



**Town of Paonia
214 Grand Avenue
Monday, July 13, 2026 6:00 PM
Planning Commission Agenda
<https://us02web.zoom.us/j/85428055903>
Meeting ID: 854 2805 5903**

- A) Roll Call
- B) Approval of Agenda
- C) Approval of Minutes
 - 1) June 1, 2026 Planning Commission Meeting Minutes
- D) Public Hearing
 - 1) Public Hearing to consider an application from the Carl E. Berg Foundation for rezoning of the property located at 218 4th Street, Paonia, CO 81428 from Public District (P) to Community Commercial District (C-2).
 - 2) Public Hearing to consider an application from the Carl E. Berg Foundation for a special use review permit to allow mixed use of the property, currently under contract to be purchased, at 218 4th Street, Paonia, CO 81428 to be developed as an informal Education & Cultural Center
- E) Actions & Presentations
 - Public comments must be related to the agenda item, 3-minute time limit.
 - 1) Review Chapter 16, Article 6 (Parking), For Revision Recommendations.
- F) Adjournment

As Adopted By:
Town of Paonia, Colorado
Resolution No. 2017-10 – Amended May 22, 2018

I. Rules of Procedure

Section 1. Schedule of Meetings. Regular Board of Trustees meetings shall be held on the second and fourth Tuesdays of each month, except on legal holidays, or as re-scheduled or amended and posted on the agenda prior to the scheduled meeting.

Section 2. Officiating Officer. The meetings of the Board of Trustees shall be conducted by the Mayor or, in the Mayor's absence, the Mayor Pro-Tem. The Town Clerk or a designee of the Board shall record the minutes of the meetings.

Section 3. Time of Meetings. Regular meetings of the Board of Trustees shall begin at 6:30 p.m. or as scheduled and posted on the agenda. Board Members shall be called to order by the Mayor. The meetings shall open with the presiding officer leading the Board in the Pledge of Allegiance. The Town Clerk shall then proceed to call the roll, note the absences and announce whether a quorum is present. Regular Meetings are scheduled for three hours, and shall be adjourned at 9:30 p.m., unless a majority of the Board votes in the affirmative to extend the meeting, by a specific amount of time.

Section 4. Schedule of Business. If a quorum is present, the Board of Trustees shall proceed with the business before it, which shall be conducted in the following manner. Note that all provided times are estimated:

- (a) Roll Call - (5 minutes)
- (b) Approval of Agenda - (5 minutes)
- (c) Announcements (5 minutes)
- (d) Recognition of Visitors and Guests (10 minutes)
- (e) Consent Agenda including Approval of Prior Meeting Minutes (10 minutes)
- (f) Mayor's Report (10 minutes)
- (g) Staff Reports: (15 minutes)
 - (1) Town Administrator's Report
 - (2) Public Works Reports
 - (3) Police Report
 - (4) Treasurer Report
- (h) Unfinished Business (45 minutes)
- (i) New Business (45 minutes)
- (j) Disbursements (15 minutes)
- (k) Committee Reports (15 minutes)
- (l) Adjournment

* This schedule of business is subject to change and amendment.

Section 5. Priority and Order of Business. Questions relative to the priority of business and order shall be decided by the Mayor without debate, subject in all cases to an appeal to the Board of Trustees.

Section 6. Conduct of Board Members. Town Board Members shall treat other Board Members and the public in a civil and polite manner and shall comply with the Standards of Conduct for Elected Officials of the Town. Board Members shall address Town Staff and the Mayor by his/her title, other Board Members by the title of Trustee or the appropriate honorific (i.e.: Mr., Mrs. or Ms.), and members of the public by the

appropriate honorific. Subject to the Mayor's discretion, Board Members shall be limited to speaking two times when debating an item on the agenda. Making a motion, asking a question or making a suggestion are not counted as speaking in a debate.

Section 7. Presentations to the Board. Items on the agenda presented by individuals, businesses or other organizations shall be given up to 5 minutes to make a presentation. On certain issues, presenters may be given more time, as determined by the Mayor and Town Staff. After the presentation, Trustees shall be given the opportunity to ask questions.

Section 8. Public Comment. After discussion of an agenda item by the Board of Trustees has concluded, the Mayor shall open the floor for comment from members of the public, who shall be allowed the opportunity to comment or ask questions on the agenda item. Each member of the public wishing to address the Town Board shall be recognized by the presiding officer before speaking. Members of the public shall speak from the podium, stating their name, the address of their residence and any group they are representing prior to making comment or asking a question. Comments shall be directed to the Mayor or presiding officer, not to an individual Trustee or Town employee. Comments or questions should be confined to the agenda item or issue(s) under discussion. The speaker should offer factual information and refrain from obscene language and personal attacks.

Section 9. Unacceptable Behavior. Disruptive behavior shall result in expulsion from the meeting.

Section 10. Posting of Rules of Procedure for Paonia Board of Trustees Meetings. These rules of procedure shall be provided in the Town Hall meeting room for each Board of Trustees meeting so that all attendees know how the meeting will be conducted.

II. Consent Agenda

Section 1. Use of Consent Agenda. The Mayor, working with Town Staff, shall place items on the Consent Agenda. By using a Consent Agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a Consent Agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request.

Section 2. General Guidelines. Items for consent are those which usually do not require discussion or explanation prior to action by the Board, are non-controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items may include ministerial tasks such as, but not limited to, approval of previous meeting minutes, approval of staff reports, addressing routine correspondence, approval of liquor licenses renewals and approval or extension of other Town licenses. Minor changes in the minutes such as non-material Scribner errors may be made without removing the minutes from the Consent Agenda. Should any Trustee feel there is a material error in the minutes, they should request the minutes be removed from the Consent Agenda for Board discussion.

Section 3. Removal of Item from Consent Agenda. One or more items may be removed from the Consent Agenda by a timely request of any Trustee. A request is timely if made prior to the vote on the Consent Agenda. The request does not require a second

or a vote by the Board. An item removed from the Consent Agenda will then be discussed and acted on separately either immediately following the consideration of the Consent Agenda or placed later on the agenda, at the discretion of the Board.

III. Executive Session

Section 1. An executive session may only be called at a regular or special Board meeting where official action may be taken by the Board, not at a work session of the Board. To convene an executive session, the Board shall announce to the public in the open meeting the topic to be discussed in the executive session, including specific citation to the statute authorizing the Board to meet in an executive session and identifying the particular matter to be discussed "in as much detail as possible without compromising the purpose for which the executive session is authorized." In the event the Board plans to discuss more than one of the authorized topics in the executive session, each should be announced, cited and described. Following the announcement of the intent to convene an executive session, a motion must then be made and seconded. In order to go into executive session, there must be the affirmative vote of two thirds (2/3) of Members of the Board.

Section 2. During executive session, minutes or notes of the deliberations should not be taken. Since meeting minutes are subject to inspection under the Colorado Open Records Act, the keeping of minutes would defeat the private nature of executive session. In addition, the deliberations carried out during executive session should not be discussed outside of that session or with individuals not participating in the session. The contents of an executive session are to remain confidential unless a majority of the Trustees vote to disclose the contents of the executive session.

Section 3. Once the deliberations have taken place in executive session, the Board should reconvene in regular session to take any formal action decided upon during the executive session. If you have questions regarding the wording of the motion or whether any other information should be disclosed on the record, it is essential for you to consult with the Town Attorney on these matters.

IV. Subject to Amendment

Section 1. Deviations. The Board may deviate from the procedures set forth in this Resolution, if, in its sole discretion, such deviation is necessary under the circumstances.

Section 2. Amendment. The Board may amend these Rules of Procedures Policy from time to time.

Town of Paonia
214 Grand Avenue
Monday, June 1, 2026 6:00 PM
Planning Commission Meeting Minutes

RECORD OF PROCEEDINGS

Chair Bachran calls the meeting to order at 6:00 PM.

A) Roll Call

Present:

Chair Bachran

Vice-Chair Doherty

Commissioner Fischer

Commissioner Smith

Commissioner Wynn

Absent:

Commissioner Hunter

B) Approval of Agenda

Commissioner Smith requested that Action Item 2, “Town Code Building Permit Submission Guidelines,” be removed from the agenda because building code matters fall under the Board of Trustees’ purview, not the Planning Commission’s.

Commissioner Fischer makes a motion to approve the agenda as amended, seconded by Commissioner Smith.

The motion carries unanimously.

C) Approval of Minutes

Commissioner Fischer makes a motion to approve May 4, 2026, Planning Commission Meeting Minutes. Seconded by Vice-Chair Doherty.

The motion carries unanimously.

D) Actions & Presentations

1) Review Chapter 16, Article 6 for review and revision.

The Commission discussed that Chapter 16, Article 6, regarding parking requirements, is outdated, unclear, and difficult to apply, particularly in the downtown business district. Commissioners noted that the parking code had created repeated issues for businesses on Grand Avenue and that the standards

appeared generic, antiquated, and not well-suited to Paonia's existing downtown layout. They discussed whether parking requirements should apply broadly to permitted uses or only when a special review is triggered, and identified confusion around undefined terms such as construction, addition, and change of use.

Commissioners also discussed the suspended parking fund, the lack of an active mechanism for collecting or using parking fees, and whether obsolete provisions should be removed from the code. There was general agreement that more information was needed before making recommendations.

Public Comment:

P. McCarthy commented in support of reviewing and potentially reducing or removing parking requirements and offered assistance on this matter.

The Commission briefly discussed what additional information should be brought back before making any recommendations. The Commission outlined the following items to bring back for the next meeting:

- The prior downtown/business parking survey results.
- Any relevant information from Leslie Klusmire's ongoing code review, including whether Chapter 16, Article 6 is already being addressed.
- Strong Towns materials or recommendations regarding parking minimums.
- Best practices for parking regulations in small rural downtowns.
- Information on new ruralism / Congress for the New Urbanism concepts related to removing parking minimums.
- Any suggested code language or research submitted by Mr. McCarthy.

No motions made.

2) Review Town Code Building Permit Submission Guidelines

Item removed during approval of agenda.

E) Adjournment

Chair Bachran adjourns the meeting at 6:20 PM.

Ruben Santiago, Deputy Town Clerk

Mary Bachran, Chair



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

STAFF REPORT

APPLICATION FOR RE-ZONING RZ 2026-001

*Real Estate Parcel Number: **324506184001**,*

Commonly known as 218 Fourth Street Paonia, CO 81428

July 9th, 2026

Background

RZ 2026-001 is an application for a zoning amendment as outlined in §16-14-20 of the Town of Paonia's Municipal Code of Ordinances. The property in question is located at 218 Fourth St, Paonia, CO 81428, and is legally owned by Delta County Joint School District 50. The owner has authorized the Carl E. Berg Education Foundation to apply for planning building, access, grading, or OWTS permits on their behalf, and the Foundation represents the owner in this application.

The applicant is requesting to rezone a single property consisting of approximately 2.53 acres, identified as Lot 1 of the Delta City Joint School District #50 BA, from its existing zoning designation of **Public District (P)** to **Community Commercial District (C-2)**. Rezoning would allow the building to be used for a museum and learning center. The structure has primarily been a Vocational/Technical College and has been unused for years and underused before that. The property has been considered for low-income housing, apartments, a community center, and as a new town hall, but none of the proposed projects have come to fruition.

The applicant has provided the following with the request: a recorded warranty deed with legal description, a written statement addressing rezoning criteria, photographs of the property, proof of fee payment (\$500), and a signed application dated May 29th, 2026. Public notice has been properly executed as required by §16-16-10 of the Town's Code: notices were mailed to property owners within 200 feet, and the subject property has been posted.

Applicant's Statement

The applicant requests rezoning the parcel from P to C-2 to allow for a museum and a learning center. The applicant directly addressed the rezoning criteria in-line. They submit that the rezoning meets the requirements listed on the application (pg 3) as the change:

- "will not impact the public health, safety and welfare of the surrounding area,"
- "is in harmony with the 2025 Comprehensive Plan as the school property is designated as Mixed Use," and
- "would [allow] welcome additions to the community and surrounding area and fit within the Mixed-Use framework."



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

Comprehensive Plan

The Town of Paonia Comprehensive Plan (adopted July 16, 2025) provides several relevant guiding principles:

- **POLICY LU 11:** Prioritize development that activates vacant spaces and rejuvenates blighted properties.
- **POLICY LU 13:** Encourage infill and redevelopment within the Town’s existing limits and where infrastructure and services already exist.
- **POLICY ECON 5:** Focus on encouraging new compatible commercial businesses to build and or relocate in the Paonia downtown core commercial area.

The rezoning will allow the existing building to be “rejuvenated” and redeveloped in a way that would benefit the Town half a block away from the core commercial area.

Zoning Code

- **P (Public District)** It is the intent of this District to provide a special district for those lands that are dedicated for public use for recreational or educational purposes or for other public facilities or services. New construction and development will require special review.
- **C-2 (Community Commercial District)** It is the intent of this District to augment the commercial and business needs of the community by providing for the orderly development of commercial facilities that, because of their specific nature, require closer access to arterial routes or immediate access to large parking areas or require generally larger ground-level floor areas than the smaller retail shops as encouraged in the core commercial areas.

While the proposed use for the land does benefit the public, it is not “dedicated for public use” nor would it contain any “*public* facilities or services.”

The property does meet the minimum requirements outlined in §16-3-80 – Schedule of requirements, commercial and industrial districts:

Requirements	C-2 District	218 4 th St
Minimum Lot Area		
Nonresidential	8,000 sq. ft.	2.53 acres
Residential	6,000 sq. ft. ²	0
Combined residential/commercial	8,000 sq. ft.	2.53 acres



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

Requirements	C-2 District	218 4 th St
Minimum Lot Width	50 ft.	approx 360 ft
Maximum Building Height	35 ft.	21-28 ft
Yard requirements		
All yard areas adjacent to an arterial street	50 ft.	N/A
Front Yard Setback		
Arterial	50 ft.	N/A
Collector	25 ft.	N/A
Local	25 ft.	approx. 37 ft
Side yard setback	10 ft.	approx. 22 ft
Rear yard setback	20 ft.	approx. 39 ft
Minimum landscaped open space	10%	31% building 35% parking 34% landscape

Required Findings Needed to Consider a Re-zoning Application:

§16-14-20 of the Town's Code establishes procedures for determining zoning amendments.

- (1) Request for amendment may only be presented by a legal title owner of real property within the area proposed for a change, by the Planning Commission or the Board of Trustees. Requests for a change in the boundary of any zone district by a legal title owner of real property within the area proposed for change shall be accompanied by a petition requesting such change signed by owners of at least fifty percent (50%) of the area of the lots included in such change.

The applicant produced an application and the required fee for rezoning that included only the property that the applicant owns. Since there is only one applicant in the proposed zoning change, 100% of the area of the lots included in the change have answered in the affirmative that the proposed zoning change is acceptable to them. The applicant also provided a recorded warranty deed with a legal description that establishes their ownership of the property.



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

- (2) Each amendment shall be submitted to the Planning Commission for its recommendations. Such action by the Planning Commission shall be filed in a report to the Board of Trustees.

The public hearing is scheduled for this rezoning application on July 28th, 2026, during the Board of Trustees regularly scheduled meeting. The Clerk has verified that the public notice requirements were met as established by §16-16-10 of the Town's Code.

- a) The amendment is not adverse to the public health, safety, and welfare.

The applicant's request is reasonable and does not appear to adversely affect the public health, safety, and welfare.

AND

- b) The amendment is in substantial conformity with the master plan, or i. The existing zoning is erroneous, or ii. Conditions in the area affected have changed materially since the area was last zoned.

The applicant's request is compatible with the current Comprehensive (Master) Plan for the Town of Paonia (2025).

Staff Recommendation

Based on review of the Comprehensive Plan, zoning code, and applicant materials, staff recommends **approval** of RZ 2026-001 to rezone 218 Fourth St from P (Public Use) to C-2 (Community Commercial). This recommendation is supported by the following findings:

- The rezoning supports Paonia's Comprehensive Plan goals related to rejuvenating existing properties and encouraging locally owned businesses that provide Paonia with unique experiences.
- The rezoning does not adversely affect adjacent residential or commercial properties and preserves neighborhood compatibility.
- The rezoning opens the opportunity for a unique cultural addition to the Town.

Potential Motions:

- 1.) *Approval*: "I move to recommend approval of RZ 2026-001 because it does not adversely affect public health, safety, or welfare and is in substantial conformity with the Comprehensive Plan."



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

- 2.) *Denial:* "I move to recommend denial of RZ 2026-001 because the applicant has not sufficiently demonstrated compatibility with the Comprehensive Plan's neighborhood character goals and the amendment may adversely affect adjacent properties."

P/Z Meeting Date _____
BoT Meeting Date _____
Date Received 5/29/26
Initials DSB



Town of Paonia

RE-ZONE APPLICATION

It is the applicant's responsibility to submit the required materials. Checks shall be made payable to *Town of Paonia*. The application fee is non-refundable.

Please contact the Town Clerk at (970) 527-4101 for assistance.

ADDRESS OF PROPERTY 218 4th St.

EXISTING ZONING P - Public

PROPOSED ZONING C-2 Commercial

CURRENT LAND USE Vo-Tech (former school building)

PROPERTY OWNER	APPLICANT OR REPRESENTATIVE
NAME: Delta County Joint School Distict No.50	NAME: Carl E. Berg Educational Foundation
MAILING ADDRESS: [REDACTED]	MAILING ADDRESS: [REDACTED]
CITY, STATE, ZIP: Delta County, Colorado 81416	CITY, STATE, ZIP: PAONIA, CO 81428
PHONE: [REDACTED]	PHONE: [REDACTED]
EMAIL: Type text here [REDACTED]	EMAIL: Type text here [REDACTED]

REQUIRED APPLICATION MATERIALS

This list is intended as a guide and may not be a complete list of all requirements.

- ☒ \$500 NON-REFUNDABLE APPLICATION FEE
- ☒ RECORDED WARRANTY DEED WITH LEGAL DESCRIPTION OF THE PROPERTY
(IF MORE THAN ONE TYPE OF ZONING IS BEING REQUESTED, PROVIDE A
LEGAL DESCRIPTION FOR EACH ZONING AREA)
- ☒ WRITTEN STATEMENT EXPLAINING HOW THE REQUEST IS IN COMPLIANCE
WITH APPLICABLE CRITERIA (SEE RE-ZONE CRITERIA BELOW)
- ☒ PHOTOS OF THE PROJECT AREA

IMPORTANT NOTES

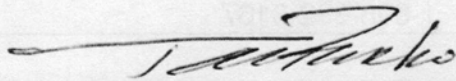
- Applications must be submitted at least 30 days before the next Planning Commission meeting in order to be put on the agenda.
- Any public notice requirements will be the responsibility of the Town of Paonia and will be completed at least 15 days before the public hearing.
- All approved re-zone requests shall be passed by an ordinance adopted by Board of Trustees no less than 45 days after review by the Planning Commission.
- Approval of this application DOES NOT constitute approval of any other Town of Paonia permits or application reviews.
- By signing, you certify that you have read and understood the submittal requirements, and that you understand omission of any listed items may cause delay in processing the application. The undersigned acknowledges that the information supplied in this application is as complete and accurate as possible.



Andrew Thliveris (May 29, 2026 07:46:34 PDT)

Owner's Signature

Date



Applicant's or Representative's Signature

5/29/26

Date

RE-ZONE CRITERIA

(A) Rezoning:

(1) Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a parcel or district, shall be allowed only upon findings as follows:

- (a) The amendment is not adverse to the public health, safety, and welfare; and
- (b) The amendment is in substantial conformity with the master plan, or
 - i. The existing zoning is erroneous, or
 - ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.

(2) Rezoning may be requested or initiated by the Planning Commission, the Board of Trustees, or the owner of any legal or equitable interest in the property or his representative. The rezoning shall be reviewed for compliance with the criteria of this subsection in accordance with the review procedure of the Paonia Municipal Code and Administrative policies applicable. The Board of Trustees may initiate rezoning on its own motion, in which case the Board shall hold a hearing either in conjunction with second reading of a rezoning ordinance, or separately. The area considered for rezoning may be enlarged by the recommendation of the Planning Commission on its own motion over the area requested in the application.

(3) The Town may impose conditions as necessary to ensure that the above criteria are met.

RE-ZONE CRITERIA

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- (a) The amendment is not adverse to the public health, safety, and welfare; and
- (b) The amendment is in substantial conformity with the master plan, or
 - i. The existing zoning is erroneous, or
 - ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.

The proposed rezoning will not impact the public health, safety and welfare of the surrounding area and is in harmony with the 2025 Comprehensive Plan as the school property is designated as Mixed Use.

PART III: PLAN ELEMENTS FUTURE LAND USE PLAN

Elements

Mixed Use

These areas support a range of uses that serve and complement the Downtown Commercial Core while transitioning to residential areas. The commercial and residential mix contributes to maintaining access to services and provides diverse housing and employment options. Mixed Use areas are more auto oriented than those in the Downtown Commercial Core but should still be walkable and connected to nearby amenities. Uses should be compatible with neighboring uses by limiting nuisances and mitigating their impacts through screening or other measures.

- Primary Uses: All types of residential; commercial including restaurants, offices, art studios, and retail.
- Supporting Uses: Institutional, home businesses, small-scale creative industries.

The proposed uses, which include a museum and a learning center would be welcome additions to the community and surrounding area and fit within the Mixed-Use framework.

(2) Rezoning may be requested or initiated by the Planning Commission, the Board of Trustees, or the owner of any legal or equitable interest in the property or his representative. The rezoning shall be reviewed for compliance with the criteria of this subsection in accordance with the review procedure of the Paonia Municipal Code and Administrative policies applicable. The Board of Trustees may initiate rezoning on its own motion, in which case the Board shall hold a hearing either in conjunction with second reading of a rezoning ordinance, or separately. The area considered for rezoning may be enlarged by the recommendation of the Planning Commission on its own motion over the area requested in the application.

This is not applicable because the Town is not initiating the zoning change.

(3) The Town may impose conditions as necessary to ensure that the above criteria are met.

The applicant and owners are aware that additional conditions may be imposed through the process.

Property Record Card

DELTA COUNTY Delta County Assessor

**DELTA COUNTY JOINT
SCHOOL DISTRICT 50**

145 W 4TH ST
DELTA, CO 81416-1839

Account: R025939

Tax Area: BR- - BR-

Acres: 2.531

Parcel: 324506184001

Situs Address:
218 4TH ST
PAONIA, 81428

Value Summary

Value By:	Market	Override
Commercial (1)	\$2,643,017	N/A
Land (1)	\$185,000	N/A
Total	\$2,828,017	\$2,828,017

Legal Description

218 4TH ST PAONIA 81428 TOTAL AC 2.531 +- LOT 1 OF DELTA CTY JOINT SCHOOL DIST #50 BA, RESUB OF LOTS 1-6 SCHOOL ADD & RESUB OF BLKS 3,4 5TH ST ADD. PT OF GOVT LOT 2 S6 T14S R91W 6PM AND PT OF S31 T13S R91W 6PM BEG PT SROW/L 5TH ST WH BEARS N86°51'31"E 159.12' S01°19'28"W 17.35' TH S00°10'17"E 148' TH S89°32'01"E 14.74' TH S00°50'45"W 5.89' TH S46°15'36"E 85.03' TH S01°37'56"E ETC TO POB R742333 R750218-PLAT



Public Remarks

Entry Date	Model	Remark
01/05/2024		DEACTIVATED ACCOUNTS R008782 R008783 R009152 AND CREATED ACCOUNTS R025939 R025940 R025941 R025942 R025943 R025944- KD
04/09/2024		SITE VISIT 4/4/2024 IN RESPONSE TO BOUNDARY ADJUSTMENT SURVEY. NEW PHOTOS. CONFIRMED SKETCH. UPDATES EFF 2024. -EC
07/25/2024		PARCEL SPLIT / ADJUSTMENT; USED ADJUSTMENT TO ALLOCATE VALUES TO MATCH 2024 PARENT NOV; REMOVED ADJUSTMENT FOR 2025 - PH

Commercial Occurrence 1

BVAL	924200 - SCHL DIST	Abstract Code	9242 - SCHOOL DISTRICTS
Arch Style	32 - SCHOOL	Exterior wall	17 - CB STUCCO 19 - COMMON BRK
RCVR	13 - FOAM	RSTR	1 - FLAT
Interior Wall	5 - DRYWALL 12 - INTERIOR WALL WAREHOUSE FINISH	Flooring	14 - CARPET 12 - HARDWOOD 5 - ASPH TILE
Heating Fuel	3 - GAS	Heating Type	3 - FORCED AIR
Air Conditioning	3 - CENTRAL	Subdivision	200411 - PAO COMMERCIAL

A#: R025939 P#: 324506184001 As of: 04/21/2026

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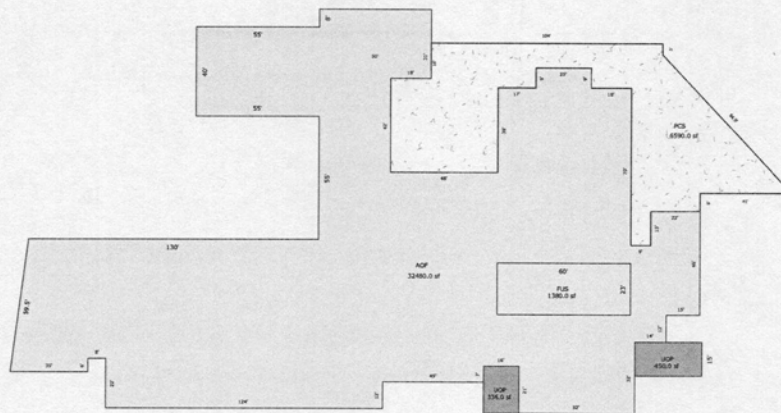
Property Record Card

DELTA COUNTY Delta County Assessor

Commercial Occurrence 1

Air Conditioning	3 - CENTRAL	Subdivision	200411 - PAO COMMERCIAL
QUAL	3 - AVERAGE	Frame type	3 - MASONRY
STYS	2 - STYS	Number of Baths	10
RMS	22	Actual Year Built	1960
Effective Year Built	1985	Neighborhood	200411 - PAO COMMERCIAL
DEPR04	1985 - DEPR04	Use Code	9000

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
AOF - AVG-OFFICE	32,480	32,480	32,480	32,480
FUS - F.UP STORY	1,104	1,380	1,380	1,380
UOP - UNF OPEN PORCH	79			786
Total	33,662.60	33,860.00	33,860.00	34,646.00
	Value	Rate	Rate	Rate
	\$2,643,017	78.51	78.06	76.29



Sketch by Apex Sketch v5 Pro™

Land Occurrence 1

LVal	100413 - PAO TOWN LOT 2.01-3 AC	Abstract Code	9142 - 9142 - school districts- exempt
Lot Front	0	Lot Depth	0
Adj 1	100	Adj 2	100
Adj 3	100	Adj 4	100
Neighborhood	200411 - PAO COMMERCIAL	Road	6 - S PAVED
TOPO	1 - AVG TOPO	Utilities	7 - W/S/E/G
Appr Dist	5 - COMM-IND-ERIN	Subdivision	200411 - PAO COMMERCIAL
Use Code	9000	Review Date	202404 - 24-Apr

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
LT	1			1

Property Record Card

DELTA COUNTY Delta County Assessor

Land Occurrence 1

Total		1.00			1.00
	Value	Rate	Rate	Rate	Rate
	\$185,000	185,000.00			185,000.00

Abstract Summary

Code	Classification	Non-School Actual Value	Non-School Taxable Value	School Actual Value	School Taxable Value	Actual Override	Taxable Override
9142	9142 - school districts- exempt	\$185,000	\$49,950	\$185,000	\$49,950	NA	NA
9242	9242 - school districts	\$2,643,017	\$713,615	\$2,643,017	\$713,615	NA	NA
Total		\$2,828,017	\$763,565	\$2,828,017	\$763,565	NA	NA

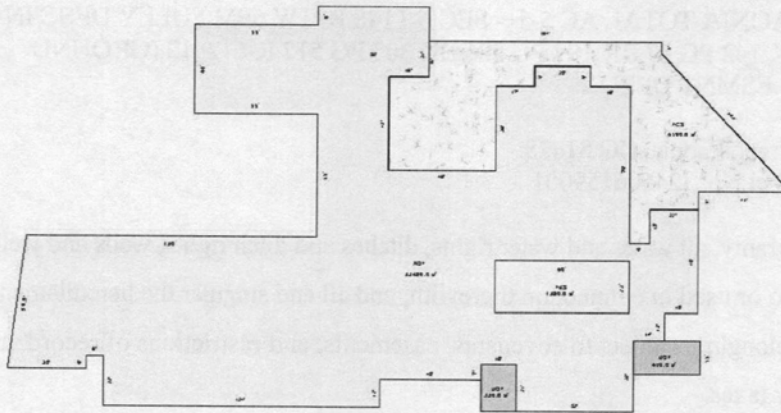
Property Record Card

DELTA COUNTY Delta County Assessor

Commercial Occurrence 1

Air Conditioning	3 - CENTRAL	Subdivision	200411 - PAO COMMERCIAL
QUAL	3 - AVERAGE	Frame type	3 - MASONRY
STYS	2 - STYS	Number of Baths	10
RMS	22	Actual Year Built	1960
Effective Year Built	1985	Neighborhood	200411 - PAO COMMERCIAL
DEPR04	1985 - DEPR04	Use Code	9000

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
AOF - AVG-OFFICE	32,480	32,480	32,480	32,480
FUS - F.U.P STORY	1,104	1,380	1,380	1,380
UOP - UNF OPEN PORCH	79			786
Total	33,662.60	33,860.00	33,860.00	34,646.00
	Value	Rate	Rate	Rate
	\$2,643,017	78.51	78.06	76.29



Drawn by RPA1 GRAPHICS INC. PLO™

Land Occurrence 1

LVal	100413 - PAO TOWN LOT 2.01-3 AC	Abstract Code	9142 - 9142 - school districts- exempt
Lot Front	0	Lot Depth	0
Adj 1	100	Adj 2	100
Adj 3	100	Adj 4	100
Neighborhood	200411 - PAO COMMERCIAL	Road	6 - S PAVED
TOPO	1 - AVG TOPO	Utilities	7 - W/S/E/G
Appr Dist	5 - COMM-IND-ERIN	Subdivision	200411 - PAO COMMERCIAL
Use Code	9000	Review Date	202404 - 24-Apr

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
LT	1			1

QUIT CLAIM DEED

DELTA COUNTY JOINT SCHOOL DISTRICT 50 as successor in interest to **SCHOOL DISTRICT NO. 3** of the County of Delta, State of Colorado (Grantor), does hereby grant, bargain, convey, transfer and quit claim unto **DELTA COUNTY JOINT SCHOOL DISTRICT 50**, whose legal address is 145 W 4th St, Delta, CO 81416 of the County of Delta, State of Colorado ("Grantee"), and its heirs, successors, and assigns, forever, all right title, interest, claim and demand which Grantor has in and to any and all of the following property located in the County of Delta, State of Colorado, to-wit:

218 4TH ST PAONIA 81428 S: 6 T: 14S R: 91W Subdivision: WA CLARKS
ADDITION TO PAONIA TOTAL AC 5.6+- SEC 6 T14S R91W 6PM FULLY DESC IN
BK 104 PG 522 BK 142 PG 67 BK 197 PG 586 BK 305 PG 517 R-612412 (GROUND
LEASE) R-687641 ESMNT DEED

Also known as: 218 4th Street, Paonia, CO 81428.
Delta County Assessor Parcel No. 324506159001

Together with, without warranty, all water and water rights, ditches and ditch rights, wells and well permits appurtenant thereto or used in connection therewith, and all and singular the hereditaments and appurtenances thereunto belonging, subject to covenants, easements, and restrictions of record, and subject to general property taxes.

