



## **TOWN BOARD SPECIAL MEETING**

November 4, 2019 - 6:00 PM

1st Floor Conference Room, 301 Walnut Street, Windsor, CO 80550

### **AGENDA**

#### **A. CALL TO ORDER**

1. Roll Call
2. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration

#### **B. EXECUTIVE SESSION**

1. An executive session pursuant to Colorado Revised Statutes § 24-6-402 (4)(e) (I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect for certain Economic Development Incentives (Stacy Miller, Director of Economic Development)

#### **C. BOARD DISCUSSION**

1. Land Use Code Update

#### **D. COMMUNICATIONS**

1. Future Meetings Agenda

#### **E. EXECUTIVE SESSION**

1. An executive session pursuant to C.R.S. § 24-6-402 (4)(f)(I) to discuss personnel matters concerning the Town Prosecutor, under circumstances where the Town Prosecutor has not requested an open meeting.

#### **F. ADJOURN**

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.



## MEMORANDUM

**Date:** November 4, 2019  
**To:** Mayor and Town Board  
**Via:** Shane Hale, Town Manager  
**From:** Paul Hornbeck, Senior Planner  
**Re:** Land Use Code Update  
**Item #:** C.1.

### **Background / Discussion:**

Please find enclosed a memo with summaries of the updates to the Windsor Land Use Code on the following sections:

- Zone Districts and Vehicle Access Standards (adoption-ready draft ordinance enclosed)
- Subdivision Standards (first draft enclosed)
- Administration and Process (key issues outlined in memo)

### **ATTACHMENTS:**

- ❑ Memo
- ❑ Draft Zone District & Vehicle Access Standards
- ❑ Draft Subdivision Standards
- ❑ Staff PowerPoint



## MEMORANDUM

### Zone Districts and Vehicle Access Standards

A draft of the Zone Districts and Vehicle Access Standards were sent to stakeholders February 25, 2019, with a work session with Planning Commission and Town Board held on March 25, 2019. A summary of significant changes proposed in the February 25, 2019 draft compared to the current zoning is provided below:

- Organization of Lot Development Standards – New code provides a menu of options based on zoning, building type, lot size, etc.
- RMU-2 Zone – New zone allows smaller residential lot sizes but has additional requirements for parks, pedestrian oriented design, and minimum commercial acreage.
- SF-2 Zone – Repurposed zone similar to RMU-2 but at a lower intensity without commercial or multifamily apartments.
- Multifamily zones combined.
- Estate zones combined.

Based on feedback at the March, 2019 work session and from stakeholders, listed below are clarifications and minor changes to the previous draft:

#### Density

At the work session there were questions about whether the smaller lot sizes proposed in new zone districts would translate into higher density. The purpose of smaller lots is to respond to market demands, especially considering current land and water costs, and to provide a variety of housing options and price points. The intent of smaller lot sizes is not to increase overall density but rather to allow for clusters of higher density within a development without increasing overall density. Pockets of higher density in a development would need to be offset by more open space or lower density elsewhere in the development.

The new zone districts would still be subject to the density maximums allowed by the Comprehensive Plan Land Use Map, utility capacity studies, and any approved master plans. Therefore the draft code would not allow for higher density unless Town Board approves an amendment to the Land Use Map, corresponding utility capacity is available, and if applicable, the subject master plan is amended.

A question related to density at the work session was on the type of open space required with zone districts that have smaller lot sizes and clustered density. Please refer to the Subdivision Standards section later in this memo for discussion of open space.

### Residential Rear Setbacks

The previously shared draft increased rear setbacks from 5' to 8' for most residential zones and uses. Based on feedback from Stakeholders and Town Board a 10' rear setback/ 5' when adjacent to an alley is proposed as a compromise.

### RMU-2 Zone

Stakeholder comments pointed out that some RMU-2 standards may have been overly restrictive in that smaller lot sizes of 4,000-6,000 square feet, such as those built recently at the Raindance development, would not be possible in the RMU-2 zone unless built with "limited access" meaning either alley access, a garage in the rear 50% of the lot, or a garage perpendicular to the street.

The "limited access" standard has since been amended to be less restrictive, requiring a garage which is either setback 5' from the front of the house or setback 5' from a front porch. This less restrictive requirement is similar to the Raindance standards which require a front porch but these standards also give the option of no front porch if the garage is setback from the house.

Stakeholders also expressed concern about the requirement for a minimum amount of commercial acreage in RMU-2 developments. To address this concern, an alternative compliance section has been added which allows the decision maker to waive or reduce that requirement in certain situations outlined in Sec. 16-17-50(e).

### Lot widths

Stakeholder comments questioned the introduction of lot minimum widths, particularly for commercial and industrial zones. A provision has been added that reduced lot width can be approved when a concurrent site plan is submitted demonstrating adequate width is provided.

**Next Steps: Public hearings for adoption of the Zone Districts and Vehicle Access Standards anticipated following the work session.**

## **Subdivision Standards**

The first draft of subdivision standards are enclosed for review and comment. A summary of major changes from the current code is provided below. A similar summary and draft were sent to the development community in October, 2019.

### Connectivity

The Comprehensive Plan encourages a more connected network of both roads and pedestrian routes; however, the current code does not contain standards to implement this vision. One method of achieving greater connectivity is by limiting the block length,

which refers to the distance between two intersecting streets. Shorter block lengths help to create a more connected street grid and reduce the length of trips, especially for people on foot or bike by providing a more direct route. The code currently has a maximum block length of 1500 feet, which is insufficient to create a connected network. As a point of reference, the old part of Windsor has block lengths of approximately 440 feet. The draft code includes maximums based on the type of zoning and associated context of development as shown in the table below, ranging from 660 to 1320 feet .

A second method of achieving a more connected street network is minimizing the number of cul-de-sacs used. Since cul-de-sacs are dead-end streets without through connectivity, their use greatly limits the overall connectivity of a neighborhood. The only restriction currently on the use of cul-de-sacs is that they can serve no more than 25 lots. Similar to block length requirements, this is an insufficient standard for creating a connected street network. Therefore, limits on the use of cul-de-sacs are included in the draft code and shown in the table below.

The final method of creating greater connectivity is requiring connections to adjacent properties. Current standards require connections every 1320 feet on average, which is also insufficient to create a connected network. In order to create more cross connections between adjacent properties, the proposed block length requirement would also apply to connections to adjacent properties, meaning a property subject to 880' block lengths would need to provide connections to adjacent properties every 880 feet.

All of these connectivity standards require some flexibility for instances where unique site conditions are present. The draft code allows the decision maker to grant exceptions when there are conditions such as unique topography, adjacent development, existing street alignment, etc.

| <b>Table 17-1-10 Block Sizes &amp; Connectivity</b> |                                                |                      |                                                                                                                                                                                                                |
|-----------------------------------------------------|------------------------------------------------|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Planning Context</b>                             | <b>Zone Districts</b>                          | <b>Block Length</b>  | <b>Cul-de-sac Limits</b>                                                                                                                                                                                       |
| Compact                                             | CB, RMU-2, SF-2, PUD (residential)             | 660' max. (1/8 mile) | Prohibited except for exceptions in accordance with Sec. 17-2-10(g). 440' maximum length when exception granted.                                                                                               |
| General                                             | RMU-1, SF-1, NC, GC, MF, PUD (non-residential) | 880' max (1/6 mile)  | 600' maximum length but should be avoided when feasible. When used the total number of lots on all cul-de-sac streets, shall not exceed more than 10% of lots in subdivision unless an exception is granted in |

|                   |            |                         |                                  |
|-------------------|------------|-------------------------|----------------------------------|
|                   |            |                         | accordance with Sec. 17-1-10(g). |
| Remote/<br>Campus | LI, HI, ER | 1320' max<br>(1/4 mile) | 600' maximum length              |

### Open Space

Open space conservation is a theme throughout the Comprehensive Plan, but the code currently only requires provision of open space with multifamily development and does not specify the type or quality of the open space. The draft code requires all residential development, except for large lot estate development, to set aside 20% of the land area as open space to be owned and maintained by a metropolitan district or homeowners association. Most residential subdivisions in Windsor have been built with at least 20% open areas, whether out of necessity to accommodate unbuildable areas such as stormwater facilities, easements, or other features or in order to provide an amenity to residents. The 20% open space requirement will ensure that open space continues to be provided and that it is high quality in nature rather than simply remnant parcels.

The open space requirement can be met through any of the following means:

- Greenbelts – natural or planted areas with trails and other amenities
- Natural Habitat Areas – areas primarily intended to protect unique habitats
- Town Dedicated Park
- Pocket Parks – small privately built and maintained parks
- Recreation amenities – includes pools, playgrounds, and other features open to residents
- Stormwater facilities - provided they are designed in a naturalistic manner

### Parks

In order to facilitate the construction of public parks, the code currently requires residential development dedicate land to the town for park sites, or pay fees in-lieu of dedication. The Parks, Recreation, and Culture Department has indicated they will be shifting away from construction of new neighborhood parks and focusing more on community and regional parks as well as connectivity. In order to provide recreational amenities within neighborhoods, the draft code requires residential development to

provide pocket parks to be owned and maintained by homeowners associations or metropolitan districts. Pocket parks are small parks that serve the surrounding neighborhood and would be required in accordance with the table below:

| <b>Zone District</b> | <b>Table 17-1-30 Pocket Park Requirements</b>                                |
|----------------------|------------------------------------------------------------------------------|
| ER                   | 10,000 square feet per 200 units required for conservation subdivisions only |
| SF-1                 | 10,000 square feet per 200 units                                             |
| SF-2                 | 10,000 square feet per 100 units                                             |
| RMU-1                | 10,000 square feet per 200 units                                             |
| RMU-2                | 10,000 square feet per 100 units                                             |
| MF                   | 10,000 square feet per 200 units                                             |

#### Double Frontage Lots

A double frontage lot is a lot with streets on both the front and rear. These lots can present maintenance challenges as fencing is often installed in the rear yard with remnant property left between the street and fence. This arrangement can also make for aesthetically unappealing corridors when unmaintained areas and a mismatch of fencing line the corridor. To avoid this situation in the future, the draft code prohibits this arrangement for residential uses unless necessary to overcome specific disadvantage of topography or lot orientation. When provided, a landscaped buffer maintained by a homeowners association or metropolitan district is required.

#### Significantly encumbered lots

The code currently requires single family homes to provide a minimum amount of un-built area on the presumption the land can be enjoyed by the home owner. However, there is nothing in the code that requires such land actually be usable by the homeowner. While most residential single family properties include utility easements (typically 8-10 feet in width along the front and rear property lines), there is nothing to prevent a lot from being platted with significant encumbrances, such as a ditch access road, that effectively prevents a home owner from use of their yard. To avoid this scenario, the draft code prohibits platting lots with significant encumbrances that render the property unusable or highly restrict usage unless the lot is large enough to offset these restricted use areas.

#### Public Improvement Security

The code currently requires a project applicant to provide security equal to 25% of the cost of all public improvements needed to serve a development (roads, utilities, etc.). The intent of this requirement is to ensure that necessary infrastructure is completed, installed in accordance with Town standards, and not left incomplete such that the Town would have to complete work if an applicant walks away due to financial difficulties or

other circumstances. The 25% security is problematic because it does not provide enough of a financial guarantee should the Town have to complete a project. The draft code proposes to increase the security amount to 100% to ensure any incomplete work does not become a burden on the Town's finances.

**Next Steps: Depending on the level of input received at the work session on the Subdivision section, a follow up work session or scheduling of public hearings for adoption is anticipated for the 1<sup>st</sup> Quarter of 2020.**

## **Procedure and Administration**

Prior to finalizing a draft of the Procedures and Administration code sections staff would like feedback in the following areas:

### Public Hearings For Master Plans

The code currently does not require public hearings with Master Plans. Master Plans often run concurrently with Annexations, which do require public hearings, but that is not always the case. If a Master Plan is reviewed separately from an Annexation or if a Master Plan is later amended, there is no opportunity for public input on the project. Master Plans are important documents as they address issues such as the distribution of proposed land uses on a site, location of access points. Therefore receiving any public comment early in the process of site development can help alleviate more last minute comments when a project is being subdivided. Staff anticipates updating the code accordingly to require public hearings with master plans.

### Review Body

In order to provide a more streamlined development review process, decision making authority could be shifted from Town Board to Planning Commission and staff on certain applications as outlined in the table below. Reducing the number of meetings required, can also save applicants time and money, eliminating the need for the applicant and/or their consultants from having to attend additional meetings. Any appeals would be filed to the next higher authority (e.g. staff decisions appealed to Planning Commission; Planning Commission decisions appealed to Town Board).



| <b>Application Type</b>                                  | <b>Current Decision Maker</b>                  | <b>Streamlined Decision Maker</b>           |
|----------------------------------------------------------|------------------------------------------------|---------------------------------------------|
| <b>Conditional Use Permit (other than Oil &amp; Gas)</b> | Town Board                                     | Planning Commission                         |
| <b>Site Plan<br/>(for multifamily development)</b>       | Town Board                                     | Staff                                       |
| <b>Preliminary Major Subdivision</b>                     | Planning Commission<br><br>(no public hearing) | Planning Commission<br><br>(public hearing) |
| <b>Final Major Subdivision</b>                           | Town Board<br><br>(public hearing)             | Staff<br><br>(no public hearing)            |

Commercial/Industrial site plans are currently reviewed by staff. Moving decision making authority of multifamily site plans to staff would be consistent with this approach. Additionally, a multifamily site plan application can only be considered if the appropriate zoning is in place and if properly designated on a master plan, both of which require public hearings and Town Board approval. By the time an application is received for a multifamily site plan, the use has been entitled with appropriate zoning and is considered a use-by-right. Therefore, the site plan review is more of a technical exercise in assuring all applicable requirements are met.

Major Subdivisions currently require separate applications and reviews for the preliminary plat and final plat, although these processes can be effectively combined on commercial/industrial projects. Having separate preliminary and final reviews allows an applicant to receive a degree of certainty with preliminary approval prior to conducting more detailed engineering design. To expand upon this approach and further streamline the process, reviews could be further front-loaded by moving the public hearing to the preliminary plat rather than final plat and by allowing the final plat to be administratively reviewed. Since a final plat is required to be in substantial compliance with the approved preliminary plat, additional meetings or hearings may be an unnecessary step.

### Minor subdivisions

Minor subdivisions are reviewed administratively without public hearings, making for a more streamlined process than major subdivisions. The current code is limited in what qualifies as minor subdivision. The draft code could expand the availability of the minor subdivision process. Staff has identified the following types projects which currently require a major subdivision which may be better reviewed as minor subdivisions:

- Any subdivision dedicating easements
- Any subdivision dedicating right-of-way (Town Board acceptance or vacation of right-of-way would still be required)
- Re-platting lot lines on six or more lots to adjust lot sizes without increasing density
- Non-residential subdivisions without a concurrent site plan involving a five or fewer lots

### Land Use Application Referrals

The code currently requires the Town to send referrals to relevant agencies (CDOT, utility providers, school district, etc.) and requires a response within 10 days. The 10 day turnaround has proven to be problematic for some agencies to meet; therefore, the draft code will to increase the response time to 21 days.

### Neighborhood Meeting Timing

The code currently requires neighborhood meetings to occur a minimum of 30 days prior to the first public consideration on the subject application by Planning Commission. A minimum duration of time between the two dates is important to provide staff time to prepare meeting materials and to give meeting attendees ample advanced notice but the 30 day requirement has at times caused unnecessary delays in projects. Therefore, the minimum duration between neighborhood meeting and Planning Commission consideration would be lowered to 15 days in the draft code.

### Review criteria

The draft code will provide review criteria specific to each type of land use application, something the current code does not include except for a limited number of application types such as a Conditional Use Grant. This criteria should help provide clarity to applicants, staff, and Planning Commission and Town Board. Draft review criteria for Subdivisions are listed below. Based on feedback on the work session, similar review criteria for other types of applications will be developed.

- a. The layout and design of the final plat is in substantial compliance with the approved preliminary plat and master plan.
- b. The final plat conforms with the *Comprehensive Plan*.
- c. Residential density, if any, is consistent with the subject zone district, *Comprehensive Plan* and *Sewer Master Plan*, and any applicable utility capacity studies.
- d. All lots meet the standards of the subdivision regulations and applicable zoning districts.
- e. The construction plans for any utilities, infrastructure or public facilities meet all technical specifications.
- f. Transportation design is consistent with the *Roadway Improvement Plan*, *Transportation Master Plan*, street connectivity standards in Chapter 17, and *Design Criteria & Construction Specifications*.
- g. Provision of utilities to adequately serve the development in accordance with *Design Criteria & Construction Specifications* and any other adopted requirements.
- h. Provision of park land in accordance with this Code which is acceptable to Parks Recreation, and Culture Department, if applicable.
- i. Provision of open space in accordance with Chapter 17.
- j. Provision of school site acceptable to the applicable school district, if applicable
- k. The phasing and timing of public improvements ensures construction and performance guarantees.
- l. The final plat complies with the recommendations of professional staff, or any other public entity asked to officially review the plat.

**Next Steps: Depending on the level of input received at the work session on the Procedure and Administration sections, a follow up work session or scheduling of public hearings for adoption is anticipated for the 1<sup>st</sup> Quarter of 2020.**

TOWN OF WINDSOR

ORDINANCE NO. 2019-[##]

AN ORDINANCE REPEALING, AMENDING AND RE-ADOPTING CHAPTER 16 OF THE *WINDSOR MUNICIPAL CODE*

WHEREAS, the Town of Windsor is a home rule municipality with all powers conferred under Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land use regulations, the purpose of which is to promote the public health, safety and welfare; and

WHEREAS, the Town has adopted the zoning regulations which are codified in Chapter 16 of the *Windsor Municipal Code* (“Zoning Code”), under which parcels of land are identified and classified for regulatory purposes; and

WHEREAS, the Planning Department has undertaken a complete revision to the Zoning Code in order to bring it up to date with current practices in the land planning field; and

WHEREAS, the Town Board has been presented with the various updates as the updates have been developed; and

WHEREAS, the Town Board has concluded that modernizing the Zoning Code as recommended by the Planning Department promotes the public health, safety and welfare; and

WHEREAS, by its approval of this Ordinance, the Town Board desires to comprehensively amend the Zoning Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

**Section 1.** Section 16-2-20 of the *Windsor Municipal Code* is hereby amended specifically as follows:

The definition, *Dwelling, single-family detached*, is hereby repealed.

The definition, *Dwelling, multifamily*, is hereby repealed.

The definition, *Building Height*, is hereby repealed, amended and re-adopted to read as follows:

*Building height* means the vertical distance from ground level to the highest point of the roof surface. Ground level shall be a reference plane representing the average of the finished ground level adjoining the building at all exterior

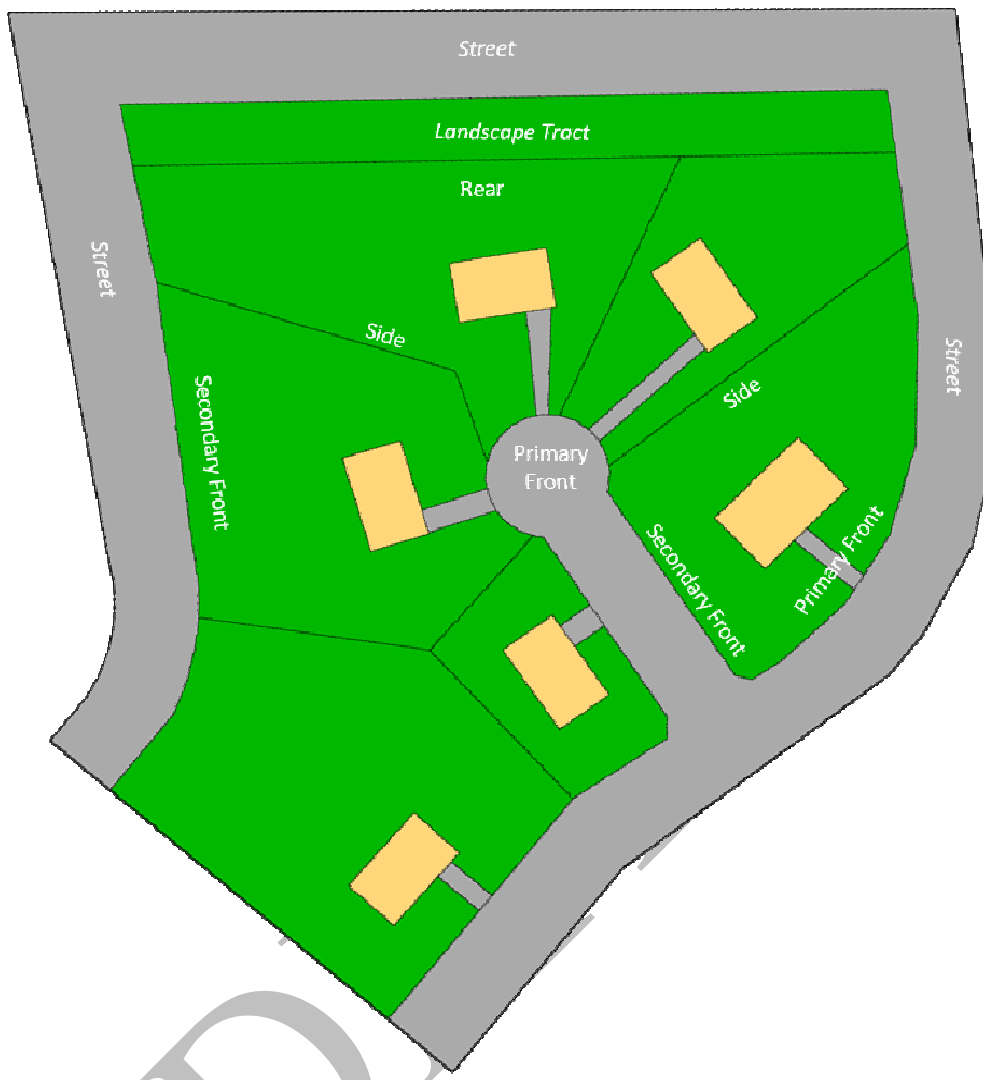
walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest point within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the structure and a point six (6) feet from the building.

The definition, *Offset*, is hereby repealed.

The definition, *Setback*, is hereby repealed, amended and re-adopted to read as follows:

*Setback* means the minimum required distances between lot lines and buildings, structures or signs. As further clarification refer to Figure 16-2-20(a) and the following:

- **Front setback** is measured from the front lot line. The front lot line is any lot line that abuts a public or private street right-of-way, excluding alleys. In the case of lots with more than one street frontage, the street to which the primary entrance of the principal building faces or to which the building is addressed shall be considered the principle front line. All front lot lines other than principal shall be considered secondary front lot lines.
- **Rear setback** is measured from the rear lot line. The rear lot line is the lot line that is opposite from the principle front lot line.
- **Side setback** is measured from side lot lines. Side lot lines are all lot lines that are not front or rear lot lines.
- **Perimeter Facing Setback** means the setback from lot lines at the perimeter of a development.
- Minimum setback requirements from existing oil and gas wells are established in Chapter 16, Article 11.



