear yard setbacks for accessory structures, other than garages, carports and similar structures, may be reduced to five (5) feet in all cases.~~

~~d. Rear yard setbacks for accessory structures of two hundred (200) square feet or less may be reduced to zero (0); provided, however, that the drip line of said structure shall not cross the rear property lines.~~

a. Rear yard setbacks for all accessory structures shall be five (5) feet, except:

i. Accessory structures of two hundred (200) square feet or less on non-alley adjacent lots may have a zero (0) foot setback, provided that the drip line of said structure shall not cross the rear property lines.

C. Accessory Use and Structure Types

1. Residential accessory uses and structures shall include but not be limited to the following:

- a. Accessory dwelling units, subject to the standards of Section 7.05.D.1;
- b. Driveways and off-street parking areas;
- c. Cultivation of Medical Marijuana subject to the standards of Section 7.05.D.2;
- d. Cultivation of Marijuana for Personal Use subject to the standards of Section 7.05.D.3;
- e. Fences and walls, subject to compliance with the requirements of Section 7.05.D.6;
- f. Fruit and vegetable stands, subject to the standards of Section 7.05.D.7;
- g. Garages, carports and other similar vehicle storage facilities, subject to compliance with the requirements of Section 7.05.D.8;

- h. Family child care home, no more than twelve (12) children subject to Section 7.05.D.12;
 - i. Home occupations, subject to the standards of Section 7.05.D.9;
 - j. Home businesses, subject to the standards of Section 7.05.D.10;
 - k. Keeping of domestic animals for noncommercial purposes;
 - l. Playhouses, patios, cabanas, porches, gazebos and incidental household storage buildings;
 - m. Radio and television receiving antennas and support structures;
 - n. Recreational facilities for the use of residents;
 - o. Outdoor storage, subject to the standards of Section 7.05.D.11;
 - p. Solar energy systems; and
 - q. Other necessary and customary uses determined by the Community Development Director to be appropriate, incidental and subordinate to the principal use on the lot.
2. Nonresidential accessory uses and structures shall include but not be limited to the following:
- a. ~~Dwelling units for security or maintenance personnel;~~ **Staff quarters or security building;**
 - b. Fences and walls, subject to compliance with the requirements of Section 7.05.D.6;
 - c. Cultivation of Medical Marijuana subject to the standards of Section 7.05D.4;
 - d. Cultivation of Marijuana for Personal Use subject to the standards of Section 7.05D.5;
 - e. Gates and guardhouses;
 - f. Outdoor storage, subject to the standards of Section 7.05.D.11;
 - g. Off-street parking and loading facilities, subject to compliance with the requirements of Section 10.01;
 - h. Radio and television receiving antennas and support structures;
 - i. Signs, subject to compliance with the requirements of Section 10.10;
 - j. Solar energy systems; and
 - k. Other necessary and customary uses determined by the Community Development Director to be appropriate, incidental and subordinate to the principal use on the lot.

D. Specific Accessory Use and Structure Standards

1. Accessory dwelling units

One (1) accessory dwelling unit (ADU) shall be permitted as an accessory use to each principal ~~single family dwelling~~ **structure in all zones except in the Light Industrial (LI) and Commercial Business (CB) and are** subject to the following requirements:

a. The living area of the ADU shall be no greater than ~~six hundred fifty (650) square feet and not less than four hundred (400) square feet and shall contain no more than one (1) bedroom.~~ **nine hundred (900) square feet or fifty percent (50%) of the floor area of the principal structure, whichever is less.**

b. Detached ADUs must be located in the rear half of the ~~residential~~ lot or parcel unless the ADU is to be located within or above a garage. Private entrances to an ADU contained in the principal dwelling shall be located on the side or rear of the principal dwelling.

c. An ADU shall not be condominiumized and/or sold separate and apart from the principal dwelling to which it is an accessory.

d. The design, exterior treatments and color of an ADU shall be the same as or compatible with, the design and exterior color and treatments of the primary building to which it is accessory.

~~e. Either the principal structure or the ADU shall be owner occupied.~~ **Either the principal structure or the ADU shall be owner occupied, except when located in a non-residential zone district.**

f. One off-street parking space per unit is required, in addition to the spaces otherwise required.

g. The Town shall review the capacity and configuration of existing water and sewer services for all ADU applications. If determined necessary by the Town, independent water and/or sewer service lines may be required for the ADU separate from the principal structure.

