



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

May 18, 2021

6:00 pm Regular and Virtual Meeting with In-Person Seating

- I. REGULAR MEETING CALLED TO ORDER AT 6:00 pm**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. AGENDA ADOPTION**
- V. ANNOUNCEMENTS / PRESENTATIONS**
 - A. PUBLIC COMMENT REMINDER:** All emails sent to the Planning Technician 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 Planning Commission. Any member of the public who wishes to have a statement or email read into the Minutes is required to appear (virtually or in-person) at the meeting and make said statements to the Commission directly.
 - B. The Town of Palisade has a NEW WEBSITE!** palisade.colorado.gov
 - C. Town Hall Offices NOW OPEN TO THE PUBLIC: Monday – Friday, 8:30 am – 4:30 pm**
 - D. PALISADE FARMERS MARKET: Sunday June 6, 2021, 9:30 am – 1:30 pm**
- VI. APPROVAL OF MINUTES**
 - A. Minutes from May 4, 2021, Regular Planning Commission Meeting**
- VII. 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.

VIII. PUBLIC HEARING

The following items will be presented before the Planning Commission of the Town of Palisade for their consideration. The Planning Commission will formulate a recommendation, which will be forwarded to the Board of Trustees of the Town of Palisade. For those items for which the Planning Commission retains Decision Maker status, they will weigh the options and cast a vote.

A. **PRO 2021-8 – TEXT AMENDMENTS TO THE LAND DEVELOPMENT CODE** **TABLE 6.1 – USE TABLE**

The Planning Commission will consider text amendments to the Land Development Code and Table 6.1 Use Table relating to warehouse, storage, manufacturing, and research and development uses as well as amendments to allowed uses within the TC (Town Center) zone district. The Planning Commission shall review the application and forward its recommendation to the Board of Trustees for consideration.

1. Staff Presentation
2. Applicant Presentation
3. Public Comment (*Please limit comments to **three (3) minutes**, state your name and address*)
4. Commission Discussion
5. Applicant Closing Remarks
6. Decision (*motion, second, roll call vote*)

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

XI. ADJOURNMENT



TOP Planning Commission Regular Scheduled Virtual Meeting Electronic Participation Instructions

Due to the rise in COVID-19 (coronavirus) cases in Mesa County, the Town of Palisade has decided to continue virtual public attendance at meetings with limited in-person seating in accordance with current restrictions

Regular meeting starts at 6:00 pm

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

Meeting ID Number: 332 007 5780

To Join Zoom Meeting:

BY COMPUTER/SMARTPHONE: Click on the link above and follow the instructions. Participants from the audience will be able to speak during public comment. **There is a hand symbol to push that will allow the meeting moderator to see who wants to speak.** Please remember to state your name before speaking. The person has three minutes to speak. The line will be muted at the end of the three minutes. **If using a smartphone, you must download the app.**

***BY TELEPHONE:** Members of the public who wish to provide public comment on any specific agenda item or during general public comment must call the number provided below between 5:15 pm and 5:29 pm. During that time, the **moderator of the call will ask your name and the agenda item or if you wish to speak to an item not on the Agenda.** Once that information has been provided, your line will be muted. When it is time to talk during the meeting, the moderator will unmute the line, state the person's name who will be speaking. The person has three minutes to speak. The line will be muted at the end of the three minutes.

To participate, dial the following phone number: **1 (253) 215 8782**, then there will be a prompt to enter the meeting **ID. Number Noted Above**, and the User ID is the pound (#) sign.

BY ELECTRONIC MAIL: Members of the public may also provide public comment or comment on a specific agenda item by sending an email to breynolds@townofpalisade.org. The email must be received by 2:00 pm on the day of the meeting. **The Clerk will FORWARD THE EMAIL TO THE PLANNING COMMISSION.** *Any member of the public who wishes to have a statement read into the Minutes is required to appear (virtually) at the meeting and make said statements to the Commission directly.*



**MINUTES OF THE REGULAR MEETING OF THE
PALISADE PLANNING COMMISSION
341 W 7th Palisade Civic Center
(Also Virtual Participation Via ZOOM)
May 5, 2021**

The regular meeting of the Planning Commission for the Town of Palisade was called to order at 6:00 pm by Chairman Parker with Commissioners present: Harbaugh, Hull, Wheeler, Prinster, Hamilton and Curry attended via Zoom. A quorum was declared. Also, in attendance were Community Development Director Brian Rusche and Planning Technician Lydia Reynolds.