**Figure 16-2-20(a)**

The following definitions shall be added to Section 16-2-20, as amended herein, in alphabetical order within the pattern of alphabetical order for all remaining definitions:

*Artist Studio* means an establishment used for the display or sale of art works and typically also includes an area for the creation of art works or for instruction in art work creation. An artist studio may also be included in a live/work dwelling.

*Cultural and Public Service* means civic uses offering education, arts, and cultural attractions, services or exhibits such as libraries, museums, or art centers.

*Brewery, cidery, distillery (minor)* means any establishment of where not more than 100,000 barrels of malt liquors or fermented malt beverages are manufactured a year and licensed pursuant to the provisions of Title 12, Article

47, C.R.S. Malt liquors include beer and shall be construed to mean any beverage obtained by the alcoholic fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof, in water containing more than three and two-tenths percent (3.2 %) of alcohol by weight or four percent (4%) alcohol by volume. Retail sales and tasting facilities of malt liquors or fermented malt beverages and related merchandise may be permitted as part of the brewery operations.

*Brewery, cidery, distillery (major)* means any establishment of where more than 100,000 barrels of malt liquors or fermented malt beverages are manufactured a year and licensed pursuant to the provisions of Title 12, Article 47, C.R.S. Malt liquors include beer and shall be construed to mean any beverage obtained by the alcoholic fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof, in water containing more than three and two-tenths percent (3.2 %) of alcohol by weight or four percent (4%) alcohol by volume. Retail sales and tasting facilities of malt liquors or fermented malt beverages and related merchandise may be permitted as part of the brewery operations.

*Building Type* means the type of building described by its primary land use.

*Decision maker* means the person, board, or other entity authorized by this Code to approve or disprove an application.

*Duplex* means a building that contains two separate single-family dwelling units that do not share living areas. A standard duplex has side-by-side units with a common wall (the units may be divided into separate lots along the common lot line for individual fee-simple ownership). The units in an over-under duplex are located on different floors (the units may be accessed via separate outside entrances or through a common foyer area).

*Live-Work Unit* means a building or portion of a building that combines a dwelling unit with an integrated workspace that is principally used by one or more of the residents of the dwelling unit. The workspace is secondary or accessory to the primary residential use.

*Industry, Artisan* means the making or fabrication of products either by hand or with minimal automation, which may include direct sales to consumers. This definition includes uses such as small-scale fabrication, manufacturing, and other industrial uses and processes typically not permitted in residential or commercial zoning districts. The use shall be entirely indoors.

*Industry, Light* means uses within buildings less than 20,000 square feet in size that involve research and development, assembly, compounding, packaging, testing, or treatment of products from previously prepared materials, with no

outside storage; or wholesale uses. For illustrative purposes, light industry uses include:

1. Assembly, testing, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures from pre-manufactured components;
2. Communications facilities, except wireless telecommunications facilities;
3. Data centers, server farms, telephone exchange buildings, and telecom hotels;
4. Food production and packaging other than meat and seafood processing and restaurants;
5. Furniture making or refinishing;
6. Manufacture of textiles or apparel;
7. Screen printing of apparel;
8. Printing and publishing, except copy centers (which are commercial and personal services), and except printing presses that require a Stationary Source permit or Title V permit for air emissions (which are heavy industry);
9. Research and development, scientific testing, and product testing;
10. Disassembly of consumer electronics and / or appliances into component parts, where all operations and storage are within an enclosed building;
11. Manufacture or compounding of pharmaceutical products, dietary supplements, health and beauty products, and herbal products; and
12. Packaging of products.

*Industry, Medium* means uses that involve research and development, assembly, compounding, packaging, testing, or treatment of products from previously prepared materials, with limited outside storage and limited external impacts or risks; or wholesale uses; or rental or sale of large items that are stored outside. For illustrative purposes, medium industry uses include:

1. Assembly, testing, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures from pre-manufactured components;
2. Offices of general contractors, specialty subcontractors, or tradesmen which include:
  - a. Bay door access to indoor storage of tools, parts, and materials;
  - b. Parking of commercial vehicles; or
  - c. Outdoor storage areas that are smaller than the area of the first floor of the building that are used for storage of materials or vehicles that are less than 12 feet in height.
3. Communications facilities, except wireless telecommunications facilities;
4. Data centers, server farms, telephone exchange buildings, and telecom hotels;
5. Food production and packaging other than meat and seafood processing and restaurants;



6. Furniture making or refinishing;
7. Manufacture of textiles or apparel;
8. Screen printing of apparel;
9. Printing and publishing, except copy centers (which are commercial and personal services), and except printing presses that require a Stationary Source permit or Title V permit for air emissions (which are heavy industry);
10. Wholesale trade, durable and non-durable, including lumber, except:
  - a. Farm products;
  - b. Combustible or hazardous materials, and
  - c. Wholesale clubs that are open to the public for membership;
11. Research and development, scientific testing, and product testing;
12. Disassembly of consumer electronics and / or appliances into component parts, where all operations and storage are within an enclosed building;
13. Manufacture or compounding of pharmaceutical products, dietary supplements, health and beauty products, and herbal products; and
14. Packaging of products.

*Industry, Heavy* means industrial uses that are not specifically defined elsewhere in this Code that can be described in one of the following four ways:

1. Primary processing or manufacturing or repair operations not specifically defined elsewhere in this Chapter or this definition, that involve:
  - a. A material risk of significant environmental contamination, explosion, or fire;
  - b. Perceptible ground vibration at the property line;
  - c. Excessive noise or dust emissions at the property line and downwind;
  - d. Significant outdoor installations of processing equipment;
  - e. Outside emission of objectionable odors;
  - f. 12 or more trips by semi-trailer trucks per day; or
  - g. An outside storage area that is larger than the area of the first floor of buildings on the same lot; Large-scale outdoor storage of inputs or products;
2. Processing of minerals (except precious and semi-precious stone cutting for jewelry or precision instruments such as lasers or watches), ores, logs, pulpwood, or fossil fuels; or
3. Activities that are required to undergo New Source Review under the Federal Clean Air Act, or are subject to construction or operation permits pursuant to the Colorado Stationary Sources Program or Title V of the Federal Clean Air Act. For illustrative purposes, heavy industrial uses include (if they meet the thresholds of this definition), but are not limited to:
  - a. Coal cleaning plants with thermal dryers; coke oven batteries; carbon black plants (furnace process); petroleum refineries;

- petroleum storage and transfer units (except retail gasoline stations); and bulk fuel dealers;
- b. Facilities used in the primary or secondary production of metals (e.g., primary zinc, copper, or lead smelters; primary aluminum ore reduction plants; iron and steel mills; sintering plants; secondary metal production plants; and blacksmith shops);
  - c. Portland cement plants;
  - d. Sawmills and pulp mills;
  - e. Incinerators with the capacity to charge more than 250 tons of refuse per day;
  - f. Lime plants; phosphate rock processing plants; sulfur recovery plants; and hydrofluoric, sulfuric, or nitric acid plants;
  - g. Fossil fuel combustion (except for electricity generation) totaling more than 250 million BTUs per hour of heat input;
  - h. Fabrication of motor vehicles, manufacturing equipment, durable goods, or pre-fabricated homes or home components;
  - i. Drycleaner processing plants that use large quantities of PERC or comparable petrochemical solvents;
  - j. Manufacture of plastic products (except assembly of parts that are manufactured elsewhere);
  - k. Hot mix asphalt plants; and
  - l. Meat processing involving butchering of large animal carcasses

*Mixed use building* means a building designed, planned and constructed as a unit, used partially for residential use and partly for commercial uses including, but not limited to, office, retail, public uses, personal service or entertainment uses.

*Mixed use dwelling* means a dwelling within a *mixed use building*.

*Multifamily Building* means a building that includes three or more dwelling units, but not a multiplex or townhouse. *Multifamily building* includes independent living facilities.

*Multiplex* means a building that is designed to look like a single-family dwelling, which includes three to five individual dwelling units.

*Lot width* means the horizontal distance between side lot lines at the required front setback. When a lot has more than one front lot line, the required lot width shall be measured along the narrowest front lot line.

*Personal Services* means an establishment that provides repair, care, maintenance or customizing of apparel or other personal articles or human grooming services and includes such uses as beauty/barber shops, shoe repair, dry cleaning outlets,

alterations, tanning salons, weight reduction centers, small appliance or household article repair shops.

*Public open space, park, or playground* means a noncommercial, not-for-profit facility intended for outdoor passive or active recreation.

*Recreation/ Entertainment - Indoors* means uses that provide recreational, entertainment, or amusement activities indoors (except sexually-oriented businesses, and bars, taverns, or nightclubs), including, but not limited to: 1. Bowling alleys; 2. Escape rooms; 3. Game arcades (e.g., video games, skeeball, and comparable amusement machines); 4. Indoor playgrounds (may include conventional playground equipment, inflatables, trampolines, rock climbing walls, zip lines, and comparable equipment); 5. Indoor skating rinks (ice or roller); 6. Laser tag; 7. Local area network (“LAN”) gaming centers; 8. Pool / billiard rooms; 9. Shooting arcades (but not indoor firing or gun ranges); 10. Indoor archery ranges; and 11. Recreation Centers.

*Single family dwelling* means a dwelling unit that is not attached to any other dwelling, excluding *Accessory Dwelling Units*.

*Townhouse* means a building containing three or more dwelling units, which are attached to each other by party walls without openings and each with its own front and rear yards.

*Vehicle Fueling—General* means an establishment providing sales of vehicle fuel with more than eight fuel dispensers and with no more than 25% of dispensers serving primarily diesel vehicles. The use may also provide minor repair services such as lubrication, oil and tire changes, but not including vehicle bodywork or painting, or major repair of engines or drive trains.

*Vehicle Fueling—Heavy* means an establishment providing sales of vehicle fuel with more than 25% of dispensers serving primarily diesel vehicles.

*Vehicle Fueling—Limited* means an establishment providing sales of vehicle fuel with eight or fewer fuel dispensers and with no dispensers serving primarily diesel vehicles. The use may also provide minor repair services such as lubrication, oil and tire changes, but not including vehicle bodywork or painting, or major repair of engines or drive trains.

**Section 2.** Section 16-3-10 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

**Sec. 16-3-10. - Establishment of Zone Districts.**

Zoning districts are established by Table 16-3-10 and as shown on the Official Zoning District Map of the Town. Previous zoning districts are hereby reclassified to the zoning districts established by Ordinance Number 2019-### as shown in Table 16-3-10.

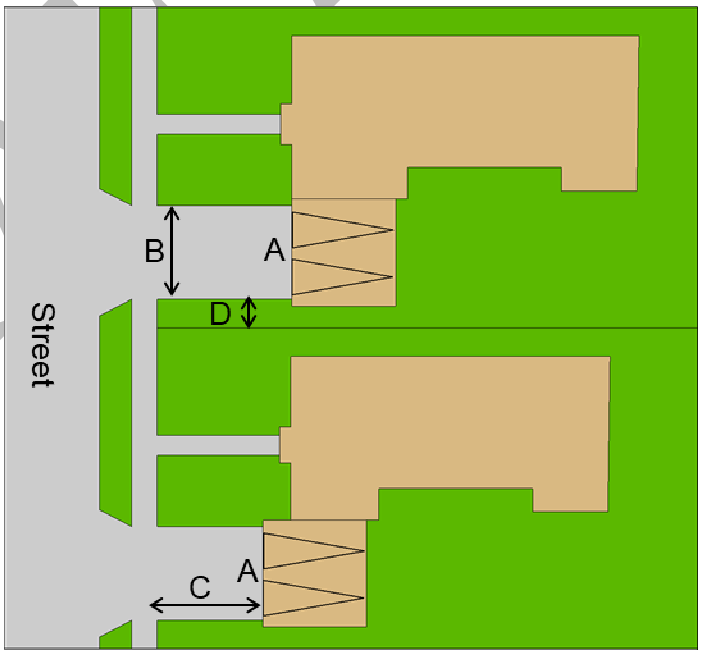
| Table 16-3-10 Zoning Districts Established      |                           |                           |                                      |
|-------------------------------------------------|---------------------------|---------------------------|--------------------------------------|
| Zoning Districts Established by<br>Ord. 2019-## |                           | Previous Zoning Districts |                                      |
| ER                                              | Estate Residential        | E-1                       | Low Density Estate Residential       |
|                                                 |                           | E-2                       | High Density Estate Residential      |
| SF-1                                            | Single Family Detached    | SF-1                      | Single Family Detached               |
| SF-2                                            | Single Family Attached    | SF-2                      | Single Family Attached               |
| MF                                              | Multifamily               | MF-1                      | Multifamily                          |
|                                                 |                           | MF-2                      | High Density Multifamily             |
| RMU-1                                           | Residential Mixed Use One | RMU                       | Residential Mixed Use                |
| RMU-2                                           | Residential Mixed Use Two | n/a                       | n/a                                  |
| MH                                              | Mobile Home               | PD-MHP                    | Planned Mobile Home Park Development |
| NC                                              | Neighborhood Commercial   | NC                        | Neighborhood Commercial              |
| CB                                              | Central Business          | CB                        | Central Business                     |
| GC                                              | General Commercial        | GC                        | General Commercial                   |
| LI                                              | Limited Industrial        | IL                        | Limited Industrial                   |
| HI                                              | Heavy Industrial          | IH                        | Heavy Industrial                     |
| ROL                                             | Recreation & Open Lands   | O                         | Recreation & Open Space              |
| AH                                              | Agriculture Holding       | n/a                       | n/a                                  |
| PUD                                             | Planned Unit Development  | PUD                       | Planned Unit Development             |

**Section 3.** Section 16-10-30 of the *Windsor Municipal Code* shall be repealed, amended and re-adopted to read as follows:

**Sec. 16-10-30. – Parking and Access Requirements.**

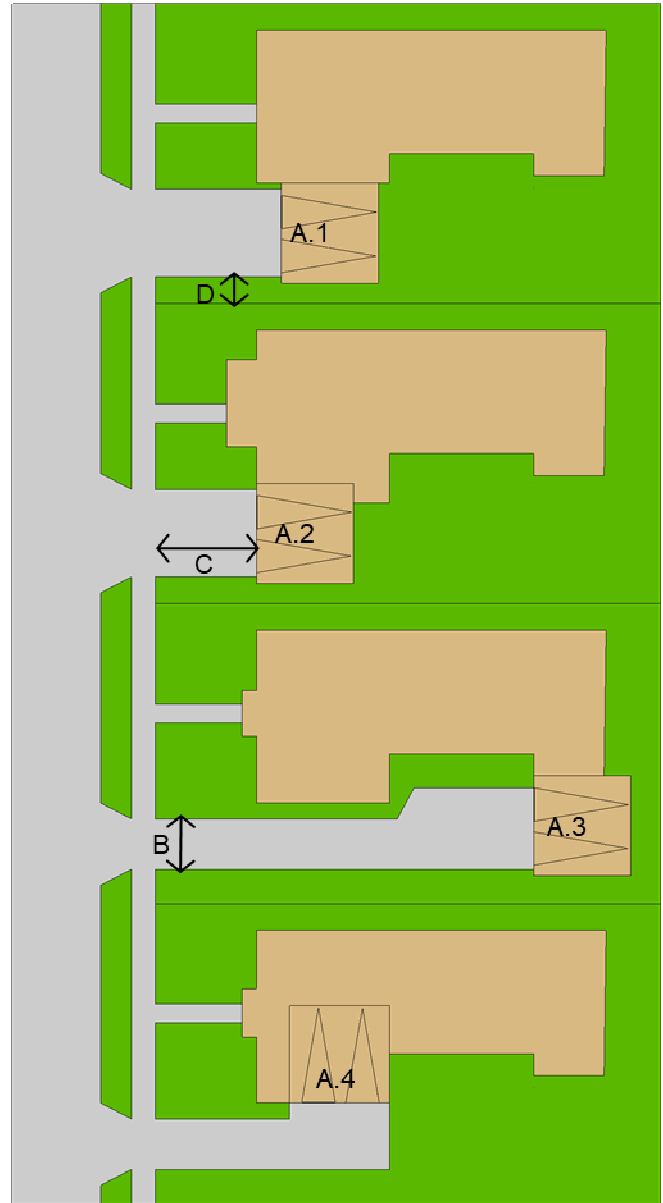
**(a) Vehicular Access.**

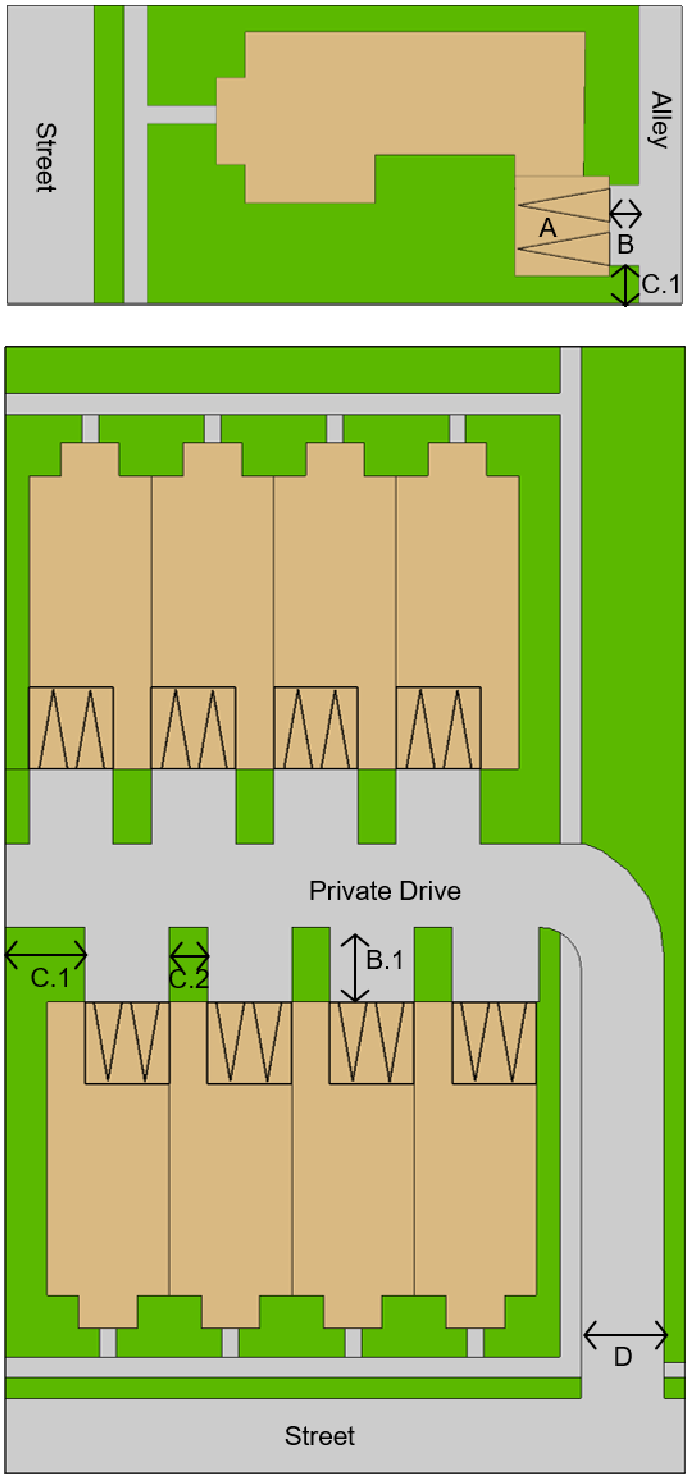
1. Vehicular Access types required for specified zones and building types in Chapter 16 Articles XXII through XXV shall be provided in accordance with Table 16-10-30, which are supplemental to the Design Criteria and Construction Specifications.

| Table-16-10-30: Vehicle Access Standards |                                                                                                                                                          |                                                                                     |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Standard Access                          |                                                                                                                                                          |                                                                                     |
| <b>A</b>                                 | <b>Parking Location and Orientation:</b><br><br>Garage faces and is accessed from adjacent street                                                        |  |
| <b>B</b>                                 | <b>Maximum driveway width (within front setback):</b><br><br>50% of lot frontage except for lots on cul-de-sacs                                          |                                                                                     |
| <b>C</b>                                 | <b>Driveway Length:</b><br><br>20' minimum between garage and sidewalk                                                                                   |                                                                                     |
| <b>D</b>                                 | <b>Minimum driveway setback (within front setback):</b><br><br>5' minimum setback between driveway and side property line except for lots on cul-de-sacs |                                                                                     |

## Limited Access

|            |                                                                                                                                                                                                      |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>Parking Location and Orientation:</b><br><br>Garages shall either be:                                                                                                                             |
| <b>A.1</b> | Setback at least 5' from the front of the house;                                                                                                                                                     |
| <b>A.2</b> | Setback at least 5' from the front of a front porch. The front porch shall have no dimension less than 5' and total square footage of at least 50 square feet;                                       |
| <b>A.3</b> | In the rear 50% of the lot; or                                                                                                                                                                       |
| <b>A.4</b> | Generally perpendicular to the street.                                                                                                                                                               |
| <b>B</b>   | <b>Maximum driveway width (within front setback):</b><br><br>18' – access for a single dwelling unit<br>24' – access for two or more dwelling units<br>28' – access for three or more dwelling units |
| <b>C</b>   | <b>Driveway Length:</b><br><br>20' minimum between garage and sidewalk                                                                                                                               |
| <b>D</b>   | <b>Minimum driveway setback (within front setback):</b><br><br>5' minimum setback between driveway and side property line                                                                            |



| Rear Access |                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A</b>    | <b>Parking Location and Orientation:</b><br><br>Garage facing and accessed from adjacent rear alley or private drive                                     |  <p>The diagrams illustrate rear access requirements for parking. The top diagram shows a single lot with a house, a street, and an alley. Dimensions A, B, and C.1 are indicated. The bottom diagram shows a row of townhomes with a private drive and a street. Dimensions C.1, C.2, B.1, and D are indicated.</p> |
| <b>B.1</b>  | <b>Driveway Length:</b><br><br>0' permitted for townhomes accessed from a private drive with a minimum width of 26'                                      |                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>B.2</b>  | In all other instances driveways shall be exactly 5' or a minimum of 20'.                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>C.1</b>  | <b>Minimum driveway setback:</b><br><br>5' minimum setback between driveway and side property line abutting perimeter of overall development.            |                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>C.2</b>  | 0' minimum between driveways within development                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>D</b>    | <b>Maximum private drive width (within front setback):</b><br><br>28' (additional width may be allowed to accommodate turn lanes or emergency apparatus) |                                                                                                                                                                                                                                                                                                                                                                                                         |

## Parking Court

### A Parking Location and Orientation:

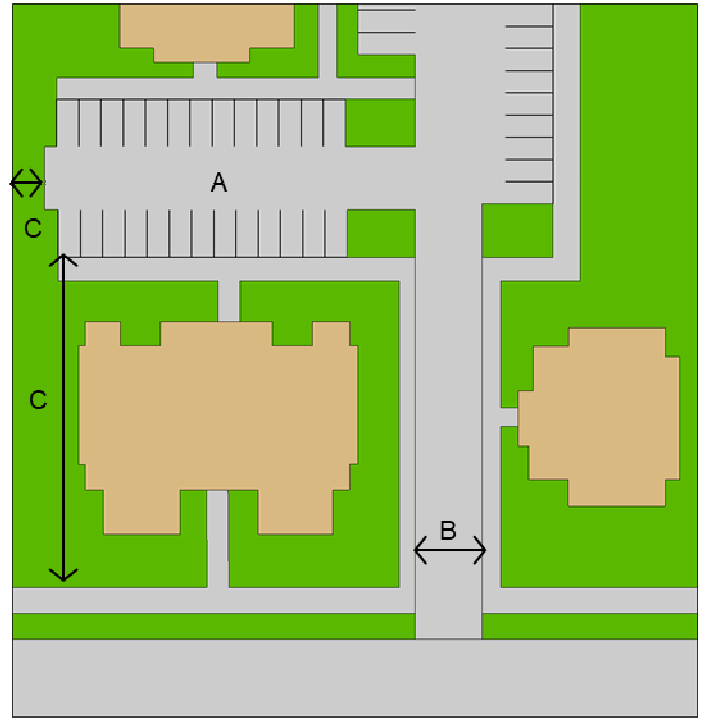
Garages and/or surface parking oriented to the interior of the lot and predominately screened from the street by placement of building(s).