2. Cultivation of Medical Marijuana in residential structures

The cultivation, production or possession of marijuana plants for medical use by a patient or primary caregiver, as such terms are defined by Article XVIII, Section 14 of the Colorado Constitution, shall be allowed in residential dwelling units subject to the following conditions:

a. The cultivation, production or possession of marijuana plants shall be in full compliance with all applicable provisions of Article XVIII, Section 14 of the Colorado Constitution, the Colorado Medical Marijuana Code, Section 12-43.3-101, et seq., C.R.S., and the Medical Marijuana Program, Section 25-1.5-106, C.R.S.

b. Marijuana plants that are cultivated, produced or possessed shall not exceed the presumptive limits of no more than two (2) ounces of a usable form of marijuana, unless otherwise permitted under Article XVIII, Section 14 of the Colorado Constitution, and no more than twelve (12) marijuana plants shall be cultivated or permitted within or on a residential property.

c. Such cultivation, production or possession of marijuana plants shall be limited to the following space limitations within a residential unit:

i. Within a single-family dwelling unit (Group R-3 as defined by the International Building Code, as adopted in Section 18-21 of the Palisade Municipal Code); a secure, defined, contiguous area not exceeding one hundred fifty (150) square feet within the primary residence of the licensed patient or registered caregiver.

ii. Within a multifamily dwelling unit (Group R-2 as defined by the International Building Code, as adopted in Section 18-21 of the Palisade Municipal Code); a secure, defined, contiguous area not exceeding one hundred (100) square feet within the primary residence of the licensed patient or registered caregiver.

d. Marijuana plants shall not be grown in the common area of a multifamily residential structure.

e. If a licensed patient or primary caregiver elects to cultivate quantities of marijuana in excess of the amounts permitted under Section 7.05.D.2.b above, as permitted in Article XVIII, Section 14(4)(b) of the Colorado Constitution, each patient must be in full compliance with the Colorado Medical Marijuana Program as provided in Section 25-1.5-106(10), C.R.S., and may grow medical marijuana for personal use as a patient or as a primary caregiver for licensed patients within the Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts only.

f. The cultivation of medical marijuana plants on a residential property shall meet the requirements of all adopted Town building and safety codes. Any licensed patient or registered primary caregiver cultivating medical marijuana in a primary residential unit shall have an initial building and safety inspection conducted by the Town, shall comply with any conditions of said inspection and shall submit to an annual building and safety code inspection thereafter. The names and locations of patients and caregivers shall not be made available to the general public in accordance with Section 24-72-204(3)(a)(I), C.R.S., as contained in the Colorado Open Records Act.

g. The cultivation of medical marijuana plants may occur in enclosed accessory structures such as a shed or greenhouse located on residential property if such structure contains rigid walls and is a locked space to prevent access by children, visitors or intruders. For the purpose of this Section, "enclosed" means a permanent or semi-permanent area covered and surrounded on all sides. Temporary opening of windows, doors or the temporary removal of wall or ceiling panels does not convert the area into an unenclosed

space. The term “locked space” means secured at all points of ingress and egress with a locking mechanism designed to limit access such as with a key or combination lock. The cultivation, production or possession of marijuana plants on a residential property must not be perceptible from the exterior of the residence and shall comply with the following:

- i. Any form of signage shall be prohibited; unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited; light pollution, glare or brightness resulting from grow lamps that disturbs adjacent residents shall be prohibited; and excessive noise from ventilation fans shall be prohibited.
- ii. Marijuana plants shall be used or consumed exclusively by a licensed patient for the patient's personal use and solely to address a debilitating medical condition.

h. Pursuant to Section 9-7-113, C.R.S. the use of compressed flammable gas as a solvent in the extraction of THC or other cannabinoids is prohibited.

i. Any primary caregiver cultivating medical marijuana for licensed patients and providing said marijuana to patients for consideration, such as a monetary sum, shall obtain a business license from the Town pursuant to Chapter 6, Article I of the Palisade Municipal Code. Any primary caregiver transferring medical marijuana to a licensed patient for consideration shall also obtain a sales tax license and shall comply with the requirements of Chapter 4, Article IV of the Palisade Municipal Code concerning collection and payment of municipal sales tax.

