



TOWN BOARD JOINT WORK SESSION WITH PLANNING COMMISSION

August 22, 2022 - 5:30 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

To view Town Board meeting broadcasts, visit
www.windsorgov.com/MeetingsOnDemand.

AGENDA

GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.

Members of the Public in attendance are asked to be recognized by the Mayor before participating in any discussions of the Town Board

WORK SESSION AGENDA ITEMS

1. Energy Plan Update Presentation - S. Mezzetti, Senior Planner
2. Land Use Code Updates - C. Malone, Chief Planner / K. Emil, Assistant Town Attorney
3. Future Meeting Agenda

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: August 22, 2022
To: Mayor and Town Board
From: Sandra Mezzetti, Senior Planner
Re: Energy Plan Update Presentation - S. Mezzetti, Senior Planner
Item #: 1.

Background / Discussion:

The purpose of this item is to clarify outstanding questions and concerns regarding a request from Sustainable Windsor of Colorado for the Town to develop an energy plan through the Xcel Energy Partners in Energy Program.

Next steps: Upon approval from Town Board to pursue the program, staff will officially submit an application to the Xcel Energy Partners in Energy Program.

Financial Impact:

Potential energy savings for the Town through the reduction of energy use within Town facilities.

Relationship to Strategic Plan:

Fiscal Responsibility

Windsor is committed to sound fiscal management and transparency in all decision making. We plan for future generations through adequate allocation of resources that will allow for operations and maintenance of our facilities and land. We consistently evaluate our resources to maintain a healthy balance of programs and services.

Recommendation:

Town Board direction regarding the Xcel Energy Partners in Energy Program program.

CC:

Attachments:

1. Xcel Energy Action Plan Update
2. _SWC Letter to Shane Hale WTB_6.1.22



Partners in Energy Program Update: Concerns and Time Allotment

Sandra Mezzetti, Senior Planner

Town Board Work Session

August 22, 2022



Update Purpose

- Answer key questions from Town Board:
 - What is an Energy Plan?
 - What is required with the plan?
 - What is the program structure?
 - What is the role of the Town?
 - What are the benefits?
 - How would the goals be made tangible?
 - Are there metrics to measure success?
- Determine the availability of staff
- Next Steps



What is an Energy Plan

An Energy Plan is a public document on how to conserve and sustainably use electrical energy in Windsor at the residential, commercial and governmental levels. An Energy Plan is an opportunity to bring all community electrical energy usage issues under one umbrella e.g. residential, commercial, government buildings, streetlights, parks, etc. The **goal** would be to make each element more energy efficient.

Partners in Energy is a free program from Xcel Energy that supports the communities it serves by helping them develop and implement Energy Plans. Each community has its own unique energy needs and priorities and Partners in Energy services are tailored to complement each community's vision.



What is required with Energy Plan

The Partners in Energy program is usually a 2-year collaboration with Xcel Energy that includes planning and implementation support.

Typical 2-year engagement breakdown

Planning
(6 months)

Implementation
(18 months)

Program Structure

Planning Phase (6 months)





Program Structure

Implementation Phase – 18months





What is the Role of the Town





What are the Benefits

Achievable benefits through:
Stakeholder Coordination &
Community Engagement



Build Resiliency



Reduce Energy Use



Tackle Carbon Emissions



Promote Economic Development



How is Success Measured?

Partners in Energy is a data driven process which means the focus is setting goals and targets that can be modeled and tracked based on the selected strategies and goals.

- Sample goal metrics that can be tracked include:
 - Total energy use or consumption
 - Renewable energy use
 - Energy savings associated with energy efficiency program participation
 - Energy efficiency and renewable energy program participation
 - Greenhouse gas emissions avoided due to energy action
- Other target metrics that can be tracked include:
 - Number of residents reached through outreach (e.g., mailers, events, newsletters)
 - Number of participants in the program

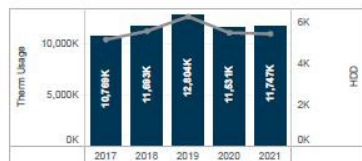
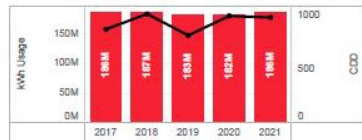


Metric Tracking Examples

Community Data Dashboard Xcel Energy Year-End Program Summary

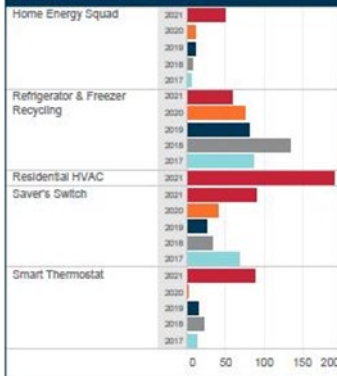


Utility Consumption & Premise Trends

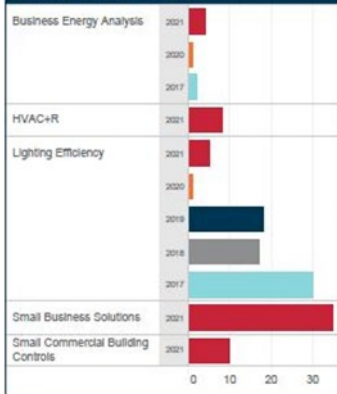


	2017	2018	2019	2020	2021
Cooling Degree Days (CDD)	881	1,026	824	1,007	992
Heating Degree Days (HDD)	5,218	5,632	6,339	5,549	5,496

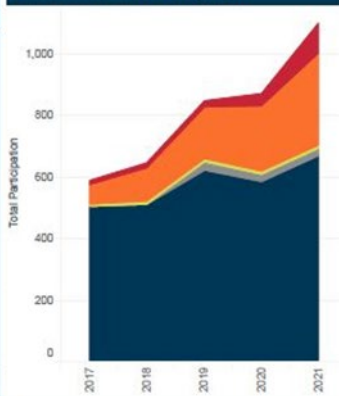
Top Energy Efficiency Programs - Residential Participation



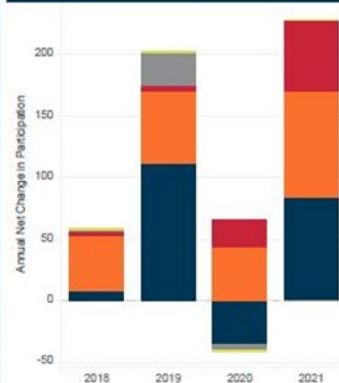
Top Energy Efficiency Programs - C&I & Municipal Participation



Total Renewable Participation



Annual Net Change Renewables Participation



Implementation Metrics

Energy Efficiency Program Participation

	2017	2018	2019	2020	2021
Commercial & Industrial	112	43	67	30	65
Municipal	4	1			1
Residential	464	664	729	424	553