AGENDA ADOPTION

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

A voice vote was requested.
Motion carried unanimously.

ANNOUNCEMENTS and PRESENTATIONS

Community Development Director Brian Rusche announced that there will be a mobile vaccine clinic from 10 am to 6 pm on Friday May 7th at the Veteran's Memorial Park.

MINUTES

Motion #2 by Commissioner Hull, seconded by Commissioner Prinster, to approve the Minutes of April 20, 2021.

A voice vote was requested.
Motion carried unanimously.

PUBLIC COMMENT

None

PUBLIC HEARING

PRO 2021-5 – Conditional Use Permit (CUP) for a drive through restaurant, located at 450 Wine Valley Rd. (2937-043-42-002).

STAFF PRESENTATION

Community Development Director Brian Rusche reported that the Town of Palisade has received a request for a Conditional Use Permit (CUP) for a drive-through restaurant located at 450 Wine Valley Road

(Parcel # 2937-043-42-002). The parcel originally consisted of 4.62 acres but was approved on March 9, 2021 by the Town for a Minor Subdivision (PRO-2020-33) known as the Wine Valley Subdivision. Lot 2 of the Wine Valley Subdivision is 1.02 acres and is the proposed site for a drive-through restaurant of approximately 2000 square feet.

The recently amended Land Development Code (LDC) requires a Conditional Use Permit (CUP) for a restaurant *with drive-through* in the HR (Hospitality Retail) zone district. A restaurant without a drive-through is a permitted use. Therefore, the focus of request is on the drive-through component of the proposed restaurant.

Staff is asking the Planning Commission to review the request and make a recommendation to the Board of Trustees. The Board of Trustees will review the request at their public hearing on May 11, 2021 and make a final decision.

Community Development Director Brian Rusche informed the Commission that the applicant has submitted a site plan showing the location of the drive-through window in relation to the restaurant building, along with associated parking. The proposed restaurant would be approximately 2000 square feet, along with an approximately 960 square foot outdoor patio, all of which are located immediately adjacent (to the east) of the existing gas station. Wine Valley Road is a public street and infrastructure, including utilities and sidewalks, will be constructed to the east at the expense of the developer (J & L Development, LLC) along the Lot 2 frontage. These improvements, will need to be completed prior to receiving a Certificate of Occupancy (CO) for the restaurant.

It is noted by the applicant that there is an existing irrigation line running north-south through the east side of the property. The applicant will work with Dave Voorhees (who also happens to be the nearest residential neighbor to the east) and the Mesa County Irrigation District to relocate the line out from under parking areas, according to the letter of intent.

Mr. Rusche reviewed the following findings of fact that are used as approval criteria:

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

The drive-through restaurant would be located adjacent to an existing auto-oriented use (Golden Gate) and accessible via a public street, built to current development standards. The drive-through window is located on the west side of the building, next to an existing semi-truck parking lot and fueling station. The window location provides sufficient queuing for automobiles (a total of 10 vehicles), as required by Section 10.01.F.1 – Off-street stacking requirements. A minimum of 20 parking spaces is required and 29 spaces are provided. In addition, the drive-through exit is physically separated from the rest of the parking lot and the patio area, and bicycle parking is also provided.

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

The application conforms to practices of sound land use planning. Drive-through restaurants, particularly during the pandemic, serve the needs of local and regional customers who are unable to physically enter a traditional sit-down restaurant due to social-distancing requirements and mandatory public health closures.

The design of the proposed restaurant is unlike a typical “fast-food” establishment. The low-rise building utilizes earth-tone colors, including brick accents, to ensure that it blends into the high-desert landscape.

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

Mr. Rusche noted that the new Peach Shack is to the south west. The nearest residential property to the east (owned by Mr. Voorhees, who as noted earlier manages the irrigation lines in this neighborhood) is at least 500 feet from proposed drive-through. To the south, the residential Willow Tree Subdivision is separated by a canal with roads on both sides, a strip of undeveloped commercial property, Wine Valley Road (with future sidewalks on both sides), and at least 120 additional feet of setback from the back of sidewalk to the drive-through window itself.