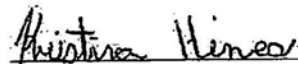
Signed this 15 day of September, 2022.

Delta County Joint School District 50
Successor in Interest to School District No. 3



By: Dan Burke, President, Board of Education

Attest:



Kristina Hines, Secretary, Board of Education

STATE OF COLORADO)
) ss.
COUNTY OF DELTA)

The foregoing Quit Claim Deed was acknowledged before me this 15 day of September, 2022 by Dan Burke, President of the Board of Education and Kristina Hines, Secretary of the Board of Education.

Witness my hand and official seal.

My commission expires: Feb 4, 2024

Laura J. Esplin
Notary Public

LAURA J. ESPLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204004914
MY COMMISSION EXPIRES FEB 4, 2024

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LOT 1

A Parcel of land located within Government Lot 2 of Section 6, Township 14 South, Range 91 West of the 6th P.M., having a description based upon a bearing of S.89°05'26"E. from the E1/16 Corner common to Sections 31 and 6 (monumented by a 1-1/2" aluminum cap RLS1456) to the Section Corner common to Sections 5, 6, 31 and 32 (monumented by a 3-1/4" USGLO Brass cap), with all other bearings relative thereto and being more particularly described as follows:

Beginning at a point on the southerly right-of-way line of 5th Street from whence said E1/16 corner bears N.86°51'31"E. 159.12 feet; thence leaving said southerly right-of-way line and running S.01°15'39"E. 51.94 feet; thence S.01°19'28"W. 17.35 feet; thence S.00°10'17"E. 148.00 feet; thence S.89°32'01"E. 14.74 feet; thence S.00°50'45"W. 5.89 feet; thence S.46°15'36"E. 85.03 feet; thence S.01°37'56"E. 140.56 feet to the northerly right-of-way line of 4th Street; thence along the northerly right-of-way line of 4th Street N.88°17'51"W. 391.84 feet to the easterly right-of-way line of Grand Ave.; thence along the easterly right-of-way line of Grand Ave. N.00°45'30"E. 3.38 feet to the southeasterly right-of-way line of 5th Street; thence along the southeasterly right-of-way line of 5th Street the following four (4) courses: (1) on a tangent curve to the right 302.47 feet, with a radius of 425.00 feet, with a chord bearing and distance of N.21°08'49"E. 296.13 feet; (2) thence N.41°32'08"E. 59.56 feet; (3) thence on a tangent curve to the right 168.73 feet, with a radius of 275.00 feet, with a chord bearing and distance of N.59°06'48"E. 166.10 feet; (4) thence N.86°39'25"E. 15.03 feet to the Point of Beginning, said parcel contains 2.531 acres, more or less.
Town of Paonia, County of Delta, State of Colorado



VoTech

Legal Description:

LOT 1 OF DELTA CTY
JOINT SCHOOL DIST
#50 BA, RESUB OF
LOTS

1-6 SCHOOL ADD
& RESUB OF BLKS
3,4 5TH ST ADD. PT OF
GOVT
LOT 2 S6 T14S R91W
6PM AND PT OF S31
T13S R91W 6PM

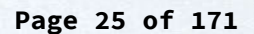
Parcel: 324506184001
Situs Address: 218 4TH ST
PAONIA, 81428

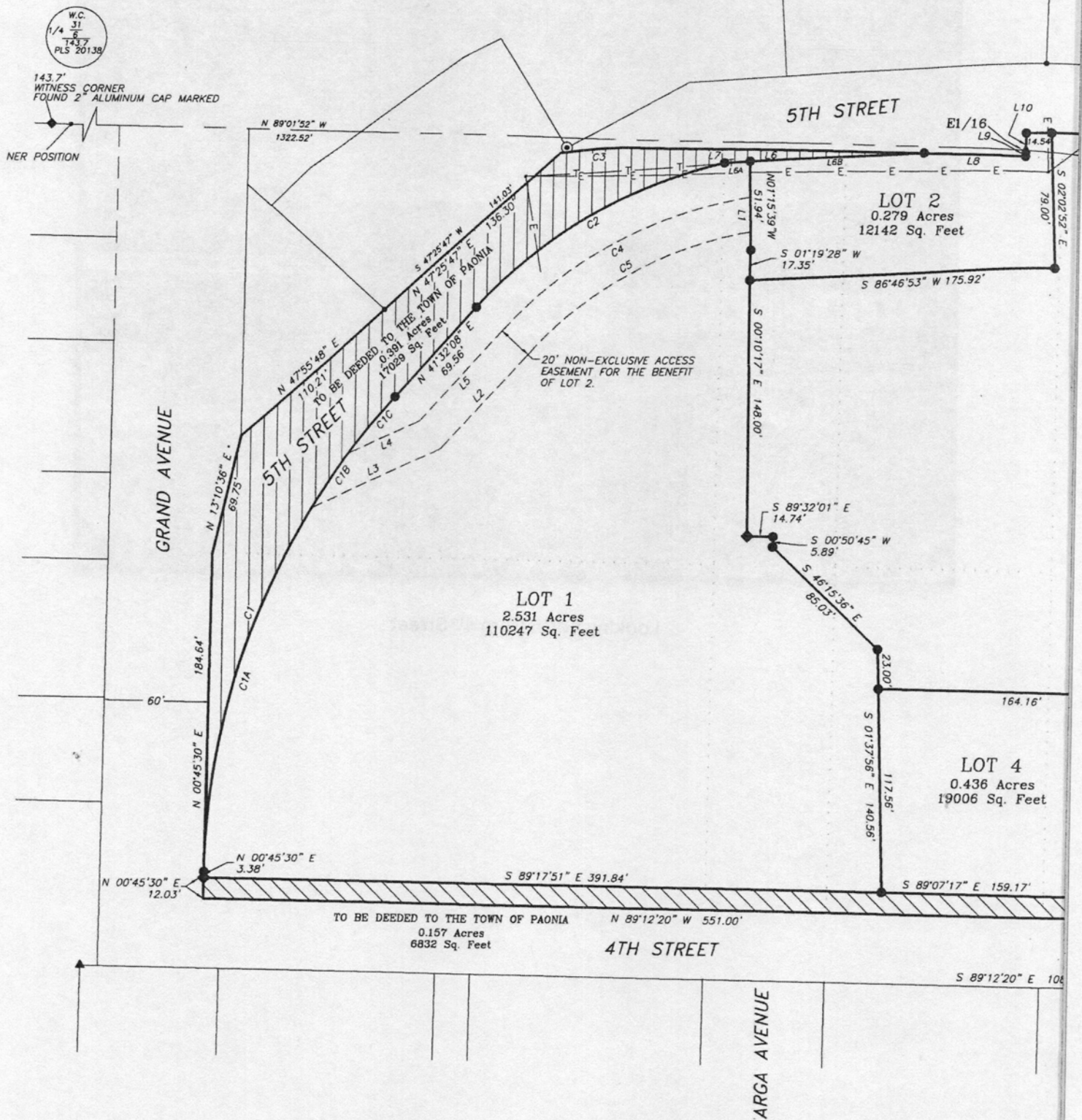
Account: R025939
Acres: 2.531

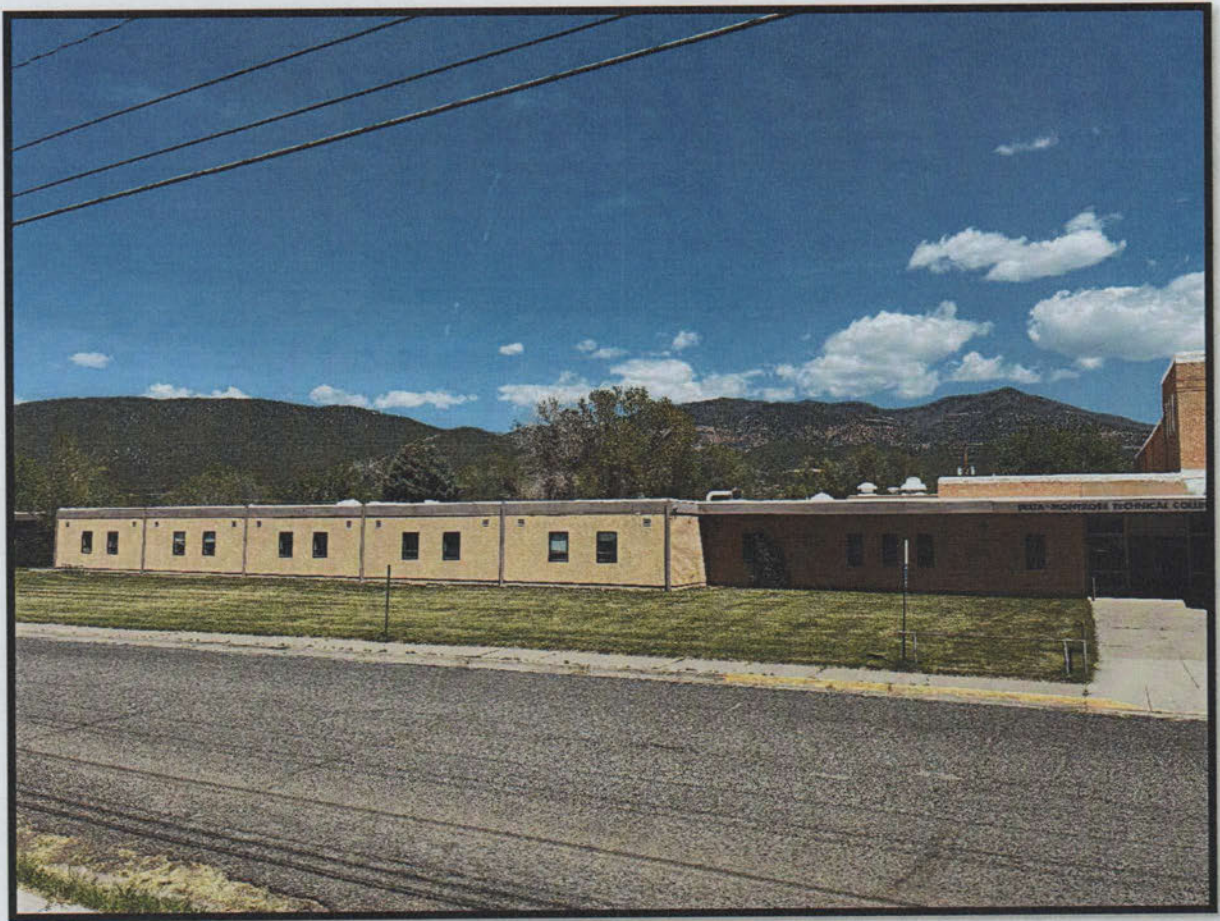
Zoning: P, Public District

Sec. 16-2-120. P, Public District: It is the intent of this District to provide a special district for those lands that are dedicated for public use for recreational or educational purposes or for other public facilities or services. New construction and development will require special review.

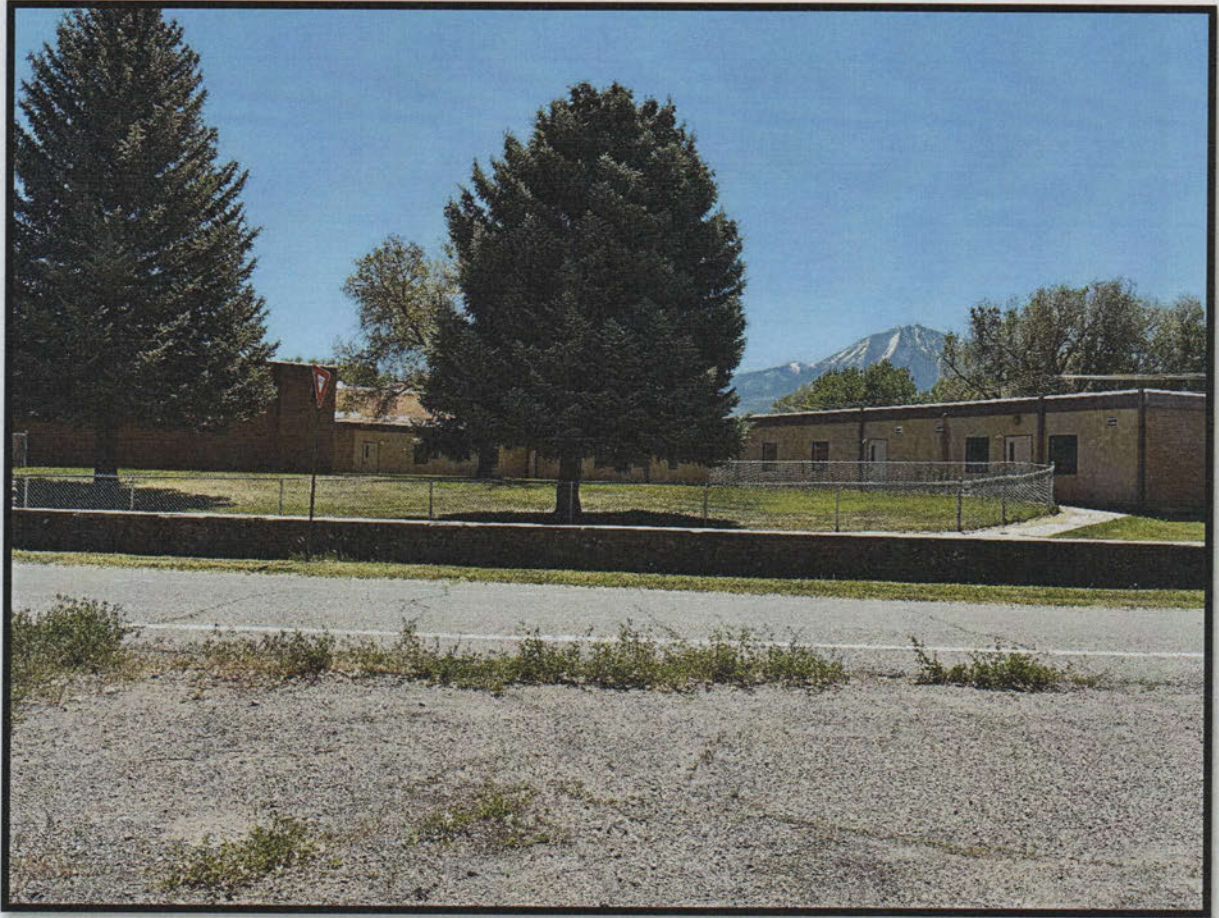
RECEPTION: 762218, 12994/2023 at
19-24-33 AM, 1, R \$10.00 TERRY A. STEPHENS
MILTA COUNTY,
DO CLERK AND RECORDS



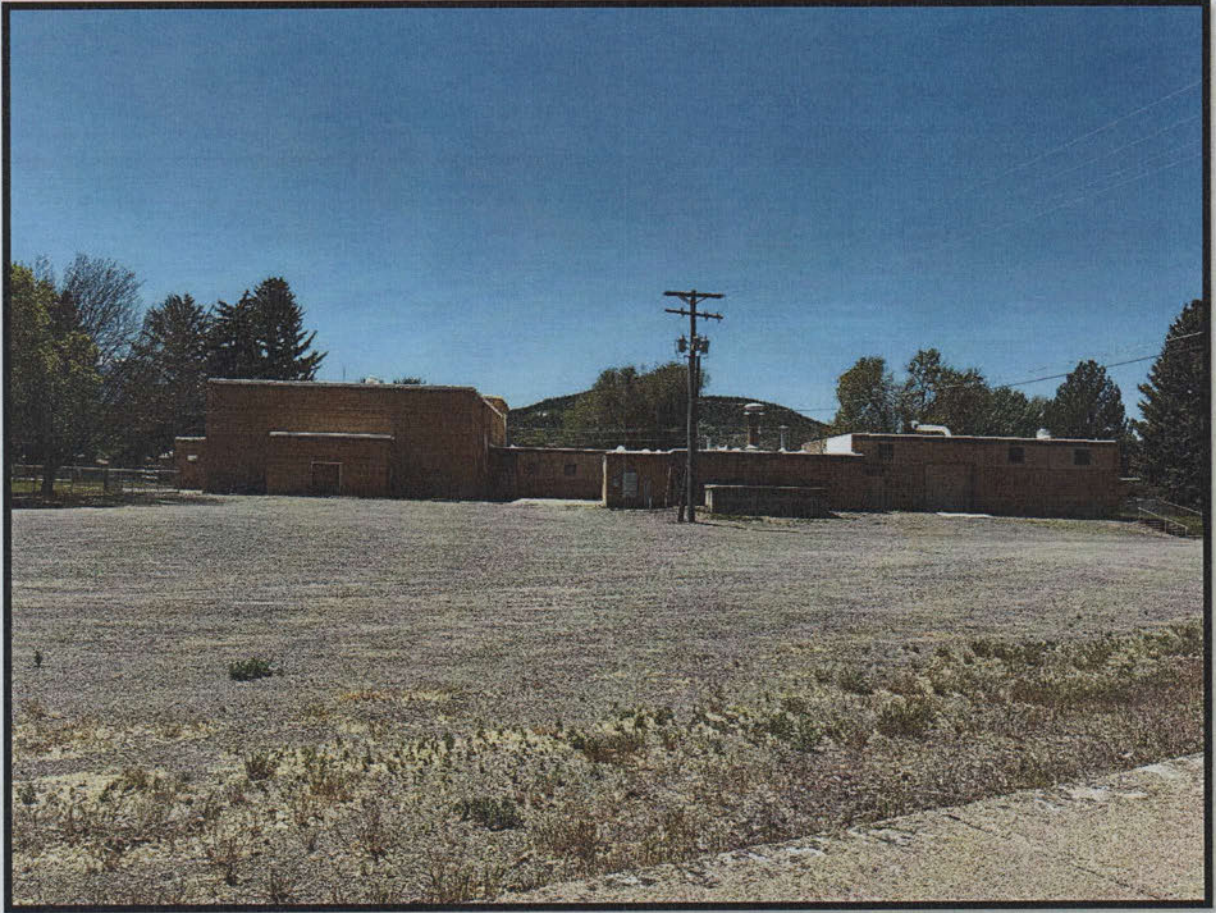




Looking north from 4th Street



Looking east from Grand Avenue

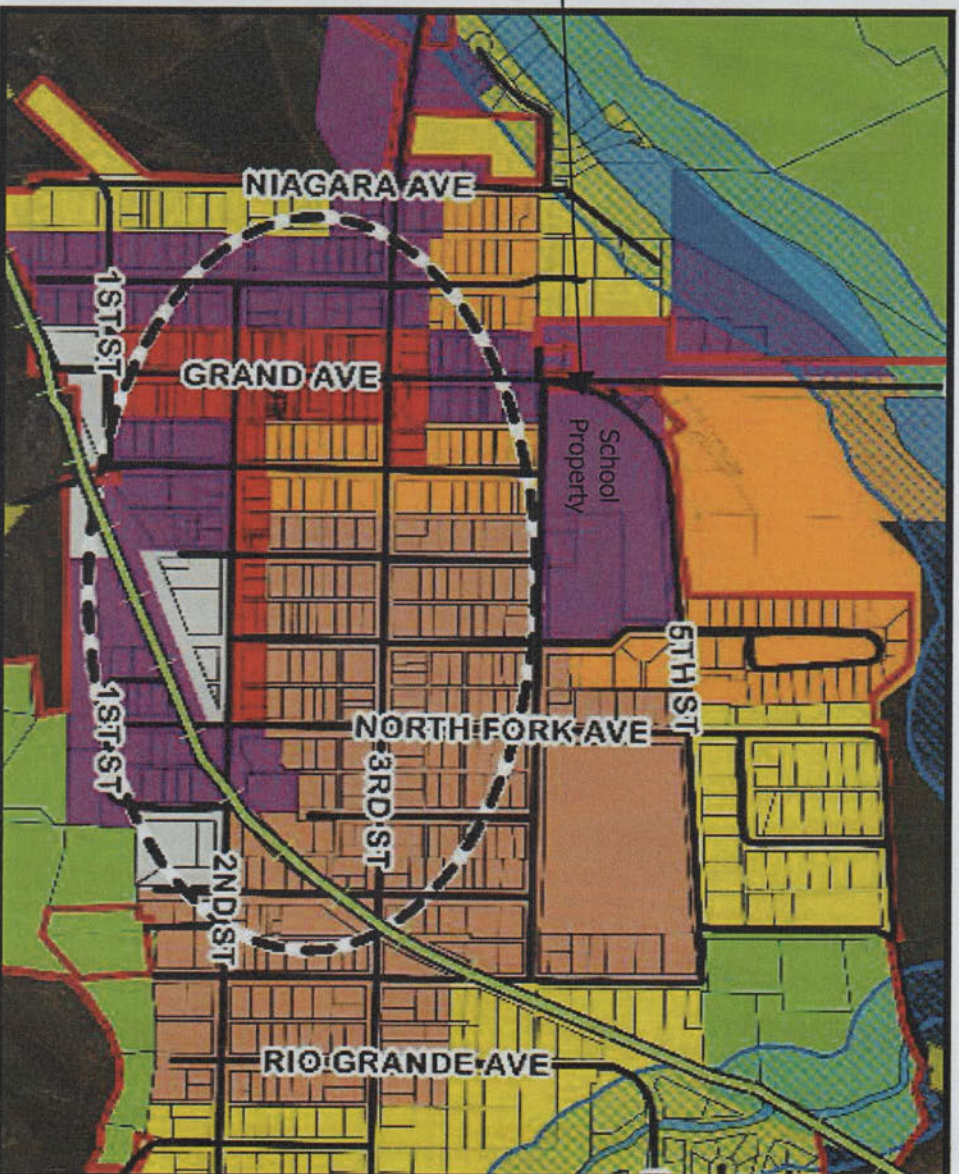
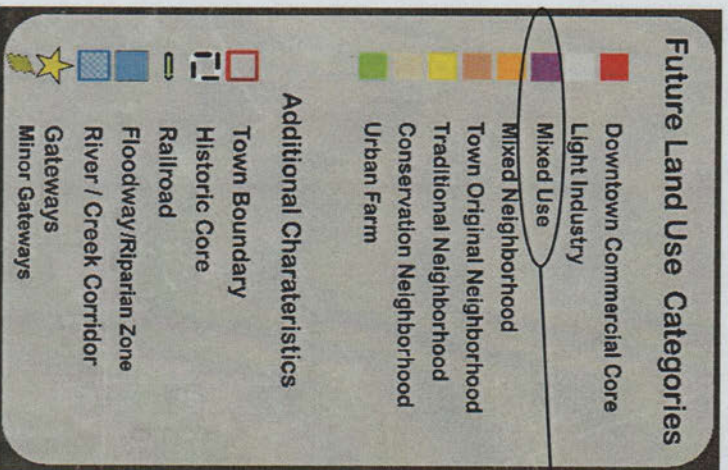
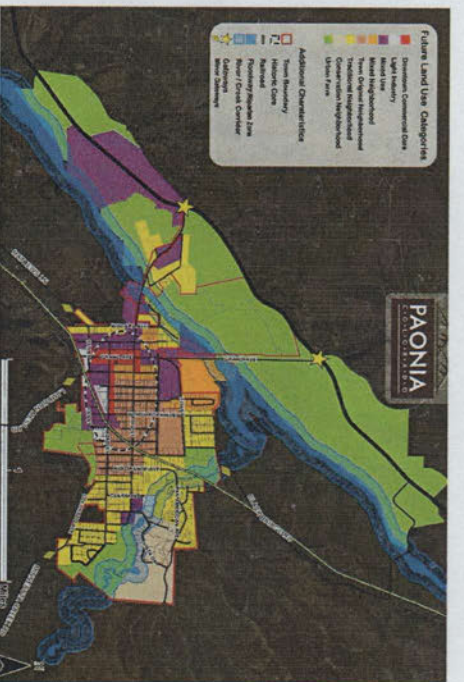


Looking south from 5th Street



Looking north from 4th Street.

