



AGENDA
TOWN OF PARACHUTE
PLANNING COMMISSION REGULAR MEETING
TOWN HALL, 222 GRAND VALLEY WAY
SEPTEMBER 12, 2019 6:30 PM

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

(A) ROLL CALL

(B) PLEDGE OF ALLEGIANCE

(C) APPROVAL OF AGENDA

(D) CONSIDERATION OF MINUTES OF REGULAR MEETING OF JULY 11, 2019

(E) PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Planning Commission welcomes and thanks you for your time and concerns. If you wish to address the Planning Commission, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Commission. Your comments will be limited to three (3) minutes. The Commission may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up. Thank you.

PLEASE SILENCE ALL CELL PHONES, PAGERS, AND HANDHELD DEVICES. THANK YOU.

PLEASE NOTE THIS MEETING IS BEING AUDIO RECORDED

WIFI Password: Welcome1

(F) PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO CHAPTER 15.02 OF THE PARACHUTE MUNICIPAL CODE RELATING TO OIL AND GAS USES IN THE HIGHWAY TOURIST (HT) AND SERVICE COMMERCIAL (SC) ZONE DISTRICTS.

APPLICANT/OWNER: Town of Parachute
222 Grand Valley Way, Parachute, CO 81635

PROJECT NAME: Municipal Code Amendments

PROJECT LOCATION: 222 Grand Valley Way, Parachute, CO 81635

STAFF: STUART McARTHUR, TOWN MANAGER

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2019-10-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO CHAPTER 15.02 OF THE PARACHUTE MUNICIPAL CODE RELATING TO OIL AND GAS USES IN THE HIGHWAY TOURIST (HT) AND SERVICE COMMERCIAL (SC) ZONE DISTRICTS.

(G) MOTION TO ADJOURN



MINUTES
TOWN OF PARACHUTE
PLANNING COMMISSION REGULAR MEETING
TOWN HALL, 222 GRAND VALLEY WAY
JULY 11, 2019 6:30 PM

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

(A) COMMISSION MEMBERS PRESENT: TIM OLK
 JUDY BEASLEY
 KELLI STANTON
 JUANITA WILLIAMS
 ROY McCLUNG

COMMISSION MEMBERS ABSENT: GILBERT AMAYA
 SHERRY LOSCHKE

STAFF PRESENT: STUART McARTHUR, TOWN MANAGER

(B) PLEDGE OF ALLEGIANCE

(C) APPROVAL OF AGENDA

MOTION NO. 1:

Approval of Agenda

Vocal vote passed unanimously.

(D) CONSIDERATION OF MINUTES OF REGULAR MEETING OF MARCH 14, 2019

MOTION NO. 2:

Moved and Seconded by Commissioners McClung / Beasley to approve February 14, 2019 Minutes

Vote passed with a 6 to 0 Vote

(E) PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Chair Olk took this time to read a letter from Commissioner Amaya stating his resignation due moving out of Town.

(F) PRESENTATION BEFORE THE PLANNING COMMISSION REGARDING SAFETY PREVENTION MEASURES

STAFF: SAMUEL STEWART, POLICE CHIEF

No Action taken

(G) PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER RECOMMENDING THAT TOWN COUNCIL APPROVE A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOTS 3-5, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION

APPLICANT/OWNER: Parachute Development Corporation
 PO Box 686, Glenwood Springs, CO 81602

PROJECT NAME: Special Use Review, Site Specific Development Plan
PROJECT LOCATION: 212 & 300 Diamond Loop, Parachute, CO 81635
 215 Parachute Park Boulevard, Parachute, CO 81635
LEGAL DESCRIPTION(S): Section: 12
 Township: 7
 Range: 96
 PIN: 2409-123-02-003; 2409-123-02-004; 2409-123-02-005
 Legal: Parachute Park PUD Lots 3-5 and Block 3, Rader Annexation

STAFF: STUART McARTHUR, TOWN MANAGER

Chair Olk opened public meeting at 6:48pm
 Town Manager McArthur gave his staff report and recommendation of approval and introduced the applicant Hayden Rader PO Box 686, Glenwood Springs, CO, applicant gave his presentation
 No public Comment
 Public meeting closed at 7:17 pm

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2019-07-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOTS 3-5, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.