j. Cultivation of medical marijuana on or in a residential property that is not used for a primary residence is not permitted.

k. For the purposes of this Section, primary residence means the place that a person, by custom and practice, makes his or her principal domicile and address to which the person intends to return following any temporary absence such as a vacation. Residence is evidenced by actual daily physical presence, use and occupancy of the primary residence and the use of the residential address for domestic purposes, such as, but not limited to, slumber, preparation of and partaking in meals, vehicle and voter registration, or credit, water and utility billing. A person may only have one (1) primary residence. A primary residence shall not include accessory buildings.

l. For the purposes of this Section, a secure area means an area within the primary residence accessible only to the patient or primary caregiver. Secure premises shall be locked or partitioned off to prevent access by children, visitors or anyone not licensed and authorized to possess medical marijuana.

3. Cultivation of Marijuana for Personal Use in residential structures

a. Purpose. This Section is intended to apply to the growing of marijuana on a residential property for personal use to the extent authorized by Article XVIII, Section 16(3)(b) of the Colorado Constitution.

b. Any person, for purposes of this Section and consistent with Article XVIII, Section 16(3)(b) of the Colorado Constitution, who is twenty-one (21) years of age or older that is cultivating marijuana plants for his or her own use may possess, grow, process or transport no more than twelve (12) marijuana plants subject to the following requirements:

i. Such processing, growing, possessing or transporting of marijuana plants for personal use must be in full compliance with all applicable provisions of Article XVIII, Section 16 of the Colorado Constitution.

ii. With the exception outlined in Section 7.05.D3.b.iv below, such marijuana plants are possessed, grown or processed within the primary residence of the person possessing, growing or processing the marijuana plants for personal use, as defined by Section 7.05.D3.b.viii below.

iii. No more than twelve (12) marijuana plants may be cultivated on a single-family primary residential property in any zone district, including but not limited to the Low Density (LDR), Medium Density (MDR), High Density (HDR), Mixed Use (MU), Town Center (TC), Commercial Business (CB), Agricultural Forestry Transitional (AFT) and the Light Industrial (LI) Zone Districts.

iv. In accordance with Section 18-18-406, C.R.S., regardless of whether the marijuana plants are for medical or recreational use, a person or persons cannot cultivate, grow or produce more than twelve (12) marijuana plants on or in a residential property, no matter how many persons reside on such property. If more than one (1) person over the age of twenty-one (21) resides in the single-family dwelling as a primary residence and more than one (1) person within that residence desires to cultivate marijuana for personal use, then the cultivation of plants over the twelve (12)-plant limit shall be grown in commercial structures located in the Town Center (TC), Commercial Business (CB) and the Light Industrial (LI) Zone Districts only.

v. The possession, growing and processing of such marijuana plants must not be observable from the exterior of the single-family primary residence, including but not limited to:

- (a) Common visual observation;
- (b) Unusual odors, smells, fragrances or other olfactory stimulus; and
- (c) Light pollution, glare or brightness that disturbs others.

vi. Marijuana plants shall not be grown or processed in the common areas of a planned community or in the private or common area of a multifamily or attached residential development.

vii. Such cultivation, production, growing and processing of marijuana plants shall be limited to the following space limitations within the residential property:

(a) Within a single-family dwelling, a secured, defined, contiguous area not exceeding one hundred fifty (150) square feet within the primary residence of the person possessing, growing or processing the marijuana plants for personal use.

(b) Within any primary residence occupied by people under the age of twenty-one (21), a “secure area” means an area within the primary residence accessible only to the person possessing, growing or processing the marijuana plants for personal use. Secure areas shall be locked or partitioned off to prevent access by children, visitors or anyone not authorized to possess marijuana.