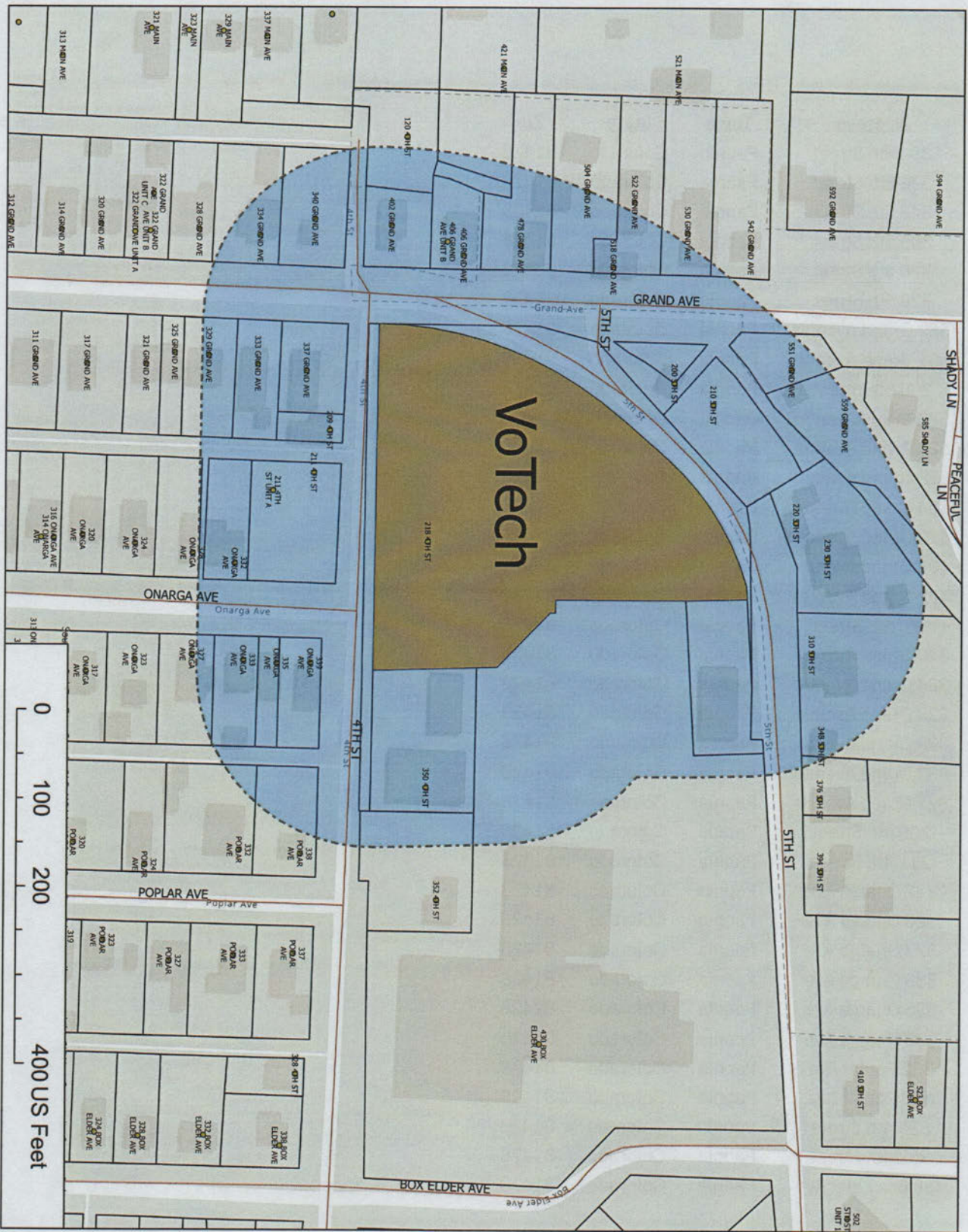
Town of Paonia 2025 Comprehensive Plan Future Land Use Map



Mixed Use

These areas support a range of uses that serve and complement the Downtown Commercial Core while transitioning to residential areas. The commercial and residential mix contributes to maintaining access to services and provides diverse housing and employment options. Mixed Use areas are more auto oriented than those in the Downtown Commercial Core but should still be walkable and connected to nearby amenities. Uses should be compatible with neighboring uses by limiting nuisances and mitigating their impacts through screening or other measures.

- Primary Uses: All types of residential, commercial including restaurants, offices, art studios, and retail
- Supporting Uses: Institutional, home businesses, small-scale creative industries



200'
SPO
Buffer

<u>Address</u>	<u>Town</u>	<u>State</u>	<u>Zip</u>
394 5th Street	Paonia	Colorado	81428
376 5th Street	Paonia	Colorado	81428
348 5th Street	Paonia	Colorado	81428
305 5th Street	Paonia	Colorado	81428
230 5th Street	Paonia	Colorado	81428
220 5th Street	Paonia	Colorado	81428
559 Grand Avenue	Paonia	Colorado	81428
551 Grand Avenue	Paonia	Colorado	81428
200 5th Street	Paonia	Colorado	81428
542 Grand Avenue	Paonia	Colorado	81428
530 Grand Avenue	Paonia	Colorado	81428
518 Grand Avenue	Paonia	Colorado	81428
504 Grand Avenue	Paonia	Colorado	81428
478 Grand Avenue	Paonia	Colorado	81428
406 Grand Avenue	Paonia	Colorado	81428
402 Grand Avenue	Paonia	Colorado	81428
120 4th Street	Paonia	Colorado	81428
340 Grand Avenue	Paonia	Colorado	81428
334 Grand Avenue	Paonia	Colorado	81428
328 Grand Avenue	Paonia	Colorado	81428
329 Grand Avenue	Paonia	Colorado	81428
333 Grand Avenue	Paonia	Colorado	81428
327 Grand Avenue	Paonia	Colorado	81428
209 4th Street	Paonia	Colorado	81428
211 4th Street	Paonia	Colorado	81428
332 Onarga Ave	Paonia	Colorado	81428
328 Onarga Ave	Paonia	Colorado	81428
327 Onarga Ave	Paonia	Colorado	81428
333 Onarga Ave	Paonia	Colorado	81428
335 Onarga Ave	Paonia	Colorado	81428
339 Onarga Ave	Paonia	Colorado	81428
332 Poplar Ave	Paonia	Colorado	81428
338 Poplar Ave	Paonia	Colorado	81428
350 4th Street	Paonia	Colorado	81428
352 4th Street	Paonia	Colorado	81428
430 Box Elder Ave	Paonia	Colorado	81428

Authorization Form

I, (We), Delta County School District 505, give permission to CARL E. BERG EDUCATION FOUNDATION
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

Parcel No. 324506184001

Legal Description: See attached of Section 06, Township 14 N, Range 91 W

Subdivision Name: WA Clarks Addition Lot 1 Block N/A

Property Owners Information:

Address: [REDACTED], Delta, CO 81416

Phone: [REDACTED] E-mail: [REDACTED]

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant ☒ by: Mail _____ Email ☒

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

[Signature]

Date 5/29/20

Date _____

Owner Signature
David J. Skarka, Reg 40811
Attorney for DCSD 505

Owner Signature

Subscribed and sworn to before me this 29 day of May, 2020 by

David J. Skarka

My commission expires Feb. 4, 2028

[Signature]

Notary Public

LAURA J ESPLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204004914
MY COMMISSION EXPIRES FEB 4, 2028

Authorization Form

I, (We), Delta County School District SOJ, give permission to Spruance Consulting, LLC
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

Parcel No. 324506184001

Legal Description: See attached of Section 06, Township 14 N, Range 91 W

Subdivision Name: WA Clarks Addition Lot 1 Block N/A

Property Owners Information:

Address: [REDACTED] Delta, CO 81416

Phone: _____ E-mail: _____

Authorized Agent/Applicant Contact Information:

Address: [REDACTED]

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant ☒ by: Mail _____ Email ☒

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

New York Date 5/29/26 Date _____

Owner Signature
David J. Skarka, Reg #40811
Attorney for DCSO SOJ

Owner Signature

Subscribed and sworn to before me this 29 day of May, 2020 by

David J. Skarka

My commission expires Feb. 4, 2028

Laura J. Epstein

Notary Public

LAURA J ESPLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204004914
MY COMMISSION EXPIRES FEB 4, 2028

Authorization Form

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(Owner - please print) (Authorized Agent/Applicant-please print)

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Subdivision Name: WA Clarks Addition Lot 1 Block N/A

Property Owners Information:

Address: [REDACTED] Delta, CO 81416

Phone: [REDACTED] E-mail: [REDACTED]

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant ☒ by: Mail _____ Email ☒

Additional Info: _____

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[Signature] Date 5/29/20 _____ Date _____

Owner Signature
David J. Skarka, Reg 40811
Attorney for DCSD SOS

Owner Signature

Subscribed and sworn to before me this 29 day of May, 2020 by
David J. Skarka

My commission expires Feb. 4, 2028

[Signature]

Notary Public

LAURA J ESPLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204004914
MY COMMISSION EXPIRES FEB 4, 2028

COPY

Authorization Form

I, (We) Delta County School District S&J, give permission to Spruance Consulting, LLC
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

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Address: [REDACTED] Delta, CO 81416

Phone: [REDACTED] E-mail: [REDACTED]

Authorized Agent/Applicant Contact Information:

Address: [REDACTED]

Phone: [REDACTED] E-Mail: [REDACTED]

Correspondence to be sent to: Owner ☐ Authorized Agent/Applicant ☒ by: Mail ☐ Email ☒

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

[Signature]

Date 5/29/26

Date _____

Owner Signature

David J. Skarka, Reg #40811
Attorney for DCSD S&J

Owner Signature

Subscribed and sworn to before me this 29 day of May, 2026 by

David J. Skarka

My commission expires Feb. 4, 2028

[Signature]

Notary Public

LAURA J ESPLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204004914
MY COMMISSION EXPIRES FEB 4, 2028

COPY

Property Record Card

DELTA COUNTY Delta County Assessor

DELTA COUNTY JOINT SCHOOL DISTRICT 50

145 W 4TH ST
DELTA, CO 81416-1839

Account: R025939

Tax Area: BR- - BR-
Acres: 2.531

Parcel: 324506184001

Situs Address:
218 4TH ST
PAONIA, 81428

Value Summary

Value By:	Market	Override
Commercial (1)	\$2,643,017	N/A
Land (1)	\$185,000	N/A
Total	\$2,828,017	\$2,828,017

Legal Description

218 4TH ST PAONIA 81428 TOTAL AC 2.531 +- LOT 1 OF DELTA CTY JOINT SCHOOL DIST #50 BA, RESUB OF LOTS 1-6 SCHOOL ADD & RESUB OF BLKS 3,4 5TH ST ADD. PT OF GOVT LOT 2 S6 T14S R91W 6PM AND PT OF S31 T13S R91W 6PM BEG PT SROW/L 5TH ST WH BEARS N86*51'31"E 159.12' S01*19'28"W 17.35' TH S00*10'17"E 148' TH S89*32'01"E 14.74' TH S00*50'45"W 5.89' TH S46*15'36"E 85.03' TH S01*37'56"E ETC TO POB R742333 R750218- PLAT



Public Remarks

Entry Date	Model	Remark
01/05/2024		DEACTIVATED ACCOUNTS R008782 R008783 R009152 AND CREATED ACCOUNTS R025939 R025940 R025941 R025942 R025943 R025944- KD
04/09/2024		SITE VISIT 4/4/2024 IN RESPONSE TO BOUNDARY ADJUSTMENT SURVEY. NEW PHOTOS. CONFIRMED SKETCH. UPDATES EFF 2024. -EC
07/25/2024		PARCEL SPLIT / ADJUSTMENT; USED ADJUSTMENT TO ALLOCATE VALUES TO MATCH 2024 PARENT NOV; REMOVED ADJUSTMENT FOR 2025 - PH

Commercial Occurrence 1

BVAL	924200 - SCHL DIST	Abstract Code	9242 - SCHOOL DISTRICTS
Arch Style	32 - SCHOOL	Exterior wall	17 - CB STUCCO 19 - COMMON BRK
RCVR	13 - FOAM	RSTR	1 - FLAT
Interior Wall	5 - DRYWALL 12 - INTERIOR WALL WAREHOUSE FINISH	Flooring	14 - CARPET 12 - HARDWOOD 5 - ASPH TILE
Heating Fuel	3 - GAS	Heating Type	3 - FORCED AIR
Air Conditioning	3 - CENTRAL	Subdivision	200411 - PAO COMMERCIAL

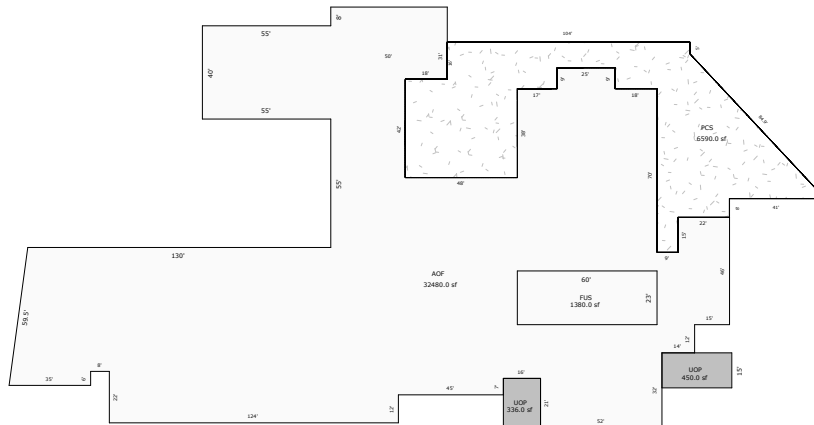
Property Record Card

DELTA COUNTY Delta County Assessor

Commercial Occurrence 1

Air Conditioning	3 - CENTRAL	Subdivision	200411 - PAO COMMERCIAL
QUAL	3 - AVERAGE	Frame type	3 - MASONRY
STYS	2 - STYS	Number of Baths	10
RMS	22	Actual Year Built	1960
Effective Year Built	1985	Neighborhood	200411 - PAO COMMERCIAL
DEPR04	1985 - DEPR04	Use Code	9000

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
AOF - AVG-OFFICE	32,480	32,480	32,480	32,480
FUS - F.UP STORY	1,104	1,380	1,380	1,380
UOP - UNF OPEN PORCH	79			786
Total	33,662.60	33,860.00	33,860.00	34,646.00
	Value	Rate	Rate	Rate
	\$2,643,017	78.51	78.06	76.29



Sketch by Apex Sketch v5 Pro™

Land Occurrence 1

LVal	100413 - PAO TOWN LOT 2.01-3 AC	Abstract Code	9142 - 9142 - school districts- exempt
Lot Front	0	Lot Depth	0
Adj 1	100	Adj 2	100
Adj 3	100	Adj 4	100
Neighborhood	200411 - PAO COMMERCIAL	Road	6 - S PAVED
TOPO	1 - AVG TOPO	Utilities	7 - W/S/E/G
Appr Dist	5 - COMM-IND-ERIN	Subdivision	200411 - PAO COMMERCIAL
Use Code	9000	Review Date	202404 - 24-Apr

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
LT	1			1

Property Record Card

DELTA COUNTY Delta County Assessor

Land Occurrence 1

Total		1.00			1.00
	Value	Rate	Rate	Rate	Rate
	\$185,000	185,000.00			185,000.00

Abstract Summary

Code	Classification	Non-School Actual Value	Non-School Taxable Value	School Actual Value	School Taxable Value	Actual Override	Taxable Override
9142	9142 - school districts- exempt	\$185,000	\$48,100	\$185,000	\$48,100	NA	NA
9242	9242 - school districts	\$2,643,017	\$687,184	\$2,643,017	\$687,184	NA	NA
Total		\$2,828,017	\$735,284	\$2,828,017	\$735,284	NA	NA

Jun 15, 2026

RZ 2026-001

Parko, Tom

PAID

JUN 15 2026

TOWN OF PAONIA
214 GRAND AVENUE

Previous Balance:	.00
Building Permits - Building Permits	500.00
Total:	500.00
New Balance:	500.00-
Check Check No: 1058	500.00
Total Applied:	500.00
Change Tendered:	.00

06/15/2026 1:55 PM

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CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Paonia, CO 81428

Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$4.40
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To LYNN WETHERELL

Street [REDACTED]

City, St PAONIA, CO 81428

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To KELSEY DYSART

Street [REDACTED]

City, St PAONIA, CO 81428

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Paonia, CO 81428

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☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To TIM/SHERY LOPEZ

Street [REDACTED]

City, St PAONIA, CO 81428

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

**U.S. Postal Service™
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Delta, CO 81416

Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$4.40
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To DC SCHOOL DIST. #50

Street RE: NFSIS

City, St DELTA, CO 81416

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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For delivery information, visit our website at www.usps.com®.

Crawford, CO 81415

Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$4.40
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To JEFF SKEELS

Street [REDACTED]

City, St CRAWFORD, CO 81415

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Paonia, CO 81428

Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$4.40
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To KEVIN/NORA O'BRIEN

Street PO BOX [REDACTED]

City, St PAONIA, CO 81428

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service
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Street SHERRY JANE DEANE
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Postage \$0.78

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City, State PAONIA, CO 81428

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Postage \$0.78

Total Postage and Fees \$10.48

Sent To
Street TERRANCE BRIGGS
PO BOX [REDACTED]
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Crawford, CO 81415

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☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To
Street JOHN/CECILIA CHERRY
[REDACTED]
City, State CRAWFORD, CO 81415

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Aspen, CO 81612

Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee as appropriate)

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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
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Postage \$0.78

Total Postage and Fees \$10.48

Sent To
Street CRAIG BARNES
[REDACTED]
City, State ASPEN, CO 81612

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Extra Services & Fees (check box, add fee as appropriate)

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☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To
Street ROGER DRAPER
[REDACTED]
City, State PAONIA, CO 81428

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JUN 24 2026
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06/24/2026

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☐ Adult Signature Required	\$0.00
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Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To: CHRISTINE LIST
Street Address: C/O KEATON PRITZER
City, State: PAONIA, CO 81428

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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To: SUE STRONG
Street Address: [REDACTED]
City, State: PAONIA, CO 81428

PAONIA, CO
JUN 24 2026
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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To: DIANE SCHEVENE
Street Address: PO BOX [REDACTED]
City, State: PAONIA, CO 81428

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JUN 24 2026
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☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To: COLIN/NADINE O'BRIEN
Street Address: PO BOX [REDACTED]
City, State: PAONIA, CO 81428

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Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To: ZANE WRIGHT
Street Address: PO BOX [REDACTED]
City, State: PAONIA, CO 81428

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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$10.48

Sent To: JOHN SACKLIN
Street Address: DELANEY RUDY
City, State: PAONIA, CO 81428

PAONIA, CO
JUN 24 2026
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Postage \$0.78

Total Postage and Fees \$10.48

Sent To CHRISTOPHER JACOBSON

Street Address PO BOX [REDACTED]

City, State, ZIP+4® PAONIA, CO 81428

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PAONIA, CO
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Postage \$0.78

Total Postage and Fees \$10.48

Sent To WILMORE & COMPANY

Street Address [REDACTED]

City, State, ZIP+4® PAONIA, CO 81428

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Postage \$0.78

Total Postage and Fees \$10.48

Sent To LINDA SMITH

Street Address PO BOX [REDACTED]

City, State, ZIP+4® PAONIA, CO 81416

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Hotchkiss, CO 81419

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Extra Services & Fees (check box, add fee as appropriate)

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☐ Adult Signature Required	\$0.00
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Postage \$0.78

Total Postage and Fees \$10.48

Sent To ZACHARY SEDIVY

Street Address PO BOX [REDACTED]

City, State, ZIP+4® HOTCHKISS, CO 81419

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Delta, CO 81416

Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee as appropriate)

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☐ Adult Signature Required	\$0.00
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Postage \$0.78

Total Postage and Fees \$10.48

Sent To CHOICE PROPERTIES

Street Address [REDACTED]

City, State, ZIP+4® DELTA, CO 81416

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Postage \$0.78

Total Postage and Fees \$10.48

Sent To CLARE FULLER

Street Address [REDACTED]

City, State, ZIP+4® PAONIA, CO 81428

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☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To: MICHAEL MEADOWS
Street: PO BOX [REDACTED]
City: PAONIA, CO 81428

PAONIA, CO 0541
JUN 24 2026
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☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To: KATHERYN SWARTZ
Street: [REDACTED]
City: PAONIA, CO 81428

PAONIA, CO 0541
JUN 24 2026
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☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To: WESS EWERT
Street: [REDACTED]
City: PAONIA, CO 81428

PAONIA, CO 0541
JUN 24 2026
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Extra Services & Fees (check box, add fee as appropriate)

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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To: KIM CARTER
Street: [REDACTED]
City: PAONIA, CO 81428

PAONIA, CO 0541
JUN 24 2026
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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To: DALE GILLENWATER
Street: [REDACTED]
City: PAONIA, CO 81428

PAONIA, CO 0541
JUN 24 2026
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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To: GBD SOLUTIONS LLC
Street: PO BOX [REDACTED]
City: PAONIA, CO 81428

PAONIA, CO 0541
JUN 24 2026
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NOTICE



TOWN OF PAONIA, COLORADO NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the Paonia Planning Commission will hold a Public Hearing at 6:00 p.m. on Monday, July 13, 2026, at the Paonia Town Hall, 214 Grand Avenue, Paonia, CO 81428. The purpose of the Public Hearing will be to consider an application from Carl E. Berg Foundation for a re-zoning of the property located at 218 4th Street, Paonia, CO 81428, which property consists of one (1) lot which is zoned Public District (P) to Community Commercial District (C-2).

NOTICE is further given that the Paonia Board of Trustees will hold a Public Hearing at 6:30 p.m. on Tuesday, July 28, 2026, at Paonia Town Hall, 214 Grand Avenue, Paonia, CO 81428. The purpose of the Public Hearing will be to consider an application from Carl E. Berg Foundation for a re-zoning of the property located at 218 4th Street, Paonia, CO 81428. Which Property consists of one (1) lot which is zoned Public District (P) to Community Commercial District (C-2).

Any person may appear at the Public Hearing and be heard regarding the matters under consideration. Copies of the proposed rezoning and related application materials are on file and available for public inspection in the office of the Town Clerk, 214 Grand Avenue, Paonia, CO 81428. For further information concerning the Public Hearing, please contact the Town Clerk at (970) 527-4101 during regular business hours.

Dated the 17th day of June, 2026.

TOWN OF PAONIA, COLORADO
Samira M Vetter
Town Clerk

214 Grand Avenue | Paonia, CO 81428 | (970) 527-4101 | FAX (970) 527-4102



TOWN OF PAONIA, COLORADO NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the Paonia Planning Commission will hold a Public Hearing at 6:00 p.m. on Monday, July 13, 2026, at the Paonia Town Hall, 214 Grand Avenue, Paonia, CO 81428. The purpose of the Public Hearing will be to consider an application from Carl E. Berg Foundation for a special use review permit to allow mixed use of the property located at 218 4th Street, Paonia, CO 81428. The property is under contract to be purchased by the Carl E. Berg Foundation to be developed as an Informal Education & Cultural Center.

NOTICE is further given that the Paonia Board of Trustees will hold a Public Hearing at 6:30 p.m. on Tuesday, July 28, 2026, at Paonia Town Hall, 214 Grand Avenue, Paonia, CO 81428. The purpose of the Public Hearing will be to consider an application from Carl E. Berg Foundation for a special use review permit to allow mixed use of the property located at 218 4th Street, Paonia, CO 81428. The property is under contract to be purchased by the Carl E. Berg Foundation to be developed as an Informal Education & Cultural Center.

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Dated the 17th day of June, 2026.

TOWN OF PAONIA, COLORADO
Samira M Vetter
Town Clerk

214 Grand Avenue | Paonia, CO 81428 | (970) 527-4101 | FAX (970) 527-4102



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Delta County Independent** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 249-3444**.

Notice ID: 6NI2pPvVOACDacl9avVj | **Proof Updated: Jun. 17, 2026 at 07:33pm MDT**
Notice Name: PH - Rezoning -218 4th St

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Samira Vetter
samirav@townofpaonia.com
(970) 527-4101

FILING FOR

Delta County Independent

Columns Wide: 1 Ad Class: Legals

Total Column Inches: 7.1

Number of Lines: 66

06/25/2026: Custom 23.76

Subtotal \$23.76

Tax \$0.00

Processing Fee \$0.00

Total \$23.76

See Proof on Next Page

**TOWN OF PAONIA,
COLORADO - NOTICE OF
PUBLIC HEARING**

NOTICE is hereby given that the Paonia Planning Commission will hold a Public Hearing at 6:00 p.m. on Monday, July 13, 2026, at the Paonia Town Hall, 214 Grand Avenue, Paonia, CO 81428. The purpose of the Public Hearing will be to consider an application from Carl E. Berg Foundation for a re-zoning of the property located at 218 4th Street, Paonia, CO 81428, which property consists of one (1) lot which is zoned Public District (P) to Community Commercial District (C-2).

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Dated the 17th day of June, 2026.

TOWN OF PAONIA,
COLORADO
Samira M Vetter

Town Clerk

Date: June 25, 2026
#####



PLANNING COMMISSION & COMMUNITY DEVELOPMENT

STAFF REPORT

APPLICATION FOR SPECIAL USE REVIEW-

Real Estate Parcel Number: 324506184001,

Commonly known as 218 Fourth Street Paonia, CO 81428

For Public Hearing on July 13th, 2026

Background

This report reviews SUR2026-002 Application for Special Use Review as outlined in §16-4-40 of the Town of Paonia's Municipal Code of Ordinances for the Parcel Number 324506184001, the property commonly known as: 218 Fourth Street Paonia, CO 81428. The property is currently listed as P (Public Use), but is undergoing a rezoning request to C-2 (Community Commercial District).

The current property owner, Delta County Joint School District 50, is represented by the Carl E. Berg Education Foundation. The Foundation is currently under contract for purchasing the property and has been authorized to submit applications on the School District's behalf.

The applicant is requesting a special use review to allow the property to be used as a museum and education center including as a "community gathering space," with "educational and cultural exhibits, workshops, events, collections support, and administrative offices," as their application mentions.

The structure has primarily been a Vocational/Technical College and has been un/under used for years. The property has been considered for low-income housing, apartments, a community center, and as a new town hall, but none of the proposed projects have come to fruition.

Procedures for Securing Approval of Special Review Application

PMC §16-4-40 gives the procedures that must be met to in order for the Planning Commission to consider a SUR application. The requirements and the application's completion status is included below:

- (a) *Preapplication Conference* – The applicant has held preapplication conferences with the Town Administrator and Staff. The applicant was advised of the process as well



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as the rezoning to C-2 that needs to take place before this Special Use Review can be completed.

- (b) *Filing Deadline* – the applicant met the filing deadline and adequate public notice has been given by the Town Clerk. The application provided has met all of the provisions required for the Special Use Review.
- (c) *Fees* – The applicant has paid for all fees associated with the application and a receipt for which is attached to their application package.
- (d) *Review by the Town Administrator* – A review has been completed by the Town Administrator as well as Staff.
- (e) *Action by the Planning Commission* – The Public Hearing for the applicant has been scheduled with the Planning Commission on July 14th, 2026 at 6:00pm.
- (f) *Action by the Board of Trustees* – Within thirty days of the Planning Commission's recommendation, a meeting will be scheduled with the Board of Trustees to consider the Planning Commission's recommendation and making a final determination on the merits of the application.

All Special Use Review applications are required to include a recorded warranty deed with a legal description of the property. The Delta County Assessor's Office Property Card with recorded warranty deed and legal description of the property is included with this report .

Schedule of Uses

The applicant is asking for approval to use the property as a museum and education center. The current Town of Paonia Municipal Codes does not have a category for museum in the possible uses for any property.

PMC §16-3-10 (1) states that "If a question arises as to whether a specific use does not fall within the expressed use categories, any person may apply to the Planning Commission for a determination as to whether a specific use is permitted."

Below are the categories nearest to the proposed use, *Commercial Recreational* perhaps being the closest match, as the number of visitors and payment for facility use may be the most similar to a museum and education center. I have also included dwellings, as they were mentioned in the application as a possibility for later creation secondary to the business use.



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Sec. 16-3-70. Schedule of uses, commercial and industrial districts.

Table 16-3
Schedule of Uses - Commercial and Industrial Districts

Use	C-1 District	C-2 District	I-1 District	I-2 District
Commercial recreational including pool halls, bowling alleys, skating rinks and golf courses	S	S	S	X
Dwelling units as a part of a business use	S	S	S	X
Dwelling units secondary to the business use	P	P	S	X
Membership clubs	S	S	S	S
Parks and recreation areas	P	P	P	P
Personal services shops, including barber, beauty shops, shoe repair, self-service laundries, travel agencies, etc.	P	P	S	X
Public or private schools	S	S	S	X
Retail businesses	P	P	S	S

P = Permitted by right
S = Permitted by special review
X = Prohibited

(Ord. No. 2000-02, Art. X, 2000; Ord. No. 2014-04, § 1, 1-13-2015; Ord. No. 2016-06, exh. A. 8-23-2016; Ord. No. 2019-10, § 2, 8-13-2019)

Required Findings Needed to Consider a Special Use Review:

As established in PMC §16-4-50, Site Plan Review Criteria and Performance Standards include:

(a) The criteria for review and performance standards are as follows:

(1) *Compliance of the application with this Code in general.*

The applicant's proposed property use is not clearly enumerated anywhere in the Town's Code, as explained in the previous section. However the lack of a museum category as a possible use seems to be an oversight, not a deliberate omission. One could easily argue that the proposed use falls



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cleanly into the spirit of the C-2 district, most likely under *Commercial Recreational*.

The available off-street parking could be considered an issue (see parking section below), as the number of spaces required by the current code is unclear, again, due to the categorization of the space's use. The ability of the current parking lot to meet the large numbers required by similar categories is also unclear.

The addition of a splash pad, if it refers to a ground level fountain/play space or other water feature, could also run afoul the water moratorium and/or any water restrictions enacted by the Town.

