



LAND USE CODE WORKSHEET

In working with other municipalities, we have found worksheets to be an excellent way to keep the discussions focused on the tasks at hand and to reach agreement on important issues. The attached Code Diagnosis represents a preliminary review of the land use regulations in Palmer Lake.

The purpose of this worksheet is to better understand possible issues that have arisen when using the existing land use regulations contained in the Town's municipal code.

CODE ORGANIZATION AND OVERALL CONTENT

The intent of this first step is to identify sections that are missing, sections that need to be updated and to address the overall organization of Chapter 16- Subdivision and Chapter 17- Zoning.

Question # 1: An overall goal of any Land Use Code Update (LUCU) is to simplify the code. Are there sections of the current chapters that you find redundant or inconsistent?

Yes **Comments:**

No



Question # 2: The current code does not list uses as principal, or accessory. In addition, there is no clear procedure for reviewing conditional uses. How have accessory uses been reviewed? How have conditional uses been reviewed? Has this created any difficulties when reviewing a development application?

Yes **Comments:**

No

Question # 3: Another issue with Palmer Lake’s existing land use regulations is pyramid zoning (definition: Including more restrictive uses in less restrictive zone districts. Examples: Residential use (more restrictive) would be allowed in an area zoned commercial (less restrictive); commercial (more restrictive) would be allowed



in an area zoned industrial (less restrictive.) This was mentioned as an issue during the development of the new Community Master Plan.

If this change were implemented the community would benefit from a distinctive land use pattern and ensures that land designated for commercial use, is not used solely for residential uses. **Do you concur with the removal of the pyramid zoning scheme?**

<p><input type="radio"/> Yes Comments:</p> <p><input type="radio"/> No</p>

Question # 4: The land use code would benefit greatly from a more comprehensive list of uses and pre-determined criteria that allows staff to okay uses not listed. It would also include the size and type of accessory uses allowed in each zone district. Have there been instances where it has been difficult to determine if a use is allowed? How has this been handled?

<p><input type="radio"/> Yes Comments:</p> <p><input type="radio"/> No</p>



Question # 5: The entire code needs to be updated. In addition to the changes noted in our memo, are there rules or the placement of rules that have caused problems or have been difficult to find? (*The focus here is on the style and organization of the ordinance*)

Yes **Comments:**

No **Comments:**



If yes, what has been difficult to find or interpret? (Describe or draw what is confusing)

Problem Areas:



SUBSTANTIVE QUESTIONS

Substantive questions impact the type and quality of development within the Town of Palmer Lake. Your answers to these questions will influence the degree of control you will have over new development as well as what is reviewed by Planning Commission and the Town Board.

Question # 6: Do you believe that the dimensional requirements for all existing zone districts are appropriate?

Yes **Comments:**

No **Comments:**

Question # 7: Are there any uses that should be added or deleted from any of the existing zone districts? Should any of the existing zone districts be amended on the basis of the new Community Master Plan? Are there specific uses that are dated and therefore should be replaced? (Also see section on Pyramid Zoning). *We typically recommend eliminating the long and specific lists of permitted uses and replacing these lists with a more general description of the use. (e.g., Eating and drinking establishment means a permanent building containing a restaurant, café, bar tavern, or brewery which serves food and/or beverages, prepared, or consumed on*



the premises, within a building or on an outdoor patio, served to the customer at tables or counters.

Add Use to Zone District

Delete Use from Zone District

Comments: _____

Question # 8: Are there portions of the code or rules that have caused problems or resulted in decisions that you wish you did not have to make?

Yes

No

If yes, what are some of the areas of the code that have created problems?

Question # 8:

8 A: Are there development proposals that you wish you could accept or encourage that are clearly not allowed given the current regulations in the zoning ordinance (e.g., is it okay to have a caretaker residence within the



industrial zone district –Would this provide affordable housing? Could this be an allowable accessory use?)

8B: Have there been development proposals that are not in keeping with the newly adopted Community Master Plan? What language is needed in the regulations to address this issue?

Yes

No

If yes, please provide examples for both types of development.

Question # 9: Site Development Plan requirements. The requirements for a site plan need to be more fully explained.



Is there a certain size of *or type of development that should submit a site development plan*? Should certain types or sizes of development requiring some sort of site plan be reviewed by the Planning Commission?

(Choices are not mutually exclusive)

- Any residential development that is more than two-family
- Any non-residential project no matter what size
- Any non-residential project over 1 acre
- Any planned development
- Other suggestions _____

Question # 10: Other changes that should be addressed in the Subdivision or in the Zoning Ordinance?