The applicant has prepared a traffic study and has submitted it to CDOT, who controls access and traffic volumes in the vicinity of the I-70, Exit 42 interchange, for review and approval. The projected traffic volumes at the intersection of Elberta Avenue and Wine Valley Road generated by the existing Golden Gate convenience store (who constructed the new intersection) and the proposed drive-through restaurant, as well as the soon-to-be completed Peach Shack, could increase to a point 10% higher than the level anticipated (and approved) by CDOT in 2017, which is less than the threshold (20% increase) used by CDOT to require additional physical improvements to the intersection.

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

Prior to annexation of the property in 2017, Mesa County had designated this area around Exit 42 as commercial, but it had historically been underutilized and there does not appear to be any agricultural production present in the decade between the 2007 Comprehensive Plan and the 2017 annexation and development of the Golden Gate convenience store, based upon a review of available aerial photos.

APPLICANT PRESENTATION

Mark Austin, Austin Civil Group, stated he is representing Jim Cagle who is the owner and developer of the project, and is also present to answer any questions. Commissioner Prinster asked about the irrigation line. Mr. Austin explained he has had conversations with Mr. Voorhees and they will move the irrigation line forward along the east property line to get it out from under the asphalt pavement as much as possible. The part of the line that runs under the access point will be new structurally sound pipe and should perform adequately.

Commissioner Prinster asked if they have other locations that have drive-thru window. Mr. Cagle stated that they have one in Craig, CO and one in Fruita, CO that have a drive-thru. He noted that the only two of his Subways that were up in business last year, were those two. He explained that he and other restaurants such as Chick Fil A, McDonalds, Burger King, closed their inside dining and/or lobbies during the pandemic. He said there is an industry trend to provide drive-thru options in part due to preparing if something like the pandemic should happen again. Discussion continued and Mr. Cagle mentioned he has lived here 33 years, started his first Subway on 12th St. in Grand Junction, and he now has 22 locations.

Mr. Cagle explained that during the pandemic, the company was down 60% as a whole, with most stores down 10 to 30 percent. He added that the Fruita store was up 3% and Craig store up 5% and 40% of their business was through the drive-thru. Commissioner Prinster questioned how the Subway drive-thru model works. Mr. Cagle explained that it is a touch screen, with a voice option. He added that you can put your

phone number in as well, and it will remember what you ordered before. He said the touch screens are \$24,000, but provide better communication. Commissioner Harbaugh asked where people pull over if the order is delayed. Mr. Austin displayed the site plan and showed where a curb cut can be made. Mr. Cagle stated that they start the order as people are entering the order on the touch screen and he is not aware of any problems where cars back up.

PUBLIC COMMENT

None

Motion #3 by Commissioner Prinster and seconded by Commission Hull, to approve item **PRO 2021-5 – Conditional Use Permit (CUP) for a drive through restaurant, located at 450 Wine Valley Rd. (2937-043-42-002).**

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

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

The motion passed unanimously.

ADJOURNMENT

Motion #4 by Commissioner Wheeler and seconded by Commission Prinster, to adjourn.

The motion passed unanimously

The meeting was adjourned at 6:30 pm.

X

Riley Parker
Planning Commission Chairman

X

Lydia Reynolds
Planning Technician

PRO 2021-8, TEXT AMENDMENTS TO THE LAND DEVELOPMENT CODE

TABLE 6.1 – USE TABLE

SUMMARY

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

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

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

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

LAND DEVELOPMENT CODE

Table 6.1, Use Table:

The following is Table 6.1, Use Table, which details the allowable uses allowed under the Land Development Code within specified zoning districts. Impacted sections are highlighted in **RED/BOLD TEXT with new additions underlined and removals in strikethrough.**

ARTICLE 6 USE REGULATIONS

Section 6.01 Use Table

A. Permitted

A "P" indicates that a use is allowed subject to all other applicable regulations of this LDC.

B. Conditional

A "C" indicates that a use is allowed only if approved by a conditional use permit in accordance with the procedures of [Section 4.07](#).

C. Uses Not Allowed

A blank cell indicates that a use is not allowed.

D. Specific Use Standards

The final column titled "Specific Use Standards" contains a cross-reference to standards that apply to specific uses. Where no cross-reference is shown, no additional use standard shall apply.