(2) *The compatibility of the proposed use and site plan with the character of the surrounding area.*

Review of the application revealed that the building would not be expanded or enlarged outside of its existing footprint. The use of space as a museum or Commercial Recreational fits with character of the surrounding area, as it matches well to the Community Commercial zoning district, C-2. The building is surrounded by two restaurants, a school, and residences, some of which have historically been businesses as well. On the next block of Grand Avenue, there are shops, art galleries, stores, personal services, restaurants, and a recreational park.

(3) *The desirability and need for the proposed use.*

The applicant has conveyed that "The proposed center responds to a demonstrated community interest in preserving and interpreting the area's heritage while providing flexible community gathering space." The interest shown in the project by the community evidenced by comments and turnout during the Town Board Meeting on February 24th, 2026 when the Foundation requested to purchase Town property for the project shows the proposed use has wide support.

(4) *The potential for adverse environmental influences that might result from the proposed use.*



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It is highly unlikely that the use of the space as museum or Commercial Recreational space will have negative or adverse environmental influences.

(5) Compatibility of the proposed use and site plan with the policies and guidelines of the Comprehensive Plan.

The Town of Paonia Comprehensive Plan (adopted July 16, 2025) provides several relevant guiding principles:

- **POLICY LU 11:** Prioritize development that activates vacant spaces and rejuvenates blighted properties.
- **POLICY LU 13:** Encourage infill and redevelopment within the Town's existing limits and where infrastructure and services already exist.
- **POLICY ECON 5:** Focus on encouraging new compatible commercial businesses to build and or relocate in the Paonia downtown core commercial area.

(b) Lights and signs shall be located in a manner that will not be distracting to adjoining properties or passing motorists.

The applicant claims the existing lights are compliant with the dark skies ordinance No. 05-2022. The town has not vetted this claim, however the property is not changing its fixtures, so they may be considered Nonconforming Lighting per the Ordinance and do not need to be brought up to dark skies standards until a light fixture is replaced, a light fixture is damaged such that the cost to bring it into compliance is 50% or less the cost to repair it, or the year is 2032.

(c) Landscaping shall be provided in areas near public right-of-way and located with consideration for energy conservation. An acceptable plan must be provided for the maintenance of the required landscaped areas.

Page 7 of the applicant's Exhibits provides a landscaping plan alongside page 7 of the application. The plan seems appropriate.

(d) Control of storm drainage shall be provided so as to not damage adjoining properties. The plan must be approved by the Town Engineer.

The applicant has not changed the footprint of the building, and the building's structure was presumably approved by the building official at the time. Public Works reports no issues with the drainage as it is.



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- (e) *Site design and building plans shall include provisions for the needs of handicapped individuals as required by the Building Code or other ordinances of the Town.*

The applicant claims that they will make any changes needed to make the site accessible. As the building is not being remodeled, no changes are required by the ADA Standards for Accessible Design.

- (f) *Approved landscaping or solid fencing capable of screening adjacent properties shall be provided where commercial uses abut residential uses.*

The property only directly abuts one residential area, located at the southeast of the property. That property line is screened by trees. All other adjoining properties are schools or are across streets. Much of the property is also bordered with a rock wall.

- (g) *Commercial and Industrial uses shall conform to the following performance standards:*

- (1) *No dust, odor, gas, fumes, glare or vibration shall extend beyond the lot lines. Glare pertains to sunlight reflected from windows or other integral portions of buildings, as well as from lighting fixtures and signs.*

This is not anticipated to be an issue.

- (2) *Smoke shall not be emitted at a density greater than #1 on the Ringleman's scale.*

N/A

- (3) *No particles of fly ash shall exceed two-tenths percent (0.2%) grains per cubic foot of the flue gas at a stack temperature of fifty (50) degrees Fahrenheit.*

N/A

- (4) *Noise. No noise shall be emitted which exceeds a maximum of seventy-five (75) decibels with a maximum increase of five (5) decibels permitted for a maximum of fifteen (15) minutes in any one (1) hour. In addition, every activity shall be conducted so that no noise produced is objectionable due to intermittence, beat frequency or shrillness.*



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The primary use will be within the building. It is not anticipated that there would be an occasion where the noise will exceed the performance standard.

- (5) *Water pollution. No water pollution shall be emitted by the manufacturing or other processing.*

N/A

- (6) *Outside storage areas that adjoin R-1, R-2 or R-3 Districts must be screened from view with screening at least eight (8) feet high. The screening shall be constructed of board fencing, screened metal fencing, or shrubs.*

The property's marked storage areas are not visible to any of Paonia's residential districts.

- (7) *Truck traffic to and from I-1 and I-2 District facilities must be restricted to truck routes. The weight of the trucks is limited to standard highway limits unless otherwise posted.*

N/A

- (8) *Industrial activity within the I-1 District will be restricted to 7:00 a.m. and 9:00 p.m.*

N/A

Parking

As mentioned above in section a.1. of the required findings, parking could be an issue for the location. §16-6-10 requires that a certain "number of off-street parking spaces shall be provided with the construction, addition or change of use, which requires a special review to any of the buildings." Based on the main lot's area of approximately 25,500 ft² and accounting for the shape of the lot, 60 parking spots could be available at the facility. The second lot should be able to account for approximately 20 additional spaces. These estimates are for "normal" sized spaces and do not account for the 4 accessible spaces that would be required for 75-100 parking spots.



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Table 16-5
Off-Street Parking Space Requirements

Use	Parking Requirements	Spaces required 25,395 ft ² **
Commercial uses:		
Business and professional offices	1.0 space for every 250 sq. ft. of floor space	102
Libraries	1.0 space for every 400 sq. ft. of floor area plus 1.0 space for every 2 employees	64
Retail businesses except for furniture and appliance stores	1.0 space for every 300 sq. ft. of floor area	85
Places of public assembly such as churches, auditoriums, meeting rooms, funeral homes	1.0 space for every four seats or benches in the principal place of assembly (Bench capacity is determined as on seat per 30 inches)	Cannot Calculate

****assuming 75% of building area as floor space**

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2003-08, 2003; Ord. No. 2014-04, § 1, 1-13-2015)

Staff Recommendation

Staff recommends approval of the SUR2026-002 based off the information provided by the applicant, the Town's Municipal Code, and the 2025 Comprehensive Plan. The application meets the performance standards required under PMC §16-4-50 for a Special Use Review.

As another part of the code is under review during this meeting, the Commission may consider recommending adding museums to the list of commercial recreational places.



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Potential Motions:

- 1.) I move to recommend approval of SUR2026-002 because it does not adversely affect the public health, safety and welfare of the neighborhood, that the use substantially conforms to the 2025 Comprehensive Plan, and that the proposed use meets the review criteria and performance standards as required; as long as it receives a favorable determination from the Board of Trustees.
- 2.) I move to recommend denial of SRV 2024-03 because it doesn't meet the criteria and performance standards required for considering a Special Use Review since the applicant hasn't demonstrated that it meets the goals and objectives of the Comprehensive Plan and/or that the amendment will adversely affect the public health, safety and welfare.
- 3.) I move to make no recommendation to the Board of Trustees for SRC 2024-03.

SPECIAL USE REVIEW APPLICATION

Town of Paonia, Colorado

218 4th Street, Paonia, Colorado 81428

Delta County Parcel No. 324506184001

Former Paonia Vo-Tech Building — Adaptive Reuse as an Informal Education & Cultural Center

Applicant

Carl E. Berg Education Foundation, a Colorado non-profit corporation

Property Owner

Delta County Joint School District No. 50

Submitted to the Town of Paonia Planning Commission and Board of Trustees

June 17, 2026

June 17, 2026

Stefen Wynn, M.P.A.

Town Administrator & Treasurer

Town of Paonia

PO Box 460 / 214 Grand Avenue

Paonia, CO 81428

RE: Special Use Review Application — 218 4th Street, Paonia, CO 81428 (Parcel No. 324506184001)

Dear Mr. Wynn:

On behalf of the Carl E. Berg Education Foundation (the “Foundation”), enclosed please find a Special Use Review Application for the property located at 218 4th Street — the former Paonia Vo-Tech building — currently owned by Delta County Joint School District No. 50 and under contract for purchase by the Foundation. This application is submitted concurrently with a rezoning application requesting reclassification of the property from P – Public District to C-2 Commercial.

As discussed with the Town Manager and Town staff, several of the Foundation’s proposed programs and functions — community gathering space, educational and cultural exhibits, workshops, events, collections support, and administrative offices — are commercial in nature but are not specifically enumerated in the Town Code. Staff recommended that the Foundation pursue a Special Use Review Permit to accommodate this mix of uses until such time as the Town adopts a dedicated Mixed-Use zone district. The property is designated “Mixed Use” on the Town’s 2025 Comprehensive Plan Future Land Use Map, and the proposed programming is consistent with that designation.

This submittal includes the completed application, a project narrative, the Foundation’s response to the site plan review criteria and performance standards of Town Code Section 16-4-50, and the supporting exhibits identified in the Exhibit List at the end of this package, including the site plan, floor plan, legal description, property record card, title commitment, deed, and owner authorization forms.

We appreciate the time Town staff has already invested in discussing this proposal with the Foundation and look forward to the Planning Commission’s review. Please let us know if any additional information is needed to deem the application complete, or if a pre-application conference should be scheduled prior to docketing.

Sincerely,

Andrew Thliveris

Carl E. Berg Education Foundation

[REDACTED]

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1. Project Narrative

The Carl E. Berg Education Foundation respectfully submits this Special Use Review Application, together with an accompanying rezoning application, for the property at 218 4th Street in Paonia — the former Vo-Tech / Delta-Montrose Technical College building. The Foundation proposes to repurpose the existing 2.531-acre site and approximately 33,860 square-foot building as an informal education center that will serve the Paonia community and surrounding region through experiential exhibits that honor the area's past, enrich its present, and inspire future generations.

The center will accommodate a variety of programs and functions, including community gathering spaces, educational activities, workshops, public events, collections support, exhibit space, administrative offices, and other mission-aligned uses. Other uses include a kitchen for farmers to freeze dry food an area to rent to non-profits and future housing for Agriculture or museum related interns.

The mission of the center is to celebrate the region's rich heritage and the natural world through a thoughtfully designed space that invites exploration, learning, and connection.

Because of the unique character of the project, the Foundation has met with several members of Town staff, including the Town Manager, to discuss the most appropriate regulatory path forward. A number of the proposed uses are commercial in nature but are not specifically defined in the Town Code. Town staff recommended that the Foundation apply for a Special Use Review Permit to accommodate this mix of uses until such time as the Town adopts a Mixed-Use zone district. As discussed further in Section 8 of this application, the former Vo-Tech building is designated "Mixed Use" on the Town's 2025 Comprehensive Plan Future Land Use Map, and the proposed uses fit well within that designation.

The building has served the Paonia community as an educational facility for decades and requires no new construction, building additions, or expansion of impervious surface to accommodate the proposed use. The Foundation intends to maintain and build upon that legacy of community-serving, low-impact educational use, while broadening the range of programming offered to residents and visitors.

2. Applicant and Property Owner Information

2.1 Applicant

Applicant Name	Carl E. Berg Education Foundation, a Colorado non-profit corporation
Mailing Address	██████████ Paonia, CO 81428
Contact	Andy Thliveris
Phone	██████████
Email	██████████

2.2 Property Owner (if different from Applicant)

The property is currently owned by Delta County Joint School District No. 50 and is under contract for sale to the Carl E. Berg Education Foundation. The District has authorized the Foundation and its consultants to submit this application on the District's behalf (Exhibit J).

Owner Name	Delta County Joint School District No. 50
Mailing Address	████████████████████
Owner Contact	██████████
Phone	██████████

2.3 Land Use Consultant / Authorized Agent

Firm	Spruance Consulting, LLC
Address	██
Phone	██████████
Email	████████████████████

3. Property Information

Property Address	[REDACTED]
Assessor Account / Parcel No.	R025939 / 324506184001
Site Area	2.531 acres, more or less
Legal Description	Lot 1, Delta County Joint School District #50 / Delta County Joint School District #3 Boundary Line Adjustment, recorded December 4, 2023 under Reception No. 750218, County of Delta, State of Colorado. The full metes-and-bounds legal description is provided as Exhibit A.
Existing Zoning	P – Public District
Proposed Zoning	C-2 Commercial (under concurrent rezoning application)
Existing Use	Former public school / vocational-technical college campus
Proposed Use	Informal education and cultural center: exhibits, classrooms, workshops, community events, collections support, and administrative offices
Building Data	Approximately 33,860 square feet (gross), two-story masonry construction, originally built in 1960. See Exhibit C (Floor Plan) and Exhibit D (Property Record Card).

4. Site Plan Narrative

The following responds to the site plan information required under Section 16-4-30 of the Town Code and Section 3 of the Town's Special Use Review Application. Refer to the Site Plan (Exhibit B), Floor Plan (Exhibit C), and site photographs (Exhibit G) for graphic detail.

4.1 Buildings, Structures, and Improvements

The site is improved with a single existing building (the former Vo-Tech facility) shown on the Site Plan (Exhibit B). No new buildings, structures, or building additions are proposed as part of this application.

4.2 Off-Street Parking and Loading

The site contains an existing gravel parking lot accessed from Grand Avenue and 5th Street, together with additional proposed on-site parking along 4th Street, as depicted on Exhibit B. No changes to the existing parking or loading configuration are proposed.

4.3 Ingress and Egress

Ingress and egress will continue to use the existing access points from Grand Avenue and 5th Street shown on Exhibit B. No new curb cuts or access points are proposed.

4.4 Service and Refuse Collection Areas

An existing trash enclosure is located adjacent to the parking area, as shown on Exhibit B. No changes to service or refuse collection areas are proposed.

4.5 Major Screening Proposals

An existing rock wall runs along the property's perimeter facing Grand Avenue and 5th Street, supplemented by mature trees and landscaping (see Exhibit B and the site photographs in Exhibit G). This existing screening will be maintained.

4.6 Signage

No new signage is proposed at this time. Any future signage will be sized, located, and illuminated in conformance with the Town's sign standards and will be submitted for separate permit review.

4.7 Open Space and Recreation Areas

The site is fully developed with the existing building, parking areas, and landscaped grounds. The owner would like to add a splash pad. No dedicated open space or recreation area is proposed as part of this application.

4.8 Outdoor Lighting

All outdoor lighting on the property is existing, is shielded and downcast, and no additional fixtures are proposed at this time. Any future lighting will comply with the Town's outdoor lighting standards.

4.9 Landscaping

The property has mature, established landscaping along its street frontages. The Foundation intends to add supplemental landscaping in the locations generally depicted on Exhibit B, with future plantings selected and maintained with consideration for water-efficient, low-maintenance species. A detailed plant schedule (type, minimum size, and quantity) will be provided on the final Mylar site plan in accordance with Section 16-4-30(11) of the Town Code.

4.10 Stormwater Management

The site is fully built out with existing buildings, parking, and other impervious surfaces. No new impervious area is proposed, and the Foundation is not aware of any existing drainage issues affecting the property or adjoining properties.

4.11 Handicapped / ADA Access

The site and building will be maintained and, where necessary, improved to meet Town of Paonia building code and ADA accessibility requirements for both exterior and interior access.

4.12 Timetable for Completion

Because the proposal involves adaptive reuse of an existing building with no new construction, the Foundation anticipates commencing the proposed use shortly after Town approval and closing on the purchase of the property. No phased construction schedule is proposed; the Foundation will confirm an anticipated occupancy date with Town staff as the rezoning and purchase transaction proceed.

5. Legal Agreement

In accordance with Section 16-4-30(13) of the Town Code, the Foundation acknowledges that the following agreement must be placed on the original Special Review site plan, signed by all owners and lienholders of the property, with all signatures notarized: that the property described on the site plan shall be developed only in accordance with the approved Special Review site plan and the provisions of the Town's zoning regulations, and identifying the party responsible for the proposed improvements.

Because the property is currently in the process of being conveyed from Delta County Joint School District No. 50 to the Carl E. Berg Education Foundation, this agreement will be executed by the appropriate owner(s) of record and placed on the final Mylar site plan submitted following Planning Commission and Board of Trustees review, consistent with Town procedure.

6. Title Policy

An ALTA Commitment for Title Insurance (Order No. DRC44010547), issued by Old Republic National Title Insurance Company through Land Title Guarantee Company, is enclosed as Exhibit H. The Commitment confirms that, as of the Commitment Date, title to the property is vested in fee simple in Delta County Joint School District No. 50, with the Carl E. Berg Education Foundation (identified in the Commitment as “Carl E. Berg Education Foundation, a Colorado non-profit corporation”) as the proposed insured purchaser. Schedule B, Part II of the Commitment discloses only standard utility, access, and right-of-way easements and plat notes of record; the Commitment does not disclose any monetary liens or ownership disputes that would impair the proposed use of the property.

Consistent with Section 16-4-30(14) of the Town Code, a final owner’s title policy confirming that all owners and lienholders have signed the Special Review site plan will be provided to the Town Clerk within twenty-four (24) hours of Board of Trustees approval, and in no event later than seven (7) days after Board action.

7. Supporting Documents

7.1 List of Property Owners Within 200 Feet

A list of the names and mailing addresses of all property owners within two hundred (200) feet of the subject property, as required by Section 16-4-30(3) of the Town Code, will be provided under separate cover prior to the Planning Commission hearing being docketed, to ensure the list reflects current County Assessor records at the time of public notice.

7.2 Additional Reports and Studies

The following additional reports and studies identified in Section 6 of the Town's Special Use Review Application are not applicable to this proposal, for the reasons noted below:

- Traffic analysis — not applicable. The site is an existing, fully developed school facility with established access and parking; the proposed reuse is not expected to generate traffic materially different from the property's historic institutional use.
- Soils or geological reports — not applicable. This is an existing site with existing improvements; no grading, excavation, or new foundation work is proposed.
- Drainage or engineering studies — not applicable. This is an existing site with no new buildings or additional impervious area proposed.
- Environmental impact assessments — not applicable. The anticipated uses (education, exhibits, community events, and administrative offices) are non-hazardous and are not expected to generate adverse environmental impacts.
- Noise studies — not applicable. All proposed uses will be conducted indoors and will comply with the Town's noise performance standards.
- Air quality studies — not applicable. The proposed uses will not require an Air Pollutant Emission Notice (APEN) from the Colorado Department of Public Health and Environment.

In lieu of new technical studies, the Foundation has included a 2023 asbestos re-inspection report for the existing building (Exhibit K), prepared for the District as part of its ongoing asbestos operations and maintenance program, to document the existing condition of the building as part of this application.

8. Response to Review Criteria and Performance Standards

Section 16-4-50 of the Town Code establishes the criteria and performance standards the Board of Trustees must consider in evaluating a Special Use Review application. The Foundation's response to each criterion follows.

8.1 Compliance with Zoning Code

The application complies with the Town of Paonia Zoning Code and applicable ordinances. During a meeting with the Town Manager and Town staff, it was recommended that the Foundation apply for a Special Use Review Permit to accommodate the variety of proposed uses, several of which are commercial in nature but not specifically enumerated in the Town Code. The table in Section 8.6 below summarizes how comparable commercial uses are currently treated in the C-2 Commercial district, which is the subject of the Foundation's concurrent rezoning application.

8.2 Compatibility with Surrounding Area

The former Vo-Tech building has served the surrounding community as an educational facility for decades with minimal impact on neighboring properties. The Foundation intends to continue using the building in a similar, low-impact manner while expanding the range of educational and cultural programming offered. The District retains ownership of the adjacent property to the east, and surrounding properties are separated from the site by public road rights-of-way.

8.3 Need and Desirability

The family associated with the Carl E. Berg Education Foundation has lived in the Paonia community since the 1940's and has a mission to provide educational services to the community, including promoting the region's diverse culture and history and educating the public about the natural world. The proposed center responds to a demonstrated community interest in preserving and interpreting the area's heritage while providing flexible community gathering space.

8.4 Environmental Considerations

The proposed uses are not anticipated to have an adverse effect on the environment. The uses are low-impact, are conducted entirely indoors, and require no new construction, grading, or expansion of impervious surface.

8.5 Comprehensive Plan Compatibility

The proposed rezoning to C-2 Commercial and the uses described in this application are consistent with the Town's adopted 2025 Comprehensive Plan. The property is identified within the Town's "Mixed Use" future land use category, as shown on the Future Land Use Map attached as Exhibit F. The Mixed Use category supports a range of commercial, institutional, and creative uses — including offices, art studios, and small-scale creative industries — that are compatible with the Foundation's proposed programming.

8.6 Performance Standards for Commercial / Industrial Uses

Lights and Signs

Existing site lighting is shielded and downcast, and no additional lighting is proposed at this time. No new signage is proposed; any future signage or lighting will comply with Town standards to avoid distraction to neighboring properties or motorists.

Landscaping

The property has mature, established landscaping, and the Foundation intends to add supplemental landscaping in the future. Any additional landscaping will be selected and maintained with consideration for water-efficient use.

Storm Drainage

There are no known stormwater drainage issues affecting the property, and no additional buildings or impervious areas are proposed that would alter existing drainage patterns.

Handicapped Access

The property can accommodate ADA accessibility requirements both outside and within the building, consistent with Town building code requirements.

Commercial Use Screening

Adequate screening and landscaping already exist on the property, including the perimeter rock wall and mature trees. The School District continues to own the adjacent property to the east, and adjoining properties are separated from the site by public road rights-of-way.

Environmental Performance — Dust, Odor, Gas, Fumes, Glare, Vibration

All activities will be conducted within the building, and no dust, odor, gas, fumes, glare, or vibration are anticipated to extend beyond the property's lot lines.

Environmental Performance — Particulate Emissions

No harmful air emissions are anticipated from the proposed uses, as all activities will be conducted inside the building.

Environmental Performance — Noise

Noise levels from the proposed uses are not expected to exceed the Town's 75 dB(A) standard, as activities will occur inside the building during normal business hours. Occasional evening or weekend events will likewise be conducted indoors and are not expected to produce intermittent, shrill, or otherwise objectionable noise.

Environmental Performance — Water Pollution

None of the proposed uses involve processes that would pollute surface or groundwater resources.

Truck Traffic and Hours of Operation

Proposed uses will generally be conducted Monday through Friday during normal business hours, with occasional classes, events, or activities on weekends. No regular heavy truck traffic is anticipated in connection with the proposed uses.

Existing Table of Uses — C-2 Commercial District (Town of Paonia Zoning Code)

The following table, excerpted from the Town's zoning regulations, is provided for reference in evaluating compatibility of the proposed programming with comparable commercial uses (P = Permitted; S = Special Review Use; X = Not Permitted).

Use	C-2 District
Auto sales and service repair	S

Automobile wrecking yards	X
Banking, savings and loan	P
Bulk large storage of flammable liquid/gas facilities	X (S if 500 gal. or under)
Campgrounds, recreational vehicle parks	S
Child care	P
Churches	S
Commercial recreation (pool halls, bowling, skating, golf)	S
Dental or medical clinics	P
Drive-up windows (banks, businesses, restaurants)	S
Dwelling units as part of a business use	S
Dwelling units secondary to the business use	P
Fabricating / manufacturing industry	S
Fast food and drive-thru restaurants	S
Formula businesses	S
Gas stations	S
Group homes for the developmentally disabled	S
Lumber yards	S
Membership clubs	S
Mobile home sales / service	S
Motels, hotels, lodging (incl. B&Bs)	P
Multiple-family dwellings	S
Nursing homes	P
Parking lots	P
Parks and recreation areas	P
Personal services shops (barber, beauty, shoe repair, laundries, travel agencies)	P
Professional and business offices (part of permitted light industry)	P
Public and governmental facilities	P
Public or private schools	S
Restaurants	P
Retail businesses	P
Small animal clinic	S
Storage sheds (rental spaces)	S
Warehouses	S
Wholesale businesses (factory outlets)	S

9. Certification and Signature

By signing below, the Applicant affirms that all information provided in this Special Use Review Application is true and complete to the best of its knowledge, and agrees to abide by the terms outlined in this application and related documents.



Applicant Signature

Print Name: Andy Thliveris, on behalf of Carl E. Berg Education Foundation

6/18/26
Date

Town Use Only

Received by: Daoine Bachran

Date Received: 6/18/2026

Exhibit List

The following exhibits are attached to and submitted as part of this Special Use Review Application:

Exhibit	Description
A	Legal Description of Property
B	Site Plan (prepared by Spruance Consulting, LLC)
C	Floor Plan — “Paonia Energy Tech,” 218 4th Street
D	Delta County Assessor Property Record Card (Account No. R025939)
E	Boundary Line Adjustment Plat / Plat Over Aerial
F	Town of Paonia 2025 Comprehensive Plan — Future Land Use Map
G	Site Photographs
H	ALTA Title Commitment (Order No. DRC44010547, Old Republic National Title Insurance Company)
I	Quit Claim Deed, Reception No. 742333, Delta County Clerk and Recorder
J	Signed Owner Authorization Forms
K	Asbestos Re-Inspection Report, Grande River Environmental, LLC (May 4, 2023)

EXHIBITS



Special Use Review Application
Town of Paonia, Colorado

1. Applicant Information

- **Applicant Name:** _____
- **Applicant Address:** _____
- **Applicant Contact Information:**
 - Phone: _____
 - Email: _____
- **Property Owner Name (if different):** Delta County Joint School District No.50
- **Property Owner Address:** _____

2. Property Information

- **Legal Description of Property:** See attached legal description

(Attach legal description, typically from a deed or survey.)

- **Property Address:** 218 4th Street
Paonia, Colorado 81416
- **Parcel Number(s):** 324506184001

3. Site Plan

The following details must be included in the site plan, which should be drawn to scale on **Mylar**:

- **Site Plan Requirements:**
 - ✓ **Location of all buildings, structures, and other improvements** on the property.
(A building envelope may be used for flexibility in placement.)
 - ✓ **Off-street parking and loading areas** with dimensions and number of spaces.
 - ✓ **Ingress and egress points** (access points for buildings and parking).

- ✓ **Service and refuse collection areas** (locations and type). See site plan for details
- ✓ **Major screening proposals** (type, location, and size of barriers or landscaping to minimize visual impact). See site plan for details. There is an existing rock wall on the perimeter
- ✓ **Signage details**, including size, shape, height, and character of all proposed signs.
- ✓ **Open space and recreational areas** (designated areas for public or private recreation, including their size and location). Existing site. No open space is proposed
- ✓ **Outdoor lighting details**, including type and placement of fixtures to avoid light pollution and impact on neighboring properties. All outdoor lighting is existing. None proposed
- ✓ **Landscaping plan**, including:
 - Type of plant material
 - Minimum size
 - Quantity of each species
 - Location of landscaping areas on the site plan.
- ✓ **Proposed stormwater management solutions**, including drainage plans and runoff control measures. Existing site with existing buildings and impervious areas which have been accounted for
- ✓ **Handicapped access provisions** (per Town building code requirements). ADA will meet Town Codes
- ✓ **Timeframe for project completion**, and phasing if applicable.

4. Legal Agreement

An agreement will be placed on the original site plan with the following:

- A statement that the property will be developed **only according to the approved special review site plan** and in compliance with Town of Paonia zoning regulations.
- **Signatures of all owners and lienholders** of the property, notarized.
- **Designated party** responsible for implementation of the site plan and improvements.

5. Title Policy

- **Title Policy Submission:** Provide a title policy indicating that the property is free of ownership disputes, liens, or encumbrances that would impair the use of the property. The policy must:
 - Be effective within **24 hours of Board approval**.
 - Confirm signatures of **all owners and lienholders** on the special review site plan.
 - Be submitted to the **Town Clerk within 7 days** of Board approval.

6. Supporting Documents

Attach the following documents:

- **List of Property Owners Within 200 Feet:** Provide names and addresses of all property owners within 200 feet of the subject property.
- **Additional Reports/Studies** (if applicable):
 - N/A ○ Traffic analysis
 - N/A ○ Soils or geological reports This is an existing site with improvements
 - N/A ○ Drainage or engineering studies Existing site with nonew buildings or impervious area
 - N/A ○ Environmental impact assessments The anticipated uses are non-hazardous
 - N/A ○ Noise studies All uses will be conducted indoors and will comply with Town's noise standards
 - N/A ○ Air quality studies The proposed uses will not require an APEN from CDPHE
 - N/A ○ Any other relevant information requested by the Town for further analysis.