(c) The cultivation, growing or processing of marijuana plants may occur in enclosed accessory structures such as a shed or greenhouse if such structure contains rigid walls and is a locked space to prevent access by children, visitors or intruders. “Enclosed” means a permanent or semi-permanent area covered and surrounded on all sides. Temporary opening of windows or doors or the temporary removal of wall or ceiling panels does not convert the area into an unenclosed space. “Locked area” means secured at all points of ingress or egress with a locking mechanism designed to limit access such as with a key or combination lock.

viii. Such possession, growing and processing of marijuana plants shall meet the requirements of all adopted Town building and life/safety codes, including requirements concerning electrical systems and ventilation systems, as the same may be amended from time to time. Any person cultivating marijuana for personal use shall have an initial building and safety inspection conducted by the Town, shall comply with any conditions of said inspection and shall submit to periodic building and safety code inspections thereafter.

ix. Pursuant to Section 9-7-113, C.R.S., the use of a compressed flammable gas as a solvent in the extraction of THC or other cannabinoids is prohibited.

x. The possession, growing and processing of marijuana plants shall meet the requirements of all adopted water and wastewater regulations promulgated by the Town.

xi. Cultivation of marijuana on or in a residential property that is not used for a primary residence is not permitted.

For the purposes of this Section, primary residence means the place that a person, by custom and practice, makes his or her principal domicile and address to which the person

intends to return following any temporary absence, such as a vacation. Residence is evidenced by actual daily physical presence, use and occupancy of the primary residence and the use of the residential address for domestic purposes, such as, but not limited to, sleep, preparation of meals, regular mail delivery, vehicle and voter registration or credit and utility billings. A person shall have only one (1) primary residence. A primary residence may include accessory dwelling units.

4. Cultivation of Medical Marijuana in nonresidential structures

The cultivation, production or possession of marijuana plants for medical use by a patient or primary caregiver, as such terms are defined by Article XVIII, Section 14 of the Colorado Constitution, shall be allowed in nonresidential units or structures in the Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts as a permitted use subject to the following conditions:

- a. The cultivation, production or possession of marijuana plants shall be in full compliance with all applicable provisions of Article XVIII, Section 14 of the Colorado Constitution, the Colorado Medical Marijuana Code, Section 12-43.3-101, et seq., C.R.S., and the Medical Marijuana Program, Section 25-1.5-106, C.R.S.
- b. Marijuana plants that are cultivated, produced or possessed shall not exceed the presumptive limits of no more than two (2) ounces of a useable form of marijuana per patient and no more than twelve (12) marijuana plants per patient, unless otherwise permitted under Article XVIII, Section 14 of the Colorado Constitution, shall be cultivated. A caregiver may cultivate medical marijuana for no more than five (5) licensed patients. Two (2) or more primary caregivers shall not join together for the purpose of cultivating medical marijuana within any nonresidential unit located in the Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts provided, however, each plant shall be tagged in a manner approved by the Town indicating who is cultivating the plant.
- c. Marijuana plants shall not be grown in the common area of any commercial or industrial building.
- d. The cultivation of medical marijuana plants in any building or unit within the Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts shall meet the requirements of all adopted Town building and safety codes. Any licensed patient or registered primary caregiver cultivating medical marijuana shall have an initial building and safety inspection conducted by the Town, shall comply with any conditions of said inspection and shall submit to an annual building and safety code inspection thereafter. The names of patients and caregivers and the location of their cultivation operations shall not be made available to the general public in accordance with Section 24-72-204(3)(a)(I), C.R.S., as contained in the Colorado Open Records Act.

e. The cultivation of medical marijuana plants shall not be permitted on exterior portions of a lot. The cultivation, production or possession of marijuana plants within a building or unit must not be perceptible from the exterior of the building or unit.

f. Any form of signage shall be prohibited; unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited; light pollution, glare or brightness resulting from grow lamps that disturbs adjacent property shall be prohibited; and excessive noise from ventilation fans shall be prohibited.

g. Any primary caregiver cultivating medical marijuana for licensed patients and providing said marijuana to patients for consideration, such as a monetary sum, shall obtain a business license from the Town pursuant to Chapter 6, Article I of the Palisade Municipal Code. Any primary caregiver transferring medical marijuana to a licensed patient for consideration shall also obtain a sales tax license and shall comply with the requirements of Chapter 4, Article IV of the Palisade Municipal Code concerning the collection and payment of municipal sales taxes.

h. Pursuant to Section 9-7-113, C.R.S. the use of a compressed flammable gas as a solvent in the extraction of THC or other cannabinoids is prohibited.