Renewable Program Participation

	2017	2018	2019	2020	2021
Commercial & Industrial	2	3	10	9	9
Municipal	4	4	4	4	4
Residential	582	639	835	859	1,087

Total Renewable Program kWh

	2017	2018	2019	2020	2021
Commercial & Industrial	585,325	612,267	548,492	475,473	481,274
Municipal	779,310	822,921	794,335	827,654	703,013
Residential	1,204,142	1,296,844	1,318,129	1,702,537	1,861,493

Total Renewable Program Participation

	2017	2018	2019	2020	2021
Non-Solar*Rewards Net Metering Participation	64	109	168	212	298
Renewable*Connect Participation	0	0	27	23	23
Solar*Rewards Community Participation	8	9	10	9	10
Solar*Rewards Participation	12	16	20	41	98
Windsorsource Participation	504	512	623	587	671

Historical Windsorsource program data based on Community Energy Reports for 2016-2019.
Historical Renewable Connect program data based on Community Energy Reports for 2019.





Metric Tracking Examples

Community Data Dashboard Xcel Energy Year-End Program Summary



Energy Action Plan Impact

Period: November 1, 2019 to December 31, 2022

Cumulative kWh Savings



Cumulative Therm Savings



Cumulative DSM Participation



Cumulative GHG Emissions Avoided (MTCO2e)



Colored Bar: Progress Black Line: Goal

Energy Efficiency Program Participation

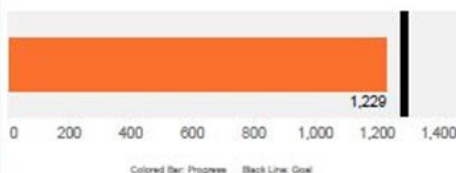
	2017	2018	2019	2020	2021
Commercial & Industrial	Business Demand Rate Programs				
					1
	Business Energy Analysis				
	2			1	4
	Commercial Refrigeration Efficiency				
	11	2	4		
	Compressed Air Efficiency				
			3		
	Computer Efficiency				
	10				
	Cooling				
	5	8	15	4	2
	Data Center Efficiency				
					1
	Energy Design Assistance				
					1
Municipal	Energy Efficient Buildings				
			3		
	HVAC+R				
					7
	Heating Efficiency				
	1		3		
	Lighting - Small Business				
	50	16	20	23	
	Lighting Efficiency				
	30	16	18	1	5
	Motor & Drive Efficiency				
	1	1	1		
	Non-Profit				
	2				
Residential	Small Business Solutions				
				35	
	Small Commercial Building Controls				
				10	
	Cooling				
	2				
	HVAC+R				
					1
	Lighting Efficiency				
		1			
	Motor & Drive Efficiency				
	2				
	Energy Savings Kits				
	82	51	127	54	22
Residential	Evaporative Cooling				
	42	19	47	52	
	High Efficiency Air Conditioning				
	52	65	57	78	
	Home Energy Audit				
	5	5	10	7	13
	Home Energy Squad				
	5	7	11	9	50
	Home Performance with ENERGY STAR				
	1	2			
	HomeSmart				
					1
	Insulation & Air Sealing				
	8	4	8	15	13
Residential	Multifamily Buildings				
	2		4	1	5
	Multifamily Weatherization				
	1				1
	Refrigerator & Freezer Recycling				
	86	134	79	76	58
	Residential HVAC				
					101
	Residential Heating				
	87	79	81	37	
	Saver's Switch				
	67	32	25	39	90
	Single-Family Weatherization				
	11	235	230	13	22
Residential	Smart Thermostat				
	12	21	14	2	88
	Thermostat Optimization				
		6	33	38	
	Water Heating				
	3	4	3	2	

Implementation Progress

Commercial Participation

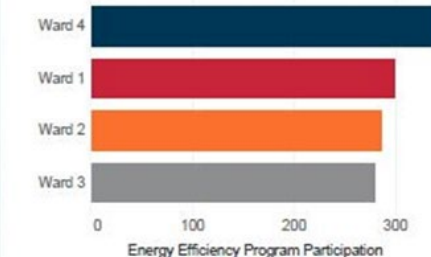


Residential Participation



Colored Bar: Progress Black Line: Goal

Ward Challenge



Implementation Highlights

- 76 Home Energy Squad and Home Energy Squad Plus visits completing in 2021 as part of the Home Energy Squad Buy-Down. This resulted in 23,433 kWh and 1,331 therms in savings
- Attended annual business appreciation event, providing easy-to-install energy efficiency supplies for 3 small business raffle winners
- Met with Northglenn Marketplace to drive participation in LED lighting and inform other potential upgrades as the property undergoes redevelopment
- Met with Northglenn Marketplace to drive participation in LED lighting and inform other potential upgrades as the property undergoes redevelopment
- Began tracking all municipal facilities in ENERGY STAR® Portfolio Manager
- Distributed outreach materials and over 300 LED kits at summer Grab-and-Go events, including a full moon bike ride, a volunteer appreciation event, and the 4th of July festival
- Kicked off development of an EV Action Plan

Implementation Activities

Activity	Count
1 on 1 Biz Outreach	200
LED Bulbs and Kits Distributed	425
Northglenn Now e-Newsletter Opens	1,900
Social Media Views	13,600



Projected Time Commitment Community Lead (Town Staff)

Planning
(6 months)

10-15 hours per month

Implementation
(18 months)