7. Review Criteria and Performance Standards

In order for the Board of Trustees to approve the application, the following criteria must be met:

1. **Compliance with Zoning Code:**
The application must comply with the Town of Paonia Zoning Code and all applicable ordinances.
2. **Compatibility with Surrounding Area:**
The proposed use and site plan must be compatible with the character of the surrounding area.
3. **Need and Desirability:**
The proposed use should meet a demonstrated need for the community.
4. **Environmental Considerations:**
The application must address any potential adverse environmental impacts.
5. **Comprehensive Plan Compatibility:**
The proposed use must align with the Town's Comprehensive Plan policies and guidelines.
6. **Performance Standards for Commercial/Industrial Uses:**
 - **Lights and Signs:** No distraction to neighboring properties or motorists.
 - **Landscaping:** Provide energy-efficient landscaping, especially near public right-of-way.
 - **Storm Drainage:** Must prevent damage to adjoining properties.

- **Handicapped Access:** Required by law.
- **Commercial Use Screening:** Commercial and industrial uses abutting residential areas must provide adequate screening.
- **Environmental Performance:**
 - No dust, odor, gas, fumes, glare, or vibration beyond property boundaries.
 - No emissions of particulate matter above specified limits.
 - Noise levels must be kept below 75 decibels, with no sudden, shrill, or intermittent sounds.
 - No water pollution from the activity.
 - Restrictions on truck traffic and hours of operation for certain commercial/industrial zones.
- **Payment of Fees**
 - \$250 Application Fee for Special Use Reviews within zoning districts (Must be paid at time of filing).
 - Administrative Review billed at \$80 per hour in 15-minute increments if review takes longer than 1-hour (Not required at time of filing).
 - Attorney Review billed at \$235 per hour in 15-minute increments, if necessary (Not required at time of filing).

8. Signature of Applicant

By signing below, the applicant affirms that all information provided in this Special Use Review Application is true and complete to the best of their knowledge, and agrees to abide by the terms outlined in the application and related documents.

Applicant Signature: _____

Date: _____

Town Use Only

Received by: _____

Date Received: _____

LEGAL DESCRIPTION

LEGAL DESCRIPTION

LOT 1

A Parcel of land located within Government Lot 2 of Section 6, Township 14 South, Range 91 West of the 6th P.M., having a description based upon a bearing of S.89°05'26"E. from the E1/16 Corner common to Sections 31 and 6 (monumented by a 1-1/2" aluminum cap RLS1456) to the Section Corner common to Sections 5, 6, 31 and 32 (monumented by a 3-1/4" USGLO Brass cap), with all other bearings relative thereto and being more particularly described as follows:

Beginning at a point on the southerly right-of-way line of 5th Street from whence said E1/16 corner bears N.86°51'31"E. 159.12 feet; thence leaving said southerly right-of-way line and running S.01°15'39"E. 51.94 feet; thence S.01°19'28"W. 17.35 feet; thence S.00°10'17"E. 148.00 feet; thence S.89°32'01"E. 14.74 feet; thence S.00°50'45"W. 5.89 feet; thence S.46°15'36"E. 85.03 feet; thence S.01°37'56"E. 140.56 feet to the northerly right-of-way line of 4th Street; thence along the northerly right-of-way line of 4th Street N.89°17'51"W. 391.84 feet to the easterly right-of-way line of Grand Ave.; thence along the easterly right-of-way line of Grand Ave. N.00°45'30"E. 3.38 feet to the southeasterly right-of-way line of 5th Street; thence along the southeasterly right-of-way line of 5th Street the following four (4) courses: (1) on a tangent curve to the right 302.47 feet, with a radius of 425.00 feet, with a chord bearing and distance of N.21°08'49"E. 296.13 feet; (2) thence N.41°32'08"E. 69.56 feet; (3) thence on a tangent curve to the right 168.73 feet, with a radius of 275.00 feet, with a chord bearing and distance of N.59°06'48"E. 166.10 feet; (4) thence N.86°39'25"E. 15.03 feet to the Point of Beginning, said parcel contains 2.531 acres, more or less.

Town of Paonia, County of Delta, State of Colorado

SITE PLAN

Carl E. Berg Educational
Foundation

GRAND AVENUE

5th STREET

Existing
Parking Lot

Existing
Access

Trash
Enclosure

Enclosed Storage

Patio

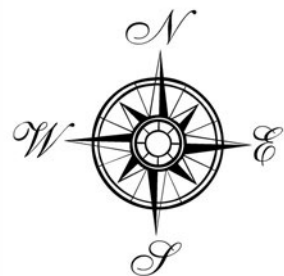
Existing Building

Additional Parking

4th STREET

Address of Property:
218 4th Street

Existing Zoning: P – Public District
Proposed Zoning: C-2 Commercial



Prepared by:
Spruance Consulting, LLC
www.spruanceconsulting.com
970-312-7050



0 15 30 60 US Feet

April 5, 2017



Building COST	\$46,114.35	Building Admin	\$ 19,535	Utility fee	\$ 26,579
S.f. heated	31092	\$	0.82	s.f.	

PAONIA ENERGY TECH 218 4TH STREET PAONIA

SCALE



31,291 s.f.

Property Record Card

DELTA COUNTY Delta County Assessor

DELTA COUNTY JOINT SCHOOL DISTRICT 50

145 W 4TH ST
DELTA, CO 81416-1839

Account: R025939

Tax Area: BR- - BR-
Acres: 2.531

Parcel: 324506184001

Situs Address:
218 4TH ST
PAONIA, 81428

Value Summary

Value By:	Market	Override
Commercial (1)	\$2,643,017	N/A
Land (1)	\$185,000	N/A
Total	\$2,828,017	\$2,828,017

Legal Description

218 4TH ST PAONIA 81428 TOTAL AC 2.531 +- LOT 1 OF DELTA CTY JOINT SCHOOL DIST #50 BA, RESUB OF LOTS 1-6 SCHOOL ADD & RESUB OF BLKS 3,4 5TH ST ADD. PT OF GOVT LOT 2 S6 T14S R91W 6PM AND PT OF S31 T13S R91W 6PM BEG PT SROW/L 5TH ST WH BEARS N86*51'31"E 159.12' S01*19'28"W 17.35' TH S00*10'17"E 148' TH S89*32'01"E 14.74' TH S00*50'45"W 5.89' TH S46*15'36"E 85.03' TH S01*37'56"E ETC TO POB R742333 R750218- PLAT



Public Remarks

Entry Date	Model	Remark
01/05/2024		DEACTIVATED ACCOUNTS R008782 R008783 R009152 AND CREATED ACCOUNTS R025939 R025940 R025941 R025942 R025943 R025944- KD
04/09/2024		SITE VISIT 4/4/2024 IN RESPONSE TO BOUNDARY ADJUSTMENT SURVEY. NEW PHOTOS. CONFIRMED SKETCH. UPDATES EFF 2024. -EC
07/25/2024		PARCEL SPLIT / ADJUSTMENT; USED ADJUSTMENT TO ALLOCATE VALUES TO MATCH 2024 PARENT NOV; REMOVED ADJUSTMENT FOR 2025 - PH

Commercial Occurrence 1

BVAL	924200 - SCHL DIST	Abstract Code	9242 - SCHOOL DISTRICTS
Arch Style	32 - SCHOOL	Exterior wall	17 - CB STUCCO 19 - COMMON BRK
RCVR	13 - FOAM	RSTR	1 - FLAT
Interior Wall	5 - DRYWALL 12 - INTERIOR WALL WAREHOUSE FINISH	Flooring	14 - CARPET 12 - HARDWOOD 5 - ASPH TILE
Heating Fuel	3 - GAS	Heating Type	3 - FORCED AIR
Air Conditioning	3 - CENTRAL	Subdivision	200411 - PAO COMMERCIAL

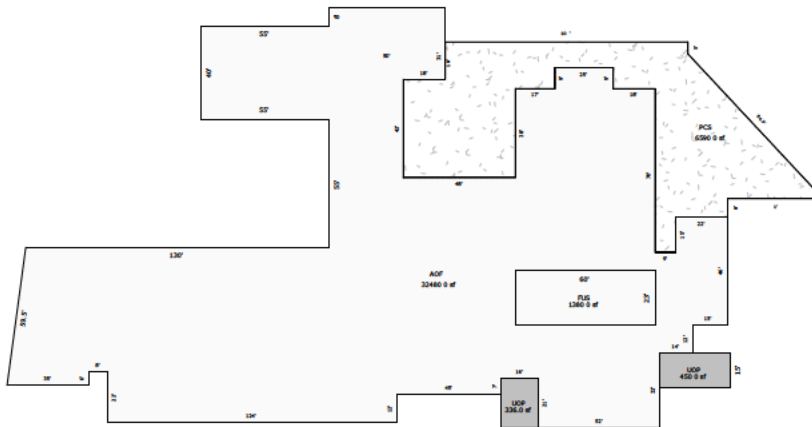
Property Record Card

DELTA COUNTY Delta County Assessor

Commercial Occurrence 1

Air Conditioning	3 - CENTRAL	Subdivision	200411 - PAO COMMERCIAL
QUAL	3 - AVERAGE	Frame type	3 - MASONRY
STYS	2 - STYS	Number of Baths	10
RMS	22	Actual Year Built	1960
Effective Year Built	1985	Neighborhood	200411 - PAO COMMERCIAL
DEPR04	1985 - DEPR04	Use Code	9000

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
AOFF - AVG-OFFICE	32,480	32,480	32,480	32,480
FUS - F.UP STORY	1,104	1,380	1,380	1,380
UOP - UNF OPEN PORCH	79			786
Total	33,662.60	33,860.00	33,860.00	34,646.00
	Value	Rate	Rate	Rate
	\$2,643,017	78.51	78.06	76.29



Sketch by Apex Sketch v5 Pro™

Land Occurrence 1

LVal	100413 - PAO TOWN LOT 2.01-3 AC	Abstract Code	9142 - 9142 - school districts- exempt
Lot Front	0	Lot Depth	0
Adj 1	100	Adj 2	100
Adj 3	100	Adj 4	100
Neighborhood	200411 - PAO COMMERCIAL	Road	6 - S PAVED
TOPO	1 - AVG TOPO	Utilities	7 - W/S/E/G
Appr Dist	5 - COMM-IND-ERIN	Subdivision	200411 - PAO COMMERCIAL
Use Code	9000	Review Date	202404 - 24-Apr

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
LT	1			1

Property Record Card

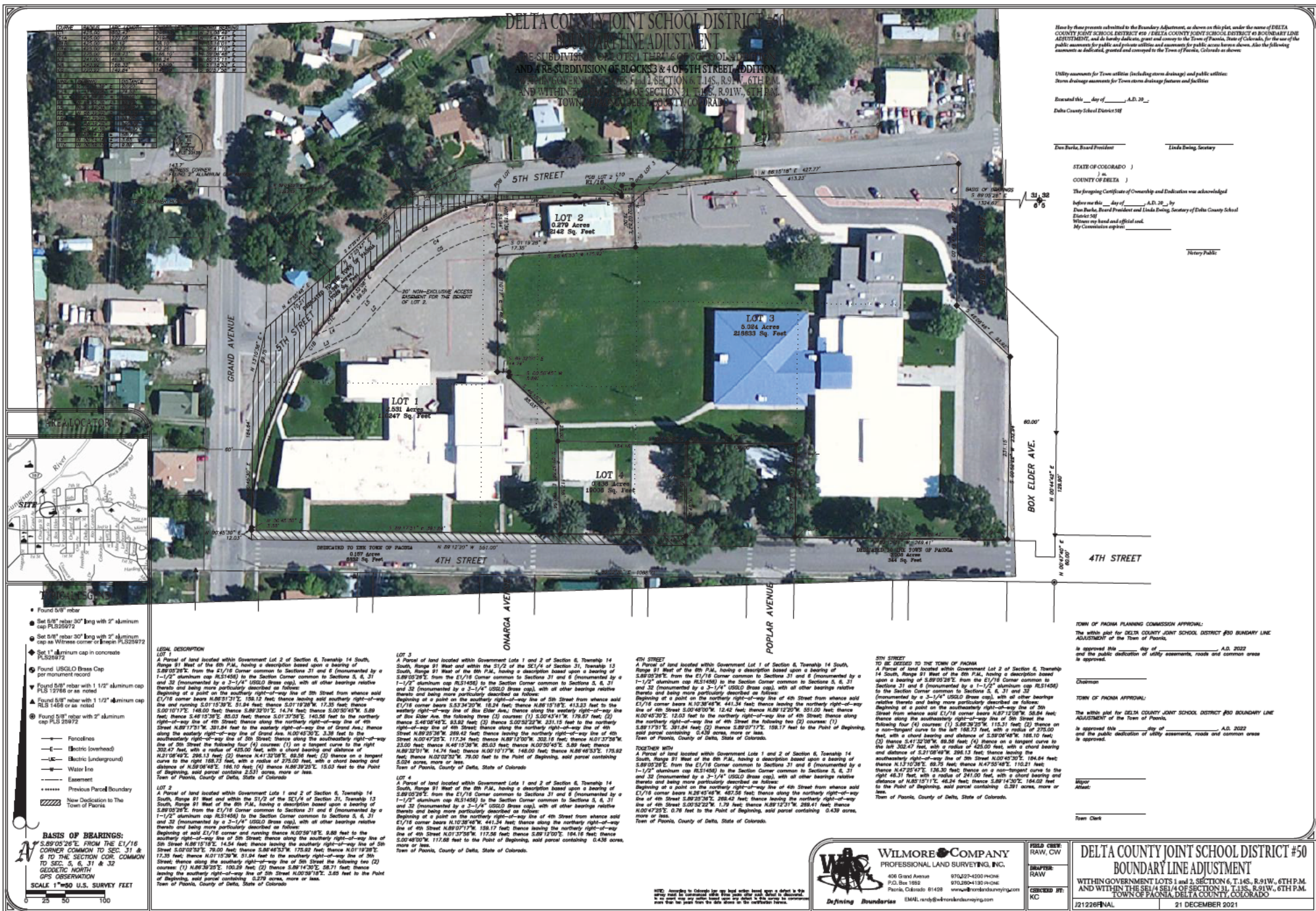
DELTA COUNTY Delta County Assessor

Land Occurrence 1

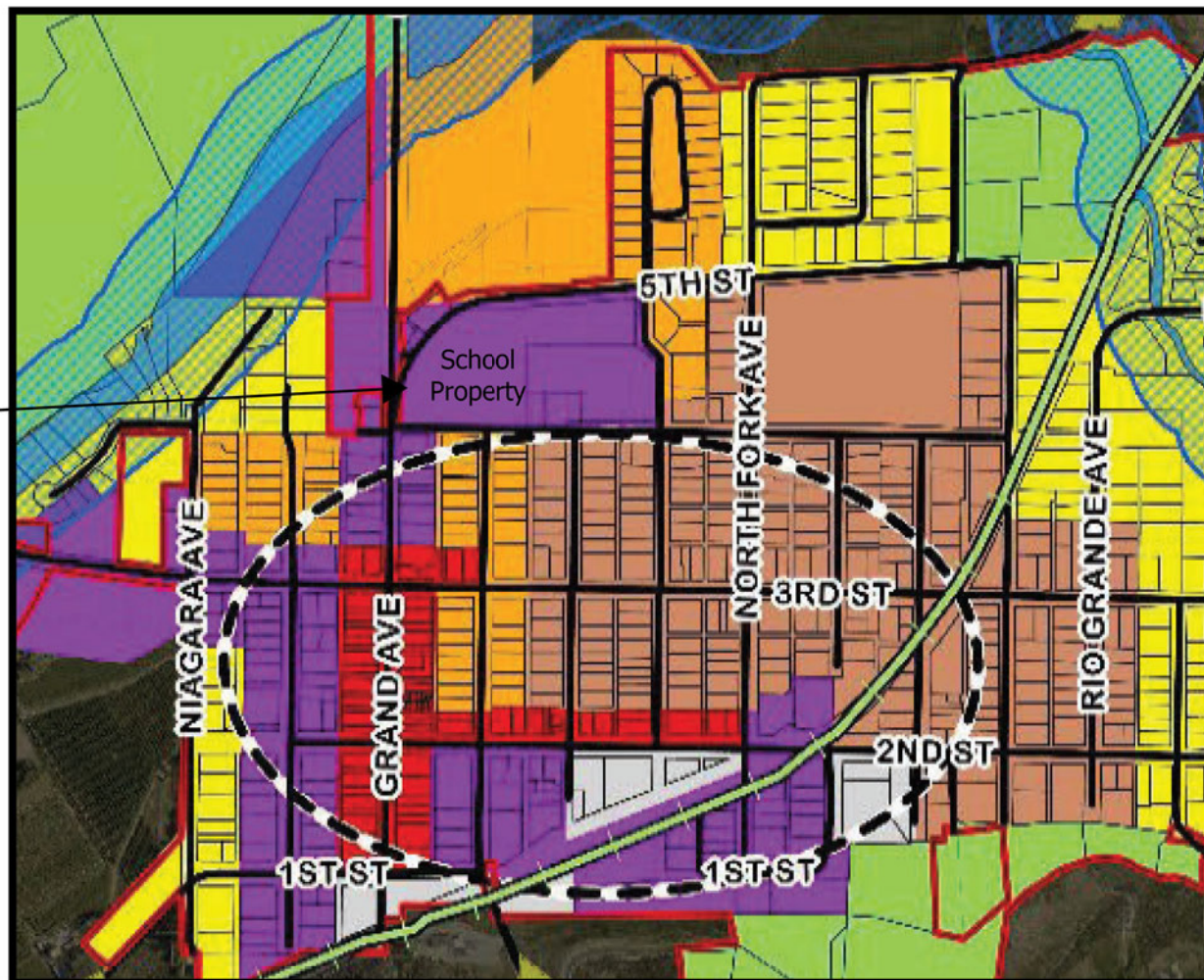
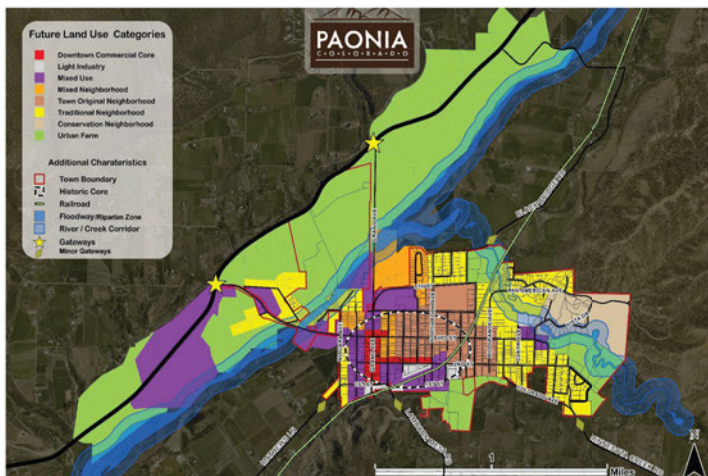
Total		1.00			1.00
	Value	Rate	Rate	Rate	Rate
	\$185,000	185,000.00			185,000.00

Abstract Summary

Code	Classification	Non-School Actual Value	Non-School Taxable Value	School Actual Value	School Taxable Value	Actual Override	Taxable Override
9142	9142 - school districts- exempt	\$185,000	\$49,950	\$185,000	\$49,950	NA	NA
9242	9242 - school districts	\$2,643,017	\$713,615	\$2,643,017	\$713,615	NA	NA
Total		\$2,828,017	\$763,565	\$2,828,017	\$763,565	NA	NA



Town of Paonia 2025 Comprehensive Plan Future Land Use Map



Mixed Use

These areas support a range of uses that serve and complement the Downtown Commercial Core while transitioning to residential areas. The commercial and residential mix contributes to maintaining access to services and provides diverse housing and employment options. Mixed Use areas are more auto oriented than those in the Downtown Commercial Core but should still be walkable and connected to nearby amenities. Uses should be compatible with neighboring uses by limiting nuisances and mitigating their impacts through screening or other measures.

- Primary Uses: All types of residential; commercial including restaurants, offices, art studios, and retail
- Supporting Uses: Institutional, home businesses, small-scale creative industries



Looking north from 4th Street



Looking east from Grand Avenue



Looking south from 5th Street



Looking north from 4th Street.

Delta County Treasurer

Certificate of Taxes Due

Account Number [REDACTED]	Certificate Number 28539
Parcel 324506184001	Order Number
Assessed To	Vendor ID 50
DELTA COUNTY JOINT SCHOOL DISTRICT 50	BLACK KNIGHT, INC. NOW ICE MORTGAGE TECHNOLOGY
[REDACTED]	601 RIVERSIDE AVENUE
DELTA, CO 81416-1839	JACKSONVILLE, FL 32204

Legal Description	Situs Address
218 4TH ST PAONIA 81428 TOTAL AC 2.531 +/- LOT 1 OF DELTA CTY JOINT SCHOOL DIST #50 BA, RESUB OF LOTS 1-6 SCHOOL ADD & RESUB OF BLKS 3,4 5TH ST ADD. PT OF GOVT LOT 2 S6 T14S R91W 6PM AND PT OF S31 T13S R91W 6PM BEG PT SROW/L 5TH ST WH BEARS N86°51'31"E 159.12' S01°19'28"W 17.35' TH S00°10'17"E 148' TH S89°32'01"E 14.74' TH S00°50'45"W 5.89' TH S46°15'36"E 85.03' TH S01°37'56"E ETC TO POB R742333 R750218-PLAT	218 4TH ST PAONIA

Year	Tax	Interest	Fees	Payments	Balance
Grand Total Due as of 06/01/2026					\$0.00

Tax Billed at 2025 Rates for Tax Area BR- - - BR-

Authority	Mill Levy	Amount	Values	Actual	Assessed
DELTA COUNTY	13.3960000*	\$0.00	9142 - school districts-	\$185,000	\$49,950
TOWN OF PAONIA	8.3220000	\$0.00	exempt		
PAONIA CEMETERY DISTRICT	0.7700000*	\$0.00	9242 - school districts	\$2,643,017	\$713,615
FIRE DISTRICT #2	2.8050000*	\$0.00	Total	\$2,828,017	\$763,565
NF WATER CONS DIST	0.5610000	\$0.00			
COLORADO RIVER WATER CONS D	0.5020000	\$0.00			
NORTH FORK MOSQUITO ABATEME	1.8020000	\$0.00			
DELTA COUNTY MEM HOSPITAL	0.7100000*	\$0.00			
NORTH FORK AMBULANCE HEALTH	5.4120000	\$0.00			
NORTH FORK POOL, PARK & REC	2.5000000	\$0.00			
DELTA COUNTY LIBRARY	3.2880000	\$0.00			
COUNTY R & B 1/2 SHARES	0.3500000	\$0.00			
TOWN OF PAONIA R & B 1/2 SH	0.3500000	\$0.00			
Taxes Billed 2025	40.7680000	\$0.00			
* Credit Levy					

Tax Billed at 2025 Rates for Tax Area BR- - - BR-

Authority	Mill Levy	Amount	Values	Actual	Assessed
DELTA COUNTY SCHOOL	27.0680000	\$0.00	9142 - school districts-	\$185,000	\$49,950
DC SCHOOL DIST 50 - BOND RE	3.1080000	\$0.00	exempt		
			9242 - school districts	\$2,643,017	\$713,615
Taxes Billed 2025	30.1760000	\$0.00	Total	\$2,828,017	\$763,565

ALL TAX LIEN SALE AMOUNTS ARE SUBJECT TO CHANGE DUE TO ENDORSEMENT OF CURRENT TAXES BY THE LIENHOLDER OR TO ADVERTISING AND DISTRAINT WARRANT FEES. CHANGES MAY OCCUR AND THE TREASURER'S OFFICE WILL NEED TO BE CONTACTED PRIOR TO REMITTANCE AFTER SEPTEMBER 1ST. TAX LIEN SALE REDEMPTION AMOUNTS MUST BE PAID BY CASH OR CASHIER'S CHECK.

SPECIAL TAXING DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE ON FILE WITH THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK, OR THE COUNTY ASSESSOR.

This certificate does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or miscellaneous tax collected on behalf of other entities, special or local improvement district assessments or manufactured homes, unless specifically mentioned.

I, the undersigned, do hereby certify that the entire amount of taxes due upon the above described parcels of real property and all outstanding sales for unpaid taxes as shown by the records in my office from which the same may still be redeemed with the amount required for redemption are as noted herein. In witness whereof, I have hereunto set my hand and seal.

Delta County Treasurer
Certificate of Taxes Due





Customer Distribution



Prevent fraud - Please call a member of our closing team for wire transfer instructions or to initiate a wire transfer. Note that our wiring instructions will never change.

Order Number: **DRC44010547**

Date: **06/05/2026**

Property Address: **218 4TH STREET, PAONIA, CO 81428**

For Closing Assistance

Marsha LeMaster

DELTA, CO 81416

Contact License: CO361917

Company License: CO44565

For Title Assistance

Jill Piatt

DELTA, CO 81416

Company License: CO44565

Buyer/Borrower

CARL E. BERG EDUCATION FOUNDATION

Attention: ANDY THLIVERIS

Paonia, CO 81428

Delivered via: Electronic Mail

Seller/Buyer Agent

WESTERNCOLORADOREALTY.COM

Attention: MIKE JACKSON

PAONIA, CO 81428

Delivered via: Electronic Mail

Seller/Owner

DELTA COUNTY JOINT SCHOOL DISTRICT 50

Attention: KURT CLAY

218 4th St

Paonia, CO 81428

Delivered via: Electronic Mail



Estimate of Title Fees

Order Number: DRC44010547

Date: 06/05/2026

Property Address: 218 4TH STREET, PAONIA, CO 81428

Seller(s): DELTA COUNTY JOINT SCHOOL DISTRICT 50

Buyer(s): CARL E. BERG EDUCATION FOUNDATION, A COLORADO NON-PROFIT CORPORATION

Thank you for putting your trust in Land Title. Below is the estimate of title fees for the transaction. The final fees will be collected at closing. Visit ltgc.com to learn more about Land Title.

Estimate of Title Insurance Fees	
"ALTA" Owner's Policy 07-01-21	\$3,320.00
Deletion of Standard Exception(s)	\$100.00
Tax Certificate	\$30.00
TOTAL	\$3,450.00

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the documents on your property.

Chain of Title Documents:

[Delta county recorded 09/26/2022 under reception no. 742333](#)

[Delta county recorded 12/08/1927 at book 197 page 586](#)

[Delta county recorded 12/08/1927 at book 219 page 67](#)

[Delta county recorded 07/10/1917 at book 142 page 67](#)

[Delta county recorded 09/23/1911 at book 104 page 522](#)

[Delta county recorded 11/07/1908 at book 86 page 408](#)

Plat Map(s):

[Delta county recorded 12/04/2023 under reception no. 750218](#)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: DRC44010547

Property Address:

218 4TH STREET, PAONIA, CO 81428

1. Commitment Date:

05/31/2026 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"ALTA" Owner's Policy 07-01-21

\$1,400,000.00

Proposed Insured:

CARL E. BERG EDUCATION FOUNDATION, A COLORADO
NON-PROFIT CORPORATION

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:

DELTA COUNTY JOINT SCHOOL DISTRICT 50

5. The Land is described as follows:

LOT 1, DELTA COUNTY JOINT SCHOOL DISTRICT #50 / DELTA COUNTY JOINT SCHOOL DISTRICT #3
BOUNDARY LINE ADJUSTMENT, ACCORDING TO THE PLAT RECORDED DECEMBER 4, 2023 UNDER
RECEPTION NO. [750218](#), COUNTY OF DELTA, STATE OF COLORADO.

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



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ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part I
(Requirements)

Order Number: DRC44010547

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

1. PROVIDE LAND TITLE GUARANTEE COMPANY WITH A CURRENT IMPROVEMENT LOCATION CERTIFICATE OF SUBJECT PROPERTY. THIS REQUIREMENT IS NECESSARY TO DELETE STANDARD EXCEPTIONS 1 THROUGH 3. UPON REVIEW, ADDITIONAL REQUIREMENTS AND/OR EXCEPTIONS MAY BE NECESSARY.

NOTE: ANY MATTERS DISCLOSED BY SAID IMPROVEMENT LOCATION CERTIFICATE WILL BE REFLECTED ON SAID POLICY(S) TO BE ISSUED HEREUNDER.

NOTE: LAND TITLE IS NOT RESPONSIBLE FOR ORDERING SAID IMPROVEMENT LOCATION CERTIFICATE.