### B Maximum driveway width (within front setback):

28' generally  
36' allowed for high volume driveways

### C Vehicle Use Area Setback

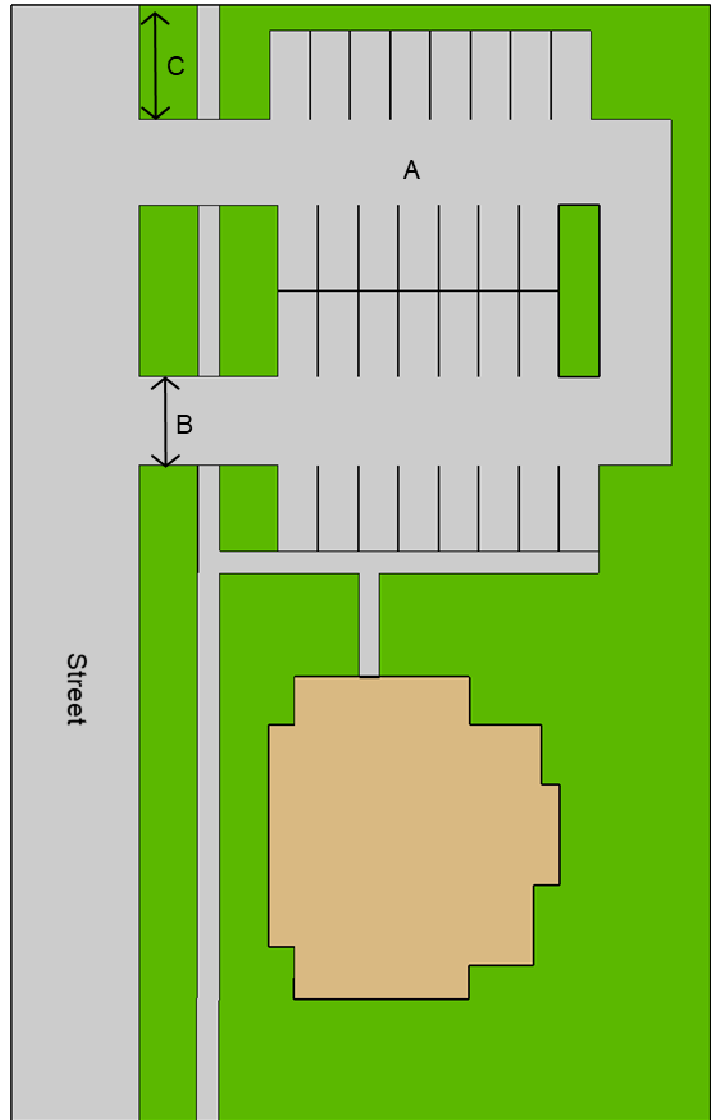
5' from adjacent properties (unless cross access is provided); and  
40' from street right-of-way (excludes access from street to vehicle use area)





## General Parking Lot Access

|          |                                                                                                                                                             |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A</b> | <p><b>Parking Location and Orientation:</b></p> <p>Shall include buffering from street by landscaping and/or fencing and wall per Sec. ## (landscaping)</p> |
| <b>B</b> | <p><b>Maximum Drive Width (within front setback):</b></p> <p>28' generally<br/>36' allowed for high volume driveways</p>                                    |
| <b>C</b> | <p><b>Minimum driveway setback (within front setback):</b></p> <p>5' minimum setback between driveway and side property line</p>                            |



## Dispersed Parking Lot Access

|                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
|-------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p><b>A.1</b></p> <p><b>A.2</b></p> <p><b>A.3</b></p> <p><b>A.4</b></p> | <p><b>Parking Location and Orientation:</b></p> <p>Parking areas and drive aisles shall be setback a minimum of 40' from public right-of-way.</p> <p>To the greatest extent practicable parking shall be located behind the principal building or, in the case of multifamily uses, behind garages designed in accordance with this Code.</p> <p>In situations where it is not practicable to locate all parking behind the principal building, parking may be allowed to the side or front of the principal building subject to the following:</p> <ol style="list-style-type: none"> <li>1. No more than a single row of parking may be located between the principal building and right-of-way; and</li> <li>2. An architectural wall averaging 36" in height and meeting sight distance requirements is provided for the length of the parking lot between the lot and the right-of-way.</li> </ol> <p>On lots with multiple street frontages, the principal building shall be oriented towards street intersections, when feasible, and between the street frontage and the parking area on at least one street frontage. On all other street frontages, parking and drive aisles shall be setback a minimum of 40' from right of way or 20' if an architectural wall averaging 36" in height between the parking area and street is provided.</p> |  |
| <p><b>B</b></p>                                                         | <p><b>Maximum Private Drive Width (within front setback):</b></p> <p>28' generally<br/>36' allowed for high volume driveways</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |

|   |                                                                                                                                  |  |
|---|----------------------------------------------------------------------------------------------------------------------------------|--|
| C | <p><b>Minimum driveway setback (within front setback):</b></p> <p>5' minimum setback between driveway and side property line</p> |  |
|---|----------------------------------------------------------------------------------------------------------------------------------|--|

2. The Vehicular Access type General Parking is not permitted within Commercial Corridors.

3. Alternative Compliance. Upon request by the applicant, the decision maker may approve an alternative access type not shown in Table 16-10-30. Driveway width is not eligible for alternative compliance. The following review criteria shall be used by the decision maker to evaluate alternative compliance requests:

A. The proposed access minimizes conflicts between vehicles, bicycles and pedestrians and does not inhibit safe and convenient pedestrian and bicycle access and connections equally well or better than would a proposal which complies with the standard for which alternative compliance is requested.

B. The proposed access minimizes the visibility of pavement, parking areas, and garages equally well or better than would a proposal which complies with the standard for which alternative compliance is requested.

C. The proposed access promotes health, safety, and welfare equally well or better than would a proposal which complies with the standard for which alternative compliance is requested.

**\*\*EDITOR'S NOTE: PARKING REQUIREMENTS BELOW ARE BEING RENUMBERED BUT NO OTHER CHANGES PROPOSED AT THIS TIME. A FUTURE CODE UPDATE WILL ADDRESS\*\***

**(b) Parking Requirements for Buildings and Uses outside of Downtown Parking District.** Off-street parking space shall be provided for buildings and uses outside of the Downtown Development Authority boundary as follows:

(1) Applicability. Provision of parking space shall not be required for uses in existence as of the date of enactment of this Section but shall be required for any expansion of such use by the addition of primary floor area or other special expansion of building use or property use generating new parking demand.

(2) Location. Parking areas shall be provided upon the same lot containing the use for which they are required or on separate lots or structures located within a one-thousand-foot radius of the lot containing the use for which they are required. A Town-approved parking agreement is required for all off-site parking. This agreement shall be recorded with the County Clerk and Recorder, and shall be a

covenant running with the land upon which parking is provided. All shared parking lots must be paved. All shared parking lots and shared parking structures shall have sidewalk connections to the subject property.

(3) Surfacing. All parking lots which are designed to be used for employee parking, visitor parking, customer parking and tenant parking, and all interior drives connecting such parking lots, which are designated for multifamily uses, business uses, commercial uses, industrial uses, offices and places of assembly shall be paved with asphalt or concrete. In addition, all parking lots must also conform to all of the following requirements:

- A. Each parking space shall be identified by striping using paint or other durable application;
- B. Shall conform to all Town landscaping guidelines and requirements;
- C. Shall be constructed to allow for proper drainage;
- D. Shall be designed so as to prevent vehicles from backing into any public or private street; and
- E. Shall not provide ingress or egress any closer than twenty-five (25) feet from any intersecting street or alley right-of-way line.

(4) Screening. Every off-street parking area, other than that provided for a single-family residence, shall provide a planting screen, landscaped fence or wall at least four (4) feet in height along any side abutting or fronting on a residential district. Plans for such screening shall be submitted to the Planning Department for referral to the Planning Commission for approval before installation.

(5) Standard dimension. Each individual parking space shall be at least nine (9) feet wide by twenty (20) feet long and, if covered, shall have a minimum height clearance of seven (7) feet.

(6) Determination of need. The number of parking spaces required shall be based upon the anticipated parking demand of individual uses and shall be as designated for specific uses and situations as follows:

(c) **Downtown Parking District Requirements.** The Downtown Parking District (District) is hereby defined as the area falling within the boundaries of the Windsor Downtown Development Authority, as the boundaries currently exist and as may later be amended pursuant to the statutory powers of the Windsor Downtown Development Authority. Within the District, off-street parking spaces shall be provided as follows:

(1) A change of use is not required to provide new or additional parking except when a residential use is converted to a non-residential use. In such cases parking must be provided on-site in accordance with Section 16-10-30(c)(12).

(2) Building additions under one thousand (1,000) square feet and/or the provision of outdoor seating are not required to provide new or additional parking. This exemption shall be applied on a cumulative basis to each property within the District, and one thousand (1,000) square feet shall be the total exemption for any and all construction, expansion or modification projects within the property, whenever occurring. Mixed-use projects containing residential units may add up to one thousand (1,000) square feet of commercial use and up to two (2) residential units without adding parking.

(3) New buildings and additions to existing buildings of between one thousand one (1,001) and twenty thousand (20,000) square feet will require two (2) parking spaces per one thousand (1,000) square feet of new or additional floor area.

(4) New buildings and additions to existing buildings of over 20,000 square feet shall submit a Parking Management Plan ("Plan") at the time of application. The Plan shall outline the project's total parking demand, shared parking agreements, parking management strategies, and transportation demand management programs. The Planning Commission shall convene a public hearing to review the Plan and shall determine if the proposed parking is appropriate for the specific situation, subject to a maximum of two (2) parking spaces per 500 square feet.

(5) The area measured for purposes of this sub-section (b) shall include the entire Gross Leasable Area of a building, as defined by Section 16-2-20.

(6) On-site parking requirements may be provided on another lot or structure containing shared parking availability within one thousand (1,000) feet of the subject property, subject to the following:

A. Up to eighty percent (80%) of the on-site parking requirement may be provided on an off-site lot or structure for new buildings up to five thousand (5,000) square feet and additions containing one thousand one (1,001) to five thousand (5,000) square feet.

B. Up to fifty percent (50%) of the on-site parking requirement may be provided on an off-site lot or structure for new buildings between five thousand one (5,001) and ten thousand (10,000) square feet and additions containing five thousand one (5,001) and ten thousand (10,000) square feet.

C. Up to twenty-five percent (25%) of the on-site parking requirement may be provided on an off-site lot for new buildings between ten thousand one (10,001) to twenty thousand (20,000) square feet and additions

containing ten thousand one (10,001) to twenty thousand (20,000) square feet.

A Town-approved parking agreement is required for all off-site parking. This agreement shall be recorded with the County Clerk and Recorder, and shall be a covenant running with the land upon which parking is provided. All shared parking lots must be paved. All shared parking lots and shared parking structures shall have sidewalk connections to the subject property.

(7) For every twenty-five (25) feet of the subject lot's public street frontage, building additions between one thousand one (1,001) and twenty thousand (20,000) square feet shall receive a credit of one (1) parking space against the requirements of this sub-section (c).

(8) Improved lots containing on-site parking ratios exceeding two (2) spaces per one thousand (1,000) square feet are permitted to remove on-site parking spaces in excess of that ratio ("Excess Parking Spaces"), so long as an on-site parking ratio of no less than two (2) spaces per one thousand (1,000) square feet is maintained. Remaining Excess Parking Spaces may be applied toward new buildings or building additions. New building construction or building additions may be built over Excess Parking Spaces, and are eligible for the provision of required parking spaces in accordance with sub-section (5) for any new square footage added.

(9) Surfacing. All parking lots which are designed to be used for employee parking, visitor parking, customer parking and tenant parking, and all interior drives connecting such parking lots, which are designated for multifamily uses, business uses, commercial uses, industrial uses, offices and places of assembly shall be paved with asphalt or concrete. In addition, all parking lots must also conform to all of the following requirements:

A. Each parking space shall be identified by striping using paint or other durable application;

B. Shall conform to all Town landscaping guidelines and requirements;

C. Shall be constructed to allow for proper drainage;

D. Shall be designed so as to prevent vehicles from backing into any public or private street; and

E. Shall not provide ingress or egress any closer than twenty-five (25) feet from any intersecting street or alley right-of-way line.

(10) Screening. Every off-street parking area, other than that provided for a single-family residence, shall provide a planting screen, landscaped fence or wall

at least four (4) feet in height along any side abutting or fronting on a residential district. Plans for such screening shall be submitted to the Planning Department for referral to the Planning Commission for approval before installation.

(11) Standard dimension. Each individual parking space shall be at least nine (9) feet wide by twenty (20) feet long and, if covered, shall have a minimum height clearance of seven (7) feet.

(12) The following table will be used for new residential units when building additions are (a) larger than two thousand (2,000) square feet and/or (b) add more than two (2) new residential units:

| Residential Use Type                     | Required Parking                                                                   |
|------------------------------------------|------------------------------------------------------------------------------------|
| 1-bedroom unit                           | Minimum: 1 space per unit                                                          |
| 2-bedroom unit                           | Minimum: 2 spaces per unit                                                         |
| 3-or-more-bedroom unit                   | Minimum: 2.0 spaces per unit                                                       |
| Additional guest-parking<br>[ See Note ] | 1 space per 8 dwelling units in addition to the minimum off-street parking spaces. |

Note to Table: On-street parking spaces abutting the property line(s) of the primary building containing housing units may apply a ratio of one (1) space per twenty-five (25) feet of the subject lot's street frontage for streets within the District toward the guest-parking requirement.

**Section 4.** Section 16-10-50 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

**Sec. 16-10-50. – Height Exceptions and Modifications**

- (a) **Height Exceptions.** The features listed in Table 16-10-50 may extend beyond the height limitations of the applicable zoning district, so long as the features are designed to be consistent with surrounding height, scale, and context to the

maximum extent practicable. These exceptions apply to all zoning districts unless otherwise stated.

| <b>Table 16-10-50: Height Exceptions</b>                                          |                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfries, spires, steeples, cupolas, and domes associated with places of assembly | May extend above the building roof provided they are not used for dwelling purposes.                                                                                                                                                                                                                                                                               |
| Chimneys, cooling towers, smokestacks, ventilators, or flues                      | May extend up to 10 feet above the building roof provided that such features collectively cover no more than five percent of the horizontal surface area of the roof.                                                                                                                                                                                              |
| Elevator bulkheads and stairway enclosures                                        | May extend up to 10 feet above the building roof provided that such features collectively cover no more than five percent of the horizontal surface area of the roof                                                                                                                                                                                               |
| Parapet walls                                                                     | May extend up to five feet above the building roof                                                                                                                                                                                                                                                                                                                 |
| Public utility and emergency service facilities                                   | For purposes of specifying structure height and limitations, the term "structure" shall not apply to public utility or street lighting poles and appurtenances attached to them, and city-owned emergency communication facilities, including outdoor warning systems and radio and telecommunication structures necessary for the delivery of emergency services. |
| Rooftop mechanical equipment                                                      | May extend up to five feet above the building roof provided the equipment complies with applicable screening requirements of this Code.                                                                                                                                                                                                                            |
| Roof-mounted solar energy system                                                  | On flat roofs, may extend up to five feet above the building roof.                                                                                                                                                                                                                                                                                                 |
| Utility poles, support structures, water towers, and fire towers                  | May extend up to 10 feet above the building roof provided that such features cover no more than five percent of the horizontal surface area of the roof.                                                                                                                                                                                                           |

**(b) Modification of Building Height Regulations.**

- (1) Purpose. The purpose of this Sub-section (b) is to establish a process to review proposals for buildings or structures exceeding the maximum building height allowed by the provisions of this Section or other ordinances, rules or regulations of the Town. The intent of this Sub-section (b) is to encourage creativity and diversity of architecture and site design within a context of harmonious neighborhood planning and coherent environmental design, to protect access to sunlight and to preserve desirable views. Any building or structure proposed to exceed the maximum building height limitation in the respective zoning district pursuant to this Section, or by other ordinances, rules or regulations of the Town, shall be subject to review and recommendation by the Planning Commission, and thereafter to approval or disapproval by the Town Board pursuant to the provisions of this Sub-section (b).



(2) Standards for review. Any building or structure proposed to be greater than the maximum building height limitation in the respective zoning district pursuant to this Section, or by other ordinances, rules or regulations of the Town, must satisfy the following review criteria:

(A) Views. A building or structure shall not substantially alter the opportunity for, and quality of, desirable views from public places, streets and parks within the community. Techniques to preserve views may include, but are not limited to, reducing building or structure mass, changing the orientation of buildings or other structures and increasing open space setbacks.

(B) Light and shadow. Any building or structure proposed to be greater than the maximum building height limitation in the respective zoning district pursuant to this Section, or by other ordinances, rules or regulations of the Town, shall be designed so as not to have a substantial adverse impact on the distribution of natural and artificial light on adjacent public and private property. Adverse impacts include, but are not limited to, casting of shadows on adjacent property sufficient to preclude the functional use of solar energy technology; creating glare, such as reflecting sunlight or artificial lighting at night, that contributes to the accumulation of snow and ice during the winter on adjacent property; and shading of windows or gardens for more than three (3) months of the year. Techniques to reduce the shadow impacts of a building may include, but are not limited to, repositioning of a structure on the lot, increasing the setbacks, reducing building or structure mass, or redesigning a building or structure's shape.

(C) Privacy. Any building or structure proposed to be greater than the maximum building height limitation in the respective zoning district pursuant to this Section, or by other ordinances, rules or regulations of the Town, shall be designed to avoid infringing on the privacy of adjacent public and private property, particularly adjacent residential areas and public parks. Techniques to improve the level of privacy in a neighborhood may include, but are not limited to, providing landscaping, fencing and open space, and changing building or structure orientation away from adjacent residential development.

(D) Neighborhood scale. Any building or structure proposed to be greater than the maximum building height limitation in the respective zoning district pursuant to this Section, or by other ordinances, rules or regulations of the Town, shall be compatible with the scale of the neighborhoods in which it is situated in terms of relative height, height to mass, length to mass and building or structure scale to human scale.

(3) Submittal requirements. All development plans proposing building or structure heights proposed to exceed the maximum building height limitation in the respective zoning district pursuant to this Section or by other

ordinances, rules or regulations of the Town shall, at a minimum, include the following information, unless such information is waived by the Director:

(A) A shadow analysis that indicates on the project development site plan the location of all shadows cast by the building or structure (with associated dates of the year) which demonstrates compliance with Subsection 16-10-50(b)(2)(b).

(B) A visual analysis that:

1. Identifies the extent to which existing views may be blocked;
2. Depicts in graphic form views before and after the project, utilizing photographs of the area and neutral drawings derived from at least two (2) points from which the proposal will be commonly viewed; and
3. Indicates the points of observation on an inset map or plan of the area.

(C) A summary of the key conclusions of the shadow and visual analysis, as well as steps to be taken to comply with the review standards set forth above.

- (4) Notice and public hearing. Prior to consideration of any proposal for modification under this Section, a public hearing shall be held before both the Planning Commission and the Town Board in accordance with the provisions of Section 16-31-10 of this Chapter. The proponent of the height modification shall have the burden of proof with respect to each of the criteria set forth in sub-section (2) above, Standards for Review.

**Section 5.** Section 16-11-50 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

**Sec. 16-11-50. – Setbacks**

- (a) **Generally.** No building or structure shall hereafter be erected, structurally altered or relocated so that any portion thereof is closer to the setback line than the minimum setback distance specified herein by the regulations of the district in which it is located except for the following:

- (1) Signs shall be subject to the setback requirements of Chapter 16, Article 9 and not the individual zone district setbacks.
- (2) Multifamily, commercial or industrial use structures, where two (2) or more buildings on adjoining lots may be erected with common or directly adjoining walls, provided that the requirements of building codes relative to such construction are complied with and provided that, at both ends of such row-type buildings, the applicable side and rear setback requirements shall be complied with.

- (3) The features listed in Table 16-11-50 may encroach into the required setbacks of the applicable zoning district, provided they do not extend into or over an easement, do not impede stormwater drainage, and are in compliance with applicable building and fire codes.

| <b>Table 16-11-50 Setback Exceptions</b>                                                                                               |                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accessibility ramps                                                                                                                    | May encroach into any setback but shall be no closer than 2' to any property line.                                                                                                                                                                                                                  |
| Accessory buildings, large (greater than 120 square feet in size or greater than 10' in height)                                        | May encroach into side or rear setbacks up to 5', provided they are not located closer than 5' from the property line. In no case shall less than 20' of clearance be provided between an accessory garage and public sidewalk.                                                                     |
| Accessory buildings, small (up to 120 square feet in size and up to 10' in height)                                                     | May encroach into side or rear setbacks.<br><br>May encroach into a secondary front setback provided they are located behind a solid fence which is at least 5' in height.                                                                                                                          |
| Decks                                                                                                                                  | May encroach into side or rear setbacks up to 10', provided they are not located closer than 5' from the property line.                                                                                                                                                                             |
| Fences or walls, including trash enclosures, and retaining walls less than 4' in height measured from top of wall to bottom of footer. | May encroach into any setback subject to fence and wall standards.                                                                                                                                                                                                                                  |
| Flagpoles                                                                                                                              | May encroach into any setback provided the flagpole is setback at least a distance equal to the height of the flagpole from property lines. Flagpoles and their related flags shall be setback sufficient distance to enable the flag to fly fully open without flying over the property of others. |
| Mail boxes                                                                                                                             | May encroach into front setbacks.                                                                                                                                                                                                                                                                   |
| Mechanical equipment, ground mounted                                                                                                   | May encroach up to five feet into side or rear setbacks provided no equipment or component of such equipment is located closer than two feet from any property line and the equipment is screened.                                                                                                  |
| Patios                                                                                                                                 | May encroach into any setback provided they are no more than 12 inches above grade and are not located closer than three feet from the property line.                                                                                                                                               |
| Porches                                                                                                                                | May encroach into side or rear setbacks up to 10', provided they are not located closer than 5' from the property line.                                                                                                                                                                             |
| Stairs, at grade                                                                                                                       | May encroach into any required setback up to six feet.                                                                                                                                                                                                                                              |
| Stairs, above grade                                                                                                                    | May encroach into any required setback up to six feet                                                                                                                                                                                                                                               |

|                                                                                                                                         |                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                         | provided they are not located closer than three feet from the property line.                                              |
| Stairs, below grade                                                                                                                     | May encroach into any setback up to six feet provided they are not located closer than three feet from the property line. |
| Structural projections such as cantilevered bay windows, balconies, chimneys, eaves, or other non-foundational overhangs or projections | May encroach into side setbacks up to 2'.<br>May encroach into front or rear setbacks up to 3'                            |
| Swimming pools, hot tubs and/or spas                                                                                                    | May encroach into side and rear setbacks provided they are not located closer than three feet from the property line.     |
| Window Wells                                                                                                                            | May encroach into any setback up to three feet.                                                                           |

(b) **Contextual Setbacks.** In residential zoning districts, the applicant has the option to use the mean average of existing front setbacks of buildings located on the same and facing block as a proposed development pursuant to 16-11-50 and the following:

- (1) Contextual setbacks can only be applied where more than 50 percent of the lots on the same block face, on the same side of the street, are developed with dwellings.
- (2) Lots with similar uses as the use proposed shall be the only lots in included in the average setback calculation.
- (3) Vacant lots shall be considered as having the minimum front setback as required by the zoning district for purposes of calculating the mean average.