5. Cultivation of Marijuana for Personal Use in nonresidential structures

The cultivation, production or possession of marijuana plants for personal use by a person twenty-one (21) years of age or older, as permitted by Section 16 of Article XVIII of the Colorado Constitution, shall be allowed in nonresidential units or structures in the Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts as a permitted use, subject to the following conditions:

a. The cultivation, production or possession of marijuana plants shall be in full compliance with all applicable provisions of Article XVIII, Section 16 of the Colorado Constitution.

b. No more than twelve (12) marijuana plants per person may be cultivated.

c. Marijuana plants shall not be grown in the common area of any multi-tenant commercial or industrial building.

d. The cultivation of marijuana plants in any nonresidential building or unit within the Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts shall meet the requirements of all adopted Town building and safety codes. Any person cultivating marijuana for personal use shall have an initial building and safety inspection conducted by the Town, shall comply with any conditions of said inspection and shall submit to a periodic building and safety code inspection thereafter.

- e. Two (2) or more persons may join together for the purpose of cultivating marijuana for personal use within nonresidential units located in the Town Center (TC), Commercial Business (CB) and Light Industrial (LI) Zone Districts if each plant is tagged in a manner approved by the Town indicating who is cultivating the plant.
- f. The cultivation of marijuana plants shall not be permitted on exterior portions of a lot. The cultivation, production or possession of marijuana plants within a building or unit must not be perceptible from the exterior of the building or unit.
- g. Unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited; light pollution, glare or brightness resulting from grow lamps that disturbs adjacent property shall be prohibited; and excessive noise from ventilation fans shall be prohibited.
- h. Pursuant to Section 9-7-113, C.R.S., the use of a compressed flammable gas as a solvent in the extrication of THC or other cannabinoids is prohibited.

6. Fences and walls

a. General

- i. Fences and walls not more than six (6) feet in height may be installed along any side (interior) and rear lot line.
- ii. Fences and walls in any required street yard shall not exceed four (4) feet in height.
- iii. Fences and walls placed on corner lots shall comply with the requirements of Section 9.04.B.2.c.
- iv. Fences and walls higher than six (6) feet in height shall comply with all applicable yard requirements; provided, however, that the provisions of this Section shall not apply in the LI district.
- v. Fences and walls shall be constructed of high quality materials, such as decorative blocks, brick, stone, vinyl, treated wood, wrought iron and chain link. Fences shall be constructed so that the supporting side of any fence (beams or cross arms, supports) are facing away from the right-of-way. Chain link shall not extend above the top fence rail. Barbed wire or other wire fence materials shall not be permitted outside the LI district.
- vi. Electrical fences are prohibited.
- vii. Breaks in any required fence or wall may be required for pedestrian connections to adjacent developments.

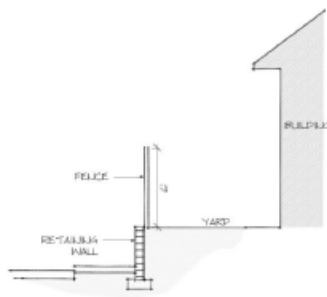
viii. The maximum length of a continuous, unbroken and uninterrupted fence or wall plane shall be one hundred (100) feet. Breaks shall be provided through the use of columns, landscaped areas, transparent sections and a change in material.

ix. All fences shall be kept in good repair at all times. Failure by the property owner to keep a fence in good repair may result in the Board of Trustees ordering that the fence be repaired or removed.

b. Height

The height of fences or walls shall be measured as the vertical distance between finished grade on the highest side of the fence or wall to the top of the fence or wall.

Illustration 7-3: Fence Height



c. Location

The quality of the estimated location of the property line on which the fence is to be placed or replaced shall determine the conditions for approval of the planning clearance.

i. If the corners which define the property line on which the fence is to be placed are monumented, the fence shall be placed up to or inside that property line. No other approval is required except that of the Town in approving the planning clearance.

ii. If the property line on which the fence is to be placed is not marked by survey monuments and is adjacent to another private property, the notarized signature of the owner of that adjacent property approving the proposed location of the fence must be provided in the planning clearance application. The language to which the adjacent owner is attesting must be clear as to having knowledge of the proposed location of the fence and of having no objection to the proposed location. If the applicant is unable to obtain a signature of approval from the adjacent property owner, the applicant will be required to obtain a survey monumenting the property lines on which the fence is to be placed.