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	IC	CB	LI	HR	CP	Specific Use Standards
Residential Uses												
Alley-loaded house			P	P	P	P						Section 7.01C
Group home (8 or more)		C	C	C	P	P	C	P				Section 7.01J
Manufactured home park or subdivision			C	C								Section 7.01I
Multifamily					C						C	Section 7.01G
Nursing home or assisted living center		C			P	C	P	P	P			Section 7.01K
Single-family detached		P	P	P	P	P						Section 7.01A
Short term vacation rental		P	P	P	P	P						Section 7.01M
Townhouse				P	P	P				P		Section 7.01F
Two-family dwelling (duplex)				P	P	P						Section 7.01B
Upper-story residential		P				P	P	P	P	P		Section 7.01H
Zero lot line house				P	P	P						Section 7.01D
Public and Civic Uses												
Airport, heliport									P		P	
Child care center					C	C	C	P		P	P	Section 7.02A
Civic club						P	P	P	P	P	P	
Hospital						C	C	P	P		C	
Museum, library		C			C	P	P	P	P	P	P	
Park, open area*	Tot lot and playgrounds; mini-parks; plazas; squares; greens; neighborhood parks; botanical gardens; nature preserves and recreation trails; areas suitable for concerts, festivals, and special events or any similar use.	P	P	P	P	P	P	P	P	P	P	
Place of worship		P	P	P	P	P	P	P	P	P	P	
Public facility		C					P	P	P	C	P	

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	U	HR	CB	Specific Use Standards
School (public or private)							P	P			P	Section 7.02B
Technical, trade, business school						P	P	P	P		P	UPPER STORY ONLY IN TC
Utility, minor*	Pump stations, telephone exchanges, lift stations, electric substation or any similar use.	P	P	P	P	P	P	P	P	P	P	
Utility, major*	Water or wastewater treatment plant, water tower, electrical generation plant, wireless telecommunications or transmission facility or any similar use.	C									C	
Commercial Uses												
Agriculture, limited*	Orchard, vineyard, row and field crops, floriculture, pasturage, viticulture, tree or sod farm, silviculture; packing house for fruits or vegetables, produce stand; processing of fruits or vegetables or any similar use.	P									P	Section 7.03B
Amusement center, indoor							P	P	P	P		
Bed and breakfast		P	C	P	P	P	P	P		P		Section 7.03C
Brewpub							P	P	P	P		Section 7.03D
Club, private					C	P	P	P				
Distillery							C	P	P			Section 7.03D
Funeral home								P	P			
Gas station with convenience retail							P	P	P	P		Section 7.03E
Hemp Growing Establishment		C							C			Section 7.03F
Hemp Processing Establishment		C							C			Section 7.03G
Hotel, motel							P	P	P	P		
Indoor recreation*	Amusement or recreational activities carried on wholly within a building, including dance hall, theater, health club or any similar use.					C	P	P	P			
Kennels		C										Section 7.03H
Lumberyard, wholesale								C	P			
Medical marijuana center							C	C	C	C		
Medical marijuana infused products manufacturer center		C					C	C	C	C		
Medical Marijuana Optional premises cultivation operation		C					C	C	C	C		Section 7.03L
Microbrewery							CP	P	P	P		Section 7.03D

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	LI	HR	CP	Specific Use Standards
Newspaper publisher						P	P	P	P			<u>UPPER STORY ONLY IN TC</u>
Office, general*	Advertising office; bank; business management consulting; data processing; financial business such as lender, investment or brokerage house; collection agency; real estate or insurance agent; professional service such as lawyer, accountant, bookkeeper, engineer, contractor or architect; sales office, travel agency or any similar use.				C	P	P	P	P			<u>UPPER STORY ONLY IN TC</u>
Office, medical*	Doctor, dentist, psychiatrist, physician's assistant, nurse practitioner or similar medical use.					P	P	P	P		P	<u>UPPER STORY ONLY IN TC</u>
Outdoor recreation*	Any recreational facility where activity takes place primarily outdoors, including RV parks and campgrounds, miniature golf courses, motocross tracks, batting cages, swimming pool, driving range or any similar use.	C					C	C	P			
Outdoor storage, general									P			<u>Section 7.03I</u>
Radio or television studio						P	P	P	P			
Recreational club or lodge, private							C	P				<u>Section 7.03J</u>
Restaurant		C			C	P	P	P	P	P		
Restaurant, drive through									C	C		
Retail, general*	Antiques; art; art supplies; bicycles; building supplies; cameras; carpet and floor coverings; crafts; clothing; computers; dry goods; electronic equipment; fabric; furniture; garden supplies; hardware; household products; jewelry; medical supplies; musical instruments; music; pets; pet supplies; printed materials; sporting goods auto parts (no service repair); plant nursery; plant nursery with landscape supply or any similar use.					C	P	P		P	C	
Retail Marijuana Cultivation Facility, Contiguous		C					C	C	C	C		<u>Section 7.03M</u>
Retail Marijuana Cultivation Facility, Noncontiguous		C					C	C	C	C		<u>Section 7.03M</u>
Retail Marijuana Products Manufacturer		C					C	C	C	C		<u>Section 7.03M</u>

