

PALMER LAKE, COLORADO

RESOLUTION NO. 8 OF 2019

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
TO ESTABLISH A LIGHT MANUFACTURING USE ON A PROPERTY CURRENTLY ZONED C-2
GENERAL BUSINESS AND COMMERCIAL ZONE
DISTRICT AND LOCATED AT 860 COMMERCIAL LANE ("PROPERTY")**

WHEREAS, PALMER LAKE IS A STATUTORY TOWN ORGANIZED UNDER AND AUTHORIZED PURSUANT TO PART 3 OF ARTICLE 4 OF TITLE 31 OF THE COLORADO REVISED STATUTES; AND

WHEREAS, SECTION 17.37.020 OF THE PALMER LAKE MUNICIPAL CODE PROVIDES THAT LIGHT MANUFACTURING IS A CONDITIONAL USE IN THE C-2 GENERAL BUSINESS AND COMMERCIAL ZONE DISTRICT; AND

WHEREAS, SECTION 17.08.090 PROVIDES THAT THE PLANNING COMMISSION SHALL MAKE RECOMMENDATIONS OF APPROVAL OR DENIAL OF CONDITIONAL USES TO THE BOARD OF TRUSTEES, WHICH HAS THE FINAL AUTHORITY TO GRANT OR DENY SUCH APPLICATIONS; AND

WHEREAS, SECTION 17.08.090 FURTHER PROVIDES THAT THE APPLICANT FOR A CONDITIONAL USE SHALL FOLLOW THE SAME PROCEDURE AS IS REQUIRED FOR AN APPLICATION FOR A ZONING DESIGNATION CHANGE, INCLUDING THE POSTING AND PUBLICATION OF LEGAL NOTICE; AND

WHEREAS, CHAPTER 17.76 SETS FORTH THE PROCEDURE FOR ZONING AMENDMENTS ALSO APPLICABLE TO CONDITIONAL USE APPLICATIONS; AND

WHEREAS, PUBLISHED AND POSTED NOTICE OF THE PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND BOARD OF TRUSTEES AS REQUIRED BY SECTION 17.76.10 WAS DULY AND TIMELY ACCOMPLISHED; AND

WHEREAS, THE PALMER LAKE PLANNING COMMISSION RECOMMENDED APPROVAL OF THIS CONDITIONAL USE.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The application pursuant to Section 17.37.020 for a Conditional Use Permit to establish light manufacturing on property currently zoned "C2" General Business and Commercial, and located at 860 Commercial Lane is hereby approved, subject to the following conditions:

1. Applicant will prepare and implement a plan for controlling odor.
2. Applicant will prepare and implement a plan for screening the back (east side) of the building.
3. Applicant is subject to an annual review of this conditional use if two or more formal and valid complaints from Palmer Lake residents are submitted to the Town of Palmer Lake.

Section 2. This Resolution shall be effective immediately.

APPROVED AND ADOPTED ON THIS 11th DAY OF APRIL 2019, BY A VOTE OF ___ FOR AND ___ AGAINST.

JOHN CRESSMAN, MAYOR

ATTEST:

Verla Bruner

VERLA BRUNER, TOWN CLERK

Approved as to Form:

MAUREEN JURAN, TOWN ATTORNEY