5-15 hours per month

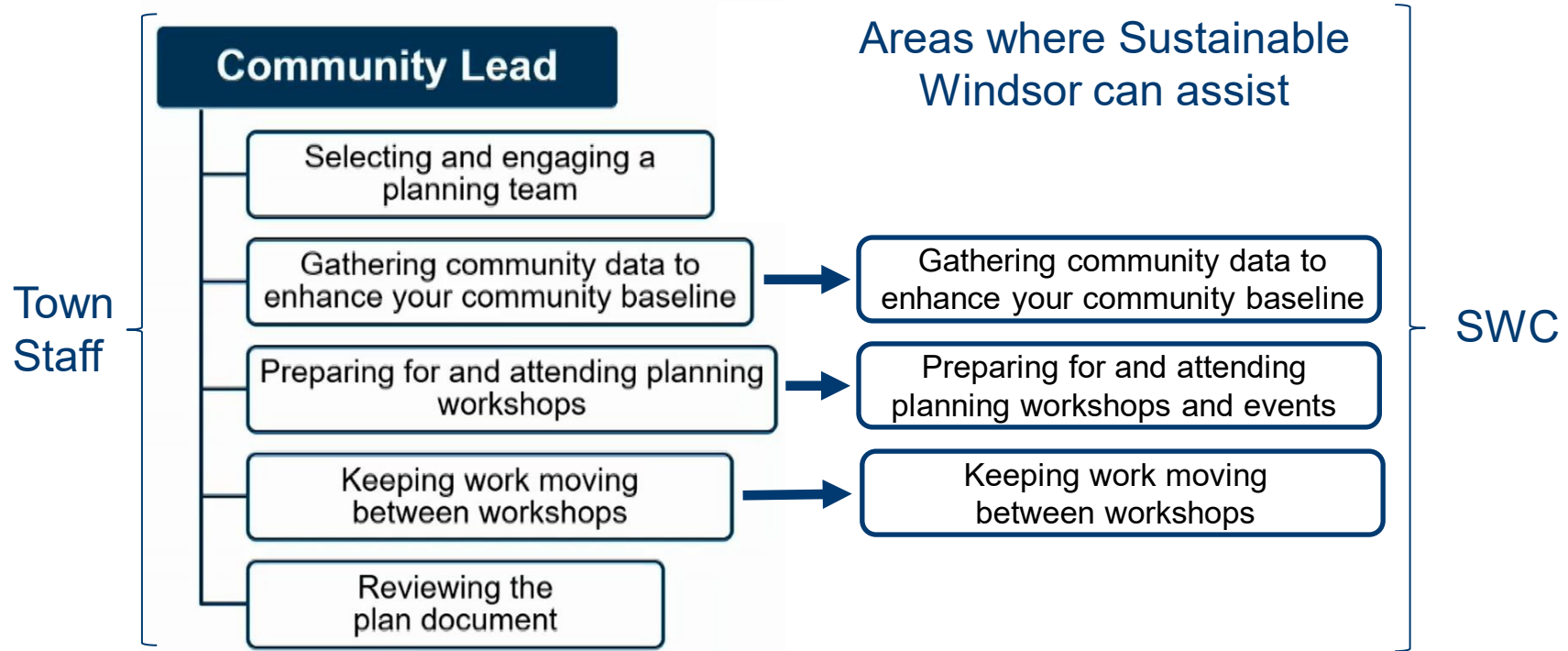
Staff would be available for approximately 5-10 hours per month.

Four volunteer members from Sustainable Windsor Colorado have agreed to contribute between 25-30 hours a month to the project.



Project Time Commitment

Sustainable Windsor, Colorado





Next Steps

Town Board
gives approval to
submit the application
for the Partners in
Energy Program

Town of Windsor
develops and
approves an
Energy Action Plan

Integrate the
Energy Action Plan
into the
Comprehensive Plan

Questions?

June 1, 2022

Shane Hale, Windsor Town Manager
Windsor, Colorado

RE: Proposed application for Xcel Energy, Partners in Energy Program and staffing alternatives for the same

Dear Shane,

Please find attached a revised application to the Xcel Energy Partners in Energy Program as proposed by Sustainable Windsor, Colorado (SWC) and assisted by Town of Windsor intern Kurtis Cunningham and The Brendle Group.

We understand your concerns regarding staffing. Two points we would offer with regard to staffing are:

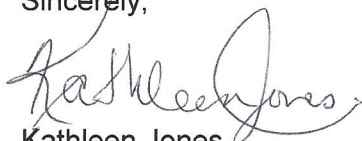
1. The estimated staffing time of 15-20 hours per month (for one staff person) would only be necessary during the initial 4-6 months of the Energy Plan development and adoption process. If any time of an additional staff member is necessary, then only 4-6 hours per month would be required. During the implementation phase (12 months), the time requirements for a primary staff person could drop to 10-15 hours per month. Additional staff member participation would probably remain at 4-5 per month each.
2. SWC suggests there are multiple staffing opportunities and resources available to Windsor to make the Energy Plan workable. SWC, Xcel Energy, and various Colorado agencies, and Universities would be happy to help make this program a reality for Windsor.

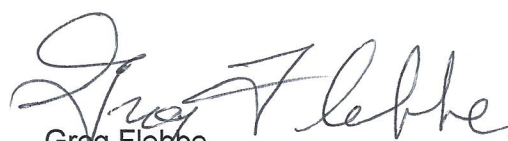
You can be assured that SWC will be supporting the Town of Windsor during the entire process from the upcoming meeting with the Town Board through the plan implementation phase. Four SWC members have agreed to contribute between 25-30 hours a month to the project. SWC members and Town of Windsor staff support of the Partners in Energy program will assure the necessary energy and support to make it successful.

SWC looks forward to working with the Town of Windsor and Xcel Energy through the Partners in Energy Program to determine the unique energy needs and priorities and tailoring an Energy Plan that represents the Windsor community vision. SWC would be happy to do an additional presentation or workshop to the Town Board to update them or help answer any additional questions.

If you have any further questions, please feel free to contact us.

Sincerely,


Kathleen Jones
Sustainable Windsor, CO


Greg Flebbe
Sustainable Windsor, CO

Cc: Sandra Mezzetti (smezzetti@windsorgov.com)

Attachments:
Xcel Energy Partners in Energy Program Application (draft)
Windsor Map of Energy Providers



MEMORANDUM

Date: August 22, 2022
To: Mayor and Town Board
From: Carlin Malone, Chief Planner
Kim Emil, Assistant Town Attorney
Re: Land Use Code Updates - C. Malone, Chief Planner / K. Emil, Assistant Town Attorney
Item #: 2.

Background / Discussion:

Chapters 14 through 18 of the Town's Municipal Code, which collectively make up the Town's Land Use Code, were updated in February 2021. Implementation of the code in the time since adoption has revealed some areas that were inadvertently omitted and other areas in need of minor revision. The following updates for Chapters 14-17 consist primarily of necessary corrections or clarifications, with some proposed amendments where action is needed to resolve ongoing issues with the current code.

This memo summarizes the proposed changes and reasons behind those changes. The draft code sections are attached for review.

Sections 3 through 14 and Sections 16 through 20 include minor revisions, such as incorrect references and missing information, while Sections 15, 1 and 2 require further explanation. This memorandum discusses the minor revisions first, followed by those sections requiring further explanation.

Section 3

The definition of "undue hardship" was inadvertently omitted from section 14-2-150(c)(1) regarding the criteria for approval of a variance by the Board of Adjustment. The old definition will be restored:

For the purposes of this Section, undue hardship shall be defined as a situation where the property cannot be reasonably used under the conditions allowed by this Code. The situation shall result from circumstances unique to the property and shall not be created by the landowner. The variance, if granted, shall not alter the essential character of the surrounding neighborhood. Economic considerations alone shall not constitute an undue hardship if a reasonable use for the property exists under the provisions of this Code. It is the responsibility of the landowner to prove that an undue hardship exists.