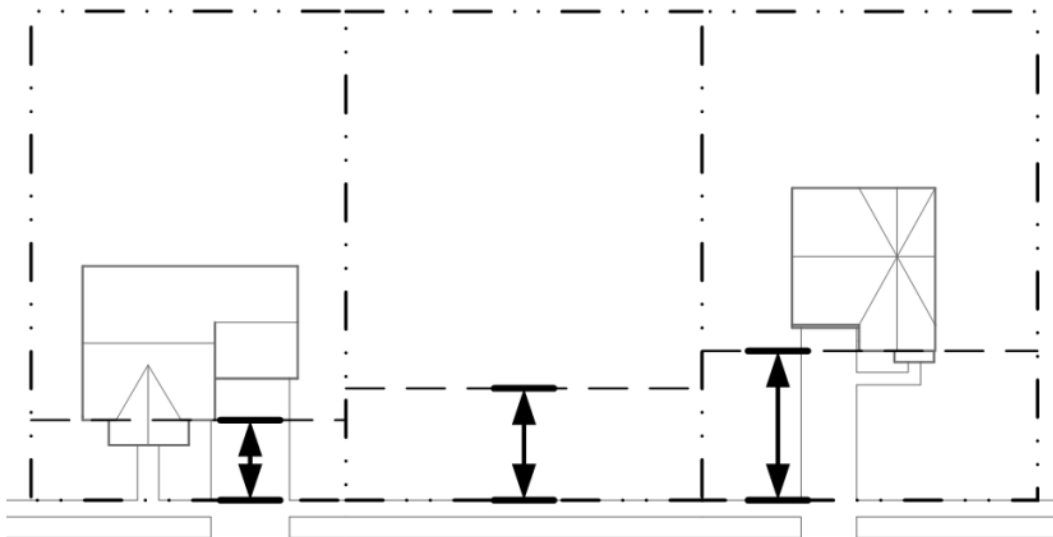


Figure 16-11-50 Place-holder image

**Section 6.** Article XII of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

**ARTICLE XII – Estate Residential (ER) District**

**Sec. 16-12-10. - Purpose.** The purpose of the ER zone district is:

- (a) To establish and preserve very low-density single-family residential neighborhoods with urban level services that, in general, are located in a rural setting.
- (b) To provide an estate transition from higher urban densities in the Town to outlying rural densities and preserve environmentally sensitive areas.
- (c) To provide for generous building setbacks and lot frontages that ensure significant space between dwellings, resulting in an estate residential appearance within developed neighborhoods.

**Sec. 16-12-15. - Uses permitted by right.** Principal uses permitted by right. All uses by right as set forth in this Section shall be subject to the exercise of the Town’s police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

- (a) Single-family dwellings.
- (b) Public parks and recreation areas.
- (c) Public and private schools
- (d) Places of assembly (small)
- (e) Golf courses.

**Sec. 16-12-20. - General Development.** Development in the Estate Residential zones shall adhere to the standards contained in Table 16-12-20. Reduced Lot sizes are allowed in accordance with Section 16-14-30.

| Table 16-12-20: ER District Lot Development Standards |                            |
|-------------------------------------------------------|----------------------------|
| Vehicular Access                                      |                            |
| Residential Uses                                      | Standard, Limited, or Rear |
| Non-Residential Uses                                  | Any                        |
| Lot Standards                                         |                            |

|                                                                              |     |
|------------------------------------------------------------------------------|-----|
| Minimum Lot Area (acres)                                                     | 1   |
| Minimum Lot Area (with existing septic system)                               | 2.5 |
| Minimum Lot Width                                                            | 45' |
| Maximum Lot Coverage                                                         | 65% |
| <b>Minimum Setbacks – General</b>                                            |     |
| Front                                                                        | 20' |
| Side                                                                         | 20' |
| Rear                                                                         | 10' |
| <b>Minimum Setbacks – Accessory Buildings Housing Large Domestic Animals</b> |     |
| Front                                                                        | 35' |
| Side                                                                         | 35' |
| Rear                                                                         | 35' |
| <b>Maximum Building Height</b>                                               |     |
| Height                                                                       | 35' |

**Sec. 16-12-30. - Conservation Design.** To encourage the clustering of homes to preserve open space within the ER District, reduced minimum lot sizes may be granted which will allow more than one (1) dwelling unit per acre. The criteria for granting the reduced lot sizes within a master plan or a subdivision plat are as follows:

- (a) The applicant shall demonstrate adequate utility capacity is available to serve the development.
- (b) Minimum lot sizes shall be based on the percentage of open space provided in accordance with Table 16-12-30.

| <b>Table 16-12-30 Conservation Subdivision</b>     |                         |
|----------------------------------------------------|-------------------------|
| <b>Amount of Open Space and/or Recreation Uses</b> | <b>Minimum Lot Size</b> |
| Less than 20%                                      | 43,560                  |
| Equal to or greater than 20%                       | 20,000                  |
| Equal to or greater than 30%                       | 15,000                  |
| Equal to or greater than 40%                       | 10,000                  |
| Equal to or greater than 50%                       | 6,000                   |

- (c) Open space shall be permanently protected as designated open space through designation on the subdivision plat and restrictive covenants.
- (d) Designated open space shall be retained in a natural, undisturbed state, except for as required for active management or restoration according to a conservation agreement and management plan written by a qualified natural resource professional and except as listed below:
  - (1) Agricultural cultivation and pastures for properties historically used as such
  - (2) Passive (non-motorized) trails and recreational uses.
  - (3) Stormwater facilities designed in accordance with the principles of Low Impact Design.
  - (4) Other uses subject to approval of the Town Board which are demonstrated to not negatively impact the natural and/or cultural amenities preserved in the open space.

- (e) The following shall not qualify as designated open space:
- (1) Individual building lots.
  - (2) Roads, access drives, or parking lots unless specifically designed to access the open space.
  - (3) Utility facilities.
  - (4) Any area that is less than 100 feet in width.
- (f) Ownership and Management. All Open Space shall require documentation that outlines the ongoing maintenance plans, as well as administrative and financial management of the space according to these standards. Open space shall generally be maintained in perpetuity either by the Property Owner, a Property Owner's Association, Metropolitan District, or other legal entity approved by the Town. Dedication to the Town or other public entity is subject to acceptance by and at the sole discretion of the Town and/or other public entity.

**Section 7.** Article XIII of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

#### **ARTICLE XIII - Single-Family Residential (SF-1) District**

**Sec. 16-13-10. - Purpose.** The purpose of the SF-1 zone district is to establish and preserve low-density single family residential areas, with ample open areas and connections to nearby employment or commercial activity centers.

**Sec. 16-13-15. - Use regulations.**

A building or lot may be used for the following uses and no other:

(1) Principal uses permitted by right. All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

- a. All single-family dwellings, including manufactured homes, which otherwise meet the minimum standards set forth in Section 16-11-70 of this Chapter.
- b. Public parks and recreation areas.
- c. Public and private schools.
- d. Places of assembly (small).

(2) Permitted accessory uses.

- a. Private garages, carports and paved parking areas.



- b. Private residential and private group outdoor recreational facilities, including, by way of example but not of limitation, swimming pools and tennis courts.
  - c. Home occupations, subject to the provisions of Section 16-10-20 of this Chapter.
  - d. Service buildings and facilities normally incidental to the use of a public park or recreation area.
  - e. Any other structure or use clearly incidental to and commonly associated with the operation of a principal use permitted by right.
- (3) Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII of this Chapter:
- a. Child care centers.
  - b. Nursing and rest homes.
  - c. Private commercial outdoor recreational facilities.
  - d. Public administrative offices and service buildings.
  - e. Public utility installations, including transmission lines and substations.
  - f. Oil and gas facilities pursuant to the conditional use regulations contained in Article VII pertaining thereto.
  - g. Small group living facilities pursuant to the conditional use regulations contained in Article VII pertaining thereto.
  - h. Any use which is compatible for inclusion within this District and which meets the standards and requirements of conditional use grants as set forth in Article VII.
  - i. Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials as defined in this Chapter.

**Sec. 16-13-20. - Lot Development Standards.** Development in the SF-1 zone district shall adhere to the standards contained in Table 16-13-20.

| <b>Table 16-13-20: SF-1 District Lot Development Standards</b> |                         |
|----------------------------------------------------------------|-------------------------|
| <b>Vehicular Access Types Permitted</b>                        |                         |
| Residential Uses                                               | Standard, Limited, Rear |
| Non-Residential Uses                                           | Any                     |
| <b>Lot Standards</b>                                           |                         |
| Minimum Lot Area (square feet)                                 | 6,000                   |
| Minimum Lot Width                                              | 45'                     |
| Maximum Lot Coverage                                           | 60%                     |
| <b>Minimum Setbacks</b>                                        |                         |
| Front                                                          | 20'                     |
| Side                                                           | 5'                      |
| Rear                                                           | 10'                     |
| Rear Abutting Alley                                            | 5'                      |
| <b>Maximum Building Height</b>                                 |                         |
| Height                                                         | 35'                     |

**Sec. 16-13-30. - Off-street parking requirements.**

Regulations applicable to off-street parking are set forth in Section 16-10-30 of this Chapter.

**Section 8.** Article XIV of Chapter 16 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

**ARTICLE XIV - Single-Family Attached Residential (SF-2) District**

**Sec. 16-14-10. - Purpose.** The purpose the SF-2 zone district is:

- (a) To establish and preserve compact, pedestrian oriented residential neighborhoods with a variety of housing types and densities.
- (b) To provide for a gradual transition from single-family residential to multifamily or commercial uses.

**Sec. 16-14-15. - Use regulations.**

A building or lot may be used for the following purposes and no other:

(1) Principal uses permitted by right. All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

- a. Single family dwellings
- b. Duplexes, including standard and over-under duplexes.
- c. Townhouses
- d. Multiplex dwellings
- e. Cottage dwellings
- f. Public parks and recreation areas.
- g. Public and private schools.
- h. Places of assembly (small).

(2) Permitted accessory uses. Any accessory use permitted in the Single-Family Residential District.

(3) Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII:

- a. Any conditional use permitted in the Single-Family Residential District.
- b. Oil and gas facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.
- c. Small group living facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.
- d. Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

**Sec. 16-14-20. - Lot Development Standards.** Development in the SF-2 zone district shall adhere to the standards contained in Table 16-14-20 based on Building Types, as defined in Section 16-2-20 and Vehicular Access Types, as described in Sec. 16-10-30 (a).

**Table 16-14-20: SF-2 Lot Development Standards**

| Building Type          | Vehicular Access       | Lot Standards           |                  |                   | Minimum Setbacks |                     |                   |      |                     | Building Height |
|------------------------|------------------------|-------------------------|------------------|-------------------|------------------|---------------------|-------------------|------|---------------------|-----------------|
|                        |                        | Min. Size (square feet) | Min. Width       | Max. Lot Coverage | Front            | Front Entry Feature | Side <sup>1</sup> | Rear | Rear Abutting Alley |                 |
| Single Family Dwelling | Standard               | 6,000                   | 45'              | 60%               | 20'              | 15'                 | 5'                | 10'  | 5'                  | 35'             |
|                        | Limited                | 4,000                   | 35'              | 65%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 35'             |
|                        | Rear                   | 2,500                   | 30'              | 65%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 35'             |
| Standard Duplex        | Standard               | 4,000 <sup>2</sup>      | 35' <sup>2</sup> | 65%               | 20'              | 15'                 | 5'                | 10'  | 5'                  | 35'             |
|                        | Limited                | 3,000 <sup>2</sup>      | 30' <sup>2</sup> | 70%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 35'             |
|                        | Rear                   | 2,500 <sup>2</sup>      | 25' <sup>2</sup> | 70%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 35'             |
| Over-Under Duplex      | Standard               | 7,000 <sup>3</sup>      | 55' <sup>3</sup> | 60%               | 20'              | 15'                 | 5'                | 10'  | 5'                  | 35'             |
|                        | Limited                | 5,000 <sup>3</sup>      | 50' <sup>3</sup> | 65%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 35'             |
|                        | Rear                   | 4,000 <sup>3</sup>      | 45' <sup>3</sup> | 65%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 35'             |
| Townhouse              | Rear, or Parking Court | 1,400 <sup>4</sup>      | 17'              | 80% <sup>5</sup>  | 15'              | 10'                 | 5'                | 10'  | 5' <sup>6</sup>     | 40'             |
| Multiplex              | Rear, or Parking Court | 2,500 <sup>4</sup>      | 80'              | 70%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 40'             |
| Non-residential        | Any                    | 20,000                  | 100'             | 80%               | 20               | 15'                 | 20'               | 20'  | 10'                 | 40'             |

<sup>1</sup> No side setback required for attached units

<sup>2</sup> Per Unit

<sup>3</sup> Per Building

<sup>4</sup> Refers to overall maximum development density on a per unit basis; however there is no minimum lot size per individual unit

<sup>5</sup> Refers to overall site; no maximum lot coverage for individual lots or units

<sup>6</sup> No rear setback required if vehicular access is provided by abutting private drive which is a minimum of 24' wide

**Sec. 16-14-30. - Master Plan.** In addition to the Master Plan requirements of Chapter 15, prior to approval of a subdivision plat, a Master Plan is required and shall depict the

approximate location and acreage of all land uses and building types. Building types and land uses shall only be allowed only in accordance with an approved Master Plan. The Master Plan shall be recorded with the county clerk and recorder. .

**Sec. 16-14-40. Land Use Allocation.** In order to create a mixed neighborhood with a variety of housing types, developments larger than 10 gross acres in size shall designate on an approved Master Plan a minimum of 15% of the development's gross acreage to at least two different residential building types. For the purpose of this requirement, Over-Under and Standard Duplexes shall be considered one building type. Land designated to meet the requirements of this Section shall generally be considered buildable and shall not include any of the following:

- (a) Open spaces;
- (b) Drainage controls;
- (c) Water quality controls;
- (d) Roadways other than those providing direct access to individual lots; or
- (e) Significant encumbrance by easements or agreements that render a large portion of the property unusable or highly restrict usage.

**Sec. 16-14-50. - Roadway Design.** All local streets serving residential areas shall include a detached sidewalk in accordance with the Residential Parkway street parameters contained in the Design Criteria and Construction Specifications.

**Sec. 16-14-60. – Development Control Committee.**

- (a) **Internal Governance.** Developer shall be responsible for the creation of a private internal development control committee (DCC) for any subdivision within the SF-2 zone district to review site plan and building permit applications for new buildings within the subdivision.
- (b) **Applicability.** Any person or entity applying to the Town for approval of a site plan or building permit to construct a new building, excluding accessory buildings, shall be subject to review and recommendation by the DCC to the Town.
- (c) **Review.** The DCC shall review the application and forward to the Planning Department a recommendation of approval or denial based solely on compliance with Lot Development Standards in Table 16-14-20. The recommendation shall indicate whether the application is in conformance with the requirements of Table 16-14-20.

- (d) **Private Covenants.** The DCC may review and enforce private covenants, conditions, and restrictions, but such review shall be separate from and independent from the recommendation to the Town.
- (e) **Timely Review.** The DCC shall review all such applications in a timely manner in accordance with established schedules.
- (f) **DCC Composition.** Among other potential members, the DCC may include: the developer or designee of the subdivision, an outside architect or design professional, a property owner within the subdivision.
- (g) **Waivers.** The Director may waive the requirement for the establishment of the DCC or review by the DCC if it is determined it is unnecessary to implement the requirements of the zone district.

**Section 9.** Article XV of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

#### **ARTICLE XV - Multifamily Residential (MF) District**

**Sec. 16-15-10. - Purpose.** The purpose of the MF zone district is to establish and preserve residential districts that are appropriate for multifamily housing. The MF district is intended to be conveniently located near collector and arterial streets, with access to major employment and activity centers, and public amenities or complementary uses and activities such as schools, parks, and open space.

**Sec. 16-15-15. - Use regulations.**

A building or lot may be used for the following purposes and no other:

- (1) Principal uses permitted by right. All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.
  - a. Multifamily dwellings of two (2) or more units.
  - b. Public parks and recreation areas.
  - c. Places of assembly (small).
- (2) Permitted accessory uses.
  - a. Private garages, carports and paved parking areas.
  - b. Signs, subject to the provisions of Article IX of this Chapter.

- c. Private residential and private group outdoor recreational facilities.
  - d. Service buildings and facilities normally incidental to the use of a public park or recreation area.
  - e. Any other structures or use clearly incidental to and commonly associated with the operation of a principal use permitted by right.
- (3) Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII of this Chapter:
- a. Private commercial outdoor recreational facilities.
  - b. Oil and gas facilities pursuant to the conditional use regulations contained in Article VII pertaining thereto.
  - c. Small group living facilities pursuant to the conditional use regulations contained in Article VII pertaining thereto.
  - d. Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

**Sec. 16-15-20. - Lot Development Standards.** Development within the MF zone district shall adhere to the standards contained in Table 16-15-20 based on Building Types, as defined in Section 16-2-20 and Vehicular Access Types, as described in Sec. 16-10-30 (a).

| Table 16-15-20 MF Lot Development Standards |                  |                         |                  |                   |                  |                     |                   |      |                     |                 |
|---------------------------------------------|------------------|-------------------------|------------------|-------------------|------------------|---------------------|-------------------|------|---------------------|-----------------|
| Building Type                               | Vehicular Access | Lot Standards           |                  |                   | Minimum Setbacks |                     |                   |      |                     | Building Height |
|                                             |                  | Min. Size (square feet) | Min. Width       | Max. Lot Coverage | Front            | Front Entry Feature | Side <sup>1</sup> | Rear | Rear Abutting Alley |                 |
| Standard Duplex                             | Standard         | 4,000 <sup>2</sup>      | 35' <sup>2</sup> | 65%               | 20'              | 15'                 | 5'                | 10'  | 5'                  | 35'             |
|                                             | Limited          | 3,000 <sup>2</sup>      | 30' <sup>2</sup> | 70%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 35'             |
|                                             | Rear             | 2,500 <sup>2</sup>      | 25' <sup>2</sup> | 70%               | 15'              | 10'                 | 5'                | 10'  | 5'                  | 35'             |

|                             |                                               |                    |                  |                  |     |     |                      |                      |                 |     |
|-----------------------------|-----------------------------------------------|--------------------|------------------|------------------|-----|-----|----------------------|----------------------|-----------------|-----|
| <b>Over-Under Duplex</b>    | Standard                                      | 7,000 <sup>3</sup> | 55' <sup>3</sup> | 60%              | 20' | 15' | 5'                   | 10'                  | 5'              | 35' |
|                             | Limited                                       | 5,000 <sup>3</sup> | 50' <sup>3</sup> | 65%              | 15' | 10' | 5'                   | 10'                  | 5'              | 35' |
|                             | Rear                                          | 4,000 <sup>3</sup> | 45' <sup>3</sup> | 65%              | 15' | 10' | 5'                   | 10'                  | 5'              | 35' |
| <b>Townhouse</b>            | Rear, or Parking Court                        | 1,400 <sup>4</sup> | 17'              | 80% <sup>5</sup> | 15' | 10' | 5'                   | 10'                  | 5' <sup>6</sup> | 40' |
| <b>Multiplex</b>            | Rear, or Parking Court                        | 2,500 <sup>4</sup> | 80'              | 70%              | 15' | 10' | 5'                   | 10'                  | 5'              | 40' |
| <b>Multifamily Building</b> | Rear, Parking Court, or Dispersed Parking Lot | 1,400 <sup>6</sup> | 100'             | 80% <sup>5</sup> | 20' | 15' | ½ of building height | ½ of building height | 5'              | 55' |
| <b>Non-Residential</b>      | Any                                           | 20,000             | 50'              | 80%              | 20  | 15' | 20'                  | 20'                  | 5'              | 55' |

<sup>1</sup> No side setback required for attached units  
<sup>2</sup> Per Unit  
<sup>3</sup> Per Building  
<sup>4</sup> Refers to overall maximum development density on a per unit basis; however there is no minimum lot size per individual unit  
<sup>5</sup> Refers to overall site; no maximum lot coverage for individual lots or units  
<sup>6</sup> No rear setback required if vehicular access is provided by abutting private drive which is a minimum of 24' wide

**Section 10.** Article XVI of Chapter 16 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

#### **ARTICLE XVI - Residential Mixed Use One (RMU-1) District**

**Sec. 16-16-10 - Purpose.** The purpose of the RMU-1 zone district is to establish and preserve neighborhoods that allow for a variety of housing types and densities, commercial activity centers, and other public amenities or complementary uses as defined on an approved master plan.

#### **Sec. 16-16-15 - Use Regulations.**

All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance. The following uses shall be permitted in the RMU-1 zoning district:

- a. Any principal, accessory or conditional use permitted in any residential district, provided that such use, as proposed to be located, scaled and operated, meets the intent of the RMU-1 zoning district as defined in Section 16-16-10 above;
- b. Recreational and open space uses;



- c. Office buildings and facilities required for the operation, administration and maintenance of the RMU development;
- d. Fully enclosed light industrial uses such as research and development facilities; light manufacturing and assembly facilities; electronics manufacturing facilities; printing and publishing firms; public and semipublic utility offices and installations, etc.; and
- e. Convenience centers, including retail stores and customer service establishments, subject to the following conditions:
  - i. Convenience centers shall be designed to serve as integral parts of the development plans of RMU zoning districts, with the principal functions of convenience centers being to serve the residents of the development;
  - ii. By reason of their location, construction, method of operation, signs, lighting, parking arrangements or other characteristics, convenience centers shall not cause adverse effects to the residential uses which are located either within or adjacent to the RMU zoning district, and, likewise, the convenience centers shall not create traffic congestion problems or traffic hazards for either vehicular traffic or pedestrians; and
  - iii. Convenience stores and shops may be located within multiple-use buildings or a multiple-use building complex which contains residential dwelling units, administrative offices, recreational uses or common facilities which are designed to be used primarily by the residents of the development.
- f. Mixed Use Buildings
- g. Seasonal sales and farmers markets, subject to the provision of Article XXXII of this Chapter.
- h. Mobile food vending as an accessory use as set forth in Section 16-10-110.