MOTION NO. 3:

Moved and Seconded by Commissioners McClung / Williams to approve Resolution No. 2019-07-PC
A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOTS 3-5, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.
Vote passed 4-1 with a No vote from Commissioner Stanton

(H) PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER RECOMMENDING THAT TOWN COUNCIL APPROVE A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR WEST LOT 1, RADER ANNEXATION IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION

APPLICANT/OWNER: Haden Rader
 PO Box 686, Glenwood Springs, CO 81602
PROJECT NAME: Special Use Review, Site Specific Development Plan
PROJECT LOCATION: 415 Parachute Park Boulevard, Parachute, CO 81635
LEGAL DESCRIPTION(S): Section: 12
 Township: 7
 Range: 96 A TR IN THE SENW OF SEC 12 AKA RADER ANNEXATION – WEST LOT 1
 PIN: 2409-122-00-007
 Legal: Parachute Park PUD West Lot 1, Rader Annexation

STAFF: STUART McARTHUR, TOWN MANAGER

Chair Olk opened public meeting at 7:20 pm

Town Manager McArthur gave his staff report and recommendation of approval and introduced the applicant Hayden Rader PO Box 686, Glenwood Springs, CO, applicant gave his presentation

No public Comment

Public meeting closed at 7:25 pm

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2019-08-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR WEST LOT 1, RADER ANNEXATION IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.

MOTION NO. 4:

Moved and Seconded by Commissioners McClung / Williams to approve Resolution No. 2019-08-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR WEST LOT 1, RADER ANNEXATION IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.

Vote passed 4-1 with a No vote from Commissioner Stanton

(I) PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO CHAPTER 15.02 OF THE PARACHUTE MUNICIPAL CODE RELATING TO OIL AND GAS USES IN INDUSTRIAL ZONE DISTRICTS.

APPLICANT/OWNER: Town of Parachute
222 Grand Valley Way, Parachute, CO 81635

PROJECT NAME: Municipal Code Amendments

PROJECT LOCATION: 222 Grand Valley Way, Parachute, CO 81635

STAFF: STUART McARTHUR, TOWN MANAGER

Chair Olk opened public meeting at 7:26 pm

Town Manager McArthur gave his staff report and recommendation of approval for amendments to Chapter 15.02 relating to oil and gas uses in industrial zone districts.

No public Comment

Public meeting closed at 7:30 pm

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2019-09-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO CHAPTER 15.02 OF THE PARACHUTE MUNICIPAL CODE RELATING TO OIL AND GAS USES IN INDUSTRIAL ZONE DISTRICTS.

MOTION NO. 5:

Moved and Seconded by Commissioners McClung / Williams to approve Resolution No. 2019-09-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO CHAPTER 15.02 OF THE PARACHUTE MUNICIPAL CODE RELATING TO OIL AND GAS USES IN INDUSTRIAL ZONE DISTRICTS.

Vote passed 4-1 with a No vote from Commissioner Stanton

(J) MOTION TO ADJOURN

MOTION NO. 6:

Motion to Adjourn

Vocal vote passed unanimously.

Tim Olk, Chair

ATTEST:

Lucy Cordova, Town Clerk

**TOWN OF PARACHUTE, COLORADO
PLANNING COMMISSION
RESOLUTION NO. 2019-10-PC**

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO CHAPTER 15.02 OF THE PARACHUTE MUNICIPAL CODE RELATING TO OIL AND GAS USES IN THE HIGHWAY TOURIST (HT) AND SERVICE COMMERCIAL (SC) ZONE DISTRICTS.