Section 4

Comprehensive plan amendment, Section 14-2-200. The public notice requirement will be amended to match the requirements within Table 14-2-10(h) – Public Notice Requirements. Further language regarding the notification process will be added, consistent with state statutes.

Section 5

Thirty-six (36) definitions in Article V of Chapter 14 were inadvertently omitted and will be restored.

Section 6

Sec. 15-5-10(c) incorrectly references Table 16-10-30(a) so it will be amended to reference the correct table, Table 15-5-10(a).

Section 7

There was an error in section numbering in Section 15-5-20 that will be corrected.

Section 8

Section 15-5-20(g) will be added. The code previously prohibited parking lots that required backing into right-of-way due to safety concerns. This requirement was inadvertently removed in the code update and will be restored with this ordinance.

Section 9

Table 15-3-30(b)(8)(C) – Zone Boundary Bufferyard Standards – inadvertently listed a landscaped bufferyard as being required between two properties both zoned Limited Industrial, when the intent was to require bufferyards between different, potentially incompatible zone districts. Therefore, this requirement will be removed.

Additionally, the buffer requirement for residential development proposed next to Heavy Industrial was insufficient. Therefore, the buffer requirement will be changed from “A” to “B” to ensure an appropriate buffer.

Section 10

Section 15-5-30(m) will be added to restrict off-street parking lots from being designed with spaces requiring vehicles to back into any public or private street.

Section 11

Section 15-8-40(10)(a) references an incorrect section. Chapter 15, Article II Site Lighting will be changed to Chapter 15, Article XII, Site Lighting.

Section 12

Article XI of Chapter 15 regarding Fences and Walls is proposed to be updated due to concerns staff have heard from homeowners living adjacent to businesses. Proposed changes are:

- Allow fences to be a maximum of 8’ tall rather than 6’ when abutting a commercial/industrial use
- Allow fences across the street from commercial/industrial uses to be 8’ tall rather than 6’ tall, provided the area over 6’ in height is at least 50% transparent.

Section 13

Regarding the Town Historic Preservation Commission actions, an error in Section 15-16-40 (1) states “improve” instead of “approve” and will be corrected. Additionally, clarification has been added regarding the actions the commission could take on an application for designation. Last, language was added regarding the written report of the commission’s decision to the Town Board for consideration and final action.

Section 14

The previous Code included two estate residential zones: E-1 and E-2. The E-1 zone was originally intended to allow septic sewer systems on lots over 2.5 acres in size, which the Town no longer allows. Since septic is no longer allowed, the update combined the two estate zones into a single zone; however, it failed to include two sets of standards needed to ensure consistency with the historical development patterns of the two zones. Therefore, this update includes different standards for lots less than 2.5 acres in size and lots greater than 2.5 acres in size.

Accessory uses for the Estate Residential zone district were inadvertently omitted in the code update and are being restored.

Section 16

Correction of a typographical error is needed in Table 16-1-70, Footnote 3.

Section 17

Section 16-3-10 – Accessory Buildings. Staff have found both the old and updated code to be overly restrictive on the location of accessory structures on corner lots, particularly when a homeowner wants to install a shed. Accessory structures are currently required to be located behind the rear corner of the principal building. This is especially burdensome for corner lots. The proposed update allows accessory structures:

- greater than 120 square feet to adhere to the setbacks required within the applicable zoning district in which the building is located.
- less than 120 square feet (i.e., small sheds) to be located adjacent to the secondary front on corner lots, if a fence is provided for screening.

Table 16-3-10(a) Accessory Building Location Requirements			
Type		Relative to Primary Front Lot Line ³	Location Relative to Secondary Front Lot Line ⁴
Large Accessory Building ¹		Shall be located no closer to a principal front lot line than the front façade of the primary building	Shall be located no closer to a secondary front lot line than the front corner of the primary building
Small Accessory Building ²	Non-Residential Property	Shall be located no closer to a principal front lot line than the front façade of the primary building	Shall be located no closer to a secondary front lot line than the front corner of the primary building
	Residential Property	Shall be located no closer to a principal front lot line than the front façade of the primary building	Shall be located no closer to a secondary front lot line than the front corner of the primary building, unless located behind a solid fence which is at least 5' in height.
¹Large Accessory Building, in accordance with Chapter 14, Article V, means an accessory building which is greater than 120 square feet in size or greater than ten feet in height. ²Small Accessory Building, in accordance with Chapter 14, Article V, means an accessory building which is 120 square feet or less in size and 10 feet or less in height ³Primary Front Lot Line, in accordance with Chapter 14, Article V, means, in the case of lots with more than one (1) 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. ⁴Secondary Front Lot Line, in accordance with Chapter 14, Article V, means, all front lot lines other than principal front lot line shall be considered secondary front lot lines.			

Section 18

Section 17-2-10. – General regulations for subdivisions.

The amendments proposed for this section are clarifications, including the clarification that the Town requires financial security for the construction of private streets not intended for dedication to the Town, as well as storm drainage improvements, but such security will be returned in full upon satisfactory inspection

of the improvements.

Section 19

The reference to “Engineering Manager” will be amended to “Director of Community Development or designee” in several sections of Chapter 17.

Section 20

The reference to “Sanitary sewerage system” will be amended to “sanitary sewer system” in Section 17-2-20(b).

Sections with further information and explanation.

Section 15

Section 16-1-50. – Single-family attached residential (SF-2) District.

This zone district existed under the previous code and had never been used. Modifications were made to this zone district to broaden the uses and lot standards with the thought that smaller parcels or infill areas could utilize this zone district; however, both the MF (Multifamily) residential zone district and RMU-1 (Residential Mixed Use-One) zone districts offer the same housing diversity that SF-2 offers for properties of any acreage. The SF-2 zone district does not require amenities or open space requirements per unit, as compared with the RMU-1 or MF zone districts, essentially creating a loophole from these requirements.

Therefore, the SF-2 zone district would be retired. The two properties that have been zoned SF-2 since the code update (Trevenna Annexation and a portion of the Tacincala Annexation) would retain this zone district and be specifically identified in this update.

Section 16-1-50(e)(1) will be amended to delete the term “cottage dwellings” from the SF-2 zone district list of principal uses. There currently is no definition for cottage dwellings and this term has been deemed unnecessary.

Section 1

There are currently conflicts between the Public Notice Requirement table and the respective sections for both the minor variance notification and major variance notification. Currently, the minor variance application requires a greater radius (300') than the major variance application (150').

Section 14-2-10(h) – the chart referencing the minor variance public notification radius requirement of 150' is correct; however, the minor variance section requiring a 300' notification radius, conflicts with the table. Section 14-2-10(h) – the chart referencing the major variance public notification radius requirement of 150' is incorrect and should have been a 300' radius.

Background.