**Sec. 16-16-20. - Lot Development Standards.** Development within the RMU-1 zone district shall adhere to the standards contained in Table 16-16-20 on Building Types, as defined in Section 16-2-20 and Vehicular Access Types, as described in Sec. 16-10-30 (a).

| Table 16-16-20 RMU-1 Lot Development Standards |                  |                         |                      |                  |      |      |                     |                 |
|------------------------------------------------|------------------|-------------------------|----------------------|------------------|------|------|---------------------|-----------------|
| Building Type                                  | Vehicular Access | Lot Standards           |                      | Minimum Setbacks |      |      | Rear Abutting Alley | Building Height |
|                                                |                  | Min. Size (square feet) | Maximum Lot Coverage | Front            | Side | Rear |                     |                 |

|                                                |     |                    |                  |     |                      |                      |     |     |
|------------------------------------------------|-----|--------------------|------------------|-----|----------------------|----------------------|-----|-----|
| <b>Single Family Dwelling</b>                  | Any | 6,000              | 65%              | 20' | 5'                   | 10'                  | 5'  | 35' |
| <b>Duplex, Standard or Over-Under</b>          | Any | 4,500 <sup>1</sup> | 65%              | 20' | 5'                   | 10'                  | 5'  | 35' |
| <b>Townhouse</b>                               | Any | 2,400 <sup>2</sup> | 80% <sup>3</sup> | 20' | 5' / 0' <sup>4</sup> | 10'                  | 5'  | 35' |
| <b>Multifamily Building</b>                    | Any | 1,400 <sup>2</sup> | 80%              | 20' | ½ of building height | ½ of building height | n/a | 35' |
| <b>Commercial, Mixed Use, or Institutional</b> | Any | 20,000             | 80%              | 25' | 20'                  | 20'                  | 5'  | 35' |
| <b>Industrial</b>                              | Any | 20,000             | 80%              | 30' | 20'/30' <sup>5</sup> | 20'/30' <sup>5</sup> | 5'  | 35' |

<sup>1</sup> Per Unit

<sup>2</sup> Refers to overall maximum development density on a per unit basis; however this is no minimum lot size per individual unit

<sup>3</sup> Refers to overall site; no maximum lot coverage for individual lots or units

<sup>4</sup> 5' setback required except when interior common wall is used

<sup>5</sup> 30' required when abutting a residential zoning district or residential property

**Sec. 16-16-40. - Master Plan.** In addition to the Master Plan requirements of Chapter 15, prior to approval of a subdivision plat, a Master Plan is required and shall depict the approximate location and acreage of all land uses. Building types and land uses shall only be allowed only in accordance with an approved Master Plan. The Master Plan shall be recorded in accordance with the requirements of Article 2.

**Sec. 16-16-50. - Land Use Allocation.** No more than 25% of the gross land area of an RMU-1 development may be designated for commercial or industrial uses.

**Section 11.** Article XVII of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

#### **ARTICLE XXVII Residential Mixed Use Two (RMU-2) District**

**Sec. 16-17-10. - Purpose.** The purpose of the RMU-2 zone district is to establish and preserve compact, pedestrian-oriented neighborhoods with a variety of housing types and densities, commercial activity centers, and other public amenities or complementary uses as defined on an approved master plan.

**Sec. 16-17-15. - Use Regulations.** All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

(a) The following uses shall be permitted in the RMU-2 zoning district:

1. Single Family Dwelling
2. Duplex
3. Townhouse
4. Live/ Work Dwelling
5. Multiplex
6. Multifamily
7. Mixed Use Dwelling
8. Place of Assembly – Small
9. Cultural and Public Service
10. Public open space, park, or playground
11. School – Public / Private
12. Nursing and rest homes
13. Medical laboratory or research
14. Medical or Dental Clinic
15. Mixed Use Building
16. Golf Course
17. Recreation/Entertainment – Indoors
18. Bar or nightclub
19. Restaurant- Drive-Through

20. Restaurant
21. Brewery, cidery, distillery, or winery with tasting room (minor)
22. Artist Studio
23. Office
24. Personal Services
25. Child Care center
26. Retail
27. Lodging
28. Vehicle Fueling–Limited
29. Artisan Industry
30. Light Industry

b. Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII of this Chapter:

1. Outdoor theater.
2. Oil and gas facilities pursuant to the conditional use regulations contained in Article VII pertaining thereto.
3. Small group living facilities pursuant to the conditional use regulations contained in Article VII pertaining thereto.
4. Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

c. Permitted Accessory Uses.

1. Accessory Dwelling
2. Accessory Home Occupation
3. Day Care - In-home
4. Mobile food vending as set forth in Section 16-10-110.

**Sec. 16-17-20. - Lot Development Standards.** Development within the RMU-2 zone district shall adhere to the standards contained in Table 16-17-20 based on Building Types, as defined in Sec. 16-2-20 and Vehicular Access Types, as described in Sec. 16-10-30 (a)

| Table 16-17-20 RMU-2 Lot Development Standards      |                                               |                         |                  |                   |                  |                     |                      |                      |                     |                 |
|-----------------------------------------------------|-----------------------------------------------|-------------------------|------------------|-------------------|------------------|---------------------|----------------------|----------------------|---------------------|-----------------|
| Building Type                                       | Vehicular Access                              | Lot Standards           |                  |                   | Minimum Setbacks |                     |                      |                      |                     | Building Height |
|                                                     |                                               | Min. Size (square feet) | Min. Width       | Max. Lot Coverage | Front            | Front Entry Feature | Side <sup>1</sup>    | Rear                 | Rear Abutting Alley |                 |
| Single Family Dwelling                              | Standard                                      | 6,000                   | 45'              | 60%               | 20'              | 15'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Limited                                       | 4,000                   | 35'              | 65%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Rear                                          | 2,500                   | 30'              | 65%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
| Standard Duplex                                     | Standard                                      | 4,000 <sup>2</sup>      | 35' <sup>2</sup> | 65%               | 20'              | 15'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Limited                                       | 3,000 <sup>2</sup>      | 30' <sup>2</sup> | 70%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Rear                                          | 2,500 <sup>2</sup>      | 25' <sup>2</sup> | 70%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
| Over-Under Duplex                                   | Standard                                      | 7,000 <sup>3</sup>      | 55' <sup>3</sup> | 60%               | 20'              | 15'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Limited                                       | 5,000 <sup>3</sup>      | 50' <sup>3</sup> | 65%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Rear                                          | 4,000 <sup>3</sup>      | 45' <sup>3</sup> | 65%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
| Townhouse                                           | Rear, or Parking Court                        | 1,400 <sup>4</sup>      | 17'              | 80% <sup>5</sup>  | 15'              | 10'                 | 5'                   | 10'                  | 5' <sup>6</sup>     | 40'             |
| Multiplex                                           | Rear, or Parking Court                        | 2,500 <sup>4</sup>      | 80'              | 70%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 40'             |
| Multifamily                                         | Rear, Parking Court, or Dispersed Parking Lot | 1,400 <sup>6</sup>      | 100'             | 80% <sup>5</sup>  | 20'              | 15'                 | ½ of building height | ½ of building height | 5'                  | 55'             |
| Commercial, Industrial, Mixed Use, or Institutional | Parking Court or Dispersed Parking Lot        | 5,000                   | 50'              | 80%               | 20               | 15'                 | 20'                  | 20'                  | 5'                  | 55'             |

<sup>1</sup> No side setback required for attached units

<sup>2</sup> Per Unit

<sup>3</sup> Per Building

<sup>4</sup> Refers to overall maximum development density on a per unit basis; however there is no minimum lot size per individual unit

<sup>5</sup> Refers to overall site; no maximum lot coverage for individual lots or units

<sup>6</sup> No rear setback required if vehicular access is provided by abutting private drive which is a minimum of 24' wide

**Sec. 16-17-30. Master Plan.** In addition to the Master Plan requirements of Chapter 15, and prior to approval of any subdivision plat, an approved Master Plan shall depict the approximate location and acreage of all land uses, building types, streets and alleys, Open and Civic Spaces, and Neighborhood Center, if provided.

- (a) Building types and land uses shall only be allowed only in accordance with an approved Master Plan.
- (b) The Master Plan shall be recorded in accordance with the requirements of Chapter 15.

**Sec. 16-17-40. Minimum Size.** No lot or group of lots less than 40 acres in size shall be eligible for RMU-2 zoning.

**Sec. 16-17-50. - Land Use Allocation.** In order to create a mixed use neighborhood with a variety of housing types and commercial services, developments shall designate on an approved master plan minimum acreage for specific land use categories as follows:

- (a) A minimum of 20 percent of gross development area shall be allocated on an approved master plan to residential uses other than single family dwellings.
- (b) A minimum of the following acreage of commercial land use shall be allocated on an approved master plan based on the overall development size:
  - (1) 5 acres for overall developments less than 200 acres;
  - (2) 10 acres for overall developments over 200 acres.
- (c) A maximum of 25% percent of gross development may be allocated on an approved Master Plan to commercial or industrial uses.
- (d) The land allocated to meet the requirements of this subsection shall generally be considered buildable land and shall not include any of the following:
  - (2) Open spaces;
  - (3) Drainage controls;
  - (4) Water quality controls;
  - (5) Roadways other than those providing direct access to individual lots;

- (6) Significant encumbrance by easements or agreements that render a large portion of the property unusable or result in highly-restricted usage.
- (e) **Alternative Compliance.** Upon request by the applicant, the decision maker may approve an alternative commercial land use allocation that does not meet the standard of 16-17-50(b) if in the judgment of the decision maker, commercial development is not currently viable or not likely to be viable within 10 years due to conditions such as, but not limited to:
  - (1) Proximity to existing commercial development, if convenient access is provided or exists from the proposed development to the existing commercial;
  - (2) Limited vehicular access, such as no full movement access to a collector or arterial roadway; or
  - (3) Low surrounding population or roadway traffic counts.

**Sec. 16-17-60. - Roadway Design.** All local residential streets shall include a detached sidewalk in accordance with the Residential Parkway street parameters contained in the Design Criteria and Construction Specifications.

**Sec. 16-17-70. – Development Control Committee.**

- (a) **Internal Governance.** Developer shall be responsible for the creation of a private internal development control committee (DCC) for any subdivision within the RMU-2 zone district to review site plan and building permit applications for new buildings within the subdivision.
- (b) **Applicability.** Any person or entity applying to the Town for approval of a site plan or building permit to construct a new building, excluding accessory buildings, shall be subject to review and recommendation by the DCC to the Town.
- (c) **Review.** The DCC shall review the application and forward to the Planning Department a recommendation of approval or denial based solely on compliance with Lot Development Standards in Table 16-17-20. The recommendation shall indicate whether the application is in conformance with the requirements of Table 16-17-20.
- (d) **Private Covenants.** The DCC may review and enforce private covenants, conditions, and restrictions, but such review shall be separate from and independent from the recommendation to the Town.
- (e) **Timely Review.** The DCC shall review all such applications in a timely manner in accordance with established schedules.

- (f) **DCC Composition.** Among other potential members, the DCC may include: the developer or designee of the subdivision, an outside architect or design professional, a property owner within the subdivision.
- (g) **Waivers.** The Director may waive the requirement for the establishment of the DCC or review by the DCC if it is determined it is unnecessary to implement the requirements of the zone district.

**Sec. 16-17-80. - Neighborhood Center.** A Neighborhood Center is a mixed-use or commercial center of a RMU-2 community which may be designated on the applicable Master Plan subject to the following:

- (a) Shall not exceed 20 acres in size
- (b) Shall not be located immediately adjacent to existing single family dwellings outside the RMU-2 zone district.
- (c) Land uses shall be limited to Retail, Service and Employment, Civic/ Institutional, Multifamily, Mixed Use, and Open/ Civic Space. Gas stations and drive through restaurants are not allowed uses.
- (d) Development shall comply with Table 16-17-20 and Table 16-17-70. When the two tables conflict, Table 16-17-70 shall apply.
- (e) The standards contained within Table 16-17-70 shall be included on the applicable Master Plan.

| <b>Table 16-17-70 Neighborhood Center Development Standards</b> |                                                                                                   |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <b>Minimum Front Setback</b>                                    |                                                                                                   |
| Adjacent to arterial roadways                                   | 15'                                                                                               |
| Adjacent to roadways other than arterials                       | 0' <sup>1</sup>                                                                                   |
| <b>Maximum Front Setback</b>                                    |                                                                                                   |
| Adjacent to arterial roadways                                   | None                                                                                              |
| Adjacent to roadways other than arterials                       | A minimum of 65% lot width shall include a building within 8' of front property line <sup>1</sup> |
| <b>Minimum Side Setback</b>                                     |                                                                                                   |



|                                                                                                                       |                                                                     |
|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Minimum Side Setback                                                                                                  | 0' subject to building code regulations.<br>5' minimum if provided. |
| <b>Ground Floor Transparency</b>                                                                                      |                                                                     |
| Residential uses with a front setback less than 15'                                                                   | 35% of façade shall be windows or doors                             |
| Non-residential uses with a front setback less than 15'                                                               | 50% of façade shall be windows or doors                             |
| <b>Lot Coverage</b>                                                                                                   |                                                                     |
| Maximum Lot Coverage                                                                                                  | 90%                                                                 |
| <b>Minimum Sidewalk</b>                                                                                               |                                                                     |
| Minimum sidewalk width                                                                                                | 10'                                                                 |
| <sup>1</sup> 0' Setback allowed only if alternative to front yard utility easements are approved by utility providers |                                                                     |

**Section 12.** Article XVIII of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

#### **Article XVIII Mobile Home (MH) District**

**Sec. 16-18-10. - Purpose.** The purpose of the MH zone district is to establish and preserve mobile home parks to provide lower cost housing with ample open spaces and connections to nearby employment or commercial activity centers.

#### **Sec. 16-18-15. – Use Regulations.**

(a) Principal uses permitted by right. All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

- (1) Mobile home dwelling units as defined in Section 16-2-20 of this Chapter.
- (2) Single-family dwellings for occupancy by the mobile home park owner, manager or caretaker.
- (3) Places of assembly (small).
- (4) Common uses and uses accessory to mobile home dwelling units, including recreation facilities for the use of residents of the park only, management offices, laundry rooms, tenant storage lockers, parking areas and garbage and trash disposal facilities.

**Sec. 16-18-20. - Lot Development Standards.** Development within the MH zone district shall adhere to the standards contained in Table 16-18-20.

| <b>Table 16-18-20: MH District Lot Development Standards</b> |                         |
|--------------------------------------------------------------|-------------------------|
| <b>Vehicular Access Types Permitted</b>                      |                         |
| Residential Uses                                             | Standard, Limited, Rear |
| Non-Residential Uses                                         | Any                     |
| <b>Lot Standards</b>                                         |                         |
| Minimum Overall Development Site Size                        | 5 acres                 |
| Minimum Lot Area (square feet)                               | 3,000                   |
| Minimum Lot or Pad Site Width                                | 30'                     |
| Maximum Lot Coverage                                         | 50%                     |
| <b>Minimum Setbacks</b>                                      |                         |
| Front                                                        | 10'                     |
| Side                                                         | 5'                      |
| Rear                                                         | 10'                     |
| Perimeter facing                                             | 20'                     |
| <b>Maximum Building Height</b>                               |                         |
| Height                                                       | 35'                     |
| <b>Maximum Density</b>                                       |                         |
| Units Per Acre                                               | 8 units/ acre           |

**Section 13.** Article XIX of Chapter 16 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

#### **ARTICLE XIX - Neighborhood Commercial NC District**

**Sec. 16-19-10. - Purpose.** The purpose of the NC zone district is to:

- (a) Establish and preserve small areas of low-impact, neighborhood-oriented businesses which are integrated or adjacent to residential neighborhoods.

- (b) Allow for development of infill sites or constrained sites that are not suitable for the intensity associated with General Commercial zone district.

**Sec. 16-19-15. – Use Regulations.**

A building or lot may be used for the following purposes and no other:

(1) Principal uses permitted by right. All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

(a) Retail stores, including but not limited to the following:

1. Food store, supermarket.
2. Food store, convenience.
3. Delicatessen.
4. Bakery goods store.
5. Liquor store.
6. Hardware store.
7. Drug store.

(b) Customer service establishments, including but not limited to the following:

1. Barber and beauty shops.
2. Restaurant and bar.
3. Laundromat and coin-operated dry-cleaning establishment.
4. Laundry and dry-cleaning pick-up station.
5. Fine art studio.

(c) Business, professional or public service offices, not in excess of one thousand five hundred (1,500) square feet per establishment.

(d) Seasonal sales and farmers markets, subject to the provision of Article XXXII of this Chapter.

- (e) Places of assembly (small).
- (f) Other similar uses as defined in Section 16-2-20 of this Chapter.
- (2) Permitted accessory uses.
  - (a) Garages for storage of vehicles used in conjunction with the operation of a business.
  - (b) Off-street parking and loading areas.
  - (c) Signs, subject to the provisions of Article IX of this Chapter.
  - (d) Residential quarters for the owner, proprietor, commercial tenant, employee or caretaker, located in the same building as the business.
  - (e) Any other structure or use clearly incidental to and commonly associated with the operation of a principal use permitted by right.
  - (f) Temporary greenhouse structures in which growing plants are kept for sale to the public.
  - (g) Mobile food vending as set forth in Section 16-10-110.
- (3) Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII of this Chapter:
  - (a) Gasoline service stations.
  - (b) Public utility installations.
  - (c) Oil and gas facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.
  - (d) Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

**Sec. 16-19-20. -Lot Development Standards.** Development within the NC zone district shall adhere to the standards contained in Table 16-19-20.

| Table 16-19-20: NC District Lot Development Standards |
|-------------------------------------------------------|
| Vehicular Access Types Permitted                      |

|                                                                                                                    |                  |
|--------------------------------------------------------------------------------------------------------------------|------------------|
| Parking Court or Dispersed Parking                                                                                 |                  |
| <b>Lot Standards</b>                                                                                               |                  |
| Minimum Lot Area (square feet)                                                                                     | 20,000           |
| Minimum Lot Width                                                                                                  | 75' <sup>1</sup> |
| Maximum Lot Coverage                                                                                               | 80%              |
| <b>Minimum Setbacks</b>                                                                                            |                  |
| Front                                                                                                              | 15'              |
| Side                                                                                                               | 15'              |
| Rear                                                                                                               | 15'              |
| <b>Maximum Building Height</b>                                                                                     |                  |
| Height                                                                                                             | 40'              |
| <sup>1</sup> Reduced lot width may be approved with concurrent site plan demonstrating adequate width is provided. |                  |

**Section 14.** Article XX of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

#### **ARTICLE XX - Central Business (CB) District**

##### **Sec. 16-20-10. - Intent.**

The Central Business CB District is intended to provide for the development of a concentration of commercial, office, recreational, cultural, entertainment and governmental facilities serving as a center of community activity. It is the further intent of this District to conserve and enhance the existing central business area for the benefit of the community as a whole.

##### **Sec. 16-20-15. - Use regulations.**

A building or lot may be used for the following purposes and no other:

(1) Principal uses permitted by right. All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

(a) Any principal use permitted by right in the Neighborhood Commercial District.

(b) Retail stores.

- (c) Customer service establishments.
  - (d) Business and professional offices.
  - (e) Banks and saving and loan offices.
  - (f) Medical and dental clinics.
  - (g) Public administrative offices and service buildings.
  - (h) Public utility offices and installations.
  - (i) Public libraries.
  - (j) Places of assembly (small).
  - (k) Commercial lodging.
  - (l) Theaters.
  - (m) Minor repair, rental and servicing establishments.
  - (n) Passenger transportation terminals, not including truck terminals.
  - (o) One-family residential dwellings subject to the regulations set forth in Sections 16-11-70, 16-12-20(2), 16-12-30, 16-12-40, 16-12-50 and 16-12-60 of this Chapter.
  - (p) Automobile sales.
  - (q) Plumbing and heating contractors.
  - (r) Other similar uses as defined in Section 16-2-20 of this Chapter.
  - (s) Residential uses on the upper floors of commercial buildings.
- (2) Permitted accessory uses.
- (a) Any accessory uses permitted in the Neighborhood Commercial District.
  - (b) Signs, subject to the provisions of Article IX of this Chapter.
  - (c) Mobile food vending as set forth in Section 16-10-110.
- (3) Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII of this Chapter:

- (a) Commercial parking facilities.
- (b) Gasoline service stations.
- (c) Oil and gas facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.
- (d) Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

**Sec. 16-20-20. - Off-street parking requirements.**

See the provisions of Section 16-10-30.

**Sec. 16-20-30. - Off-street loading requirements.**

See the provisions of Section 16-10-40.

**Section 15.** Article XXI of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

**Article XXI General Commercial (GC) District**

**Sec. 16-21-10. - Purpose.** The purpose of the GC zone district is to:

- (a) Establish and preserve areas of commercial development in proximity to arterial roadways.
- (b) Foster attractive, human scale development that positively contributes towards the Town's unique character.-
- (c) Provide efficient and safe pedestrian, bicycle and automobile circulation, including direct connections to adjacent residential development.
- (d) Promote economic vitality.

**Sec. 16-21-15. – Use Regulations.**

(a) Principal uses permitted by right. All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

- (1) Drive-in restaurants.

- (2) Grocery stores and supermarkets.
  - (3) Gasoline service stations.
  - (4) Car washes.
  - (5) Commercial lodging.
  - (6) Restaurants and bars.
  - (7) Outdoor sales areas, such as garden shops.
  - (8) Automobile sales and service establishments, including used car lots.
  - (9) Lumber and building supply yards.
  - (10) Public, private, commercial and private group outdoor recreational facilities.
  - (11) Bowling alleys.
  - (12) Business and professional offices.
  - (13) Places of assembly (small).
  - (14) Places of assembly (large).
  - (15) Other similar uses as defined in Section 16-2-20 of this Chapter.
- (b) Permitted accessory uses:
- (1) Any accessory use permitted in the Central Business CB District.
  - (2) Mobile food vending as set forth in Section 16-10-110.
  - (3) Accessory outdoor storage:
    - A. Shall be used only for storage of materials, inventory or equipment used or offered for sale in the ordinary course of the business activity occurring on-premises, including overstock or bulk items.
    - B. Outdoor storage areas shall be located in the rear or side of the building and shall not abut or face arterial or major collector streets as defined by the Town's street standards.



C. Shall not displace any off-street parking spaces depicted on the approved site plan for the premises.

D. Items located in outdoor storage areas shall be permanently and fully screened from adjacent residential property, public rights-of-way and private drives by opaque structural walls, opaque fencing and/or a combination thereof that is at least as tall as the tallest items in storage. Screening materials shall conceal all items in storage, shall be opaque and consist predominately of colors and materials generally matching the principal building on the premises. Chain link screening material, with or without slats, is prohibited.