~~iii. If the property line is adjacent to a street or alley for which the Town has determined a reasonable location of the right-of-way line, the fence shall be~~

~~placed up to or inside that line except that the location of the fence may not be closer than the edge of the sidewalk, if existing, or from the edge of the most probable location of a future sidewalk as determined by the Town.~~ **If the property line is adjacent to a street, the fence shall be placed no closer than two (2) feet from the edge of an existing sidewalk or from the edge of the most probable location of a future sidewalk as determined by the Town.**

~~iv. If the property line is one which is adjacent to an alley and cannot be reasonably located, the fence shall be placed on the property side of the right-of-way line based on the evidence of existing fences and buildings along the alley. If the evidence is insufficient, the fence shall be placed no less than fifteen (15) feet from the apparent centerline of the alley.~~ **If the property line is adjacent to an alley, the fence shall be placed no closer than five (5) feet from the alley right-of-way line.**

7. Fruit and vegetable stands

Fruit and vegetable stands are allowed provided no hazards are created with parking, ingress, egress and the operation does not disrupt the peace, quiet and dignity of the neighborhood and shall comply with the following standards:

- a. The fruit and vegetables offered for sale shall be grown on the lot or upon any parcel of land which is contiguous to such lot and which is also owned by the owner of the lot.
- b. The fruit and vegetables may be offered for sale only during the normal growing season for such fruit and vegetables or for such period of time thereafter as may be reasonably necessary to sell the fruit and vegetables which were produced during the normal growing season.
- c. The owner of the lot shall comply with all other applicable requirements, restrictions and regulations of this LDC, including without limitation all setback requirements and requirements for signs and outdoor advertising devices.

8. Garages, carports and similar vehicle storage facilities

Garages, carports and similar structures shall:

- a. Be built of materials similar to the principal structure; and
- b. Be used for the storage of automobiles, recreation vehicles and/or commercial vehicles or for uses incidental to the dwelling to which it is an accessory.

9. Home occupations

Home occupations shall meet the following standards:

- a. Home occupations shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes.

- b. No exterior alterations of the structure shall be made which are of a nonresidential nature and shall change the character of the residence. No evidence, other than signage, of any home occupation shall be perceptible to an observer in the street or on any other property.
- c. Home occupations shall only be conducted within a dwelling or accessory structure.
- d. There shall be no visible storage of equipment, materials or vehicles that have more than two (2) axles.
- e. No person shall be employed at any time, other than a member of the immediate family residing on the premises.
- f. Advertising signs shall be limited to one (1) unlighted wall sign no larger than three (3) square feet in area, attached to the structure housing the home occupation or one (1) free-standing sign of the same size not to exceed three (3) feet in height.
- g. No trading in merchandise shall be carried on and in connection with a home business and there shall be no display of merchandise.
- h. In the event the home occupation involves tutoring or instruction, no more than two (2) students may be present at the dwelling unit at any one time.
- i. No use or activity shall be conducted that creates undue noise, vibration, electrical interference, smoke or particulate matter emission, excessive power demands or odors beyond the confines of the lot on which said occupation is conducted. Such uses shall comply with the operational performance standards of Section 10.12.
- j. All persons engaged in home occupations shall register said occupations with the Town Clerk. The registration shall include the name and address of the persons conducting the home occupation and a description of said occupation. Such registration shall include a statement that the home occupation complies and will continue to comply with the conditions set forth above.

10. Home businesses

The following home business standards are intended to permit residents to engage in home businesses within residential zoning districts that are compatible with residential land uses and to ensure that home businesses do not adversely affect the integrity of residential areas. Home businesses shall comply with the following standards:

- a. The use shall be subject to the conditional use review procedures of Section 4.07; provided, however, that no such conditional use permit will be transferable to future owners or occupants of the principal dwelling unit.
- b. Home business shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes.