The intent was for the *minor* variance notification to notify any immediate adjacent neighbor; thus, the 150' radius. A minor variance is a deviation of no more than 10% from a requirement:

- one (1) foot, whichever is less
- 2% reduction in a minimum lot area
- 2% increase in lot coverage or
- to correct a legally established condition.

A major variance (Section 14-2-150) applies to any deviations beyond the items above, which could impact properties beyond the immediately adjacent properties; therefore, the intent was to have a greater notification area of 300'. The notice section was added to the major variance section for consistency (with the minor variance section) and clarity.

Section 14-2-140(d) Notice. The objection and resolution period for a variance will change from ten (10) days to fifteen (15) days to allow for a reasonable timeframe for an applicant and party objecting to the

variance to resolve matters prior to the Board of Adjustment public hearing.

Section 2

Table 14-2-10(h) Public Notice Requirements table incorrectly references Sec. 14-2(h)(6)(D)) instead of Section 14-2-10(h)(6)(E).

Comprehensive Plan Amendment, Land Use Map Amendment, and Variance timing of public hearing notice will be modified from ten (10) days to fifteen (15) days to be consistent with the timing required for rezoning hearings and state statutes.

Table 14-2-10(h) Public Notice Requirements					
	Posted	Published	Mailed	Distance	Timing
Annexation	☒	☒	☒	500'	See Sec. 14-2-30 14-2(h)(6)(D))
Appeals	☒	☒	☒	500'	10 days
Code Amendment		☒			10 days
Comprehensive Plan Amendment	☒ *	☒	☒ *	500'	15 days 10 days
Conditional Use Permit	☒	☒	☒	500'	10 days
Conditional Use Permit Oil & Gas, Gravel Mining	☒	☒	☒	500'	10 days
Height Modification	☒	☒	☒	500'	10 days
Land Use Amendment	☒	☒	☒	500'	15 days 10 days
Master Plan	☒	☒	☒	500'	10 days
Neighborhood Meeting		☒	☒	500'	10 days
Rezoning	☒	☒	☒	500'	15 days
Subdivision, Major – Final Plat	☒	☒	☒	500'	10 days
Subdivision, Major - Preliminary Plat	☒	☒	☒	500'	10 days
Substantial Change Hearing	☒	☒	☒	500'	10 days
Vacation of ROW or Easement	☒	☒	☒	Abutting	10 days
Variance	☒	☒	☒	150' 300'	15 days 10 days
Variance, Minor	☒	☒	☒	150'	See Sec. 14-2-140(d) 14-2(h)(6)(D))

*Required for amendments to Land Use Map

** Distance calculations shall exclude rights of way and private drives

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

Staff requests Planning Commission and Town Board direction on the proposed land use code

amendments.

CC:

Scott Ballstadt, Director of Planning

Attachments:

1. Redlined Ordinance Amending Land Use Code

TOWN OF WINDSOR

ORDINANCE NO. 2022-

AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE WINDSOR MUNICIPAL LAND USE CODE CONCERNING AMENDMENTS TO CHAPTERS 14-17

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

WHEREAS, the Town has deemed it to be in the best interests of the health, safety, and welfare of the residents of Windsor to keep the content of the *Windsor Municipal Code* (“Code”) current by making certain corrections and amendments from time to time; and

WHEREAS, the Town created and adopted the Windsor Land Use Code consisting of Chapters 14, 15, 16 and 17 of the Windsor Municipal Code on January 14, 2020, by Ordinance No. 2020-1620; and

WHEREAS, since adoption, the Town has become aware there were certain items omitted, and other items needed clarification; and

WHEREAS, the Town of Windsor desires to amend certain portions of the Land Use Code; and

WHEREAS, the Town intends that all previously enacted and adopted provisions pertaining to the Windsor Land Use Code shall remain intact as adopted unless expressly amended herein; and

WHEREAS, the amendment of the foregoing codes serves to promote the public health, safety, and welfare of the Town.

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

Section 1. Section 14-2-140(d) [Minor variance notice] is amended and shall read as follows:

14-2-140(d) Notice. Notice of the variance request shall be provided to adjacent neighboring property owners pursuant to within **one hundred fifty (150)** ~~three hundred (300)~~ feet of any boundary of the subject property, at the time the application is accepted by the Town. The notice shall state that any comments or objections must be received by the Planning Department within **fifteen (15)** ~~ten (10)~~ days of the date of the Notice. If an objection is received by the Town, the applicant shall address the objection within **fifteen (15)** ~~ten (10)~~ days of the Notice of Objection provided to the applicant by the Town. If the objection cannot be resolved within the **fifteen (15)** ~~ten (10)~~ days, the variance request shall be forwarded to the Board of Adjustment for a decision.

Section 2. Table 14-2-10(h) is hereby amended and shall read as follows:

Table 14-2-10(h) Public Notice Requirements					
	Posted	Published	Mailed	Distance	Timing
Annexation	☑	☑	☑	500'	See Sec. 14-2-30 14-2(h)(6)(D)
Appeals	☑	☑	☑	500'	10 days
Code Amendment		☑			10 days
Comprehensive Plan Amendment	☑*	☑	☑*	500'	15 days 10 days
Conditional Use Permit	☑	☑	☑	500'	10 days
Conditional Use Permit Oil & Gas, Gravel Mining	☑	☑	☑	500'	10 days
Height Modification	☑	☑	☑	500'	10 days
Land Use Amendment	☑	☑	☑	500'	15 days 10 days
Master Plan	☑	☑	☑	500'	10 days
Neighborhood Meeting		☑	☑	500'	10 days
Rezoning	☑	☑	☑	500'	15 days
Subdivision, Major – Final Plat	☑	☑	☑	500'	10 days
Subdivision, Major - Preliminary Plat	☑	☑	☑	500'	10 days
Substantial Change Hearing	☑	☑	☑	500'	10 days
Vacation of ROW or Easement	☑	☑	☑	Abutting	10 days
Variance	☑	☑	☑	150' 300'	15 days 10 days
Variance, Minor	☑	☑	☑	150'	See Sec. 14-2-140(d) 14-2(h)(6)(D)

*Required for amendments to Land Use Map

** Distance calculations shall exclude rights of way and private drives

Section 3. Portions of section 14-2-150, concerning major variances is hereby amended by amending subsection (c)(1) and creating subsection (f) to read as follows:

Sec. 14-2-150(c)(1). Special circumstances exist that strict application of the standards adopted in this development code would result in undue hardship ~~or practical difficulties~~ for the owner of such property. **[added language in red]** For the purposes of this Section, undue hardship shall be defined as a situation where the property cannot be reasonably used under the conditions allowed by this Code. The situation shall result from circumstances unique to the property and shall not be created by the landowner. The variance, if granted, shall not alter the essential character of the surrounding neighborhood. Economic considerations alone shall not constitute an undue hardship if a reasonable use for the property exists under the provisions of this Code. It is the responsibility of the landowner to prove that an undue hardship exists.