E. If site constraints preclude items in storage from being fully concealed as required in sub-section (D) above, a proposed screening plan shall be reviewed and subject to approval based on the conditional use grant standards and requirements applicable to the Conditional Use Grant process as elsewhere provided in this Chapter.

(4) Outdoor display of merchandise for sale on-site:

A. Outdoor display of merchandise shall be incidental to the primary retail use.

B. Merchandise on outdoor display shall consist only of inventory offered for sale within the principal building on the premises.

C. Outdoor merchandise display shall be adjacent to the principal building and shall be within forty (40) feet of a customer entrance to the principal building, while maintaining at all times no less than four (4) feet of clear width on the sidewalk for pedestrian use.

D. Outdoor merchandise display shall not displace any off-street parking spaces depicted on the approved site plan.

(5) Seasonal sales:

A. Outdoor display of merchandise for seasonal sales shall be located in the site plan-approved parking area for the premises.

B. The seasonal sales outdoor display area shall not displace more than five percent (5%) of site-plan required off-street parking spaces or impede parking lot circulation.

C. All seasonal sales inventory, structures and improvements shall be removed upon the conclusion of the seasonal sale period, and the parking surface shall be restored to its former condition. For purposes of this

Section, seasonal sales shall mean temporary sales of inventory or services offered for sale on a seasonal basis in the principal building for a duration of no longer than ninety (90) consecutive days for each seasonal display, whether or not such inventory or service is displayed in a temporary structure.

(c) Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII of this Chapter:

- (1) Outdoor theater.
- (2) Nonaccessory signs.
- (3) Oil and gas facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.
- (4) Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

**Sec. 16-21-20. - Lot Development Standards.** Development within the GC zone district shall adhere to the standards contained in Table 16-21-20.

| <b>Table 16-21-20: GC District Lot Development Standards</b>                                                       |                   |
|--------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Vehicular Access Types Permitted</b>                                                                            |                   |
| Parking Court or Dispersed Parking Lot                                                                             |                   |
| <b>Lot Standards</b>                                                                                               |                   |
| Minimum Lot Area (square feet)                                                                                     | 20,000            |
| Minimum Lot Width                                                                                                  | 100' <sup>1</sup> |
| Maximum Lot Coverage                                                                                               | n/a               |
| <b>Minimum Setbacks</b>                                                                                            |                   |
| Front                                                                                                              | 20'               |
| Side                                                                                                               | 20'               |
| Rear                                                                                                               | 20'               |
| <b>Maximum Building Height</b>                                                                                     |                   |
| Height                                                                                                             | 55'               |
| <sup>1</sup> Reduced lot width may be approved with concurrent site plan demonstrating adequate width is provided. |                   |

**Section 16.** Article XXII of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

**Article XXII Limited Industrial (LI) Zone**

**Sec. 16-22-10. - Purpose.** The purpose of the LI zone district is to:

- (a) Establish and preserve areas for a variety of low to moderate intensity industrial and commercial uses including manufacturing, and warehousing distribution with limited outdoor storage.
- (b) Minimize potential conflicts between heavy truck traffic and passenger vehicle, bicycle, and pedestrian traffic by providing convenient access to rail corridors, arterial roadways and state highways.
- (c) Promote economic vitality.

**Sec. 16-22-15. – Use Regulations.**

(a) All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.. In addition to the site plan requirement, proposed users shall submit evidence satisfactory to the Town that the proposed use will comply in all respects with the Performance Standards for Industrial Zones as set forth in this Chapter.

(b) Uses by right. Subject to the requirements set forth in Subsection (a) above, the following uses shall be permitted in the Limited Industrial I-L District:

- (1) Manufacture of electronic instruments.
- (2) Preparation of food products.
- (3) Pharmaceutical manufacturing.
- (4) Research and scientific laboratories.
- (5) Manufacturing, assembly, processing and fabrication plants.
- (6) Transportation terminals.
- (7) General warehousing.
- (8) Enclosed storage facilities.
- (9) Printing and publishing houses.

- (10) Automobile body repair shops.
  - (11) Plumbing and heating contractors.
  - (12) Painting and decorating contractors.
  - (13) Electrical contractors.
  - (14) Glazing, insulation, carpentry and masonry contractors.
  - (15) Public utility offices and installations.
  - (16) Places of assembly (small).
  - (17) Places of assembly (large).
  - (18) Any use otherwise permitted in the General Commercial GC District.
  - (19) Other similar uses as defined in Section 16-2-20 of this Chapter.
- (c) Accessory uses. Assuming approval of designated uses by right as aforesaid, the following shall be permitted accessory uses in the Limited Industrial I-L District:
- (1) Office, power supply and other such uses normally auxiliary to the principal industrial use.
  - (2) Parking and service areas.
  - (3) Accessory signs as otherwise regulated by this Code or the laws of the State.
  - (4) Residential quarters for guards and caretakers.
  - (5) Accessory outdoor storage that is normally auxiliary to the principal industrial use of the property. The total square footage of accessory outdoor storage in the Limited Industrial I-L District shall not exceed sixty-five percent (65%) of the total square footage of the property. Any such storage located adjacent to a public or private street shall utilize screen walls, earth berms, landscaping, opaque fencing and/or a combination thereof to completely screen the storage, and no such storage shall be visible above or between said methods of screening. Chain-link fencing with slats shall not be considered adequate opaque fencing. Additionally, such outdoor storage areas may be surfaced with aggregates or recycled asphalt meeting CDOT Class 5 or 6 aggregate base course gradation, or any subsequent amendments thereto. Such surface materials shall require a plan for perpetual maintenance and dust abatement to be approved by the Engineering Department. However, all areas which are designed to be used for

parking of vehicles and all interior drives connecting such parking areas shall be paved with asphalt or concrete. For the purposes of this Section, portions of the aggregate surface outdoor storage area may be utilized for parking of company-owned vehicles with a valid state license plate upon identification and Town approval of a site plan application. Such areas for parking of company-owned vehicles as identified on the approved site plan shall not be included in the calculation of outdoor storage for the site.

(6) Any other structure or use clearly incidental to and commonly associated with the operation of a principal use permitted by right, conditioned upon the approval of such accessory use pursuant to the site plan requirements set forth herein.

(7) Mobile food vending as set forth in Section 16-10-110.

(d) Conditional uses:

(1) Oil and gas facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.

(2) Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

(e) Set forth below is a listing of addresses for parcels of land which shall be deemed exempt from the requirements and limitations set forth in Paragraph 16-21-20(c)(5) above. Such exemption shall be deemed to run with the land identified below:

(1) 7250 Greenridge Road;

(2) 4477 Greenfield Drive;

(3) 780 Garden Drive; and

(4) 620 Technology Circle.

Sec. 16-22-20. - Lot Development Standards. Development within the LI zone district shall adhere to the standards contained in Table 16-22-20.

| <b>Table 16-22-20: LI District Lot Development Standards</b> |
|--------------------------------------------------------------|
| <b>Vehicular Access Types Permitted</b>                      |
| General Parking Lot, Dispersed Parking Lot, or Parking Court |
| <b>Lot Standards</b>                                         |

|                                                                                                                    |                   |
|--------------------------------------------------------------------------------------------------------------------|-------------------|
| Minimum Lot Area (square feet)                                                                                     | 20,000            |
| Minimum Lot Width                                                                                                  | 100' <sup>1</sup> |
| Maximum Lot Coverage                                                                                               | n/a               |
| <b>Minimum Setbacks</b>                                                                                            |                   |
| Front                                                                                                              | 30'               |
| Side/ Side Adjacent to residential use or zone                                                                     | 20'/ 30'          |
| Rear/ Rear Adjacent to residential use or zone                                                                     | 20'/ 30'          |
| <b>Building Height</b>                                                                                             |                   |
| Maximum Height                                                                                                     | 75'               |
| <sup>1</sup> Reduced lot width may be approved with concurrent site plan demonstrating adequate width is provided. |                   |

**Section 17.** Article XXIII of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted to read as follows:

### **ARTICLE XXIII - Heavy Industrial (HI) District**

**Sec. 16-23-10. - Purpose.** The purpose of the HI zone district is to:

- (a) Establish and preserve areas suitable for heavy industrial use, including those that might impact surrounding neighborhoods and businesses.
- (b) Ensure appropriate separation from neighborhoods and businesses which may be negatively impacted by heavy industrial uses.
- (c) Minimize potential conflicts between heavy truck traffic and passenger vehicle, bicycle, and pedestrian traffic by providing convenient access to rail corridors, arterial roadways and state highways.
- (d) Promote economic vitality.

**Sec. 16-23-15. – Use Regulations.**

- (a) All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance. In addition to the site plan requirement, proposed users shall submit evidence satisfactory to the Town that the proposed use will comply in all respects with the performance standards for industrial zones as set forth in this Chapter. The proposed user shall be responsible for all costs incurred by the Town in the evaluation and analysis of the evidence presented by the user of compliance with the performance standards for industrial zones. This shall include, but

shall not be limited to, costs incurred for services rendered by the respective health department of either Weld County or Larimer County or similar public or private agencies.

(b) Uses by right. Subject to the requirements set forth in Subsection (a) above, the following uses shall be permitted in the Heavy Industrial I-H District:

- (1) Petrochemical industries.
- (2) Rubber refining industries.
- (3) Primary metal and related industries.
- (4) Trucking operations.
- (5) Slaughterhouses.
- (6) Foundries.
- (7) Automobile, farm equipment and machinery sales.
- (8) Places of assembly (small).
- (9) Places of assembly (large).
- (10) Any use otherwise permitted in a Limited Industrial I-L Zoning District.
- (11) Any use otherwise permitted in a General Commercial GC Zoning District.
- (12) Other similar uses as defined in Section 16-2-20 of this Chapter.

(c) Accessory uses. Assuming approval of designated uses by right as aforesaid, the following shall be permitted accessory uses in the Heavy Industrial I-H District:

- (1) Office, power supply and other such uses normally auxiliary to the principal industrial use.
- (2) Parking and service areas.
- (3) Accessory signs as otherwise regulated by this Code or state laws.
- (4) Residential quarters for guards or caretakers.
- (5) Accessory outdoor storage that is normally auxiliary to the principal industrial use of the property. Such outdoor storage areas may be surfaced with

aggregates or recycled asphalt meeting CDOT Class 5 or 6 aggregate base course gradation, or any subsequent amendments thereto. Such surface materials shall require a plan for perpetual maintenance and dust abatement to be approved by the Engineering Department. However, all areas which are designed to be used for parking of vehicles and all interior drives connecting such parking areas shall be paved with asphalt or concrete.

(6) Any other structure or use clearly incidental to and commonly associated with the operation of a principal use permitted by right, conditioned upon the approval of such accessory use pursuant to the site plan requirements set forth herein.

(7) Mobile food vending as set forth in Section 16-10-110.

(d) Conditional uses.

(1) Kennels.

(2) Oil and gas facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.

(3) Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

(4) Adult businesses.

**Sec. 16-23-20. - Lot Development Standards.** Development within the HI zone district shall adhere to the standards contained in Table 16-23-20.

| <b>Table 16-23-20: HI District Lot Development Standards</b>                                                               |                   |
|----------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>Vehicular Access Types Permitted</b>                                                                                    |                   |
| General Parking Lot, Dispersed Parking Lot, or Parking Court<br>General Parking Lot prohibited within Commercial Corridors |                   |
| <b>Lot Standards</b>                                                                                                       |                   |
| Minimum Lot Area (square feet)                                                                                             | 60,000            |
| Minimum Lot Width                                                                                                          | 200' <sup>1</sup> |
| Maximum Lot Coverage                                                                                                       | n/a               |
| <b>Minimum Setbacks</b>                                                                                                    |                   |
| Front                                                                                                                      | 30'               |



|                                                                                                                    |         |
|--------------------------------------------------------------------------------------------------------------------|---------|
| Side/ Side Adjacent to Residential Use or Zone                                                                     | 20'/30' |
| Rear/ Rear Adjacent to Residential Use or Zone                                                                     | 20'/30' |
| <b>Maximum Building Height</b>                                                                                     |         |
| Height                                                                                                             | 75'     |
| <sup>1</sup> Reduced lot width may be approved with concurrent site plan demonstrating adequate width is provided. |         |

**Section 18.** Article XXIV of Chapter 16 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

### **Article XXIV Recreation and Open Lands (ROL) District**

**Sec. 16-24-10. - Purpose.** The purpose of the ROL zone district is to:

- (a) Preserve certain large open land areas, which by reason of topographical features or proximity to natural drainage courses are unsuitable for intense development.
- (b) To preserve designated open space that is managed to preserve the natural environment and protect native flora and fauna.
- (c) Provide recreational opportunities.

**Sec. 16-24-15. – Use Regulations.** All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

(a) Principal uses permitted by right.

- (1) Public parks and recreation areas.
- (2) Public schools.
- (3) Public, private, commercial and private group outdoor recreational facilities.
- (4) Other similar uses as defined in Section 16-2-20 of this Chapter.

(b) Permitted accessory uses.

- (1) Service buildings and facilities normally incidental to the use of a public park and recreation area.

- (2) Any other structure or use clearly incidental to and commonly associated with the operation of a principal use permitted by right.
- (c) Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII of this Chapter:
- (1) Public administrative offices and services buildings.
  - (2) Public utility installations, including transmission lines and substations.
  - (3) Oil and gas facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.
  - (4) Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.
  - (5) Open or surface mining operations for the development or extraction of solid materials.

Sec. 16-24-20. - Lot Development Standards. Development within the ROL zone district shall adhere to the standards contained in Table 16-24-20.

| <b>Table 16-24-20: ROL District Lot Development Standards</b> |        |
|---------------------------------------------------------------|--------|
| <b>Vehicular Access Types Permitted</b>                       |        |
| Any                                                           |        |
| <b>Lot Standards</b>                                          |        |
| Minimum Lot Area (square feet)                                | 20,000 |
| Minimum Lot Width                                             | n/a    |
| Maximum Lot Coverage                                          | n/a    |
| <b>Minimum Setbacks</b>                                       |        |
| Front                                                         | 20'    |
| Side                                                          | 20'    |
| Rear                                                          | 20'    |
| <b>Minimum Setbacks - Buildings Housing Domestic Animals</b>  |        |
| Front                                                         | 35'    |

|                                |     |
|--------------------------------|-----|
| Side                           | 35' |
| Rear                           | 35' |
| <b>Maximum Building Height</b> |     |
| Height                         | 45' |

**Section 19.** Article XXV of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted as follows:

### **Article XXV Agriculture Holding (AH) District**

**Sec. 16-25-10. - Purpose.** The purpose of the AH zone district is to provide a zoning designation for properties which have been annexed to the Town and at the time of annexation are:

- Either being used for agricultural purposes and/or have no specific future land use proposed at the time of annexation; and
- Are in a transitional stage with regard to the property's ultimate development.

**Sec. 16-25-15. - Use Regulations.** All uses by right as set forth in this Section shall be subject to the exercise of the Town's police powers as are otherwise set forth in this Code, including but not limited to site planning requirements and building code compliance.

(a) Principal uses permitted by right.

- (1) Agriculture
- (2) Single-family dwellings

(b) Permitted accessory uses.

Service buildings and facilities normally incidental to agricultural uses.

(c) Conditional uses. The following uses shall be permitted in this District upon approval of a conditional use grant as provided in Article VII of this Chapter:

- (1) Public utility installations, including transmission lines and substations.
- (2) Oil and gas facilities pursuant to the conditional use regulations contained in Article VII of this Chapter pertaining thereto.

(3) Subject to the applicable requirements of Section 16-7-70 of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Chapter.

(4) Open or surface mining operations for the development or extraction of solid materials.

**Sec. 16-25-20. - Restriction on Subdivision.** No property zoned AH shall be subdivided for the purpose of allowing further land development. Subdivision for the purpose of development shall require appropriate zoning other than AH.

**Sec. 16-25-30. - Lot Development Standards.** Development within the AH zone district shall adhere to the standards contained in Table 16-25-30.

| Table 16-25-30: AH District Lot Development Standards |     |
|-------------------------------------------------------|-----|
| Vehicular Access Types Permitted                      |     |
| Any                                                   |     |
| Lot Standards                                         |     |
| Minimum Lot Area (acres)                              | n/a |
| Minimum Lot Width                                     | n/a |
| Maximum Lot Coverage                                  | n/a |
| Minimum Setbacks – General                            |     |
| Front                                                 | 20’ |
| Side                                                  | 20’ |
| Rear                                                  | 20’ |
| Minimum Setbacks - Buildings Housing Domestic Animals |     |
| Front                                                 | 35’ |
| Side                                                  | 35’ |
| Rear                                                  | 35’ |
| Maximum Building Height                               |     |
| Height                                                | 35’ |

**Section 20.** Article XXVI of Chapter 16 of the *Windsor Municipal Code* is hereby repealed, amended, and re-adopted to read as follows:

## **Article XXVI Planned Unit Development (PUD) District**

**Sec. 16-26-10. - Intent.** The Planned Unit Development Overlay District (PUD) is enacted pursuant to the Planned Unit Development Act of 1972 as amended (C.R.S. § 24-67-101, *et. seq.*). The PUD is an overlay zone district that supplements the underlying standard zone district. A PUD is expected to preserve critical environmental resources, provide above-average open space and recreational amenities, include exceptional design, and provide greater efficiency in the layout and provision of roads, utilities and other infrastructure. The intent and purpose of this district is:

- (a) to permit and encourage innovative design and high quality, master planned developments on large parcels of land.
- (b) to allow and encourage compatible uses to be developed in accordance with a unified development plan in harmony with the environment and surrounding neighborhood.
- (c) to permit greater flexibility in the application of zoning and development standards and greater freedom in providing a mix of land uses in the development of a balanced community.

**Sec. 16-26-20. - Permitted Uses.** Uses permitted in the PUD shall be those uses permitted in the underlying standard zone district for the property. An applicant for a PUD may request modifications to the permitted uses of the underlying zone district to remove those uses that may be deemed incompatible or inappropriate for the overall PUD development or add uses necessary to meet the foregoing statement of Intent for PUDs.

**Sec. 16-26-30. - PUD Restrictions and General Requirements.** Properties utilizing the PUD shall be subject to the following:

- (h) All PUD applications shall include a gross land area of not less than one hundred fifty (150) acres.
- (i) All requirements set forth in this Code otherwise applicable to the area of land proposed for a PUD shall govern unless explicitly otherwise approved in the PUD.
- (j) No PUD may be approved by the Town without the written consent of the landowner whose property is included within the PUD.
- (k) A proposed PUD shall be in conformance with an approved Master Plan or a Master Plan shall be concurrently submitted and reviewed.

**Sec. 16-26-40. – Minimum Standards.** The following standards are considered minimum standards and are not eligible for modification:

- (a) Town standards for bicycle and pedestrian facilities.

- (b) Street connectivity standards.
- (c) Subdivision open space standards.
- (d) Density. Overall density shall be in accordance with the Comprehensive Plan Land Use Map and Town sanitary sewer capacity determinations.

**Sec. 16-26-50. - PUD Review Criteria.** The following review criteria will be applied by staff, Planning Commission and Town Board to all PUD applications:

- (a) The proposed PUD provides a greater variety of housing types and densities, building design, employment, shopping, services, and public facilities than would otherwise be provided.
- (b) The proposed PUD protects unique or sensitive natural or cultural resources.
- (c) The proposed PUD provides open space amenities beyond the requirements of this Code.
- (d) The proposed PUD prioritizes pedestrian and bicycle facilities designed for user comfort and convenience, including but not limited to detached sidewalks on all streets.
- (l) The proposed benefits of the PUD offset the proposed exceptions to the Zoning and Subdivision standards.
- (m) Any exceptions to the Zoning and Subdivision standards are in the best interest of the public health, safety, and welfare.
- (f) The proposed PUD is in general conformance with the Comprehensive Plan.

**Sec. 16-26-60. – Amendments to Approved PUD.**

- (a) Minor changes to an approved PUD may be authorized administratively by the Director of Planning. Such changes may be authorized without additional public hearings and shall be reviewed on the basis of conformance with the Town's Comprehensive Plan and this Code. The Director of Planning may refer the decision regarding proposed changes to an approved PUD to the Planning Commission and, if so referred, the decision by the Planning Commission shall constitute a final decision which may be appealed to the Town Board pursuant to the provisions of this Code.
- (b) Major changes to an approved PUD shall be treated as a new PUD application under the provisions of this Article. Major changes to an approved PUD shall be reviewed in the same manner as the review process required for approval of a

PUD and shall demonstrate proof of a material change of circumstances that renders the prior approval inconsistent with the objectives of the Article.

Major changes shall be defined as meeting any one or more of the following:

- (1) A change in the land uses allowed under the PUD;
  - (2) A change in the character of the development which would result in a change in the outward appearance of the development as a whole, or increase impacts on the surrounding area;
  - (3) An increase in the impacts to traffic and/or public utilities;
  - (4) A change which would result in the development no longer meeting the standards of this Chapter under which the project was approved;
  - (5) An increase in the approved gross leasable floor areas of commercial or industrial developments;
  - (6) An increase in the approved number of residential dwelling units;
  - (7) Removal of a recreational amenity; or
  - (8) A modification to any dimensional standard
- (c) In order for the Town to consider a proposed PUD amendment, the applicant shall provide written approval of the proposed amendment by not less than seventy-five percent (75%) of the owners of not less than seventy-five percent (75%) of the land area for PUD plans approved after the effective date of this Article. The applicant may submit at the time of initial PUD application, and the Town may (but shall not be required to) approve, a provision which permits less than seventy-five percent (75%) of the owners of not less than seventy-five percent (75%) of the land area in a PUD to approve of a proposed PUD amendment. In no event shall an amendment be permitted which has less than fifty-one percent (51%) of the owners of less than fifty-one percent (51%) of the land area giving written approval for the proposed amendment.

#### **Sec. 16-26-7. - Development Control Committee.**

- (a) **Internal Governance.** Developer shall be responsible for the creation of a private internal development control committee (DCC) for any PUD development to review site plan and building permit applications for new buildings within the subdivision.

- (b) **Applicability.** Any person or entity applying to the Town for approval of a site plan or building permit to construct a new building, excluding accessory buildings, shall be subject to review and recommendation by the DCC to the Town.
- (c) **Review.** The DCC shall review the application and forward to the Planning Department a recommendation of approval or denial based solely with the applicable lot development standards contained within the PUD.
- (d) **Private Covenants.** The DCC may review and enforce private covenants, conditions, and restrictions, but such review shall be separate from and independent from the recommendation to the Town.
- (e) **Timely Review.** The DCC shall review all such applications in a timely manner in accordance with established schedules.
- (f) **DCC Composition.** Among other potential members, the DCC may include: the developer or designee of the subdivision, an outside architect or design professional, a property owner within the subdivision.
- (g) **Waivers.** The Director may waive the requirement for the establishment of the DCC or review by the DCC if it is determined it is unnecessary to implement the requirements of the zone district.