2. CERTIFIED COPY OF RESOLUTION OF THE GOVERNING BOARD OF THE DELTA COUNTY JOINT SCHOOL DISTRICT 50 (AUTHORIZING THE SALE OF THE SUBJECT PROPERTY AND THE EXECUTION OF NECESSARY DOCUMENTS) AND RECITING THAT THE BOARD HAS BEEN DULY AUTHORIZED IN THE PREMISES BY THE CORPORATION. SAID RESOLUTION MUST BE PROPERLY CERTIFIED BY AN OFFICER OF THE CORPORATION. SAID RESOLUTION MUST BE SUBMITTED TO AND APPROVED BY LAND TITLE GUARANTEE COMPANY BUT NEED NOT BE RECORDED.
3. PROVIDE LAND TITLE GUARANTEE COMPANY WITH A COPY OF THE BYLAWS OF CARL E. BERG EDUCATION FOUNDATION, A COLORADO NON-PROFIT CORPORATION. SAID BYLAWS MUST CONTAIN A PROVISION FOR A RESOLUTION TO CONVEY, ENCUMBER AND/OR EXECUTE INDEMNITIES REGARDING REAL PROPERTY.
4. CERTIFIED COPY OF RESOLUTION OF THE GOVERNING BOARD OF THE CARL E. BERG EDUCATION FOUNDATION, A COLORADO NON-PROFIT CORPORATION (AUTHORIZING THE PURCHASE AND EXECUTION OF NECESSARY DOCUMENTS) AND RECITING THAT THE BOARD HAS BEEN DULY AUTHORIZED IN THE PREMISES. SAID RESOLUTION MUST BE PROPERLY CERTIFIED BY AN OFFICER OF THE CORPORATION WITH THE CORPORATE SEAL AFFIXED. SAID RESOLUTION MUST BE SUBMITTED TO AND APPROVED BY LAND TITLE GUARANTEE COMPANY BUT NEED NOT BE RECORDED.
5. WARRANTY DEED FROM DELTA COUNTY JOINT SCHOOL DISTRICT 50 TO CARL E. BERG EDUCATION FOUNDATION, A COLORADO NON-PROFIT CORPORATION CONVEYING SUBJECT PROPERTY.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part I
(Requirements)

Order Number: DRC44010547

All of the following Requirements must be met:

REQUIREMENTS TO DELETE THE PRE-PRINTED EXCEPTIONS IN THE OWNER'S POLICY TO BE ISSUED:

A. UPON RECEIPT BY THE COMPANY OF A SATISFACTORY FINAL AFFIDAVIT AND AGREEMENT FROM THE SELLER AND PROPOSED INSURED, AND AN IMPROVEMENT LOCATION CERTIFICATE OF THE LAND, ITEMS 1-4 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED. ANY ADVERSE MATTERS DISCLOSED BY THE FINAL AFFIDAVIT AND AGREEMENT AND IMPROVEMENT LOCATION CERTIFICATE WILL BE ADDED AS EXCEPTIONS.

B. IF LAND TITLE GUARANTEE COMPANY CONDUCTS THE CLOSING OF THE CONTEMPLATED TRANSACTIONS AND RECORDS THE DOCUMENTS IN CONNECTION THEREWITH, ITEM 5 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED.

C. UPON RECEIPT OF PROOF OF PAYMENT OF ALL PRIOR YEARS' TAXES AND ASSESSMENTS, ITEM 6 OF THE PRE-PRINTED EXCEPTIONS WILL BE AMENDED TO READ:

TAXES AND ASSESSMENTS FOR THE YEAR 2026 AND SUBSEQUENT YEARS.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: DRC44010547

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. RESERVATIONS AS CONTAINED IN PATENT OF THE UNITED STATES RECORDED MAY 10, 2007 IN BOOK 16 AT PAGE [39](#).
9. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF SCHOOL ADDITION RECORDED JUNE 19, 1949 IN BOOK 1 AT PAGE [71](#).
10. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN RIGHT OF WAY EASEMENT RECORDED MAY 14, 1980 IN BOOK 481 AT PAGE [334](#).
11. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN GENERAL RIGHT OF WAY EASEMENT RECORDED SEPTEMBER 16, 1996 IN BOOK 766 AT PAGE [830](#).
12. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN GROUND LEASE RECORDED APRIL 14, 2003 IN BOOK 970 AT PAGE [1](#) AND SATISFACTION OF GROUND LEASE RECORDED NOVEMBER 16, 2006 UNDER RECEPTION NO. [609766](#)
13. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN GROUND LEASE RECORDED MAY 04, 2005 UNDER RECEPTION NO. [590951](#).
14. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT DEED RECORDED MAY 24, 2016 UNDER RECEPTION NO. [687641](#).
15. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF DELTA COUNTY JOINT SCHOOL DISTRICT #50 / DELTA COUNTY JOINT SCHOOL DISTRICT #3 BOUNDARY LINE ADJUSTMENT RECORDED DECEMBER 04, 2023 UNDER RECEPTION NO. [750218](#).



ALTA Commitment For Title Insurance

issued by Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of insurance and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- (b) "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- (c) "Land": The land described in item 5 of Schedule A and affixed improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (d) "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- (e) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (f) "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- (g) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (h) "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- (i) "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- (j) "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company is not liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

- (d) The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5(a) or the Proposed Amount of Insurance.
- (e) The Company is not liable for the content of the Transaction Identification Data, if any.
- (f) The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT. CHOICE OF LAW AND CHOICE OF FORUM

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- (c) This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

10. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880



Craig B. Rants, Senior Vice President



OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
1408 North Westshore Blvd., Suite 900, Tampa, Florida 33607
(612) 371-1111 www.oldrepublictitle.com

By  President

Attest  Secretary

This page is only a part of a 2021 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Land Title Guarantee Company

Disclosure Statements

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate

and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and

- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Note: Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.



Joint Notice of Privacy Policy of Land Title Guarantee Company Land Title Insurance Corporation and Old Republic National Title Insurance Company

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy

policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

QUIT CLAIM DEED

DELTA COUNTY JOINT SCHOOL DISTRICT 50 as successor in interest to **SCHOOL DISTRICT NO. 3** of the County of Delta, State of Colorado (Grantor), does hereby grant, bargain, convey, transfer and quit claim unto **DELTA COUNTY JOINT SCHOOL DISTRICT 50**, whose legal address is [REDACTED] St, Delta, CO 81416 of the County of Delta, State of Colorado ("Grantee"), and its heirs, successors, and assigns, forever, all right title, interest, claim and demand which Grantor has in and to any and all of the following property located in the County of Delta, State of Colorado, to-wit:

218 4TH ST PAONIA 81428 S: 6 T: 14S R: 91W Subdivision: WA CLARKS
ADDITION TO PAONIA TOTAL AC 5.6+- SEC 6 T14S R91W 6PM FULLY DESC IN
BK 104 PG 522 BK 142 PG 67 BK 197 PG 586 BK 305 PG 517 R-612412 (GROUND
LEASE) R-687641 ESMNT DEED

Also known as: 218 4th Street, Paonia, CO 81428.
Delta County Assessor Parcel No. 324506159001

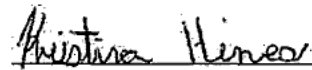
Together with, without warranty, all water and water rights, ditches and ditch rights, wells and well permits appurtenant thereto or used in connection therewith, and all and singular the hereditaments and appurtenances thereunto belonging, subject to covenants, easements, and restrictions of record, and subject to general property taxes.

Signed this 15 day of September, 2022.

Delta County Joint School District 50
Successor in Interest to School District No. 3


By: Dan Burke, President, Board of Education

Attest:


Kristina Hines, Secretary, Board of Education

STATE OF COLORADO)
) ss.
COUNTY OF DELTA)

The foregoing Quit Claim Deed was acknowledged before me this 15 day of September, 2022 by Dan Burke, President of the Board of Education and Kristina Hines, Secretary of the Board of Education.

Witness my hand and official seal.
My commission expires: Feb 4, 2024

Laura J. Esplin
Notary Public
LAURA J. ESPLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204004914
MY COMMISSION EXPIRES FEB 4, 2024

Authorization Form

I, (We), Delta County School District 505, give permission to CARL E. BERG EDUCATION FOUNDATION
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

Parcel No. 324506184001

Legal Description: See attached of Section 06, Township 14 N, Range 91 W

Subdivision Name: WA Clarks Addition Lot 1 Block N/A

Property Owners Information:

Address: [REDACTED]

Phone: [REDACTED] E-mail: [REDACTED]

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant ☒ by: Mail _____ Email ☒

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

[Signature]

Date 5/29/20

Date _____

Owner Signature
David J. Skarka, Reg 40811
Attorney for DCSD 505

Owner Signature

Subscribed and sworn to before me this 29 day of May, 2020 by

David J. Skarka

My commission expires Feb. 4, 2028

[Signature]

Notary Public

LAURA J ESPLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204004914
MY COMMISSION EXPIRES FEB 4, 2028

Authorization Form

I, (We), Delta County School District SOJ, give permission to Spruance Consulting, LLC
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

Parcel No. 324506184001

Legal Description: See attached of Section 06, Township 14 N, Range 91 W

Subdivision Name: WA Clarks Addition Lot 1 Block N/A

Property Owners Information:

Address: _____

Phone: _____ E-mail: _____

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant ✓ by: Mail _____ Email ✓

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

New York Date 5/29/26 Date _____

Owner Signature
David J. Skarka, Reg #40811
Attorney for DCSO SOJ

Owner Signature

Subscribed and sworn to before me this 29 day of May, 2026 by

David J. Skarka

My commission expires Feb. 4, 2028

Laura T. Ezdin

Notary Public

LAURA J ESPLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204004914
MY COMMISSION EXPIRES FEB 4, 2028

Authorization Form

I, (We), Delta County School District 505, give permission to CARLE BERG EDUCATION FOUNDATION
(Owner – please print) (Authorized Agent/Applicant—please print)

To apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

Parcel No. 324506184001

Legal Description: See attached of Section 06, Township 14 N, Range 91 W

Subdivision Name: WA Clarks Addition Lot 1 Block N/A

Property Owners Information:

Address: _____

Phone: _____ E-mail: _____

Authorized Agent/Applicant Contact Information:

Address: _____

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant ☒ by: Mail _____ Email ☒

Additional Info:

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

Neel Patel Date 5/29/20 Date _____

Owner Signature
David J. Skarka, Reg 40811
Attorney for DCSD SOS

Owner Signature

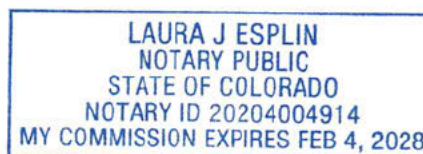
Subscribed and sworn to before me this 29 day of May, 2026 by

David J. Skarka

My commission expires Feb. 4, 2028

Laura J. Epstein

Notary Public



COPY

Authorization Form

I, (We), Delta County School District SOS, give permission to Spruance Consulting, LLC
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located at (address or parcel number) below:

Parcel No. 324506184001

Legal Description: See attached of Section 06, Township 14 N, Range 91 W

Subdivision Name: WA Clarks Addition Lot 1 Block N/A

Property Owners Information:

Address:

Phone: _____ E-mail: _____

Authorized Agent/Applicant Contact Information:

Address:

Phone: _____ E-Mail: _____

Correspondence to be sent to: Owner _____ Authorized Agent/Applicant ✓ by: Mail _____ Email ✓

Additional Info: _____

I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.

Handwritten signature: *Neel Patel*

Date 5/29/26

Date _____

Owner Signature _____

Owner Signature
David J. Skarka, Reg #40811
Attorney for DCSO SOJ

Owner Signature

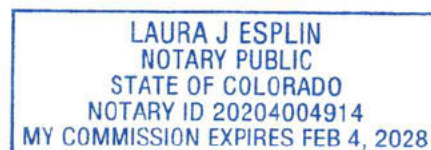
Subscribed and sworn to before me this 29 day of May, 2026 by

David J. Skarka

My commission expires Feb. 4, 2028

Laura T. Espin

Notary Public



COPY



May 4, 2023

John M. McHugh
Facilities Director
Delta County School District
[REDACTED]

Subject: Asbestos Re-inspection Results
Paonia VoTech
218 4th Street
Paonia, Colorado

Dear Mr. McHugh:

Per your request, Grande River Environmental, LLC (GRE) has completed the required three-year asbestos re-inspection of Paonia VoTech located at 218 4th Street in Paonia, Colorado. The facility was previously included in the asbestos management plans prepared for the school district. The re-inspection was completed on April 17, 2023 by Jake Harris a GRE asbestos inspector certified by the EPA and the State of Colorado.

GRE inspected all visible friable and non-friable known or potential asbestos-containing building materials (ACBMs) present in the structure.

According to the existing management plan, friable pipe insulation is not visible, but potentially present in the crawlspace in the structure. Friable sheet flooring in the restrooms was identified during this re-inspection. Non-friable 9x9 and 12x12 floor tiles, cove base, and sheet flooring were either identified or assumed to be asbestos-containing during previous inspections of the facility. A condition assessment of the materials listed above was conducted during the 2023 re-inspection. A summary of the re-inspection results is presented below.

Previously Identified ACBMs

Pipe Insulation – The pipe insulation located in the structure was previously identified to be ACBMs. The pipe insulation was not visible, abated, may be present in the crawlspace, and was in good condition at the time of the inspection, remains friable, and are classified as an ACBM with the potential for damage. No additional samples of the materials were collected during the re-inspection.

9x9 Floor Tiles – The floor tiles located in the structure were previously identified to be ACBMs. The floor tiles were in good condition at the time of the inspection, remain non-friable, and are classified as an ACBM with the potential for damage. No additional samples of the materials were collected during the re-inspection.



12x12 Floor Tiles – The floor tiles located in the structure were previously identified to be ACMBs. The floor tiles were in good condition at the time of the inspection, remain non-friable, and are classified as an ACMB with the potential for damage. No additional samples of the materials were collected during the re-inspection.

Cove Base – The cove base located in the structure was previously identified to be ACMBs. The cove base was in good condition at the time of the inspection, remains non-friable, and are classified as an ACMB with the potential for damage. No additional samples of the materials were collected during the re-inspection.

Sheet Flooring – The sheet flooring located in the restrooms was previously identified to be non-friable ACMBs. The sheet flooring was in good condition at the time of the inspection, is now friable, and is classified as an ACMB with the potential for damage. No additional samples of the materials were collected during the re-inspection.

Conclusions

Visible, non-friable ACMBs identified in the building, including floor tiles and cove base were in good condition at the time of the inspection and remain non-friable. The sheet flooring identified in the building was classified as non-friable and is now classified as friable ACMBs. Friable ACMBs identified in the building, including pipe insulation and sheet flooring were in good condition at the time of the inspection and remain friable.

If you have any questions, please call me at [REDACTED] Thank you for selecting GRE for your project.

Sincerely,

Grande River Environmental, LLC

Jake Harris APCD# 16493
Project Manager

Attachments: Asbestos Re-inspection Form
Inspector Certifications



Limitations:

GRE conducted this investigation in accordance with current professional practices. This assessment was limited to the sampling locations and analyses described in the report. No other sampling or analyses were conducted during this investigation. Only readily accessible spaces were inspected; therefore, it is possible that ACM may exist in areas that were inaccessible during this non-destructive inspection. Any material encountered that has not been sampled should be assumed to be asbestos-containing until it has been sampled by a state certified asbestos inspector and proven otherwise.

If additional information concerning site environmental conditions becomes available, the conclusions and recommendations presented in this report will not be considered valid unless this information is reviewed and the conclusions and recommendations of this report are modified and approved in writing by GRE. It is possible that additional reports or investigations could alter the conclusions of this assessment.

This report is intended for use only by the client. Any future use of this report by anyone other than the above-referenced client will require authorization by GRE and possible updating of the report.



Asbestos Containing Materials Inventory

Inspector Name:

Jake Harris

Original Inspection Date:

2006 June 23, 1988

EPA Accreditation #:

16493

Re-Inspection Date(s):

2006 4/17/23

State Certification #:

16493

School District:

Delta County School District

School Name: Paonia Votek

Building: Main Campus

LEA Designated Person: John McHugh

Total Building Square Footage: Approx. 11,000 ft²

Homogeneous Area Number	Material	Type	Previous Inspection Condition			Current Inspection Condition			Samples Collected	Comments
			Friable	Condition	Accessibility	Friable	Condition	Accessibility		
	Pipe Insulation	Surf TSI Misc	Yes No	Significant Damaged Good	High Medium Low	Yes No	Significant Damaged Good	High Medium Low	Yes No	Not Visible, Abandoned, may be present in crawl space
	4x4 Floor Tile	Surf TSI Misc	Yes No	Significant Damaged Good	High Medium Low	Yes No	Significant Damaged Good	High Medium Low	Yes No	
	12x12 Floor Tile	Surf TSI Misc	Yes No	Significant Damaged Good	High Medium Low	Yes No	Significant Damaged Good	High Medium Low	Yes No	
	Cove Base	Surf TSI Misc	Yes No	Significant Damaged Good	High Medium Low	Yes No	Significant Damaged Good	High Medium Low	Yes No	
	Sheet Flooring	Surf TSI Misc	Yes No	Significant Damaged Good	High Medium Low	Yes No	Significant Damaged Good	High Medium Low	Yes No	Rest Rooms
		Surf TSI Misc	Yes No	Significant Damaged Good	High Medium Low	Yes No	Significant Damaged Good	High Medium Low	Yes No	
		Surf TSI Misc	Yes No	Significant Damaged Good	High Medium Low	Yes No	Significant Damaged Good	High Medium Low	Yes No	

Town of Paonia
PO Box 460
214 Grand Avenue
Paonia CO 81428-0460

(970) 527-4101

Receipt No: 1.000191460

Jun 18, 2026

SUR2026-002

218 Fourth Street SUR

Previous Balance:	.00
App. Fees, Licenses - Special Review & Zoning Apps	250.00
Total:	250.00
Check	250.00
Check No: 1066	
Total Applied:	250.00
Change Tendered:	.00

06/18/2026 3:49 PM

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Sent To CHRISTOPHER JACOBSON

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Sent To WILMORE & COMPANY

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Sent To ZACHARY SEDIVY

Street Address PO BOX [REDACTED]

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Street Address [REDACTED]

City, State, ZIP+4® PAONIA, CO 81428

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PAONIA, CO
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Sent To: KATHERYN SWARTZ
Street: [REDACTED]
City: PAONIA, CO 81428

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Sent To: WESS EWERT
Street: [REDACTED]
City: PAONIA, CO 81428

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☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To: KIM CARTER
Street: [REDACTED]
City: PAONIA, CO 81428

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Postage \$0.78

Total Postage and Fees \$10.48

Sent To: DALE GILLENWATER
Street: [REDACTED]
City: PAONIA, CO 81428

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JUN 24 2026
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PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for instructions

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Postage \$0.78

Total Postage and Fees \$10.48

Sent To: GBD SOLUTIONS LLC
Street: PO BOX [REDACTED]
City: PAONIA, CO 81428

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PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for instructions

NOTICE



TOWN OF PAONIA, COLORADO NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the Paonia Planning Commission will hold a Public Hearing at 6:00 p.m. on Monday, July 13, 2026, at the Paonia Town Hall, 214 Grand Avenue, Paonia, CO 81428. The purpose of the Public Hearing will be to consider an application from Carl E. Berg Foundation for a re-zoning of the property located at 218 4th Street, Paonia, CO 81428, which property consists of one (1) lot which is zoned Public District (P) to Community Commercial District (C-2).

NOTICE is further given that the Paonia Board of Trustees will hold a Public Hearing at 6:30 p.m. on Tuesday, July 28, 2026, at Paonia Town Hall, 214 Grand Avenue, Paonia, CO 81428. The purpose of the Public Hearing will be to consider an application from Carl E. Berg Foundation for a re-zoning of the property located at 218 4th Street, Paonia, CO 81428. Which Property consists of one (1) lot which is zoned Public District (P) to Community Commercial District (C-2).

Any person may appear at the Public Hearing and be heard regarding the matters under consideration. Copies of the proposed rezoning and related application materials are on file and available for public inspection in the office of the Town Clerk, 214 Grand Avenue, Paonia, CO 81428. For further information concerning the Public Hearing, please contact the Town Clerk at (970) 527-4101 during regular business hours.

Dated the 17th day of June, 2026.

TOWN OF PAONIA, COLORADO
Samira M Vetter
Town Clerk

214 Grand Avenue | Paonia, CO 81428 | (970) 527-4101 | FAX (970) 527-4102



TOWN OF PAONIA, COLORADO NOTICE OF PUBLIC HEARING

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Dated the 17th day of June, 2026.

TOWN OF PAONIA, COLORADO
Samira M Vetter
Town Clerk

214 Grand Avenue | Paonia, CO 81428 | (970) 527-4101 | FAX (970) 527-4102



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Delta County Independent** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 249-3444**.

Notice ID: 7DBBkUxWbjZ6cCWhkk1c | **Proof Updated: Jun. 17, 2026 at 09:01pm MDT**
Notice Name: PH - Spec Use Rev - 218 4th St

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Samira Vetter
samirav@townofpaonia.com
(970) 527-4101

FILING FOR

Delta County Independent

Columns Wide: 1 **Ad Class:** Legals

Total Column Inches: 7.42

Number of Lines: 69

06/25/2026: Custom 24.84

Subtotal \$24.84

Tax \$0.00

Processing Fee \$0.00

Total \$24.84

See Proof on Next Page

**TOWN OF PAONIA,
COLORADO - NOTICE OF
PUBLIC HEARING**

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Dated the 17th day of June, 2026.

TOWN OF PAONIA,
COLORADO
Samira M Vetter

Town Clerk
Date: June 25, 2026
#####



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

Review Chapter 16, Article 6 (Parking), for Revision Recommendations

July 9, 2026

Background

PMC §16-6 Off-Street Parking and Loading is a part of the code that could use some revision. It seems to apply selectively only to properties with new “construction, addition or change of use which requires a special review.”

It references a “Parking Fund” as a solution to a business unable to provide their own off-street parking. The Parking Fund part of the code is suspended indefinitely. The code is also between 43 and 12 years old, depending on the section.

To help facilitate discussion of updating and revising the code, this packet includes:

- The code as it is now §16-6
- A parking study from June 2024
- 2018 Paonia Zoning Map
- An edited version of the code provided by Commissioner Smith with additional comments by Coordinator Bachran as a starting point for discussion (not as an example of where staff or Commissioner Smith wants to end up).
- Unsolicited parking materials submitted for discussion by a private resident rather than by Town staff, the Town Attorney, or a Town-retained consultant. They include:
 - Downtown-Parking-Survey
 - Paonia-Parking-Code-Proposal
 - Parking-Proposal-Slides

Because the materials contain legal references, policy conclusions, comparisons to other municipalities, and draft ordinance language, the materials should be treated as a public-submitted proposal for discussion purposes only. They should not be relied upon as a final legal, technical, or policy recommendation without having been independently reviewed by staff and, where appropriate, the Town Attorney.



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

ARTICLE 6. OFF-STREET PARKING AND LOADING

Sec. 16-6-10. Off-street parking spaces required.

- (a) The following number of off-street parking spaces shall be provided with the construction, addition or change of use, which requires a special review to any of the buildings, and uses listed in Table 16-5 below.
- (b) Parking spaces shall be at least nine (9) feet by nineteen (19) feet, except that up to twenty-five percent (25%) of the required spaces may be designated for compact cars with a minimum space of eight (8) feet by sixteen (16) feet.
- (c) Table 16-5 below sets forth the parking requirements for uses.

Table 16-5
Off-Street Parking Space Requirements

Use	Parking Requirements
Residential units:	
Efficiency or one-bedroom	1.5 spaces per unit
Two-bedroom	2.0 spaces per unit
Three-bedroom	2.5 spaces per unit
Four or more bedrooms	3.0 spaces per unit
Additional requirements for multiple-family residential and mobile home parks with 6 or more units (guest parking)	0.25 space for each unit
Multiple-family housing for the elderly or the handicapped	1.0 space per unit
Educational facilities:	
Preschool nurseries or child care centers, Kindergarten and elementary	1.0 space per classroom plus 1.0 space per employee

schools and middle schools	
High schools	1.0 space per employee, plus 1.0 space for every 4 students, plus 1.0 space for every 4 seats in the principal place of assembly (bench capacity is determined as 1.0 seat per 30")
Commercial uses:	
Animal hospitals	1.0 space for every 300 sq. ft.
Business and professional offices	1.0 space for every 250 sq. ft. of floor space
Drive-thru or fast food restaurants	1.0 space for every 2 seats or 1.0 space for every 100 sq. ft., whichever is greater, plus 1.0 largest work shift
Furniture and appliance stores	1.0 space for every 500 sq. ft. of floor area
Hospitals	1.0 space for every 2 beds plus 1.0 space for every employee in the largest work shift
Indoor restaurants and bars	1.0 space for every 3 seats or 1.0 space for every 200 sq. ft. of floor area, whichever is greater
Libraries	1.0 space for every 400 sq. ft. of floor area plus 1.0 space for every 2 employees
Medical and dental offices and clinics	1.0 space for every 200 sq. ft. of floor space

Motels, hotels, lodges and bed and breakfasts	1.0 space per unit plus 2.0 spaces for the owner or manager's unit
Motor vehicle sales	1.0 space for every 500 sq. ft.
Motor vehicle service and repair	1.0 space for every 300 sq. ft. of floor area
Nursing homes and rest homes	1.0 space per 4 beds plus 1.0 space for each employee
Retail businesses except for furniture and appliance stores	1.0 space for every 300 sq. ft. of floor area
Wholesale businesses and warehouses	1.0 space for every 1,000 sq. ft. (excluding offices) or 1.0 space for every 2 employees, whichever is greater
Industrial uses	1.0 space for every 500 sq. ft. (excluding offices) or 1.0 space for every 2 employees, whichever is greater
Places of public assembly such as churches, auditoriums, meeting rooms, funeral homes	1.0 space for every four seats or benches in the principal place of assembly (Bench capacity is determined as on seat per 30 inches)

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2003-08, 2003; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-20. Combinations of uses.

When one (1) building is planned to include a combination of different uses, the minimum parking required will be determined by applying the above requirements based upon the floor area for each use. The minimum number of parking spaces required for the building shall be the sum of the requirements for each separate use.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-30. Parking requirements for uses not listed.

For specific uses not listed, the Planning Commission shall determine the appropriate number of parking spaces required based upon the type of activity, intensity, number of employees and similarity to listed uses.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-40. Off-site parking.

For any business use, the off-street parking requirements may also be met as follows:

- (1) Additional off-street parking spaces may be provided on a site within three hundred (300) feet of the lot that generates the parking requirements, provided that the site is owned by the owner of the parking generating property;
- (2) The owner of the lot generating the need for parking spaces may participate in a parking district or joint venture requiring the payment of a fee in lieu of providing on-site parking. The fees collected by the district or joint venture would be then used to provide off-street parking and assure that the Town's requirements were met. All such parking districts or joint ventures shall be subject to the approval of the Board of Trustees; or
- (3) When a business use is unable to provide the required on-site parking and/or loading requirements, the property owner or applicant shall be required to contribute to the Parking Fund a sum as set forth in Section 16-5-50 below per required parking space.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2003-08, 2003; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-50. Parking Fund.*

[Suspended.]

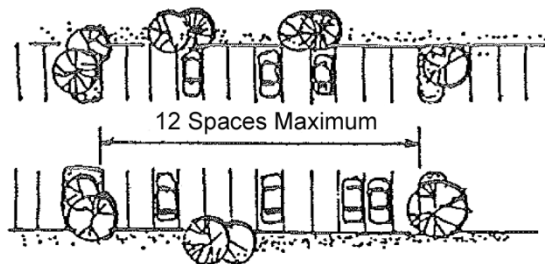
(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 99-02, 1999; Ord. No. 2003-08, 2003; Ord. No. 2014-04, § 1, 1-13-2015)

*The provisions of this Section are suspended indefinitely.

Sec. 16-6-60. Design requirements for parking areas.

- (a) All off-street parking areas shall be unobstructed and free of all other uses.
- (b) All off-street parking spaces shall have unobstructed access to and from a street, except that in single-family areas parking spaces provided on the garage apron or driveway may be counted as a part of meeting off-street parking requirements in addition to parking in garage or a carport.
- (c) All off-street parking areas except those for single-family or two-family dwellings shall be surfaced with asphalt or concrete or other dustless surface approved by the Planning Commission.
- (d) Off-street parking areas with six (6) or more spaces shall be adequately landscaped with a plan approved by Planning Commission special review.
- (e) Lighting from any parking area shall not be directed toward any adjacent residential area or public street.
- (f) Off-street parking areas may be located to jointly serve two (2) or more buildings or uses, provided that the total number of spaces is not less than that required for the total combined number of buildings or uses.