Section 14-2-150(f) Notice. Notice of the variance request shall be provided to adjacent neighboring property owners within three hundred (300) feet of any boundary of the subject property, at the time the application is accepted by the Town. The notice shall state that any comments or objections must be received by the Planning Department within fifteen (15) ten of the date of the Notice. If an objection is received by the Town, the applicant shall address the objection within fifteen (15) days of the Notice of Objection provided to the applicant by the

Town. If the objection cannot be resolved within the fifteen (15) ten, the variance request shall be forwarded to the Board of Adjustment for a decision.

Section 4. Section 14-2-200 is hereby amended by removing the requirement to refer to Town Board for recommendations to Planning Commission, and shall read as follows:

Sec. 14-2-200. – Comprehensive plan amendment.

(Redline) The Planning Commission may amend, supplement, change or repeal the Comprehensive Plan and Land Use map boundaries set forth in this Code, after public hearing, thereon at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in a newspaper of general circulation. ~~notice and hearing as provided in Code and after first submitting the proposal to the Town Board for recommendation. The Town Board shall submit a written recommendation to the Planning Commission within forty five (45) days after receipt of such submittal. Upon failure of the Town Board to submit a recommendation within forty five (45) days, the Planning Commission may amend, supplement, change or repeal the Comprehensive Plan and Land Use map boundaries, after public notice and hearing as provided in this Code.~~

Section 5. Chapter 14, Article V is hereby amended by adding the following definitions to be inserted in the existing definitions by alphabetical order:

Clinic, medical or dental means a group of medical or dental offices organized as a unified facility to provide medical or dental treatment as contrasted with an unrelated group of such offices but not including bed-patient care.

Enclosed storage facilities mean facilities intended or used for the public or private keeping of personal property and which are fully screened from view from public and private streets and neighboring properties, and within which the keeping of personal property is the intended or actual principal use of the property. Enclosed storage facilities include, but are not limited to, fully enclosed storage units (i.e., structures consisting of four [4] walls and a roof).

Farmers markets means the sale of agricultural products in a marketplace setting, consisting of multiple booths in a single location on consistent days of operation.

Gasoline service station means a place where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and including facilities for greasing, oiling, washing and minor repair of vehicles on the premises but not including major automatic car washing or any body repair facilities.

Hospital means an institution intended primarily for the medical diagnosis, treatment and care of patients being given medical treatment. A *hospital* shall be distinguished from a clinic by virtue of providing for bed-patient care.

Hotel means a building in which lodging with or without meals is offered for compensation but not including kitchen facilities in individual rooms.

Kennel means any establishment wherein or whereon the business of boarding, training, selling, or breeding dogs for sale is carried on, not, however, including veterinary hospitals, veterinary clinics, veterinary offices, or pet shops. If the occupants of any dwelling unit harbor more than four (4) dogs over the age of six (6) months, such occupants shall be deemed to be operating a kennel.

Minor tenant means any use that (1) contains gross leasable area (GLA) equal to or less than five thousand (5,000) square feet and (2) if part of a multiple tenant building, the use is not the largest tenant, in terms of GLA, in the building that it occupies.

Manufactured home means a single-family dwelling which:

- a. Is partially or entirely manufactured in a factory;
- b. Is not less than twenty-four (24) feet in width and thirty-six (36) feet in length;
- c. Is installed on an engineered permanent foundation;
- d. Has brick, wood, masonite or a cosmetically equivalent exterior siding and a pitched roof;
- e. Meets or exceeds on an equivalent performance engineering basis standards established by the Building Code of the Town.
- f. Is certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. § 5401, et seq., as amended.

Motel means a building or series of buildings in which lodging is offered for compensation and which is distinguished from a hotel primarily by reason of providing direct independent access to and adjoining parking for each rental unit.

Outdoor recreational facilities mean land and structures, along with accessory equipment, designed and utilized for leisure-time activities of a predominantly outdoor nature and of more specific purposes than passive park-like open areas and further classified as follows:

- a. *Public* - Facilities owned and operated by a governmental agency for limited or general public use.
- b. *Private commercial* - Facilities owned and operated by an individual or group for profit as a business, whether or not open to general public use.
- c. *Private group* - Facilities owned and operated by a group for the exclusive use of the members of such group and their guests and not for profit as a business.

d. *Private residential* - Facilities owned by an individual, located on the same lot as or an adjoining lot to his or her residence and intended solely for the use of his or her family and guests.

Outdoor storage, accessory means any outdoor keeping of personal property that is normally auxiliary to the principal industrial use.

Place of assembly (large) means a building with a seating capacity exceeding four hundred (400) persons, located adjacent to one (1) or more major collector or arterial streets, and intended to be used entirely, or in part, for the gathering together for such purposes as presentations, deliberation, entertainment, amusement or awaiting transportation services. Such uses shall include, but shall not be limited to, religious institutions, lodges, community halls, community centers, funeral parlors and funeral homes, libraries, museums, municipal buildings, meeting halls, auditoriums, and theaters.

Place of assembly (small) means a building with a seating capacity not to exceed four hundred (400) persons, intended to be used entirely, or in part, for the gathering together for such purposes as presentations, deliberation, entertainment, amusement or awaiting transportation services. Such uses shall include, but shall not be limited to, religious institutions, lodges, community halls, community centers, funeral parlors and funeral homes, libraries, museums, municipal buildings, and meeting halls.

Private lodge or club means a structure or grounds used for regular or periodical meetings or gatherings of a group of persons organized for a nonprofit purpose but not groups organized to render a service customarily carried on as a business.

Professional office means the office of a doctor, dentist, architect, engineer, lawyer, or other similar recognized profession.

Real estate signage means a temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

Religious institution means any building used for nonprofit purposes by an established religious organization holding either tax exempt status under Section 501(c)(3) of the Internal Revenue Code or applicable state law, where such building is intended to be used as a place of worship.

Retail store means a commercial establishment for the sale of material goods or commodities in relatively small quantities directly to the consumer.

Seasonal sales mean temporary sales of a product or service which is holiday-specific, such as Christmas tree sales, Halloween pumpkin sales and the like, whether or not such product or service is offered for distribution from a temporary structure.

Seasonal sales permit means any approval for seasonal sales issued by the Director of Planning pursuant to the provision of this code

Sign means any structure or part thereof or any device attached to a structure, or any other form of visual communication applied by paint, illumination, embossing or other technique to a structure for the purpose of directing advertising, informing, warning or otherwise conveying information visually to the viewer.