**Section 21.** The following Articles within Chapter 16 of the *Windsor Municipal Code* shall be re-numbered as indicated in this Section below:

Existing Article XXVI shall be re-designated Article XXVII, and all Sections within the re-designated Article XXVII shall be re-numbered to so reflect.

Existing Article XXVII shall be re-designated Article XXVIII, and all Sections within the re-designated Article XXVIII shall be re-numbered to so reflect.

Existing Article XXVIII shall be re-designated Article XXIX, and all Sections within the re-designated Article XXIX shall be re-numbered to so reflect.

Existing Article XXIX shall be re-designated Article XXX, and all Sections within the re-designated Article XXX shall be re-numbered to so reflect.

Existing Article XXX shall be re-designated Article XXXI, and all Sections within the re-designated Article XXXI shall be re-numbered to so reflect.



Existing Article XXXI shall be re-designated Article XXXII, and all Sections within the re-designated Article XXXII shall be re-numbered to so reflect.

Existing Article XXXII shall be re-designated Article XXXIII, and all Sections within the re-designated Article XXXIII shall be re-numbered to so reflect.

Existing Article XXXIII shall be re-designated Article XXXIV, and all Sections within the re-designated Article XXXIV shall be re-numbered to so reflect.

Introduced, passed on first reading and ordered published this     <sup>th</sup> day of     , 2019.

TOWN OF WINDSOR, COLORADO

\_\_\_\_\_  
Kristie Melendez, Mayor

ATTEST:

\_\_\_\_\_  
Krystal Eucker, Town Clerk

[Seal]

Introduced, passed on second reading and ordered published this      day of     , 2019.

TOWN OF WINDSOR, COLORADO

\_\_\_\_\_  
Kristie Melendez, Mayor

ATTEST:

\_\_\_\_\_  
Krystal Eucker, Town Clerk

[Seal]

## CHAPTER 17 - Subdivisions

### Article I: Subdivision Design

#### Sec. 17-1-10. - Streets and Blocks

- (a) **Street Design and Construction Standards.** The Town of Windsor Design Criteria and Construction Specifications are adopted by reference as the development standards of the Town, for the purpose of establishing standards for public streets, street signs, highway, curb and gutters, traffic control devices, sidewalks, multi-use pathways, and other improvements as required to be constructed as public improvements within all developments within the Town. Should any standards in this Article conflict with the Design Criteria and Construction Specifications, the more restrictive standard shall apply.
- (b) **Street names.** New streets shall be named the same as existing streets that are in alignment of those streets, even when those streets may not directly connect. In the case where new street names are needed, the names of new streets shall not duplicate the names of existing streets. All street names shall be consistent with the Larimer County Standardization of Road Naming Criteria. Easily legible street name signs shall be installed at street intersections or as necessary for convenient identification of streets.
- (c) **Private Streets.** Streets held in private ownership, yet used as a public way for provision of public access and services, are prohibited unless determined by the Town that they provide connectivity and public safety equal to or greater than public streets and that adequate provisions for maintenance are in place.
- (d) **Connectivity.**
  - (1) A proposed development shall provide multiple direct connections in its local and collector street system to and between local destinations, such as parks, schools, and shopping, without requiring the use of arterial streets. Each development shall incorporate and continue any existing or approved but unbuilt streets stubbed to the boundary of the development.
  - (2) To ensure future street connections to adjacent developable parcels, a proposed development shall provide a local street connection spaced at intervals not to exceed the block length specifications of Table ## along each boundary that abuts potentially developable or re-developable land unless an exception is granted based the criteria in Section 17-2-10(g).
  - (3) A proposed development shall provide a potentially signalized, full movement intersection of a collector or a local street with arterial and major collector streets at an interval of approximately every 2,640 feet (one half-mile), unless

in conflict with an approved traffic study or access control plan. A proposed development shall provide additional non-signalized, potentially limited-movement intersections with arterial and major collector streets where feasible.

- (4) The Town may require any limited-movement collector or local street intersections to include an access-control median or other acceptable access-control device.

- (e) **Block Length.** Block length for local streets shall not exceed the standards in Table 17-2-10, unless an exception is granted based the criteria in Section 17-2-10(g).

| Table 17-1-10 Block Sizes & Connectivity |                                                |              |                                                                                                                                                                                                                                      |
|------------------------------------------|------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Planning Context                         | Zone Districts                                 | Block Length | Cul-de-sac Limits                                                                                                                                                                                                                    |
| Compact                                  | CB, RMU-2, SF-2, PUD (residential)             | 660' max.    | Prohibited except for exceptions in accordance with Sec. 17-2-10(g). 220' maximum length when exception granted.                                                                                                                     |
| General                                  | RMU-1, SF-1, NC, GC, MF, PUD (non-residential) | 880' max     | 600' maximum but should be avoided when feasible. When used the total number of lots on cul-de-sac streets, shall not exceed more than 10% of lots in subdivision unless an exception is granted in accordance with Sec. 17-2-10(g). |
| Remote/ Campus                           | LI, HI, ER                                     | 1320' max    | 660' maximum                                                                                                                                                                                                                         |

- (f) **Cul-de-sacs.**

- (1) Permanent cul-de-sac streets and dead-end streets shall be minimized in the design of street network systems and are prohibited in the Compact Planning Contexts in Table 17-2-10, unless an exception is granted based the criteria in Section 17-2-10(g).
- (2) Where cul-de-sacs or dead-end streets are unavoidable:
  - a. The decision maker may require pedestrian walkways at the end of any cul-de-sac.

- b. Developments shall incorporate provisions for future vehicular connections to adjacent, undeveloped properties, and to existing adjacent developments where existing connections are poor.
- (3) No system of multiple branching cul-de-sacs from a single junction with a connected street network is permitted, unless the decision maker deems it allowable due to environmental constraints.
- (4) Any permanent dead-end streets or cul-de-sac shall comply with the length limits shown in Table 17-2-10, and shall be provided with a turnaround at the closed end of the street as set forth in the Design Criteria and Construction Specifications
- (g) **Exceptions for Block Length and Cul-de-sacs.** The decision maker may grant exceptions to the maximum block length, connectivity spacing, and the prohibition of cul-de-sacs in Table 17-2-10 in the following situations:
  - (1) Physical conditions such as topography or the existence of natural resources.
  - (2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels.
  - (3) An existing street alignment necessitates block lengths to exceed the maximum or necessitate a cul-de-sac.
  - (4) When necessary to avoid creating inefficient use of land or streets.
  - (5) Land uses which require a campus layout without through traffic.

#### **Sec. 17-1-30. – Sidewalks and Trails**

- (a) **Generally.** If required by the Design Criteria and Construction Specifications and not present at the time of development, sidewalks shall be provided along streets that adjoin the subject property. Sidewalks shall be designed in accordance with the Design Criteria and Construction Specifications.
- (b) **Through Block Connections.** Where exceptions for larger blocks apply, or any other area where substantial pedestrian traffic may occur, such as adjacent to schools, the decision maker may require pedestrian walkways through blocks.
- (c) **Sidewalks on Private Streets.** Sidewalks shall be provided along private streets and shall be designed in accordance with the Design Criteria and Construction Specifications.

- (d) **Trails.** If required by the Trails Master Plan and not present at the time of development, trails shall be provided accordingly. Trails shall be designed in accordance with this Table 17-## and to the extent they are consistent with this Section, the most recently published volume of the AASHTO Guide for the Development of Bicycle Facilities, and the Americans with Disabilities Act (ADA).

| Trail Design Standards Table 17-## |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Width</b>                       | 10' generally<br>12' when immediately adjacent to a retaining wall, hand rail, or roadway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Surface</b>                     | 6" thick mesh concrete in accordance with the <u>Design Criteria and Construction Specifications</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Horizontal Alignment</b>        | 95' minimum radius generally.<br>25' minimum radius when substandard radius curves must be used because of right-of-way, topographical, or other considerations and shall include standard curve warning signs and supplemental pavement markings shall be installed in accordance with the MUTCD. The negative effects of substandard curves can also be partially offset by widening the pavement through curves.                                                                                                                                                                                                         |
| <b>Longitudinal Slope</b>          | 5% maximum except in the following situations: <ul style="list-style-type: none"> <li>• When trails are contained within a street right-of-way, the grade may exceed 5% but shall not exceed the general grade established for the adjacent street;</li> <li>• Where compliance is not practicable due to existing terrain or infrastructure, right-of-way availability, a notable natural feature, or similar existing physical constraints, compliance is required to the extent practicable; or</li> <li>• Where compliance is precluded by federal, state, or local laws the purpose of which is to preserve</li> </ul> |

|                                              |                                                                                                                                                                                                                                                    |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                              | threatened or endangered species; the environment; or archaeological, cultural, historical, or significant natural features, compliance is required to the extent practicable.                                                                     |
| <b>Cross slope</b>                           | 2%                                                                                                                                                                                                                                                 |
| <b>Vertical clearance</b>                    | 8' minimum                                                                                                                                                                                                                                         |
| <b>Horizontal clearance</b>                  | 2' from retaining walls, railings, signs etc.<br>15' from buildings except at points of connection to the building, and where no practicable alternative exists.                                                                                   |
| <b>Separation from roads or parking lots</b> | 5' generally.<br>Trails may be located adjacent to roads or parking lots where no practicable alternative exists and shall be a minimum width of 12'.                                                                                              |
| <b>Hand and Safety Rails</b>                 | Any railing should be at least 42" in height.<br>Hand and safety rails may be required for the safety of the trail users as determined by the Director in accordance with the Guide for the Development of Bicycle Facilities published by AASHTO. |

#### Sec. 17-1-30. – Lots

- (a) **Generally.** All lots created through the subdivision process shall be developable and conform to the minimum zoning, development, and floodplain standards stated in this development code. No subdivision shall create lots that prohibit development due to configuration of the lots, steepness of terrain, location of watercourses or floodplain, natural physical conditions, or other existing conditions.
- (b) **Lot Dimensions.** The minimum area and dimensions of all lots shall conform to the requirements of the subject zone district established in Chapter 16.
- (c) **Lot Lines.** To the maximum extent practical, the sidelines of all lots shall be at right angles to the street upon which the lot fronts, or approximately radial to the center of curvature if the street is curved. If side lot lines are not radial, it shall be noted as such on the plat.

- (d) **Frontage** All lots shall have frontage that is either adjacent to or directly accessible to a street.
- (e) **Corner Lots.** Corner lots for residential use shall have extra width to accommodate the required building setback line on both street frontages.
- (f) **Division of Lots.** No lot shall be divided by a Town boundary line.
- (g) **Flag (or Flagpole) Lots.** Flag lots shall comply with all lot dimensional, utility, fire, and emergency access standards.
- (h) **Lots Divided by a Zoning District Boundary.** Lots that are divided by a zoning district boundary are prohibited.
- (i) **Tracts.** All land not a part of right-of-way or lot shall be designated a tract on an approved plat. Tracts shall be designated on an approved plat, and shall specify the ownership, use, and maintenance responsibility.
- (j) **Double Frontage.** Double frontage lots for single family dwellings, duplexes, multiplexes, and townhomes shall not be permitted except where essential to provide separation of residential properties from arterial streets or commercial uses, or to overcome specific disadvantage of topography and orientation. Subdivisions platted with double frontage lots shall incorporate Type A bufferyard along the rear frontage in accordance with the landscape standards of this Code. The bufferyard shall be located in a tract owned and maintained by a homeowners association or metropolitan district.
- (k) **Significantly encumbered lots.** Single family residential lots significantly encumbered by easements that render a portion of the property unusable or highly restrict usage due to features such as irrigation or drainage facilities shall exclude such encumbrances in calculating minimum lot size and lot coverage.
- (l) **Utility Easements.** All subdivisions shall include easements for all required improvements necessary to serve each lot. Easements shall be granted by the owner to the appropriate entity. All easements shall be accessible from the public right-of-way and graded to within six inches of final grade before utilities are installed. Unless otherwise specified through the development review process easements shall be as specified in Table 17-2-20.

**Table 17-1-20: Easements**

|                                              |                     |
|----------------------------------------------|---------------------|
| Front lot line                               | 10'                 |
| Common rear lot lines                        | 16', 8' on each lot |
| Perimeter rear lot lines w/o common boundary | 10'                 |

**Table 17-1-20: Easements**

|                                 |                           |
|---------------------------------|---------------------------|
| Side easements, where necessary | 5' utility<br>2' drainage |
|---------------------------------|---------------------------|

In addition to or instead of being placed within an easement, irrigation ditches and associated maintenance ways shall be placed in a tract owned by an owners association or similar entity. Maintenance shall be the responsibility of the ditch company and/or an owners association or similar entity.

- (m) **Drainage.** Where a subdivision is traversed by a watercourse, drainage way or stream, blocks shall be laid out in coordination with these features. A perpetual drainage easement shall conform substantially with the lines of watercourse adequate to carry off the predictable volume of storm water drainage from a one-hundred-year frequency storm. Drainage ways serving more than three lots or a drainage basin larger than 0.25 acres shall be placed in a tract maintained by an owners association or similar entity.

#### Sec. 17-1-40. - Parks and Open Space.

- (a) **Parkland Dedication.** Parkland shall be dedicated to the Town in accordance with Sec. ##.
- (b) **Pocket Parks.** In order to provide recreational facilities at the neighborhood scale, pocket parks are required for residential subdivisions with 25 or more units and multifamily development with 25 or more units in accordance with Table 17-2-30.

| <i>Zone District</i> | <i>Table 17-1-30 Pocket Park Requirements</i>                                |
|----------------------|------------------------------------------------------------------------------|
| ER                   | 10,000 square feet per 200 units required for conservation subdivisions only |
| SF-1                 | 10,000 square feet per 200 units                                             |
| SF-2                 | 10,000 square feet per 100 units                                             |
| RMU-1                | 10,000 square feet per 200 units                                             |
| RMU-2                | 10,000 square feet per 100 units                                             |
| MF                   | 10,000 square feet per 200 units                                             |

- (1) **Exception Near Existing Park.** Pocket parks are not required when at least 50 percent of the dwelling units in a proposed development are within one-quarter mile (1,320 feet) walking distance of an existing or planned public park or pocket park open to residents.



(2) **Size.** Pocket parks shall be a minimum size of 10,000 square feet.

(3) **Location.**

- (A) Pocket Parks shall be centrally located within the development with pedestrian access to the lots and dwellings they are intended to serve.
- (B) Large developments shall provide multiple Pocket Parks, generally spaced so that all units are within approximately one-fourth (1/4) mile of a park.
- (C) Pocket Parks shall have frontage on at least one local or collector street.

(4) **Design Standards**

- (A) Access corridors to and through pocket parks shall be a minimum of 20 feet wide with a minimum five foot wide concrete path.
- (B) Pocket parks shall include a mix of lawn area, natural or planted areas, seating areas, and structured play areas (athletic courts, playgrounds, etc.).
- (C) Areas used as dog parks shall not count toward the required pocket park area.
- (D) Rear and side yard fences on lots abutting pocket parks shall not exceed five feet in height.

(5) **Landscaping Standards.** Landscaping shall be provided for pocket parks at a minimum rate of one tree and five shrubs per 2,000 square feet of landscaped area. Additionally, street trees shall be provided in accordance with Sec TBD.

(6) **Ownership and Maintenance.** All pocket parks shall require documentation that outlines the ongoing maintenance plans, as well as administrative and financial management of the park according to these standards. Pocket parks shall generally be maintained in perpetuity either by the Property Owner, a Property Owner's Association, Metropolitan District, or other legal entity approved by the Town.

(c) **Open Space.** In order to preserve natural areas, habitat, and vegetation and to provide appropriate recreational opportunities, all residential subdivisions, except for those with one acre minimum lot sizes in the ER Zone district, shall include a minimum of 20% of the gross land area as open space. To the maximum extent practicable, open space in each

subdivision shall be open and accessible to, and visible to, all residents of the development, and if possible, to other residents of the Town using public streets, trails, and open spaces.

(1) **Prohibited Open Space.** The following shall not qualify as open space:

- (A) Areas within 100' of oil and gas setbacks facilities
- (B) Public or private schools

(2) **Open Space Types.** Open Space requirements may be met by the provision of the following types of open space:

**A. Greenbelt**

1. Greenbelt areas in each development shall be organized so as to create integrated systems of open space that connect with school lands, park lands, other open spaces, or public lands or trails within the development or on lands adjacent to it.
2. Greenbelt areas should generally be left in natural condition or restored to a naturalistic appearance with the use of native or adapted plantings.
3. When graded, steep slopes that may require erosion control or special treatment should be avoided.
4. Small areas of inaccessible or unusable open space shall be avoided to the greatest degree practicable.
5. Greenbelt areas should generally include trails and may include amenities like seating and shade structures.
6. Irrigation ditches may be included in Greenbelt areas provided adjacent open land and trails are included.

**B. Natural Habitat and Features.** Land protected in accordance with Natural Habitat and Features, Sec TBD.

**C. Town Dedicated Park.** Land dedicated as a part of a subdivision to the Town for park land in accordance with section TBD shall be counted towards the requirement. Payment in-lieu of dedication shall not count toward this requirement.

- D. **Pocket Park.** Pocket parks built in accordance with Sec 17-2-30(b).
- E. **Recreation Amenities.** Land occupied by active recreational uses such as pools, playgrounds, tennis courts, trails, and clubhouses used primarily for recreational purposes and open to all subdivision residents, may be counted as open space.
- F. **Stormwater Facilities.** Stormwater Facilities may be counted towards the open space requirement, provided they are designed in accordance the requirements of subsections 1 through 4. In cases where engineering requirements prevent design in accordance with these standards, such area shall be excluded from the Open Space calculation.

- 1. General Design.

- a. Stormwater Facilities shall be linked with Natural Areas or other Detention Facilities so as to create integrated systems of open areas connected with dedicated school lands, park lands, or public lands or trails within the development or on lands adjacent to it. Small, isolated detention facilities shall not be counted towards the open space requirement.
  - b. Trails shall generally be provided adjacent to Stormwater Detention Facilities outside of the 10 year storm elevation.

- 2. Grading

- a. Detention facilities shall be designed to be naturalized open space should include varied side slopes and an undulating bottom.
  - b. Side slopes shall vary and range from 4:1 to 20:1.
  - c. Use of walls shall be minimized. All walls proposed for the pond perimeter are required to have a high quality visual character (such as natural stone or integral color concrete with form liner). Walls should not exceed 30" in height. Fences may be required for safety.

- d. When feasible use a naturalized drainage channel to slow drainage, promote infiltration and allow for habitat establishment.
  - e. Naturalized rip-rap or cobble stones partially buried, broken edges, streambed appearance.
3. Planting
- a. Use shrubs and wetland plants strategically near inlets to soften the visual impact of these man-made structures without impeding storm drainage function. Avoid the use of exposed rip-rap. Rip-rap if used shall be a subtle earth tone color, not pink, and should be buried and integrated with erosion control matting, and planting to soften the visual impact and provide opportunities for habitat establishment. Other types of less intrusive erosion control materials which incorporate planting materials should be considered.
  - b. Concentrate wetland plantings in areas where erosion is anticipated or where favorable moisture zones are likely to exist. Since planned moisture levels are difficult to predict, plant species in, above, and below their ideal zone to accommodate for both high water and low water seasons.
  - c. Stockpile and redistribute (or import if necessary) a minimum of four inches of topsoil over areas to be planted.
  - d. Use non-persistent herbicide prior to planting to curtail weed establishment.
  - e. Incorporate erosion control blankets and/or appropriate mulch to reduce erosion and improve soil moisture conditions for new plantings.
  - f. Use wetland species in appropriate areas and pond bottoms likely to be too wet for regular mowing and maintenance.
4. Maintenance shall occur in accordance with the following standards:

- a. Use regular mowing as a primary weed control method during initial establishment period.
  - b. Limit use of chemical herbicides, and only use those appropriate for conditions. Use non persistent herbicides in upland areas, and aquatic approved herbicides near wet, wetland or water areas.
  - c. Suppress cattails for the first three to five growing seasons to allow less aggressive native species to establish.
  - d. Monitor and correct areas of erosion.
  - e. Limit irrigation and fertilization to that needed for plant establishment and specific designed needs. Naturalized areas with native plants are adapted to Colorado soils so should only require irrigation during the initial establishment period, and should not require fertilization. High-use or active recreation areas will require more regular irrigation and standard fertilization practices.
3. **Ownership and Management.** All Open Space shall require documentation that outlines the ongoing maintenance plans, as well as administrative and financial management of the space according to these standards. Open space shall generally be maintained in perpetuity either by the Property Owner, a Property Owner's Association, Metropolitan District, or other legal entity approved by the Town.

## **Article II Required Improvements**

### **Sec. 17-2-10. - General regulations for subdivisions.**

- (a) The subdivider or developer shall enter into an agreement with the Town to guarantee construction of all required improvements, including streets, curbs and gutters, driveways, sidewalks, storm drainage system, sanitary sewerage and potable water system.
- (b) Under such agreement, the subdivider or developer shall post a performance bond, letter of credit or similar security instrument drawn in favor of the Town in an amount equal to one hundred percent (100%) of the estimated cost of the construction of improvements.

- (c) Ninety percent (90%) of the performance bond, letter of credit or similar security document posted by the subdivider or developer shall be released upon complete construction acceptance of all public improvements by the Town. The balance of the performance bond, letter of credit or similar security instrument shall not be released until final construction of improvements has been completed and the Town has given its final acceptance of maintenance and repair of the improvements.
- (d) Dedication of land within a subdivision shall be required where easements for storm drainage, sanitary sewerage or other public utilities are necessary to permit agencies and utility companies to maintain utilities and render services to the subdivision.
- (e) The improvements required by the following sections shall be provided in each subdivision or development as appropriate to the particular type of development proposed and to the extent determined by the Planning Commission. Required improvements shall be constructed in accordance with the detailed design standards and specifications of the Town Engineer and shall be constructed in accordance with approved plans and profiles and the construction requirements and specifications of the Town Engineer.

**Sec. 17-2-20. - Utilities Improvements in Subdivisions.**

- (a) **Storm Drainage.** The analysis and design of drainage systems within the Town shall be subject to the Storm Drainage Design Criteria maintained by the Director of Engineering. The Director of Engineering shall have the authority to make modifications to the Storm Drainage Design Criteria.
- (b) **Sanitary sewerage system.** The analysis and design of sanitary sewage systems within the Town shall be subject to the Construction Standards & Specifications maintained by the Director of Engineering.
- (c) **Potable water system.** The analysis and design of potable water systems within the Town shall be subject to the Construction Standards & Specifications maintained by the Director of Engineering.
- (d) **Fire hydrants.** Fire hydrants shall be installed in accordance with the adopted Fire Code.
- (e) **Underground electric power and telephone distribution system.** Telephone lines and electric lines and other like utility services shall be placed underground unless not feasible. The subdivider shall be responsible for complying with the requirements of this Subsection, and he or she shall make the necessary arrangements, including any construction or installation of such facilities, and shall be subject to all applicable laws and regulations for the construction of the same. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities may be placed aboveground; electric transmission and distribution feeder lines and communication long-distance trunk and feeder lines and necessary appurtenances thereto may be placed aboveground. Such facilities shall be placed within

easements or public rights-of-way provided for particular facilities. Every effort shall be made to place pedestals as close to corner lot lines as possible. The provisions of this Subsection shall not apply to existing facilities or subdivisions platted prior to the adoption of this Chapter.