WHEREAS, the Town Council of the Town of Parachute initiated a text amendment to Title 15 “Land Use Regulations” of the Parachute Municipal Code concerning oil and gas uses in Highway Tourist (HT) and Service Commercial (SC) Zone Districts, as set forth in the draft Ordinance enclosed as **Exhibit A** (the “Text Amendment”);

WHEREAS, pursuant to Section 15.05.201 of the Parachute Municipal Code, the Text Amendment is reviewed by the Planning Commission and Town Council;

WHEREAS, the Planning Commission reviewed the Text Amendment at a duly-noticed public meeting to consider and hear public comments;

WHEREAS, the Planning Commission finds that the Application conforms with the review criteria set forth in Section 15.05.206 of the Parachute Municipal Code; and

WHEREAS, based on the recommendation of Town Staff, the testimony of the witnesses and the documents made a part of the record of the public meeting, the Planning Commission recommends that the Town Council approve the Text Amendment in the form of the Ordinance presented to Planning Commission.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Commission hereby recommends the Town Council approve the Text Amendment concerning an amendment to the Highway Tourist (HT) and Service Commercial (SC) Zone Districts Use Table concerning oil and gas uses, as set forth in **Exhibit A**.

SO RESOLVED by a vote a vote of ___ to ___, of the Planning Commission of the Town of Parachute at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the ___ day of _____, 2019.

**PLANNING COMMISSION OF THE
TOWN OF PARACHUTE, COLORADO**

By _____
Chair

ATTEST:

Town Clerk

**TOWN OF PARACHUTE
ORDINANCE NO.778-2019**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 15.02 OF THE PARACHUTE MUNICIPAL CODE RELATING TO OIL AND GAS USES IN THE HIGHWAY TOURIST (HT) AND SERVICE COMMERCIAL (SC) ZONE DISTRICTS.

WHEREAS, the Town of Parachute (“Parachute” or the “Town”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter;

WHEREAS, Chapter 15.02 of the Parachute Municipal Code (the “Code”) establishes zone districts within the Town and governs the uses permitted therein; and

WHEREAS, the Town recognizes and appreciates the oil and natural gas industry’s contributions to the local economy and community; and

WHEREAS, Code Section 15.02.230 permits, among other uses, oil and natural gas extraction and storage facilities as a use by right in industrial zone districts; and

WHEREAS, situations may arise where oil and natural gas extraction and storage facilities may not be compatible with neighboring uses; and

WHEREAS, the Town Council desires to amend the table of uses to prohibit oil and natural gas extraction and storage facilities in the Highway Tourist (HT) and Service Commercial (SC) Zone Districts; and

WHEREAS, the Parachute Planning Commission, at its regular meeting held August 8, 2019 recommended for approval this amendment to Chapter 15.02 of the Parachute Municipal Code to amend the table of uses to permit oil and natural gas extraction and storage facilities as a special use in the industrial zone districts; and

WHEREAS, the Town Council finds that these changes are in the best interests of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 15.02.230 of the Parachute Municipal Code is hereby amended as follows, with **bold, underlined text added** and ~~strike through language deleted~~ to prohibit the identified oil and gas uses in the Highway Tourist (HT) and Service Commercial (SC) Zone Districts:

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
INDUSTRIAL USES											
Natural gas or oil extraction support facilities	S						§	§	S	S	S
Natural gas production and warehousing							§	§	S	S	S
Oil/petroleum product production, warehousing and storage							§	§	S	S	S

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of __ to __ of the Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the ____ day of _____ 2019 and approved by the Mayor on the ____ day of _____ 2019.

TOWN OF PARACHUTE, COLORADO

By: _____
Roy McClung, Mayor

ATTEST:

Lucy Cordova, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING CHAPTER 15.02 OF THE PARACHUTE MUNICIPAL CODE RELATING TO OIL AND GAS USES IN THE HIGHWAY TOURIST (HT) AND SERVICE COMMERICAL (SC) ZONE DISTRICTS.

was introduced before the Town Council on _____, 2019; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on _____, 2019, and approved by the Mayor on _____, 2019.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this ____ day of _____, 2019.

TOWN OF PARACHUTE

Lucy Cordova, Town Clerk