- c. No exterior alterations of the structure shall be made which are of a nonresidential nature and shall change the character of the residence. No evidence of any home business, other than signage, shall be perceptible to an observer in the street or on any other property.
- d. Home occupations shall only be conducted within a dwelling or accessory structure. There shall be no visible storage of equipment, materials or vehicles that have more than two (2) axles.
- e. Up to two (2) persons other than a member(s) of the immediate family occupying such a dwelling may be employed by the home business.
- f. Advertising signs shall be limited to one (1) unlighted wall sign no larger than three (3) square feet in area, attached to the structure housing the home occupation, or one (1) free-standing sign of the same size not to exceed three (3) feet in height.
- g. No equipment shall be used and no activity conducted that creates undue noise, vibration, electrical interference, smoke or particulate matter emission, excessive power demands or odors beyond the confines of the lot on which said occupation is conducted. Home businesses shall comply with the operational performance standards of Section 10.12.
- h. One (1) off-street parking space shall be provided for each person working on the premises other than member(s) of the immediate family occupying such a dwelling. Such parking shall be in addition to otherwise required off-street parking.
- i. No mechanical equipment is used or activity is conducted which creates any noise, dust, odor or electrical disturbance beyond the confines of the lot on which said occupation is conducted.
- j. No trading in merchandise, other than incidental sales, shall be carried on in connection with a home business and there shall be no display of merchandise. This provision shall not apply to beauty salons, which otherwise comply with these standards.

11. Outdoor storage

- a. Merchandise and materials which are not completely assembled or which are not immediately and actively being offered for sale, shall be so screened by ornamental fences or evergreen planting or by permanent buildings, that it cannot be seen from a public street.
- b. Areas for truck parking and loading and areas for outdoor storage, including trash collection and compaction, shall be incorporated in the overall design of the site to assure adequate screening. The screening shall be a combination of structures and evergreen landscaping to minimize visibility from adjacent streets and residential areas.

- c. Nonenclosed areas for the storage and sale of seasonal inventory shall be permanently screened with walls and/or fences.
- d. All trash collection and loading areas shall be located and designed to ensure adequate on-site maneuvering of vehicles.
- e. All developments, including multi-family housing, shall provide a designated trash collection area meeting the requirements of this Section.

12. Family child Care Home

A family child care home shall be considered an accessory use to a residence in all districts, provided no more than twelve (12) children are present on the premises at any one time. Family child care homes are licensed and regulated under regulations issued by the Colorado Department of Human Services.

Section 2. Severability. If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable.

Section 3. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED at a regular meeting of the Board of the Trustees of the Town of Palisade, Colorado, held on December 10, 2024.

TOWN OF PALISADE, COLORADO

By: _____

Greg Mikolai, Mayor

ATTEST: _____

Keli Frasier, CMC
Town Clerk



**PALISADE Planning Commission
Agenda Item Cover Sheet**

Meeting Date: November 5, 2024

Presented By: Devan Aziz, Community Development Director

Department: Community Development & Planning

Re: Land Development Code Update

SUBJECT

Lot Size Requirements

SUMMARY

At the direction of the Planning Commission, the Community Development Department has conducted an analysis of residential properties within the Town of Palisade that exceed 7,500 square feet. This analysis provides a comprehensive overview of existing lot sizes to inform future land use and development decisions.

PURPOSE

- To identify the distribution of larger residential lots within Palisade
- To provide data for potential land use code updates
- To evaluate opportunities for infill development
- To assess current development patterns in residential zones