**(f) Nonpotable secondary water systems.**

(1) **Mandatory construction.** All new residential development within those areas of the Urban Growth Boundary of the Town designated by the Town Board as suitable for the construction of nonpotable secondary water systems, shall be required, as part of any subdivision process, to construct a nonpotable secondary water system for irrigation of all residential lots and common areas within the subdivision. Likewise, proponents of all new residential development shall provide for adequate nonpotable water in amounts sufficient in both quantities and quality to operate said system so that the system will provide an assured and sufficient amount of water to adequately irrigate all residential lots and common areas.

**(2) Private Management.**

(A) As a condition of subdivision approval of any residential development wherein a nonpotable secondary water system shall be required, such system shall be operated, repaired and maintained by a metropolitan district, homeowners' association or other public or private entity. The nature and structure of such entity shall be subject to approval by the Town, and the management entity and the Town shall enter into a written agreement prior to final subdivision approval to provide for the entity's management and operation of the nonpotable secondary water system and specifically providing for such credits as may be appropriate from the Town for the construction of such system, including reduced raw water dedication requirements reflective of the existence of a nonpotable secondary water system, as well as reduced water plant investment fees likewise reflective of the existence of the nonpotable secondary water system.

(B) Any agreement between the management entity and the Town shall also provide that the nonpotable water resources designated by the management entity for the operation of the nonpotable secondary water system shall be available both physically and legally in perpetuity, thereby assuring to the Town that in the event the management entity fails and the Town is subsequently required to operate the nonpotable secondary water system, adequate water resources will be available to the Town for the operation of the nonpotable secondary water system. Therefore, the agreement must also provide for the transfer of such water resources, as well as the water acquisition and distribution system, to the Town at its option, should the management entity be unable to operate, repair, maintain and replace the system so that it functions to provide a reliable and sufficient supply of nonpotable water for the purposes set forth in the agreement. The adequacy and reliability of the

nonpotable water resources shall be determined by the Town in its sole discretion. Any funds held by or for the management entity for the operation, repair, maintenance and replacement of such system shall also be transferred to the Town, with the use of such funds limited to the operation, repair, maintenance and replacement of such system.

(3) **Establishment of geographical areas where nonpotable secondary water systems shall be required.**

(A) Upon the adoption of the ordinance codified herein, the Town Board shall, by resolution, designate those areas within the Town's Urban Growth Boundary wherein the construction of a nonpotable secondary water system shall be required as a condition of development. Such designation by the Town shall include areas within the Urban Growth Boundary of the Town that have historically been irrigated by agricultural wells or ditch and canal systems, as well as other areas wherein, for reasons of topography and access to raw water, the construction of nonpotable secondary water systems is determined by the Town to be feasible.

(B) The Town may, by a resolution subsequently adopted and after appropriate findings, remove from or add to the original areas wherein nonpotable secondary water systems are required within the Town's Urban Growth Boundary.

(4) **Annexation.** The construction of a nonpotable secondary water system at the time of development shall be a condition of annexation when annexation is proposed for residential development in an area designated for the construction of nonpotable secondary water systems.

(5) **Feasibility review and determination.** In the event it can be established to the satisfaction of the Town Board that the construction of a nonpotable secondary water system as part of new residential development in an area designated for the construction of nonpotable secondary water systems is not economically feasible and would work an undue hardship, the Town Board may relieve the developer from the operation of the ordinance codified herein. Any such determination by the Town Board shall be conditioned upon compliance with the following conditions:

(A) The developer shall submit an application seeking relief from the operation of the ordinance codified herein on a form prescribed by the Town and containing such information and supporting documentation as may be required by the Town.

(B) The developer shall submit an analysis of the economic feasibility of the proposed nonpotable system using a standardized cost benefit analysis approved by the Town.



- (C) The developer may submit such additional information and documentation as may be deemed relevant in support of its proposition that the construction of a nonpotable system is not economically feasible and would work an undue hardship, including but not limited to, information concerning the availability and cost of raw water and issues of engineering relating to the delivery of raw water to the system in question.
  - (D) Upon receipt of the aforesaid application, cost benefit analysis and additional information and documentation, the Director of Engineering may, in his or her sole discretion, employ such engineers, financial analysts and such other experts as may be necessary to review and evaluate the data provided and to submit an independent analysis of the developer's application for relief from the operation of the ordinance codified herein. The reasonable and necessary expenses incurred by the Town shall be paid by the developer and shall be advanced by the developer as a condition of this process.
  - (E) Upon the completion of the independent analysis as aforesaid, the Director of Engineering, upon notice to the developer, shall schedule a hearing before the Town Board. At the time of the hearing, the developer and the Town shall each be afforded a full opportunity to present all relevant evidence in the form of testimony and exhibits. Within ten (10) days of the conclusion of the hearing, the Town Board shall prepare and submit a written decision affirming the requirements of the ordinance codified herein or providing the developer relief therefrom. The decision of the Town Board shall be final upon submission of its written decision.
- (6) **Regulations.** The Director of Engineering is hereby authorized to develop regulations for the construction and operation of nonpotable secondary water systems. Such regulations shall include, but shall not be limited to, specifications for transmission lines, connections, pumps and storage requirements for nonpotable water.

- (g) **Street lighting.** Street lights shall be provided in accordance with the Construction Standards & Specifications maintained by the Director of Engineering.

**Sec. 17-2-40. - Reference monuments in subdivisions.**

Permanent reference monuments shall be located and placed within the subdivision or development as required by state law. Iron pin monuments at least twenty-four (24) inches long and flush with the surface shall be placed at all points on boundary lines where there is a change in direction, at all block and lot corners and at other points as required by the Town Engineer.

**Sec. 17-2-50. - Maintenance of required improvements.**

Adequate provision for the satisfactory maintenance of streets and utilities improvements, including easements, shall be made by dedication of such improvements to the Town. Prior to acceptance by the Town, the improvements to be dedicated shall be inspected and approved by the Town Engineer.



# Land Use Code Update

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*Paul Hornbeck*

*Town Board/ Planning Commission November 4, 2019*



# “Menu” of Development Options

| Table 16-17-20 RMU-2 Lot Development Standards      |                                               |                         |                  |                   |                  |                     |                      |                      |                     |                 |
|-----------------------------------------------------|-----------------------------------------------|-------------------------|------------------|-------------------|------------------|---------------------|----------------------|----------------------|---------------------|-----------------|
| Building Type                                       | Vehicular Access                              | Lot Standards           |                  |                   | Minimum Setbacks |                     |                      |                      |                     | Building Height |
|                                                     |                                               | Min. Size (square feet) | Min. Width       | Max. Lot Coverage | Front            | Front Entry Feature | Side <sup>1</sup>    | Rear                 | Rear Abutting Alley |                 |
| Single Family Dwelling                              | Standard                                      | 6,000                   | 45'              | 60%               | 20'              | 15'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Limited                                       | 4,000                   | 35'              | 65%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Rear                                          | 2,500                   | 30'              | 65%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
| Standard Duplex                                     | Standard                                      | 4,000 <sup>2</sup>      | 35' <sup>2</sup> | 65%               | 20'              | 15'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Limited                                       | 3,000 <sup>2</sup>      | 30' <sup>2</sup> | 70%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Rear                                          | 2,500 <sup>2</sup>      | 25' <sup>2</sup> | 70%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
| Over-Under Duplex                                   | Standard                                      | 7,000 <sup>3</sup>      | 55' <sup>3</sup> | 60%               | 20'              | 15'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Limited                                       | 5,000 <sup>3</sup>      | 50' <sup>3</sup> | 65%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
|                                                     | Rear                                          | 4,000 <sup>3</sup>      | 45' <sup>3</sup> | 65%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 35'             |
| Townhouse                                           | Rear, or Parking Court                        | 1,400 <sup>4</sup>      | 17'              | 80% <sup>5</sup>  | 15'              | 10'                 | 5'                   | 10'                  | 5' <sup>6</sup>     | 40'             |
| Multiplex                                           | Rear, or Parking Court                        | 2,500 <sup>4</sup>      | 80'              | 70%               | 15'              | 10'                 | 5'                   | 10'                  | 5'                  | 40'             |
| Multifamily                                         | Rear, Parking Court, or Dispersed Parking Lot | 1,400 <sup>6</sup>      | 100'             | 80% <sup>5</sup>  | 20'              | 15'                 | ½ of building height | ½ of building height | 5'                  | 55'             |
| Commercial, Industrial, Mixed Use, or Institutional | Parking Court or Dispersed Parking Lot        | 5,000                   | 50'              | 80%               | 20               | 15'                 | 20'                  | 20'                  | 5'                  | 55'             |

<sup>1</sup> No side setback required for attached units

# RMU-2

- New zone
- Allows smaller residential lot sizes
- Additional requirements for parks, pedestrian oriented design, and minimum commercial acreage.



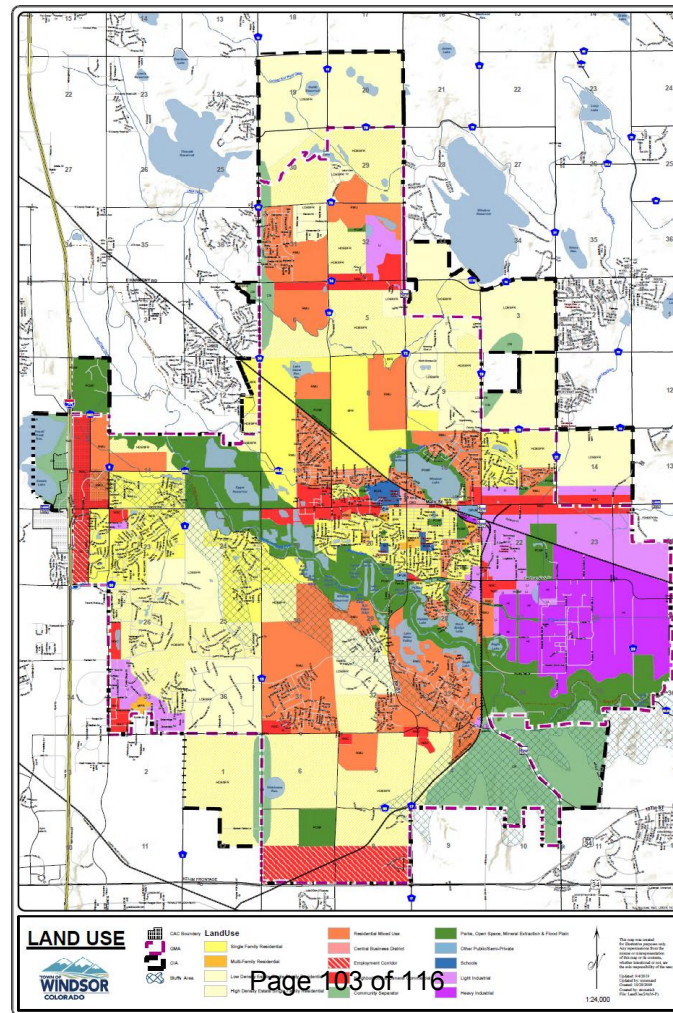
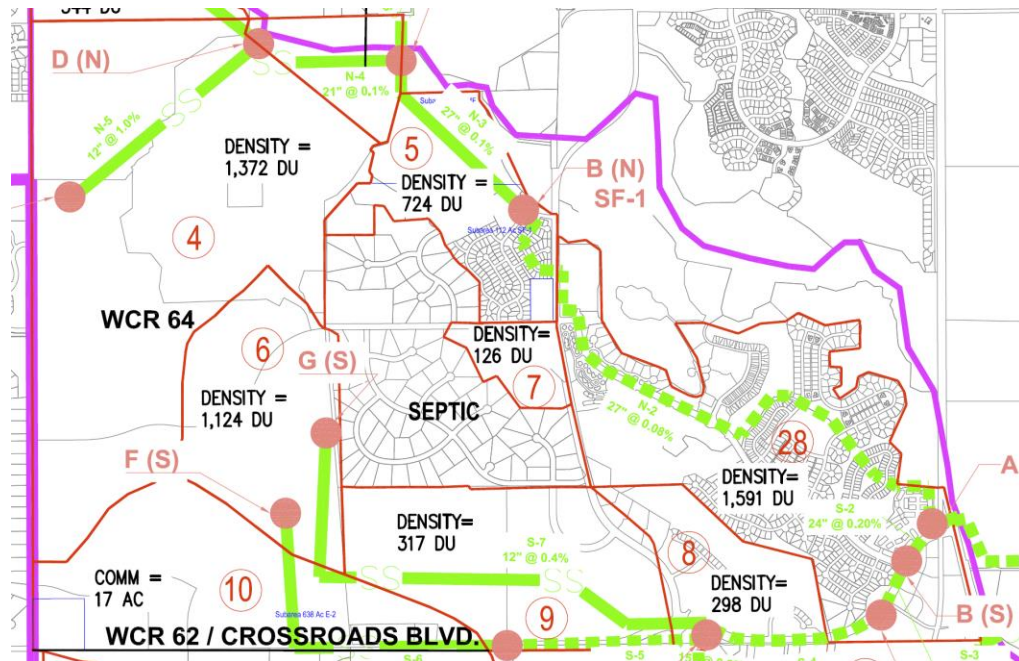
## SF-2

- Repurposed zone similar to RMU-2 but at a lower intensity without commercial or multifamily apartments.





# Density





# RMU-2 Vehicular Access



*Limited Access: side-loaded garage. Poudre Heights*



*Limited Access: recessed garage. New Windsor*



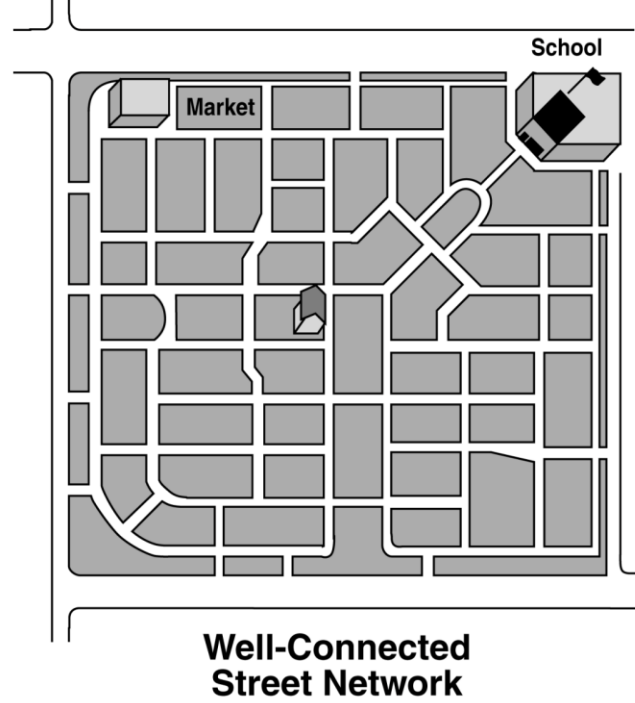
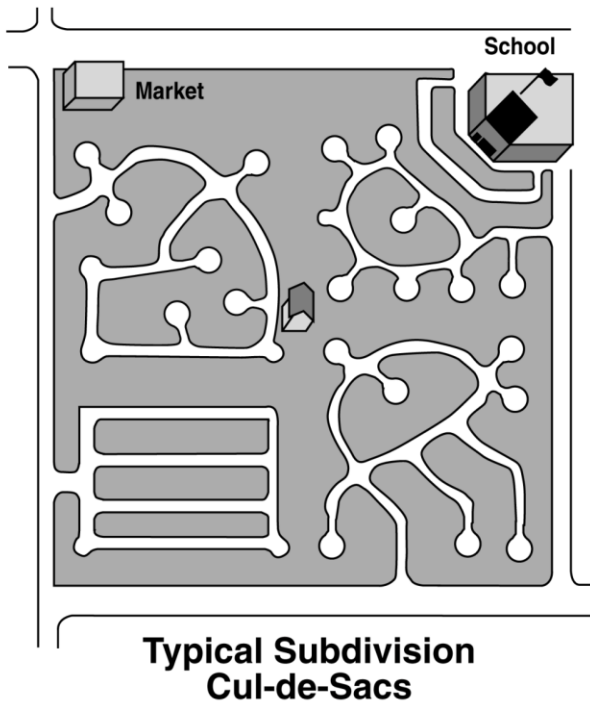
# Residential Rear Setbacks

## Rear Setbacks

| Zone District | Existing | Proposed |
|---------------|----------|----------|
| E-2           | 5'       | 10'      |
| SF-1          | 5'       | 10'      |
| SF-2          | 5'       | 10'      |
| RMU           | 5'       | 10'      |



# Connectivity



# Connectivity

| Table 17-1-10 Block Sizes & Connectivity |                                                |                      |                                                                                                                                                                                                                                                 |
|------------------------------------------|------------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Planning Context                         | Zone Districts                                 | Block Length         | Cul-de-sac Limits                                                                                                                                                                                                                               |
| Compact                                  | CB, RMU-2, SF-2, PUD (residential)             | 660' max. (1/8 mile) | Prohibited except for exceptions in accordance with Sec. 17-2-10(g). 440' maximum length when exception granted.                                                                                                                                |
| General                                  | RMU-1, SF-1, NC, GC, MF, PUD (non-residential) | 880' max (1/6 mile)  | 600' maximum length but should be avoided when feasible. When used the total number of lots on all cul-de-sac streets, shall not exceed more than 10% of lots in subdivision unless an exception is granted in accordance with Sec. 17-2-10(g). |
| Remote/<br>Campus                        | LI, HI, ER                                     | 1320' max (1/4 mile) | 600' maximum length                                                                                                                                                                                                                             |





# Open Space



Greenbelt



Natural Habitat



Stormwater facilities



Other Amenities



Pocket Park



Page 108 of 116  
Town Park



# Pocket Parks

| Zone District | Table 17-1-30 Pocket Park Requirements                                       |
|---------------|------------------------------------------------------------------------------|
| ER            | 10,000 square feet per 200 units required for conservation subdivisions only |
| SF-1          | 10,000 square feet per 200 units                                             |
| SF-2          | 10,000 square feet per 100 units                                             |
| RMU-1         | 10,000 square feet per 200 units                                             |
| RMU-2         | 10,000 square feet per 100 units                                             |
| MF            | 10,000 square feet per 200 units                                             |





# Double Frontage Lots



# Review Body

| Application Type                               | Current Decision Maker                         | Streamlined Decision Maker                  |
|------------------------------------------------|------------------------------------------------|---------------------------------------------|
| Conditional Use Permit (other than Oil & Gas)  | Town Board                                     | Planning Commission                         |
| Site Plan<br><br>(for multifamily development) | Town Board                                     | Staff                                       |
| Preliminary Major Subdivision                  | Planning Commission<br><br>(no public hearing) | Planning Commission<br><br>(public hearing) |
| Final Major Subdivision                        | Town Board<br><br>(public hearing)             | Staff<br><br>(no public hearing)            |



# Minor Subdivisions

Currently a Major Subdivision is required for:

- Any subdivision dedicating easements
- Any subdivision dedicating right-of-way (Town Board acceptance or vacation of right-of-way would still be required)
- Re-platting lot lines on six or more lots to adjust lot sizes without increasing density
- Non-residential subdivisions without a concurrent site plan involving a five or fewer lots





# Review Criteria

1. The layout and design of the final plat is in substantial compliance with the approved preliminary plat and master plan.
2. The final plat conforms with the *Comprehensive Plan*.
3. Residential density, if any, is consistent with the subject zone district, *Comprehensive Plan* and *Sewer Master Plan*, and any applicable utility capacity studies.
4. All lots meet the standards of the subdivision regulations and applicable zoning districts.
5. The construction plans for any utilities, infrastructure or public facilities meet all technical specifications.
6. Transportation design is consistent with the *Roadway Improvement Plan*, *Transportation Master Plan*, street connectivity standards in Chapter 17, and *Design Criteria & Construction Specifications*.
7. Provision of utilities to adequately serve the development in accordance with *Design Criteria & Construction Specifications* and any other adopted requirements.
8. Provision of park land in accordance with this Code which is acceptable to Parks Recreation, and Culture Department, if applicable.
9. Provision of open space in accordance with Chapter 17.
10. Provision of school site acceptable to the applicable school district, if applicable
11. The phasing and timing of public improvements ensures construction and performance guarantees.
12. The final plat complies with the recommendations of professional staff, or any other public entity asked to officially review the plat.



# Questions & Discussion





## FUTURE TOWN BOARD MEETINGS

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|                                |                                                                                                           |
|--------------------------------|-----------------------------------------------------------------------------------------------------------|
| November 11, 2019              | <del>Town Board Work Session</del> – Cancelled due to Veterans Day                                        |
| November 18, 2019<br>4:30 p.m. | Town Board Special Meeting<br>Final Budget Review<br>Water Rate Discussion<br>Storm Water Fees Discussion |
| November 25, 2019<br>5:30 p.m. | Town Board Work Session<br>Air Quality Monitoring Discussion Follow Up                                    |
| November 25, 2019<br>7:00 p.m. | Town Board Regular Meeting<br>Kern Board                                                                  |
| December 2, 2019<br>6:00 p.m.  | Town Board Work Session<br>Envivio Presentation                                                           |
| December 9, 2019<br>5:30 p.m.  | Town Board Work Session                                                                                   |
| December 9, 2019<br>7:00 p.m.  | Town Board Regular Meeting – Last Regular Meeting of the Year!                                            |
| December 16, 2019<br>6:00 p.m. | Town Board Work Session<br>Town Attorney, Town Manager and Town Board Social                              |
| January 6, 2020<br>6:00 p.m.   | Town Board Work Session                                                                                   |
| January 13, 2020<br>5:30 p.m.  | Town Board Work Session<br>Transportation Master Plan                                                     |
| January 13, 2020<br>7:00 p.m.  | Town Board Regular Meeting<br>Kern Board                                                                  |
| January 20, 2020<br>6:00 p.m.  | Town Board Work Session                                                                                   |
| January 27, 2020<br>6:00 p.m.  | Town Board Work Session                                                                                   |
| January 27, 2020<br>7:00 p.m.  | Town Board Regular Meeting                                                                                |

**Additional Events**

|                   |                                                                                                                         |
|-------------------|-------------------------------------------------------------------------------------------------------------------------|
| November 16, 2019 | Coffee with the Mayor, Coffee House 29, Windsor, CO 7:30-9:00 a.m. – attending: Melendez, Rennemeyer, Wilson            |
| December 5, 2019  | Transportation Master Plan Open House, WSFR Station No. 1, 4:00-7:00 p.m.                                               |
| December 7, 2019  | Transportation Master Plan Intercept Event in conjunction with Windsor Wonderland                                       |
| December 21, 2019 | Coffee with the Mayor, Senior Jalapeno, Windsor, CO 7:30-9:00 a.m. – attending: Melendez, Sislowksi, Rennemeyer, Wilson |

**Future Work Session Topics**

- Investment Strategy Discussion
- Land Use Code Update meeting with Planning Commission (next code section in series) – Planning
- Economic development/retail needs at 60,000 population