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	LI	HR	CP	Specific Use Standards
Retail Marijuana Testing Facility		C					C	C	C	C		<u>Section 7.03M</u>
Retail Marijuana Store							C	C	C	C		<u>Section 7.03M</u>
Retail, neighborhood*	Selling, leasing or renting of the following goods: books; health and beauty products; photo finishing; crafts; flowers; gifts or souvenirs; groceries; plants; picture frames; produce; stationery; tobacco; videos or any similar use. Also includes preparation and sale of baked goods, coffee, ice cream, fountain drinks, confections and similar products whose preparation does not require installation of an exhaust hood.				C	C	P	P	P		P	C
Self-storage facility								C	PC			
Service, general*	Personal services that include: animal grooming; dance, martial arts, photographic, music studio or classroom; photocopy, blueprint, quick-sign service; tattoo parlor ; security service; catering service or any similar use. General services shall also include the following repair services: bicycles; mopeds; canvas products; clocks; computers; jewelry; musical instruments; office equipment; radios; shoes; televisions; furniture; watches or any similar use. Also includes a tailor, milliner, upholsterer or locksmith								P	P		
Service, neighborhood*	Personal care services such as hair, nail, tanning, massage therapy or any similar use.				C	P	P	P		P		
Sexually oriented business									C			
Tasting room		P			C	P	P	P	P	P		
Tattoo parlor							P	P	P			
Vehicle sales*	A facility involved in providing direct sales, renting or leasing of motor vehicles, light and medium trucks, tractor trailers, recreational vehicles, earthmoving equipment; construction equipment; farming equipment; and other consumer motor vehicles such as motorcycles and boats or any similar use.							P	P			
Vehicle service, heavy*	Repair services or auto body work to tractor trailers, recreational vehicles, earthmoving equipment; construction equipment; farming equipment or any	C						C	P			

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	U	HR	CP	Specific Use Standards
	similar use.											
Vehicle service, passenger	Service to passenger vehicles and other small consumer vehicles such as: alignment shop; quick lubrication facilities; brake service, battery sales and installation; outdoor car wash; auto detailing, tire sales and mounting or any similar use.	C					C	P	P			
Veterinarian, animal hospital		C					C	C	C			<u>Section 7.03K</u>
Warehouse/freight movement*	Bulk storage, including nonflammable liquids, feed and grain storage; cold storage plants, including frozen food lockers; household moving and general freight storage; separate warehouse used by retail store such as furniture or appliance store; bus barn; parcel services, mail order facility; transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred or any similar use.							PC	PC			
Wholesale storage and/or sales							C	P	P			
Winery		P					C	P	P	P		<u>Section 7.03D</u>
Industrial Uses												
Crematorium								C	C			
Main line railroad facilities, shed, yards							P	P	P			
Manufacturing, general*	Bulk mailing service; clothing or textile manufacturing; manufacture or assembly of equipment, instruments (including musical instruments), appliances, precision items and electrical items, printing, publishing and lithography; production of artwork and toys; sign-making; building maintenance service; exterminator; movie production facility; laundry or dry cleaning plant; photo-finishing laboratory; repair of scientific or professional instruments and electric motors; sheet metal; welding, machine, tool repair shop or studio; woodworking, including cabinet makers and furniture manufacturing or any similar use.							C	P			