Sign, directional means a sign intended solely for the purpose of guiding or directing pedestrian or vehicular traffic within an establishment and not including promotional advertising unnecessary to such directional purpose. Examples of directional signs include "entrance," "exit," "no parking" or "loading only" and other similar directives. *Directional signs* shall not count toward the overall total number of signs on the site due to their informational nature as opposed to signs used for promotion or advertising.

Sign, individual letter means signs which consist of individual letters that are mounted to a wall, or individual letters mounted to a "raceway" base to be mounted to a wall, which utilize the building wall as the background, or freestanding individual letters that are mounted to a monument base.

Sign, off-premises means a sign not directly related to the use of the premises on which such off-premises sign is located.

Sign, regulatory traffic means traffic control and informational signage typically erected or required to be erected by government agencies such as the Town or the Colorado Department of Transportation.

Sign, teardrop means a lightweight, vertically oriented, freestanding, tapered banner-type sign not exceeding fifteen (15) feet in height from the base to the top of the sign.

Small group living facilities means state-licensed group homes for the developmentally disabled or mentally ill, nonprofit, or owner-occupied group homes for the aged as defined in Section 31-23-303(2), C.R.S., wherein not more than eight (8) unrelated individuals are living together in a single dwelling unit with common access to and common use of all living and eating areas and all facilities for the preparation and serving of food within the dwelling unit. None of the residents of small group living facilities shall receive on-site medical or psychological treatment, therapy, or counseling, but some or all of the residents may receive physical assistance with day-to-day living activities.

Street frontage means that portion of a legal lot which abuts a designated public or private street. For the purpose of overall development identification sign calculations, the street frontage shall be calculated as the street frontage that abuts a street classified as an arterial or collector adjacent to the property upon which the overall development is located.

Structure means a combination of materials, other than natural terrain or plant growth, erected or constructed to form a shelter, enclosure, retainer, window well, container, support, base, or decoration. The word *structure* includes buildings.

Structure, principal means the structure on a lot in which the principal use is conducted (see use, principal).

Telecommuting means the conduct of business-like activities in a residential dwelling unit that:

- a. Is clearly incidental to and is associated with a specific employment activity which has its primary address elsewhere;
- b. Does not include business activities such as visits to the dwelling unit by vendors, customers, or clients; and
- c. Does not entail any commercial shipping and/or receiving activities being conducted at the dwelling unit.

Yard, Front means the area of a lot within the Front Setback, as defined in this Code. In the case of lots with more than one street frontage, *Primary Front Yard* means the area within the front setback that abuts the lot line which the primary entrance of the principal building faces or to which the building is addressed, and all other yards abutting a street shall be *Secondary Front Yards*.

Section 6. Section 15-5-10(c) is hereby amended and shall read as follows:

Sec. 15-5-10(c). Alternative Compliance. Upon request by the applicant, the decision maker may approve an alternative access type not shown in **Table 15-5-10(a)** ~~Table 16-10-30(a)~~. When alternative compliance is approved, lot standards shall be based on the most applicable access type as determined by the decision maker. Driveway width is not eligible for alternative compliance. The following review criteria shall be used by the decision maker to evaluate alternative compliance requests:

- (1) The proposed access minimizes conflicts between vehicles, bicycles, and pedestrians and does not inhibit safe and convenient pedestrian and bicycle access and provides connections equally well or better than would a proposal which complies with the standards for which alternative compliance is requested.
- (2) 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.
- (3) 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.

Section 7. Portions of Section 15-5-20 of the *Windsor Municipal Code* are hereby amended as follows:

- Sec. 15-5-20(c)(6) becomes Sec. **15-5-20(d)**
- Sec. 15-5-20(c)(7) becomes Sec. **15-5-20(e)**
- Sec. 15-5-20(c)(8) becomes Sec. **15-5-20(f)**

Section 8. Section 15-5-20 of the Windsor Municipal Code is hereby amended by adding new section 15-5-20(g) in which (g) shall read as follows:

Sec. 15-5-20 (g). No Backing Into Right-of-Way. No off-street parking lot shall be designed so as to require vehicles to back into any public or private street.

Section 9. Table 15-3-30(b)(8)(C) is hereby amended and shall read as follows:

Table 15-3-30(b)(8)(C) Zone Boundary Bufferyard Standards												
Zoning of Proposed Development	Adjoining Zone											
	MH	ER	SF-1	SF-2	MF	RMU-1	RMU-2	NC	GC	CB	LI	HI
MH	—	B	B	B	B	Varies	Varies	A	A	—	A	A B
ER	—	—	—	—	—	—	—	A	A	—	A	A B
SF-1	—	—	—	—	—	—	—	A	A	—	A	A B
SF-2	—	—	—	—	—	—	—	A	A	—	A	A B
MF	B	B	B	B	—	varies	varies	A	A	—	A	A B
RMU-1	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies
RMU-2	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies	varies
NC	B	B	B	B	B	varies	varies	—	—	—	—	—
GC	C	C	C	C	C	varies	varies	—	—	—	—	—
CB	—	—	—	—	—	—	—	—	—	—	—	—
LI	C	C	C	C	C	varies	varies	C	C	C	C	—
HI	D	D	D	D	D	varies	varies	C	C	C	B	—

Note: See [Section 15-3-30\(b\)\(8\)i.](#) for RMU bufferyard requirements

Section 10. Section 15-5-30 of the *Windsor Municipal Code* is hereby amended by adding new section 15-5-30(m) in which (m) shall read as follows:

Sec. 15-5-30(m). No Backing Into Right-of-Way. No off-street parking lot shall be designed so as to require vehicles to back into any public or private street.

Section 11. Section 15-8-40(10)(a) is repealed, amended, and replaced and shall read as follows:

Sec. 15-8-40(10)(a) In addition to compliance with Chapter 15, Article XII Site Lighting ~~Municipal Code Section 16-10-100~~, the following lighting standards shall apply:

- i. In no event shall lighting negatively affect the safe passage of traffic on public roadways adjacent to or in proximity of the site.
- ii. Exterior building lighting and display lighting shall include fixtures with a dimming interface.
- iii. Light poles within one hundred (100) feet of a residential use or residentially zoned property shall not exceed twenty (20) feet in height.
- iv. Outdoor lighting shall be limited to a maximum of one thousand (1,000) candela per square meter (nits).
- v. Outdoor lighting shall be L.E.D. (light emitting diode) "Dark Sky" compliant, per the International Dark Sky Association requirements for reducing light pollution and minimizing glare, sky glow, spill light and obtrusive light.
- vi. Light bulbs shall be soft-white or warm-white hues.
- vii. A photometric plan illustrating compliance shall be submitted.