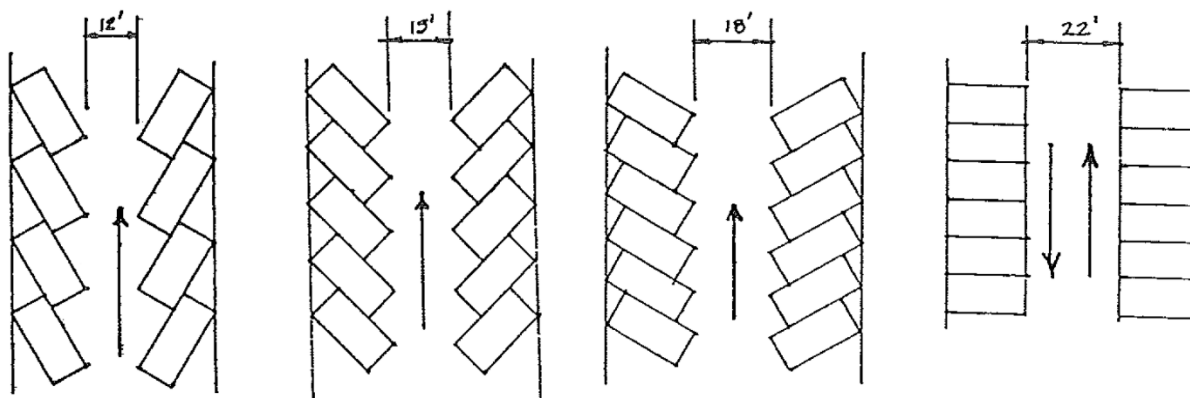
- (g) Bicycle parking spaces may be acceptable in lieu of vehicle spaces in the ratio of six (6) bicycle spaces for one (1) vehicle space, provided that not more than ten percent (10%) of the off-street parking requirements are met with bicycle parking. A bicycle parking space shall include secured stanchions and racks that enable the bicycle frame, not just a wheel, to be anchored. At least two (2) feet of spacing should be provided between the bicycle racks so that cyclist may place or remove the bikes with minimum risk of damage to other bikes.
- (h) No more than twelve (12) parking spaces shall be permitted in a contiguous row without being interrupted by a landscaped area of at least five (5) feet wide and ten (10) feet long. These areas will provide drainage for runoff, with additional areas as needed.



- (i) In multiple-family areas, areas included in driveways or otherwise required to move cars in and out of parking spaces shall not be considered to meet off-street parking requirements.
- (j) Spacing between rows of parking shall be determined based upon the parking angle in accordance with the following schedule:

Parking Angle	Minimum Aisle Space Between Two Rows
30 degrees	12 feet
45 degrees	15 feet
60 degrees	18 feet
90 degrees	22 feet

Spacing between Rows



-
- (k) A minimum of one (1) parking space for the handicapped shall be required for each use that requires fifteen (15) parking spaces. For uses requiring more than fifteen (15) spaces, one (1) additional space designated for the handicapped shall be provided for each additional twenty (20) spaces required. Parking spaces for handicapped persons shall be twelve (12) feet wide.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-70. Off-street loading areas.

For all business and industrial uses, off-street loading spaces containing five hundred (500) square feet with no dimension less than ten (10) feet shall be required for new construction or major additions involving an increase in floor area as follows:

- (1) New floor area between five thousand (5,000) and twenty thousand (20,000) square feet: one (1) off-street loading space.
- (2) New floor area in excess of twenty thousand (20,000) square feet: one (1) off-street loading space for each twenty thousand (20,000) square feet or fraction thereof.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Public Safety Committee Report on Grand Avenue Parking

Based upon a citizen complaint and as directed by the Board of Trustees, the Public Safety Committee has met and conducted interviews with Grand Avenue business as well as car counts for the 100 and 200 blocks between June 6 and June 24, 2024.

Car counts were conducted at 6:00-7:00 am, 10:00 am, noon, 2:00 pm, and midnight-2:00 am for one week. The results are attached to this report and summarized here: The 100 block of Grand had an average of 61% open parking spaces during business hours and the 200 block had an average of 53% open parking spaces during business hours.

A summary of the interviews is presented below:

Out of all businesses on the 100 and 200 blocks of Grand Avenue, there were 3 that considered parking to be a current problem. It was noted by 5 businesses that there was potential for parking to become a problem in the future. Additionally, there were 3 businesses that prefer less or no parking at all on Grand.

4 businesses specifically stated that would not like to see any restrictions on parking and 3 additional businesses stated that the only parking restriction they would be in favor of is no overnight parking.

Of those businesses that considered parking to be a current problem, 1 listed employee & residence parking on Grand to be the main source of the problem and 1 mentioned visitors to nearby residences as the issue.

When asked about recommendations to alleviate current or future parking issues on Grand, interview participants responded as follows:

- Improve Town lot behind Town Hall: repave, restripe, signage
- No overnight parking
- Encourage employees to park off Grand
- Diagonal parking on Main Avenue
- New parking lot
- Lease lot behind Don's that is owned by bank
- Improve EV lot: pave, stripe, signage
- Install better EV charging station to encourage people to park and walk
- Charge for parking in Town lot
- New parking lot by permit for employees
- Designated parking for each business
- Incentivize walking and biking
- Pathways from additional parking to Grand that are accessible to pedestrians
- Create a parking fund, to be funded by businesses that don't have off-street parking toward a new parking lot, fees to be determined by occupancy
- Town lot west of Berg harvest with shuttle to Grand during busiest business hours
- Repaint blue curbs and restripe center line and parking on Grand

In summary it would appear that restrictions on parking, other than possible no overnight parking, are not desired by a majority and are not warranted at this time. It would be prudent for the Town to identify areas for potential future development of parking lot(s).

Grand Avenue Car Counts Conducted By Town of Paonia Police Department

100 Block Grand Avenue - Open Parking Spaces Out Of 43 Total Spaces

<u>Date Day</u>	<u>6:00-7:00 am</u>	<u>10:00 AM</u>	<u>Noon</u>	<u>2:00 PM</u>	<u>Midnight-2:00 am</u>	<u>Average Open 10:00am-2:00pm</u>	<u>Percent Open 10:00am-2:00pm</u>
6/9/2024 Sun	39	-	-	-	37	-	-
6/10/2024 Mon	40	34	31	-	41	33	76%
6/11/2024 Tues	41	35	23	34	40	31	71%
6/12/2024 Wed	38	-	15	25	39	20	47%
6/13/2024 Thurs	40	17	20	25	40	21	48%
6/14/2024 Fri	-	-	-	-	-	-	-
6/15/2024 Sat	37	23	-	-	33	-	-
6/16/2024 Sun	36	29	-	32	40	31	71%
<u>Average Open</u>	39	28	22	29	39	26	61%
<u>Percent Open</u>	90%	64%	52%	67%	90%		

200 Block Grand Avenue - Open Parking Spaces Out Of 67 Total Spaces

<u>Date Day</u>	<u>6:00-7:00 am</u>	<u>10:00 AM</u>	<u>Noon</u>	<u>2:00 PM</u>	<u>Midnight-2:00 am</u>	<u>Average Open 10:00am-2:00pm</u>	<u>Percent Open 10:00am-2:00pm</u>
6/9/2024 Sun	61	-	-	-	56	-	-
6/10/2024 Mon	56	49	41	-	63	45	67%
6/11/2024 Tues	64	40	28	26	58	31	47%
6/12/2024 Wed	59	-	31	39	62	35	52%
6/13/2024 Thurs	58	17	28	23	58	23	34%
6/14/2024 Fri	-	-	-	-	-	-	-
6/15/2024 Sat	62	47	-	-	57	-	-
6/16/2024 Sun	62	55	-	40	64	48	71%
<u>Average Open</u>	60.3	41.6	32.0	32.0	59.7	35	53%
<u>Percent Open</u>	90%	62%	48%	48%	89%		

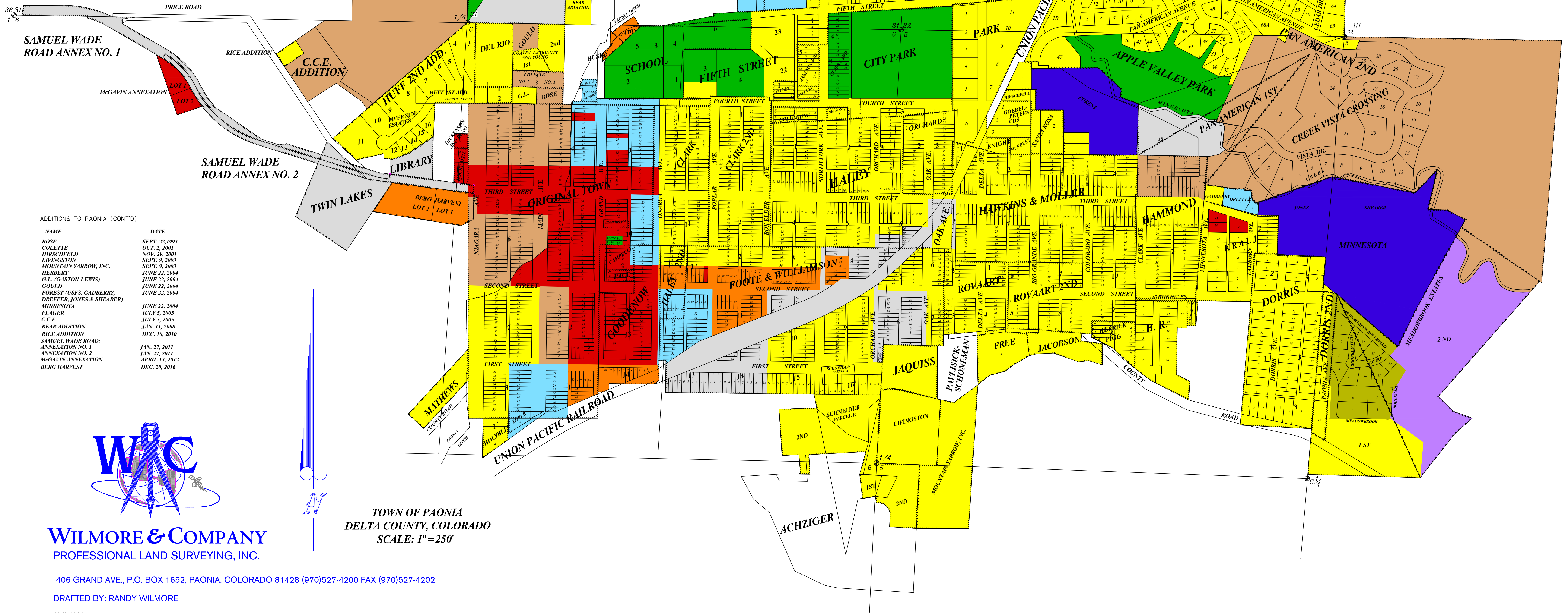
ADDITIONS TO PAONIA

NAME	DATE
ORIGINAL TOWN	JULY 6, 1896
W.A. CLARK	DEC. 23, 1898
A.S. GOODNOW	APRIL 23, 1900
W.A. CLARK 2ND	MAY 31, 1901
HALEY	JULY 31, 1902
HAWKINS & MOLLER	NOV. 19, 1902
FOOTE & WILLIAMSON	DEC. 15, 1902
HALEY 2ND	JAN. 28, 1903
HAMMOND	JULY 21, 1903
ROVAART	MAY 7, 1904
MATTHEWS	NOV. 14, 1904
ROVAART 2ND	FEB. 28, 1905
HUMPHREY	NOV. 11, 1905
W.A. CLARK 3RD	JULY 26, 1906
MELVINA CLARK	MAR. 3, 1907
ORCHARD	MAR. 20, 1907
PAGE	JUNE 18, 1907
PAGE	DEC. 16, 1907
HAMMOND SOUTH 1ST.	OCT. 14, 1909
CAMPBELL	DEC. 18, 1909
HAMMOND 2ND	AUG. 15, 1910
NELSON	NOV. 6, 1911
SANTA ROSA	DEC. 11, 1911
JACUSS	MAY 17, 1913
COLUMBINE	JULY 19, 1913
VOGEL	FEB. 7, 1922
CITY PARK	AUG. 3, 1925
OAK AVENUE	JULY 15, 1929
KNIGHT	APRIL 9, 1939
AXELSON	APRIL 18, 1939
AXELSON 2ND	JAN. 18, 1949
SCHOOL	APRIL 19, 1949
KRALJ	JUNE 7, 1951
DORRIS	AUG. 2, 1955
DORRIS 2ND	SEPT. 16, 1958
ROCKY MOUNTAIN	MAR. 17, 1959
BREZONICK	MAR. 22, 1962
FIFTH STREET	MAR. 22, 1962
HERRICK-PGG	JULY 2, 1963
HOLYBEE	JULY 6, 1971
NORTH FORK	MAR. 22, 1972
CARTEN	JAN. 16, 1975
GAMBILL	FEB. 4, 1975
R.L.	MAR. 4, 1975
FREE	JULY 15, 1975
HUFF 1ST & 2ND	DEC. 6, 1976
PAN AMERICAN 1ST & 2ND	DEC. 6, 1976
DEL RIO	JUNE 28, 1977
SCHNEIDER	JUNE 27, 1978
JACOBSON	SEPT. 26, 1978
HUSKY	JUNE 12, 1979
ACHZIGER	AUG. 28, 1979
ACHZIGER 2ND	OCT. 9, 1979
DRAKE	MAY 13, 1980
COATES LABOUNTY & YOUNG	MAY 27, 1980
COATES LABOUNTY & YOUNG 2ND	JUNE 10, 1980
LEE'S HOME PARK	SEPT. 23, 1980
MEADOWBROOK 1ST & 2ND	MAR. 10, 1981
EAGLES' 1ST & 2ND	JAN. 12, 1982
CBS	MAY 6, 1982
THE "Y"	JUNE 6, 1983
R.V.	JUNE 14, 1994
TWIN LAKES	AUG. 8, 1994
LOPER	OCT. 11, 1994
DICKENSON AND RUNG	APRIL 25, 1995

TOWN OF PAONIA

2018

TOWN OF PAONIA ZONING LEGEND	
C-1	
C-2	
C-2 PUD	
I-1	
P	
R-1	
R-1 PUD	
R-2	
R-2 PUD	
R-3	
DR	



ARTICLE 6. OFF-STREET PARKING AND LOADING

Sec. 16-6-10. – Applicability Specific to the 100 and 200 Blocks of Grand Ave.

- (a) Any commercial use approved after *dateTBD* (whether allowed by right or approved through Special Review in accordance with Article 4 of this Chapter) located within the 100 and 200 blocks of Grand Ave. is not required to provide off-street parking or loading.
- (b) Any residential use (approved by Special Review in accordance with Article 4 of this Chapter) located within the 100 and 200 blocks of Grand Ave shall adhere to Section 16-6-20. ((NOTE: **Residences secondary to the business use are permitted by right – no special use needed, so perhaps consider different bullet.**))
- (c) Off-street parking spaces provided by buildings located within the 100 and 200 blocks of Grand Ave prior to *dateTBD* may not be reduced unless approved by Special Review in accordance with Article 4 of this Chapter.

Sec. 16-6-10 20. Off-street parking spaces required. Schedule of Off-Street Parking Requirements for All Properties Outside of the 100 and 200 Blocks of Grand Ave.

- (b) Parking spaces shall be at least nine (9) feet by nineteen (19) feet, except that up to twenty-five percent (25%) of the required spaces may be designated for compact cars with a minimum space of eight (8) feet by sixteen (16) feet. **MOVED TO NEW 16-6-50**
- (c) Table 16-5 below sets forth the parking requirements for uses:
 - (a) The following number of off-street parking spaces shall be provided in association with all new commercial or residential construction, or with the, a change of use to an existing property as approved through Special Review in accordance with Article 4 of this Chapter ~~existing addition or change of use, which requires a special review to any of the buildings, and uses as~~ listed in Table 16-5 below:
 - (b) The number of parking spaces may be reduced if the zoned use or floor area of a building is changed (either by right or through Special Review) to a use or floor area for which fewer parking spaces are required.
 - (c) Any construction occurring after *dateTBD* on a building expanding its previously approved use or the previously approved use is changed (either by right or through Special Review in accordance with Article 4 of this Chapter) in such a manner that an increased number of parking spaces is required, additional parking spaces shall be provided only for the increment of the expansion, as if it were a separate

development. Only the expanded portion of the parking area shall be required to comply with the provisions of this Article.

Table 16-5
Off-Street Parking Space Requirements for Properties Located Outside of the 100 and 200 Blocks of Grand Ave.

Suggest considering the regulation on spaces and allowance for more potential use of on-street parking be regulated through changes to the parking requirements below

Use	Parking Requirements
Residential units:	
Efficiency or one-bedroom	1.5 spaces per unit
Two-bedroom	2.0 spaces per unit
Three-bedroom	2.5 spaces per unit
Four or more bedrooms	3.0 spaces per unit
Additional requirements for multiple-family residential and mobile home parks with 6 or more units (guest parking)	0.25 space for each unit
Multiple-family housing for the elderly or the handicapped	1.0 space per unit
Educational facilities:	
Preschool nurseries or child care centers, Kindergarten and elementary schools and middle schools	1.0 space per classroom plus 1.0 space per employee
High schools	1.0 space per employee, plus 1.0 space for every 4 students, plus 1.0 space for every 4 seats in the principal place of assembly (bench capacity is determined as 1.0 seat per 30")
Commercial uses (outside of the 100 and 200 blocks of Grand Ave.):	
Animal hospitals	1.0 space for every 300 sq. ft.
Business and professional offices	1.0 space for every 250 sq. ft. of floor space
Drive-thru or fast food restaurants	1.0 space for every 2 seats or 1.0 space for every 100 sq. ft., whichever is greater, plus 1.0 largest work shift
Furniture and appliance stores	1.0 space for every 500 sq. ft. of floor area
Hospitals	1.0 space for every 2 beds plus 1.0 space for every employee in the largest work shift

Indoor restaurants and bars	1.0 space for every 3 seats or 1.0 space for every 200 sq. ft. of floor area, whichever is greater
Libraries	1.0 space for every 400 sq. ft. of floor area plus 1.0 space for every 2 employees
Medical and dental offices and clinics	1.0 space for every 200 sq. ft. of floor space
Motels, hotels, lodges and bed and breakfasts	1.0 space per unit plus 2.0 spaces for the owner or manager's unit
Motor vehicle sales	1.0 space for every 500 sq. ft.
Motor vehicle service and repair	1.0 space for every 300 sq. ft. of floor area
Nursing homes and rest homes	1.0 space per 4 beds plus 1.0 space for each employee
Retail businesses except for furniture and appliance stores	1.0 space for every 300 sq. ft. of floor area
Wholesale businesses and warehouses	1.0 space for every 1,000 sq. ft. (excluding offices) or 1.0 space for every 2 employees, whichever is greater
Industrial uses	1.0 space for every 500 sq. ft. (excluding offices) or 1.0 space for every 2 employees, whichever is greater
Places of public assembly such as churches, auditoriums, meeting rooms, funeral homes	1.0 space for every four seats or benches in the principal place of assembly (Bench capacity is determined as on seat per 30 inches)

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2003-08, 2003; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-20 30. Combinations of uses.

When one (1) building is planned to include a combination of different uses, the minimum parking required will be determined by applying the above requirements based upon the floor area for each use. The minimum number of parking spaces required for the building shall be the sum of the requirements for each separate use.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-30 40. Parking requirements for uses not listed.

For specific uses not listed, the Planning Commission shall determine the appropriate number of parking spaces required based upon the type of activity, intensity, number of employees and similarity to listed uses.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

~~Sec. 16-6-40. Off-site parking.~~

~~For any business use, the off-street parking requirements may also be met as follows:~~

- ~~(1) Additional off-street parking spaces may be provided on a site within three hundred (300) feet of the lot that generates the parking requirements, provided that the site is owned by the owner of the parking generating property;~~
- ~~(2) The owner of the lot generating the need for parking spaces may participate in a parking district or joint venture requiring the payment of a fee in lieu of providing on-site parking. The fees collected by the district or joint venture would be then used to provide off-street parking and assure that the Town's requirements were met. All such parking districts or joint ventures shall be subject to the approval of the Board of Trustees; or~~
- ~~(3) When a business use is unable to provide the required on-site parking and/or loading requirements, the property owner or applicant shall be required to contribute to the Parking Fund a sum as set forth in Section 16-5-50 below per required parking space.~~

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2003-08, 2003; Ord. No. 2014-04, § 1, 1-13-2015)

~~Sec. 16-6-50. Parking Fund.*~~

~~[Suspended.]~~

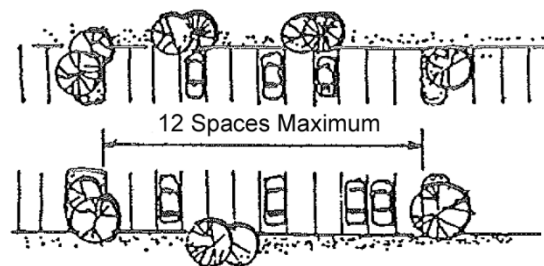
~~(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 99-02, 1999; Ord. No. 2003-08, 2003; Ord. No. 2014-04, § 1, 1-13-2015)~~

~~*The provisions of this Section are suspended indefinitely.~~

Sec. 16-6-60 50. Design requirements for parking areas.

- (a) Parking spaces shall be at least nine (9) feet by nineteen (19) feet except that up to twenty-five percent (25%) of the required spaces may be designated for compact cars with a minimum space of eight (8) feet by sixteen (16) feet.
- (b) All off-street parking areas shall be unobstructed and free of all other uses.

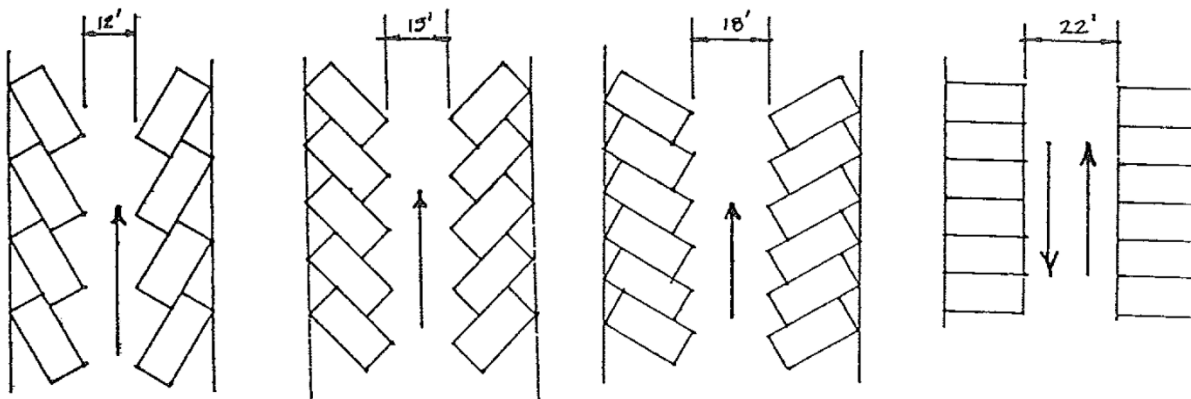
-
- (c) All off-street parking spaces shall have unobstructed access to and from a street, except that in ~~single-family areas~~ a R-1 single family residential zone parking spaces provided on the garage apron or driveway may be counted as a part of meeting off-street parking requirements in addition to parking in a garage or a carport.
 - (d) All off-street parking areas ~~except those for single-family or two-family dwellings~~ shall be surfaced with asphalt, ~~or concrete, pavers or compacted gravel maintained to control dust and tracking, and graded so as not to drain onto adjacent property or the public right-of-way~~ other dustless surface approved by the Planning Commission.
 - (d) Off-street parking areas with six (6) or more spaces shall be adequately landscaped with a plan approved by Planning Commission through special review.
 - (e) Lighting from any parking area shall not be directed toward any adjacent residential area or public street.
 - (f) Off-street parking areas may be located to jointly serve two (2) or more buildings or uses, provided that the total number of spaces is not less than that required for the total combined number of buildings or uses.
 - (g) Bicycle parking spaces may be acceptable in lieu of vehicle spaces in the ratio of six (6) bicycle spaces for one (1) vehicle space, provided that not more than ten percent (10%) of the off-street parking requirements are met with bicycle parking. A bicycle parking space shall include secured stanchions and racks that enable the bicycle frame, not just a wheel, to be anchored. At least two (2) feet of spacing should be provided between the bicycle racks so that cyclist may place or remove the bikes with minimum risk of damage to other bikes.
 - (h) No more than twelve (12) parking spaces shall be permitted in a contiguous row without being interrupted by a landscaped area of at least five (5) feet wide and ten (10) feet long. These areas will provide drainage for runoff, with additional areas as needed.



- (i) In ~~multiple-family areas~~, areas included in driveways or otherwise required to move cars in and out of parking spaces shall not be considered to meet off-street parking requirements.
- (j) Spacing between rows of parking shall be determined based upon the parking angle in accordance with the following schedule:

Parking Angle	Minimum Aisle Space Between Two Rows
30 degrees	12 feet
45 degrees	15 feet
60 degrees	18 feet
90 degrees	22 feet

Spacing between Rows



- (k) A minimum of one (1) parking space for the handicapped shall be required for each use that requires fifteen (15) parking spaces. For uses requiring more than fifteen (15) spaces, one (1) additional space designated for the handicapped shall be provided for each additional twenty (20) spaces required. Parking spaces for handicapped persons shall be twelve (12) feet wide.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Sec. 16-6-70 60. Off-street loading areas for properties outside of the 100 and 200 blocks of Grand Ave..

For all business and industrial uses, off-street loading spaces containing five hundred (500) square feet with no dimension less than ten (10) feet shall be required for new construction or major additions involving an increase in floor area as follows:

- (1) New floor area between five thousand (5,000) and twenty thousand (20,000) square feet: one (1) off-street loading space.

-
- (2) New floor area in excess of twenty thousand (20,000) square feet: one (1) off-street loading space for each twenty thousand (20,000) square feet or fraction thereof.

(Ord. No. 83-116, Art. XIII, 1983; Ord. No. 2000-02, Art. XIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

[You may want to reference the comprehensive plan with your discussion:](#)

[**POLICY ECON 8:** Encourage the use of shared parking, on-street parking and other strategies to maximize the use of available resources. Use signage and other wayfinding to direct visitors to parking.](#)

Downtown Paonia Parking Survey

The Planning Commission is reviewing the Town's parking code. This quick survey helps us understand how parking downtown really works. It takes about two minutes. Thank you.

ABOUT YOUR BUSINESS

BUSINESS NAME	BUSINESS OWNER
BUSINESS ADDRESS	BLOCK OF GRAND ☐ 100 ☐ 200 ☐ 300 ☐ Side

YOUR EXPERIENCE

- 1** I am a (check all that apply):
- ☐ Business owner / operator ☐ Property owner ☐ Employee ☐ Customer / visitor
☐ Resident
- 2** On a typical day, is there enough parking for customers and visitors downtown?
- ☐ Yes, plenty ☐ Usually fine ☐ Sometimes tight ☐ Often a problem
- 3** When is parking hardest to find? (check all that apply)
- ☐ Weekday mornings ☐ Weekday afternoons ☐ Evenings ☐ Weekends
☐ Special events ☐ Rarely a problem
- 4** Has parking ever been a barrier to opening, expanding, or changing a downtown business, yours or one you know of?
- ☐ Yes ☐ No ☐ Not sure If yes, briefly:
-
- 5** Where do you and your employees usually park?
- ☐ On Grand Avenue ☐ Side streets ☐ A Town parking lot ☐ Private / own lot
- 6** The Town is considering no longer requiring downtown businesses to provide off-street parking (parking would stay allowed, just not mandatory). Would you:
- ☐ Support ☐ Oppose ☐ Need more information
- 7** Anything else about downtown parking the Commission should know?
-
-

☐ Open to a follow-up conversation. Phone / email: _____

Please drop completed surveys at Town Hall, or return to any Planning Commissioner. Prepared with the parking code proposal submitted by Pete McCarthy.

A PROPOSAL TO THE PAONIA PLANNING COMMISSION

Fixing Paonia's Parking Code

The Mancos-Ouray model: keep residential parking, free up downtown.

Re: Chapter 16, Article 6 (Off-Street Parking and Loading)

Prepared by: Pete McCarthy, Paonia resident

Contents: Why this matters · Draft ordinance

Draft for Commission consideration. Not legal advice.

Off-street parking in Paonia: a proposal to fix Chapter 16, Article 6

Prepared for the Paonia Planning Commission by Pete McCarthy, Paonia resident.

The short version

Paonia's off-street parking code has stalled one downtown business after another. Two Colorado towns smaller than Paonia, Mancos and Ouray, already solved this with a modest, proven approach: keep ordinary residential parking and require none downtown. This brief lays out the problem, what comparable towns have done, and a draft rewrite of Article 6 built on that model.