Table 6.1: Use Table												
Specific Uses Categories	Use Group	AFT	LDR	MDR	HDR	MU	TC	CB	U	HR	CP	Specific Use Standards
Manufacturing, limited*	Bulk mailing service; clothing or textile manufacturing; manufacture or assembly of equipment, instruments (including musical instruments), appliances, precision items and electrical items; printing, publishing and lithography; production of artwork and toys; sign-making; building maintenance service; exterminator; movie production facility; photo-finishing laboratory; repair of scientific or professional instruments and electric motors; sheet metal; welding, machine, tool repair shop or studio; woodworking, including cabinet makers and furniture manufacturing or any similar use.	P						C	P			Section 7.04B
Processing of food and related products		C						C	C			Section 7.04A
Research & development*	Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private; prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product; pilot plants used to test manufacturing processes planned for use in production elsewhere; production facilities and operations with a high degree of scientific input; facilities and operations in which the input of science, technology, research and other forms of concepts or ideas constitute a major element of the value added by manufacture per unit of product or any similar use.							C	C			
Waste service*	Animal waste processing; landfill, incinerator; manufacture and production of goods from composting organic material; outdoor recycle processing center; outdoor storage of recyclable material, including construction material; transfer station; oil and gas facilities or any similar use.								C		C	

*As set forth in the Use Table, certain uses are grouped together based on common functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers, how goods or services are sold or delivered and likely impact on surrounding properties and site conditions. Grouping uses provides a systematic basis for assigning uses to appropriate base zoning districts. Any use not specifically set forth in this LDC is expressly prohibited, unless determined otherwise as set forth in [Section 6.02](#) below.

Section 4.01.E., Text Amendment Approval Criteria

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 text amendments simply convert some uses permitted by right into conditional uses, allowing for additional review by the Planning Commission and Board of Trustees. Other changes reflect inconsistencies embedded in the code that, if changed, would not substantially alter the purpose or intent of the affected zones.

For reference, a summary of the Town zoning district abbreviations is attached to this report.

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; in fact, it would allow for a greater review of this question on future projects by the Planning Commission and Board of Trustees.

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 text amendment is specifically designed to address the economic conditions of the Town Center area, whereby a shortage of retail and/or restaurant space would impact the tourist draw that downtown strives to be. In addition, the evolution of certain warehouse uses has created additional truck traffic through this very downtown area and would benefit from additional review and input by the Planning Commission and Board of Trustees to reflect the community's desires.

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 uses to the Land Development Code. The proposed amendment changes the type of review required for some of these uses, and provides specific standards for the Town Center zone related to office space.