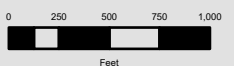
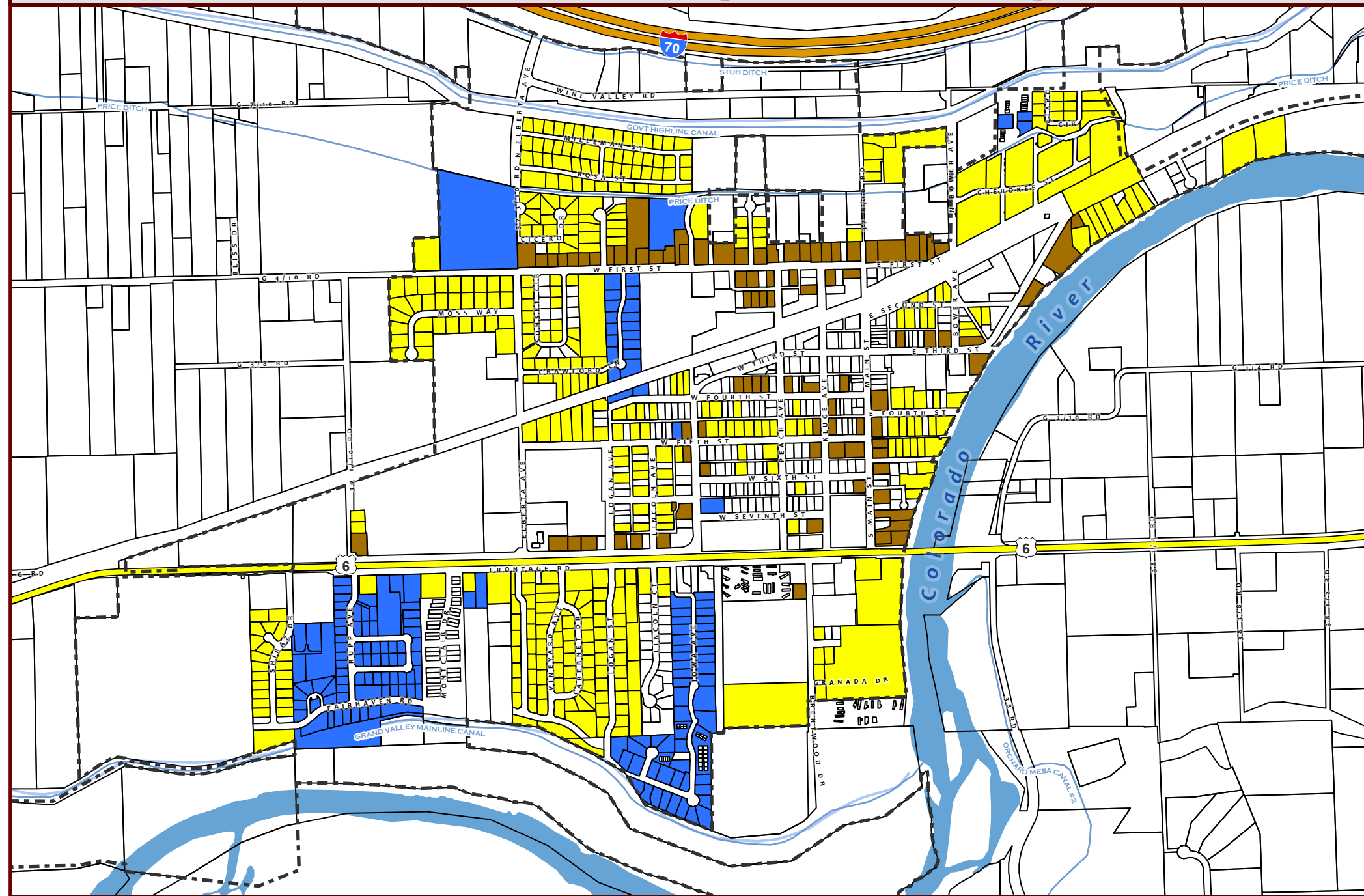
STAFF RECOMMENDATIONS

1. Agricultural Land Preservation:
 - Increase AFT zone minimum lot size from 2.5 acres to 5 acres
 - Align with Mesa County Rural Residential standards
 - Purpose: Preserve agricultural lands and maintain farming viability
2. Residential Density Adjustments:
 - Reduce minimum lot area from 7,500 to 5,000 sq ft in Single Family Residential
 - Reduce minimum lot area to 3,500 sq ft in Multi-family Residential
 - Reduce minimum lot area to 3,500 sq ft in Mixed Use District
3. Expected Benefits:
 - Enhanced protection of agricultural lands
 - Increased housing opportunities
 - More efficient use of existing infrastructure
 - Better alignment with small-town development patterns
 - Improved feasibility for infill development

DIRECTION

Move to direct staff to prepare formal amendments to the Land Development Code adjusting minimum lot sizes as recommended, including increasing AFT zone minimum lot size to 5 acres and reducing residential minimum lot sizes to 5,000 square feet for single-family and 3,500 square feet for multi-family and mixed-use developments.

Town of Palisade - Residential Properties Over 7500 Sq Ft



Printed: 11/1/2024

- SFR - SINGLE FAMILY RESIDENTIAL
- MFR - MULTIFAMILY RESIDENTIAL
- MU - MIXED USE