This is **not** a proposal to eliminate parking. Single-family neighborhoods keep their parking exactly as they are. It fixes the part of the code that is actually causing harm: the off-street parking mandate on businesses, which falls hardest on the historic downtown core.

The problem

The off-street parking requirements in Article 6 were last amended in 2015 and carry language going back to 1983. Several recent businesses have run into them on the 200 and 300 blocks of Grand Avenue, where buildings predate the automobile and the code now makes them hard and expensive to reuse. At the Commission's June 1 discussion, members noted the bookstore (mid-process now), the Learning Council, CIRC, and Blue Sage as businesses that struggled with the parking requirements.

The current code also:

- Sets residential parking by **bedroom count**, an approach widely considered outdated.
- Lists requirements for **hospitals and high schools** that do not exist in Paonia.
- Triggers requirements on "construction, addition or change of use" without defining those terms, leaving applicants unable to tell when the rule applies.
- Requires off-site parking to sit within **300 feet** of the use, same owner.

- Directs any business that cannot provide on-site parking to contribute to a **“Parking Fund”** that has been suspended since 2015, and cross-references it by an incorrect section number, so the requirement does not function at all.

Why minimum parking requirements work against a town like Paonia

The State of Colorado, in its 2024 legislative findings (House Bill 24-1304), concluded that minimum parking requirements:

“put small businesses at a disadvantage relative to large corporations”

because large companies have the capital to build parking and rely less on foot traffic and a sense of place. The same findings cite a published analysis that an off-street parking space can add **\$200 to \$500 per month** to rent, and note that lower-density, parking-heavy development raises a town’s infrastructure costs while lowering its tax revenue.

Colorado has since moved to remove parking mandates in many situations through HB24-1304 (parking) and HB24-1152 (ADUs). Those laws do not bind Paonia, because they apply only to local governments inside a Metropolitan Planning Organization (MPO). Colorado’s five MPOs cover the Denver, Colorado Springs, North Front Range, Pueblo, and Grand Junction areas; Delta County sits in the rural Gunnison Valley planning region and is not in any MPO. The laws nonetheless show the clear direction of state policy, and Paonia is free to adopt the same approach voluntarily.

What comparable towns have done

Small towns lead this reform. According to analysis of the national Parking Reform Network database (Sightline Institute), towns under 25,000 people make up roughly 40 percent of known U.S. jurisdictions that have removed parking minimums, and about twice as many small towns as large cities (250,000 and up) have fully repealed parking mandates.

Comparable small Colorado towns have done it, and their adopted code can be quoted directly:

Town	Population	What their code does
Mancos	~1,200	No off-street parking or loading required in the downtown district; small commercial spaces (2,000 sq ft or less) exempt town-wide; on-street parking counts; ADU needs one space, waivable by staff.
Ouray	~900	No off-street parking required for buildings fronting US 550 through downtown; ordinary residential parking kept elsewhere; ADU needs one space.
Del Norte	~1,460	Downtown Commercial Business district exempt from off-street parking requirements (since 2015).
Wray	~2,360	“There is no minimum off-street parking requirement in the B-B district.”
Dolores	~885	No parking required in the downtown district, or for any nonresidential use in a space 2,000 sq ft or smaller anywhere in town.

(Mancos and Ouray are both smaller than Paonia, ~1,450; Del Norte and Wray are comparable and slightly larger, shown for reference.)

Mancos, in Montezuma County, is the closest comparison: a roughly 1,200-person town with a historic main street that exempted its downtown in 2019 (Ord. 751) and has lived with it since. Ouray’s rule, no parking required for the buildings fronting its main highway downtown (Ord. 11, 2023), is a direct parallel to Grand Avenue.

The documented experience in these towns is consistent: empty buildings get reused, businesses open, and no parking shortage materializes. Mancos adopted its downtown exemption in 2019 and Ouray in 2023, and neither has reversed it. In Ecorse, Michigan, which removed its minimums in a 2020 zoning overhaul, the city planner reported that the change “made it so much easier and quicker for people to reoccupy those buildings,” and that the town has “way more parking than we need” (Sightline Institute, 2024).

A note on accessory dwelling units (for the future, not now)

Paonia does not currently have accessory dwelling unit (ADU) regulations, so this proposal does **not** address ADU parking. The Commission has noted that an ADU code is coming. When it is written, the parking question will come with it, and it is worth deciding in advance not to let an old-style parking minimum quietly make ADUs impossible. Mancos and Ouray both ask for just one space for an ADU, and Mancos lets staff waive even that when on-street parking is available, which keeps a backyard casita possible without paving over green space. A recommended provision for that future ADU code is included with the draft ordinance, clearly marked as a recommendation rather than part of this proposal.

This implements the Town's own Comprehensive Plan

The 2024 Comprehensive Plan calls for exactly the outcomes this proposal supports:

- **Policy ECON-3:** “Create and maintain a healthy, vibrant, and beautiful economic downtown corridor on and around Grand Avenue.”
- **Policy LUF-1:** preserve rural character “while balancing the need for infill, economic growth, housing and redevelopment.”
- **Policies TRANS-9 and TRANS-16:** “encourage, enhance, and promote pedestrian access and walkability to and within the Historic Town Core.”

The plan's vision describes “walkable, tree-lined streets that surround a small but vibrant historic downtown” with “gentle growth” that “provides housing for all walks of life.” Removing the parking barrier downtown is a direct step toward those adopted goals.

Common questions

Will people have nowhere to park downtown? Removing the requirement does not remove parking. It stops forcing it. Paonia already has substantial parking, including two town lots, and the Commission was advised that the Town's 2025 downtown business survey found general satisfaction with parking availability. Grand Avenue's on-street parking stays available for visitors.

Is this a big-city idea? No. The towns that have done this are overwhelmingly small, including several in Colorado, two of them (Mancos and Ouray) smaller than Paonia.

What about accessible parking? Federal ADA accessible-parking requirements are unaffected and fully kept.

Won't businesses just provide no parking? Businesses provide what their customers need. Letting each use decide is more sensible than a 2015 table that sets parking by bedroom and lists hospitals the town does not have.

The proposal

A draft rewrite of Article 6 follows this brief. In summary, it would:

1. Require **no off-street parking for any commercial or other non-residential use** town-wide (Sec. 16-6-10(b)).
2. Require **no off-street parking at all in the C-1 Core Commercial District** (the downtown core; residences and lodging keep one space per unit).
3. Let **on-street and shared parking count** toward any residential requirement.
4. Keep ordinary residential parking, accessible (ADA) parking, and sensible design standards.
5. **Repeal the suspended Parking Fund.**

It does not address ADUs, which the Town does not yet regulate; a recommended ADU parking provision is included separately for whenever the ADU code is written. The package is offered as a starting point for the Commission's own recommendation to the Board of Trustees.

Selected sources

- Colorado HB24-1304 (2024), legislative findings on minimum parking requirements; HB24-1152 (2024), accessory dwelling units.
- Mancos Municipal Code Ch. 16, Art. 8 (Ord. 751, 2019); Ouray Land Use Code Ch. 7 (Ord. 11, 2023); Del Norte § 16-9-10 (Ord. 680, 2015); Wray § 18.20.050 (Ord. 636, 2022); Dolores Land Use Code.
- Parking Reform Network mandates database (parkingreform.org); Sightline Institute; Strong Towns.
- Town of Paonia Comprehensive Plan, 2024 Update (Resolution 18-2025).

Draft rewrite of Chapter 16, Article 6 (Off-Street Parking and Loading)

Working draft for Planning Commission consideration. Not legal advice. Run past the Town Attorney before introduction. Section numbers follow the Town's existing Sec . 16-6-XX scheme.

The approach mirrors what two Colorado towns smaller than Paonia adopted (Mancos, Ord. 751/2019; Ouray, Ord. 11/2023): keep ordinary residential parking, require none downtown, and remove the off-street parking mandate for businesses. It touches nothing in the single-family neighborhoods.

In Part 2, the indented italic notes are explanatory commentary for the Commission. They are not part of the enacted code.

Part 1. Adopting ordinance (recitals and enactment)

****ORDINANCE NO. 2026-__****

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, REPEALING AND REENACTING CHAPTER 16, ARTICLE 6 OF THE PAONIA MUNICIPAL CODE TO REMOVE MINIMUM OFF-STREET PARKING REQUIREMENTS FOR NON-RESIDENTIAL USES AND TO MODERNIZE OFF-STREET PARKING AND LOADING STANDARDS.

WHEREAS, the off-street parking requirements in Chapter 16, Article 6 were last amended in 2015 and substantially predate that, having been carried forward from ordinances adopted in 1983, 2000, and 2003, and contain use categories such as hospitals and high schools that do not exist in the Town; and

WHEREAS, the Town’s historic commercial core along Grand Avenue, which lies within the C-1 Core Commercial District (Sec. 16-2-70), was largely built before the automobile, such that minimum off-street parking requirements render existing buildings nonconforming and impose substantial costs on the reuse of those buildings by new and expanding businesses; and

WHEREAS, the Planning Commission has heard that minimum parking requirements have created repeated obstacles for businesses seeking to open or expand in the Town’s commercial core; and

WHEREAS, the Planning Commission has been advised that a 2025 survey of downtown businesses conducted by the Town found general satisfaction with parking availability, and that the Town contains substantial public and private parking, including two municipal parking lots; and

WHEREAS, the General Assembly of the State of Colorado, in House Bill 24-1304 (2024), found that minimum parking requirements add to housing costs and “put small businesses at a disadvantage relative to large corporations,” and, citing a published analysis, that an off-street parking space “can add between two hundred and five hundred dollars per month in rent”; and

WHEREAS, the Town’s adopted Comprehensive Plan (2024 Update, accepted by the Board of Trustees by Resolution 18-2025) calls in Policy ECON-3 to “create and maintain a healthy, vibrant, and beautiful economic downtown corridor on and around Grand Avenue,” in Policy LUF-1 to “preserve Paonia’s rural character... while balancing the need for infill, economic growth, housing and redevelopment,” and in

Policy TRANS-9 to “encourage, enhance, and promote pedestrian access and walkability to and within the Historic Town Core”; and

WHEREAS, removing minimum off-street parking requirements for non-residential uses directly advances these adopted Comprehensive Plan policies; and

WHEREAS, the elimination of minimum off-street parking requirements does not prohibit or discourage the provision of off-street parking, but leaves the amount of such parking to the judgment of property and business owners; and

WHEREAS, the “Parking Fund” referenced in the existing Article 6 has been suspended since 2015 and is no longer operative;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Paonia, Colorado:

Part 2. The reenacted Article 6 (code text)

Section 1. Chapter 16, Article 6 of the Paonia Municipal Code is hereby repealed and reenacted to read as follows:

SEC. 16-6-10. OFF-STREET PARKING; PURPOSE AND REQUIREMENTS.

(a) **Purpose.** This Article sets the amount of off-street parking by the needs of each use rather than by inherited fixed ratios, in order to support the reuse of existing buildings, reduce the cost of housing and of opening or expanding a business, conserve land and limit unnecessary impervious surface, and reinforce the walkable character of the Town.

(b) **No off-street parking required for non-residential uses.** No off-street motor vehicle parking shall be required for any commercial, business, industrial, institutional, civic, or other non-residential use in any zoning district of the Town.

(c) **C-1 Core Commercial District.** In the C-1 Core Commercial District (Sec. 16-2-70), no off-street parking shall be required for any use, except that a dwelling unit or lodging unit shall provide one (1) off-street parking space per unit.

(d) Residential parking outside the C-1 District. Outside the C-1 Core Commercial District, off-street parking for residential uses shall be provided as follows:

Use	Spaces
Single-family or two-family dwelling	2 per unit
Multi-family, studio or 1-bedroom	1 per unit
Multi-family, each additional bedroom	plus 0.5 per bedroom
Multi-family visitor parking (6 or more units)	plus 1 per 4 units
Dwelling in a mixed-use building	1 per unit
Lodging unit (hotel, motel, bed and breakfast)	1 per unit

(e) On-street and shared credit. Where off-street parking is required under subsection (c) or (d), the requirement may be satisfied, in whole or in part, by legal on-street parking spaces along the lot’s frontage or by shared or joint-use parking with a nearby use under a written agreement. A given on-street space may be counted toward only one lot.

(f) Parking not precluded. Nothing in this Article prohibits an owner from providing off-street parking voluntarily. Any off-street parking that is provided shall meet the accessible-parking standards of Sec. 16-6-30 and the design standards of Sec. 16-6-60.

(g) Definitions. Terms used in this Article have the meanings given in Chapter 16. [Staff to confirm that “dwelling unit,” “lodging unit,” and “mixed-use building” are defined in the Chapter 16 definitions; if not, add definitions here.]

The reform: the Town no longer dictates how much off-street parking a business must build. Off-street parking minimums are removed for all non-residential uses town-wide, and no parking at all is required in the C-1 downtown core, while ordinary residential parking is kept. This follows Mancos (Sec. 16-8-2, 16-8-3) and Ouray (Sec. 7-8-E.1.b), which require no off-street parking in their downtown cores and keep residential parking. Paonia takes the simple step of removing the mandate for commercial uses town-wide rather than maintaining a separate commercial parking table. The old undefined “construction, addition or change of use” trigger and Table 16-5 (which listed hospitals and high schools the Town does not have, and set residential parking by bedroom count) are repealed.

SEC. 16-6-20. RESERVED.

Explanatory note (not code): The Town does not currently regulate accessory dwelling units (ADUs). Off-street parking for ADUs is therefore not addressed in this ordinance. A recommended ADU parking provision, for whenever the Town adopts ADU regulations, appears in Part 4 below.

SEC. 16-6-30. ACCESSIBLE (ADA) PARKING.

Where off-street parking is provided, accessible parking spaces shall be provided in the number, dimensions, and configuration required by the Americans with Disabilities Act (ADA) Standards for Accessible Design and any applicable State of Colorado accessibility standards, as amended. Accessible spaces shall be located on the shortest accessible route to an accessible building entrance.

Removing parking minimums does not change federal ADA accessible-parking requirements; this keeps them explicit.

SEC. 16-6-40. BICYCLE PARKING.

(a) New construction, or an expansion that adds off-street motor vehicle parking spaces, shall provide a minimum of two (2) bicycle parking spaces, plus one (1) additional bicycle space for each ten (10) motor vehicle spaces provided, up to a maximum of ten (10) bicycle spaces.

(b) A bicycle parking space shall be at least six (6) feet long and two (2) feet wide and securely anchored. Short-term (visitor) bicycle parking shall be located within one hundred (100) feet of, and visible from, the principal public entrance to the use served.

Modeled on Buffalo's Green Code (Sec. 8.2). The requirement attaches only when a project builds car parking, so it adds nothing to a small reuse project that provides no car parking.

SEC. 16-6-50. PARKING FUND REPEALED.

The Parking Fund is repealed. No fee, contribution, or payment in lieu of providing off-street parking shall be required as a condition of any land use approval.

The Parking Fund has been suspended since 2015 and is no longer operative; this repeals it cleanly.

SEC. 16-6-60. DESIGN AND SAFETY STANDARDS FOR PARKING THAT IS PROVIDED.

Where off-street parking or loading is provided, it shall comply with the following. These standards apply only to parking that is voluntarily provided; they do not require that any parking be provided. Compliance shall be determined at the time of building permit or site-plan review.

(a) Surfacing and drainage. Parking areas shall be surfaced with asphalt, concrete, pavers, or compacted gravel maintained to control dust and tracking, and graded so as not to drain onto adjacent property or the public right-of-way.

(b) Access and circulation. Parking areas shall be designed so that vehicles can enter and exit safely and are not required to back into a street, except for parking serving a single-family or two-family dwelling.

(c) Drive aisles. Two-way drive aisles shall be a minimum of twenty-two (22) feet wide. One-way aisles serving angled parking shall be a minimum of twelve (12) feet (30 degrees), fifteen (15) feet (45 degrees), or eighteen (18) feet (60 degrees) wide.

(d) Landscaping and screening. Any new off-street parking area of six (6) or more spaces shall be separated from an adjacent residential lot or the public right-of-way by a minimum five (5) foot landscaped strip or a six (6) foot opaque fence.

(e) Lighting. Any lighting of a parking area shall be shielded and directed downward to avoid glare onto adjacent property or the public right-of-way (Dark-Sky friendly).

(f) Dimensions. A standard parking space shall be at least nine (9) feet by nineteen (19) feet; compact and tandem spaces are permitted.

Keeps the useful parts of the old design standards (surfacing, aisle widths, landscaping, and dimensions) for parking that is built. It does not require building any parking.

SEC. 16-6-70. OFF-STREET LOADING.

Off-street loading is not required. Any loading area that is provided shall be located and designed so that loading and unloading does not obstruct a public street, sidewalk, or required accessible route.

Replaces the old prescriptive loading formula with a simple performance standard.

SEC. 16-6-80. SHARED PARKING.

Two or more uses may satisfy any off-street parking required of them through shared or joint-use parking by written agreement. No Town approval is required, but a copy of any such agreement may be filed with the Town. This Section does not require any use to provide parking.

Replaces the old 300-foot, same-owner off-site rule with simple shared parking. On-street credit is addressed in Sec. 16-6-10(e).

Part 2 (continued). Closing sections

Section 2. Repealer. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict. Violations of the design standards in Sec. 16-6-60 are subject to the penalty and enforcement provisions otherwise applicable to Chapter 16.

Section 3. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective date. This ordinance shall take effect and be in force as provided by law, following final passage, approval, and publication in accordance with C.R.S. § 31-16-105.

INTRODUCED, READ, and ORDERED PUBLISHED on first reading this ____ day of _____, 2026. PASSED, ADOPTED, and ORDERED PUBLISHED on second and final reading this ____ day of _____, 2026.

TOWN OF PAONIA, COLORADO, by _____, Mayor. ATTEST:
_____, Town Clerk.

Part 3. How the new code compares to the current code

What each part of the current Article 6 does today, and what replaces it:

Current code	What it does today	New
16-6-10(a) + Table 16-5	Minimum spaces by use; undefined “construction/addition” trigger; lists hospitals and high schools the Town does not have; sets parking by bedroom count	16-6-10: no off-street parking required for non-residential uses town-wide; none at all in the C-1 downtown core (residences/ lodging keep 1 per unit); ordinary residential parking kept; on-street and shared credit. Old Table 16-5 repealed.
(no ADU provision)	(none)	16-6-20: Reserved. ADUs are not regulated yet; a parking approach is recommended for the future ADU code (Part 4).
16-6-20 Combinations of uses	Sum the minimums	Deleted (nothing to sum).
16-6-30 Uses not listed	Commission sets the count	Deleted (no counts to set).
16-6-40(1) Off-site within 300 ft, same owner	Rigid off-site rule	16-6-80: flexible shared parking, no distance rule.
16-6-40(2) Parking district / fee	Fee-in-lieu via district	Folded into the 16-6-50 repeal and 16-6-80 shared parking.
16-6-40(3) Parking Fund contribution	Pay into a suspended fund	16-6-50: fund and all payment-in-lieu repealed.
16-6-50 Parking Fund	“[Suspended] indefinitely”	16-6-50: formally repealed.
16-6-60 Design requirements	Surfacing, aisles, landscaping, ADA, bike substitution	Split into 16-6-30 (ADA), 16-6-40 (bike), and 16-6-60 (design for parking that is provided).
16-6-70 Off-street loading	Prescriptive loading formula	16-6-70: performance standard, not required.

Part 4. Recommendation for the future ADU code (NOT part of this ordinance)

Paonia does not currently allow accessory dwelling units, so this ordinance does not regulate ADU parking. But the Commission noted an ADU code is coming. When that code is written,

the parking question will come with it, and the simplest, most defensible answer is already proven in two Colorado towns our size. We recommend the Town adopt, at that time, the following:

Recommended ADU parking provision (for the future ADU code): An accessory dwelling unit shall provide one (1) off-street parking space in addition to the parking required for the primary dwelling. The Town may waive this requirement where the applicant demonstrates to planning staff that the space is not feasible and/or that on-street parking is available without negatively impacting the neighborhood. The required space may be satisfied by a driveway, tandem space, carport, or garage.

Source: adapted from Mancos Sec. 16-4-10(e)(7), which requires one off-street ADU space with a staff-level waiver (no hearing) where on-street parking exists. Ouray Sec. 7-7-F.3 likewise requires one off-street space for the ADU (with no specified form and no staff waiver). Either keeps an ADU buildable without forcing a homeowner to pave green space.



A PROPOSAL TO THE PAONIA PLANNING COMMISSION · CHAPTER 16, ARTICLE 6

Fixing Paonia's Parking Code

*The Mancos-Ouray model: keep residential
parking, free up downtown.*

PETE MCCARTHY · PAONIA RESIDENT

THE PROBLEM

One business after another, stalled at the same wall.

- The Learning Council
- CIRC
- Blue Sage
- The bookstore, going through it right now

Every one of them ran into the same off-street parking rule on the 200 and 300 blocks of Grand Avenue. Buildings built before the car, that the code now makes hard and expensive to reuse.



WHAT OUR CODE ACTUALLY REQUIRES TODAY

It was last touched in 2015. It shows.

- Sets parking by bedroom count (a commissioner called it "really antiquated").
- Lists requirements for hospitals and high schools we do not have.
- An undefined "construction, addition or change of use" trigger nobody can read; the thing that snagged the bookstore.
- A 300-foot off-site parking rule the Commission called "just old."
- Orders businesses to pay into a "Parking Fund" suspended since 2015, and points to the wrong section number, so it does not even function.



THE COST NO ONE SEES

Parking minimums quietly tax every new business and home.

\$5–50k

to build a single parking space

\$200–500

per month added to rent, per space (State of
Colorado finding)

*C.R.S. § 29-36-101 (Colorado legislative findings,
2024). Minimums "put small businesses at a
disadvantage relative to large corporations."*

WHY IT MATTERS

THIS IS NOT A BIG-CITY IDEA

Small towns lead this reform, not big cities.

Roughly 40% of all U.S. towns that have removed parking minimums are under 25,000 people. Colorado towns smaller than Paonia did it years ago and have lived with it just fine.

And it is already our own plan.

Our 2024 Comprehensive Plan, Policy ECON-3, calls to "create and maintain a healthy, vibrant, and beautiful economic downtown corridor on and around Grand Avenue." This is how we get there.

SMALL COLORADO TOWNS THAT ALREADY DID IT

And we can quote their adopted code, word for word.

Town	Pop.	Downtown	Residential	ADU
Mancos (near us)	~1,200	none required	kept (2/home)	1 space, waivable
Ouray	~900	none on Main	kept (2/home)	1 space
Del Norte	~1,460	exempt	kept	—
Wray	~2,360	none required	kept	—
Dolores	~885	none + small-use exempt	kept	—

Mancos: "New development within the Downtown Center is not required to provide off-street parking or loading." Ouray: no off-street parking required for the buildings fronting U.S. Highway 550 through downtown.



LOOKING AHEAD: ADUS

A casita, not a parking pad.

Paonia does not regulate ADUs yet, so this proposal does not touch them. But that code is coming, and the parking question comes with it.

If an old-style minimum rides along, every casita has to dig up green space for cars. Mancos asks for just one space, easily waived when there is street parking. A recommendation for that future code rides with the draft, so we get it right before it starts.

THE MANCOS-OURAY MODEL FOR PAONIA

Three changes. Nothing else moves.

- No off-street parking required for businesses, anywhere in town. The old commercial table (with its hospitals and high schools) is gone.
- None at all in the C-1 downtown core, the way Mancos and Ouray do it (homes and lodging keep one space).
- Ordinary residential parking kept, and on-street parking counts toward it.
- Plus: repeal the dead Parking Fund, and keep ADA and design standards.

Single-family neighborhoods keep their parking exactly as they are. ADUs are handled separately, as a recommendation for the code that is coming. We are not getting rid of parking; we are fixing what is broken.

WHAT STAYS THE SAME

- Accessible (ADA) parking: fully kept.
- Single-family and two-family homes: 2 spaces, unchanged.
- Nobody is barred from building parking. It is just no longer forced where it does harm.
- Grand Avenue on-street parking stays for visitors.

The 2025 downtown survey found businesses are already satisfied with parking availability. We have two town lots and plenty of parking. The Commission said so itself.

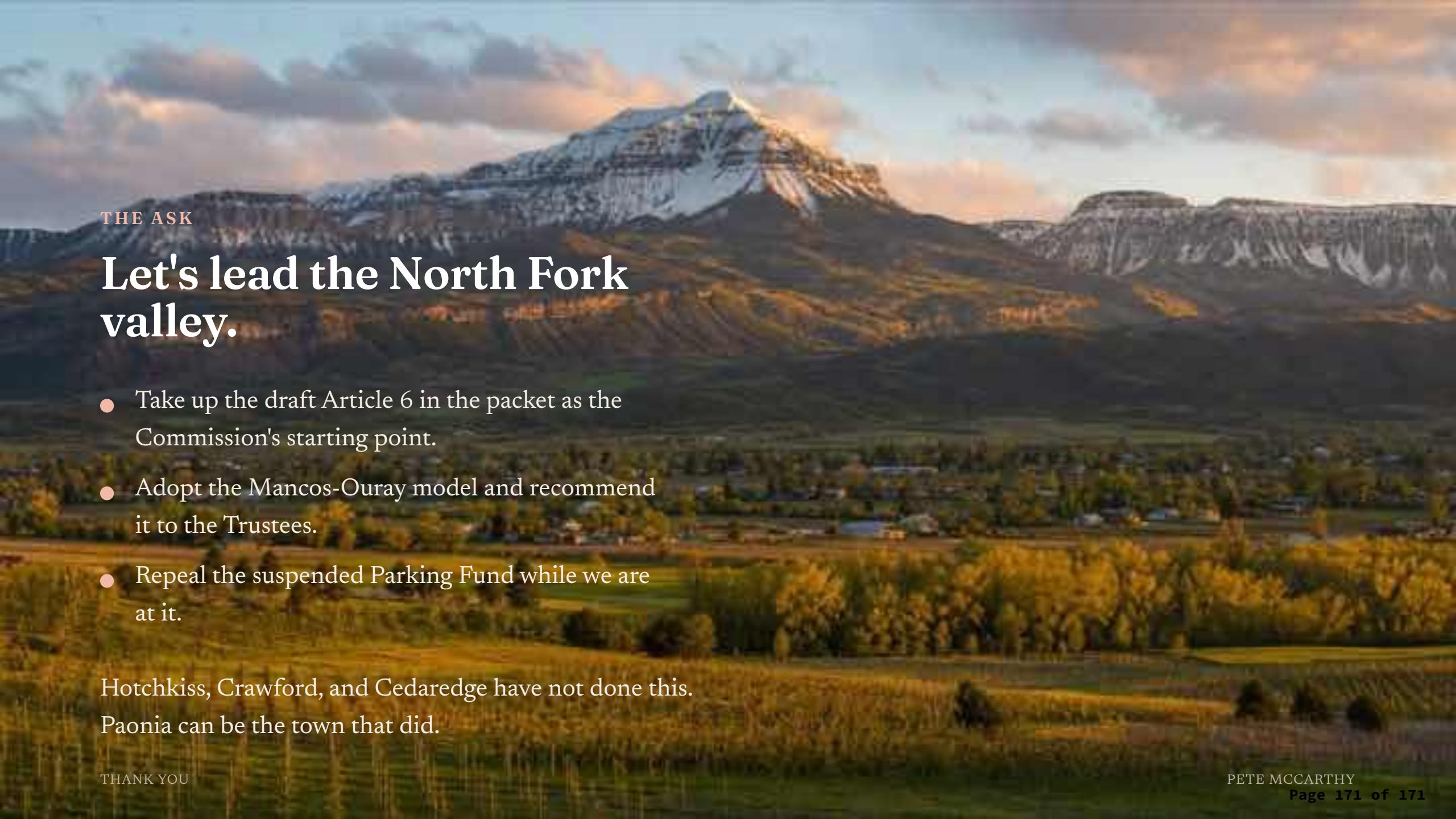


NO PARKING APOCALYPSE

"New development within the
Downtown Center is not required
to provide off-street parking or
loading."

*Town of Mancos, Colorado, municipal code (§16-8-2,
Ordinance 751). A town of about 1,200, one valley over.
Adopted in 2019 and still on the books. Empty buildings
got reused; downtown did not run out of parking.*

WHAT WE GET INSTEAD



THE ASK

Let's lead the North Fork valley.

- Take up the draft Article 6 in the packet as the Commission's starting point.
- Adopt the Mancos-Ouray model and recommend it to the Trustees.
- Repeal the suspended Parking Fund while we are at it.

Hotchkiss, Crawford, and Cedaredge have not done this.
Paonia can be the town that did.