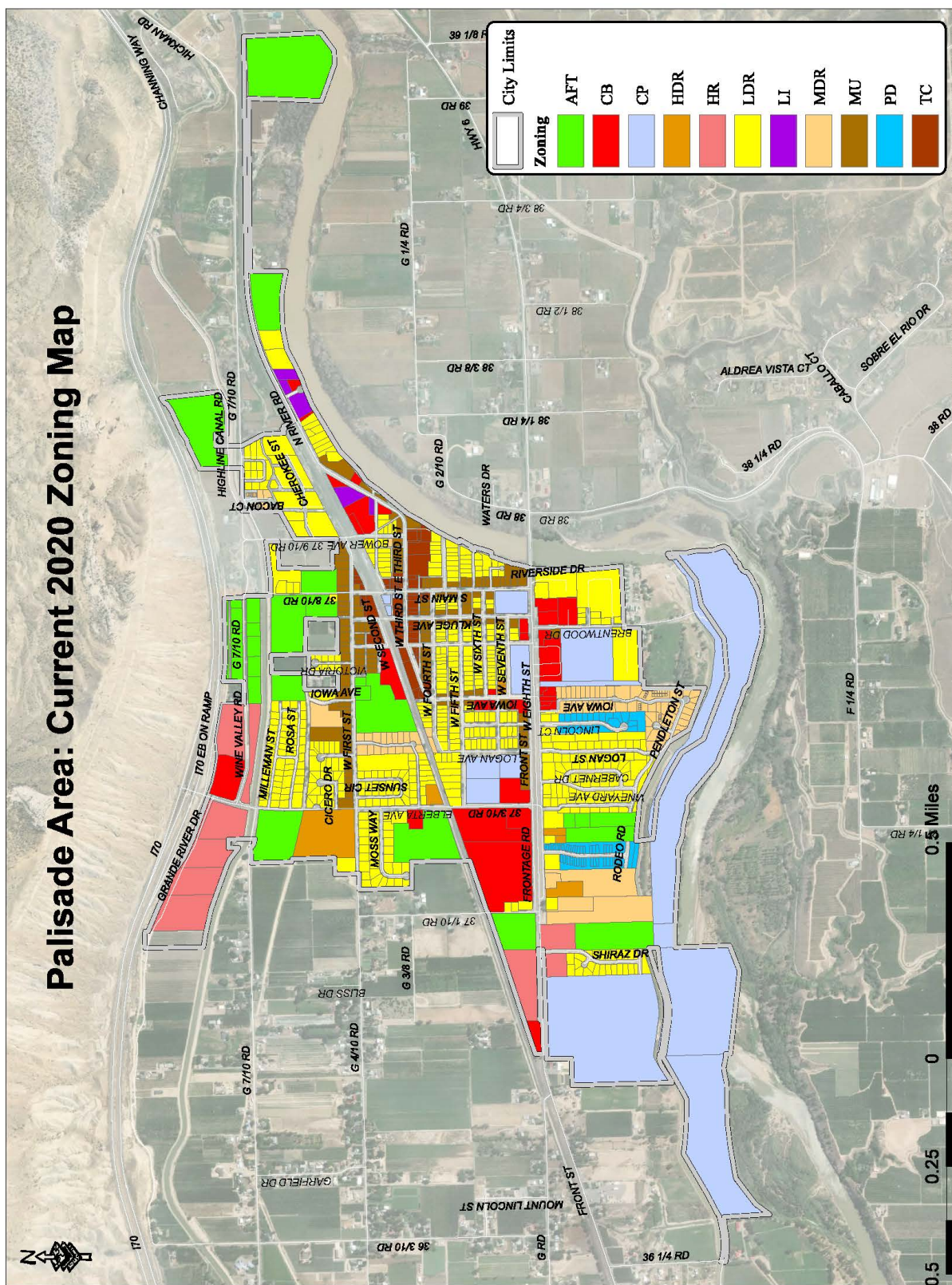
RECOMMENDATION

Staff is asking the Planning Commission to review the proposed text amendments to the LDC and make a recommendation, based on the above approval criteria, to the Board of Trustees. The Board of Trustees will review the application at a public hearing on March 25, 2021.

ATTACHMENTS

Palisade Zoning Map
Zoning Abbreviations

Palisade Area: Current 2020 Zoning Map



ZONING ABBREVIATIONS

TOWN OF PALISADE ZONING DISTRICTS

AFT – AGRICULTURAL AND FORESTRY TRANSITIONAL

Provides for wineries, vineyards and related lodging and commercial activity compatible with Town's rural and agricultural character.

LDR – LOW DENSITY RESIDENTIAL

Provides for orderly residential development, intended to maintain and protect residential areas at moderate densities, characterized predominantly by single-family detached units.

MDR – MEDIUM DENSITY RESIDENTIAL

To maintain and protect residential areas of higher density which include a variety of small lot residential development options – proximity to public parks and open space is an asset.

HDR – HIGH DENSITY RESIDENTIAL

Provides for orderly high density residential areas which include multifamily dwellings mixed with other housing types – appropriate as a transitional district between low density residential and MU, TC and CB districts.

MU – MIXED USE

Facilitates adaptive re-use and preservation of older residential structures and compatible new nonresidential uses, which are encouraged to occupy existing structures without changing the residential character and to emphasize pedestrian rather than vehicular access.

TC – TOWN CENTER

Provides for business and civic functions that make up the Town core – has a strong pedestrian character and provides buildings that cover the entire street frontage.

CB – COMMERCIAL BUSINESS

Provides for commercial uses such as offices, services, and retail for the community as a whole – provides for auto-oriented uses with site design standards to mitigate impacts on adjacent residential neighborhoods.

LI – LIGHT INDUSTRIAL

Promotes the retention and growth of employment opportunities in areas with industrial uses that are relatively clean and quiet.

HR – HOSPITALITY RETAIL

Provides for hospitality and retail along I-70 and in pedestrian-oriented village or mall environments that are complementary to the historic Town and existing wineries and agricultural uses.

CP – COMMUNITY PUBLIC

Designates areas for public uses, including recreation, within the Town.

PD – PLANNED DEVELOPMENT

A development option to encourage and incorporate innovations in residential, commercial and industrial development that represent a more efficient use of land and relate to the site's natural characteristics.

Source: Article 5 – Zoning (Land Development Code – LDC)