Section 12. Article XI of Chapter 15 of the *Windsor Municipal Code* concerning Fences and Walls is hereby repealed, amended, and replaced as follows:

Sec. 15-11-10. – General Fence and Wall Standards ~~Fences and walls in non-industrial zones.~~

- ~~(a) Unless specifically authorized by the provisions of this Code, no fence, wall, or other architectural screening device shall exceed six (6) feet in height.~~
- ~~(b) Where applicable, all fences, walls, and other solid architectural screening devices shall conform to all setback, offset, and height requirements of the zoning district wherein such devices are located.~~
- ~~(c) No solid fences, walls, or other solid architectural screening devices, including but not limited to solid wooden or vinyl fences, solid and continuous hedgerows, and other natural or artificial barriers in excess of four (4) feet in height shall be permitted in the front yard of properties.~~
- ~~(d) Screening devices may be erected or extended from each of the front building corners of the principal structure into the front yard for a maximum distance of eight (8) feet.~~
- ~~(e) From that point forward, no such screening devices shall exceed four (4) feet in height.~~
- ~~(f) Chain-link fences shall not be permitted in the front yard of properties except in the HH and LI zone district.~~

- (a) All permitted screening devices of whatever kind or nature shall conform to the visibility requirements of this Code.
- (b) It shall be unlawful to erect or maintain any fence, wall, or architectural screening device equipped with or having an electric charge sufficient to cause shock.
- (c) Chain-link fences shall not be permitted in the front yard of properties except in the HI and LI zone district.
- (d) Chain-link fencing in non-residential zone districts along public rights-of-way or within front yards shall be vinyl clad, or the equivalent, with the color scheme of the fabric and any slats to be contained within the fabric shown on the site plan for the property.
- (e) Barbed wire shall be permitted only in HI and LI zone districts. No more than three (3) strands of smooth wire or barbed wire shall be added to the height of a chain-link security fence. Such strands of wire shall not be less than six and one-half (6 ½) feet above the ground and shall not extend more than eighteen (18) inches above the maximum height permitted herein. Such strands shall also be subject to the following requirements:
 - (1) Wire strands shall not project beyond any property line.
 - (2) Use of razor wire, concertina wire, Constantine wire or similar wiring materials is prohibited, unless approved through the conditional use process as set forth in this Code.
 - (3) All materials shall conform with the applicable federal or state regulations, if any.

Sec. 15-11-20. – Residential Fences and Walls ~~Fences and walls on limited industrial zones.~~ Fences, walls, or other architectural screening devices in residential zone districts shall comply with the requirements of Table 15-11-20 unless specifically authorized by the provisions of this Code.

~~The following additional provisions, restrictions, and limitations shall apply to fences, walls, and other architectural screening devices in limited industrial zones in the Town.~~

- ~~(a) No fences in excess of six (6) feet in height shall be permitted in the front yard of properties.~~
- ~~(b) Except as approved through the conditional use process as set forth in this Code, no screening devices in excess of eight (8) feet in height shall be permitted in the side or rear yard of any property.~~
- ~~(c) Where applicable, all fences, walls, and architectural screening devices shall conform to all setback, offset, and height requirements of the zoning district where such devices are located.~~
- ~~(d) All permitted screening devices of whatever kind or nature shall conform to the visibility requirements of this Code.~~
- ~~(e) All chain-link fencing materials shall be vinyl clad, or the equivalent, with the color scheme of the fabric and any slats to be contained within the fabric, shown on the site plan for the property.~~
- ~~(f) No more than three (3) strands of smooth wire or barbed wire shall be added to the height of a chain-link security fence. Such strands of wire shall not be less than six and one-half (6 ½) feet above the ground and shall not extend more than eighteen (18) inches above the maximum height permitted herein. Such strands shall also be subject to the following requirements:~~

- ~~a. Wire strands shall not project beyond any property line.~~
- ~~b. Use of razor wire, concertina wire, Constantine wire, or similar wiring materials is prohibited, unless approved through the conditional use process as set forth in this code.~~
- ~~c. All materials shall conform with the applicable federal or state regulations, if any.~~
- ~~(g) It shall be unlawful to erect or maintain any fence, wall, or architectural screening device with or having an electric charge sufficient to cause shock.~~

Table 15-11-20 – Fence and Wall Standards in Residential Zoned Properties		
Location of Fence/Wall	Maximum Height	Other Requirements
All permitted locations that are not specifically enumerated below	6 feet	n/a
Within Front Setback, generally	4 feet	Chain link prohibited
Within first 8' of the Front Setback as measured from the front building corners of the principal structure into the front yard	6 feet	Chain link prohibited
Within Secondary Front Setback	6 feet	Chain link prohibited
Abutting a property line of a commercial/industrial use or when separated by such use by an alley	8 feet	Fences over 6 feet tall shall transition to maximum 6 feet in height within the first 8 feet of any intersecting fence.
Across the street from a commercial/industrial use	8 feet	50 percent of the area of the fence that is above 6 feet in height shall be transparent; and fences over 6 feet tall shall transition to maximum 6 feet in height within the first 8 feet of any intersecting fence. Chain link prohibited.

Sec. 15-11-30. – Non-Residential Fences and Walls, Excluding Heavy Industrial (HI). ~~Fences and walls in heavy industrial zones.~~ Fences, walls, or other architectural screening devices in non-residential zone districts, excluding HI, shall comply with the requirements of Table 15-11-30 unless specifically authorized by the provisions of this Code.

~~The following additional provisions, restrictions, and limitations shall apply to fences, walls, or other architectural screening devices in heavy industrial zones in the Town.~~

- ~~(a) No fences in excess of six (6) feet in height shall be permitted in the front yard of properties.~~

- ~~(b) Except as approved through the conditional use process as set forth in this Code, no screening devices in excess of eight (8) feet in height shall be permitted in the side or rear yard of any property.~~
- ~~(c) Where applicable, all fences, walls, and architectural screening devices shall conform to all setback, offset, and height requirements of the zoning district where such devices are located.~~
- ~~(d) All permitted screening devices of whatever kind or nature shall conform to the visibility requirements of this Code.~~
- ~~(e) All chain link fencing materials shall be vinyl clad, or the equivalent, with the color scheme of the fabric and any slats to be contained within the fabric, shown on the site plan for the property.~~
- ~~(f) No more than three (3) strands of smooth wire or barbed wire shall be added to the height of a chain link security fence. Such strands of wire shall not be less than six and one-half (6 ½) feet above the ground and shall not extend more than eighteen (18) inches above the maximum height permitted herein. Such strands shall also be subject to the following requirements:~~
 - ~~a. Wire strands shall not project beyond any property line.~~
 - ~~b. Use of razor wire, concertina wire, Constantine wire, or similar wiring materials is prohibited, unless approved through the conditional use process as set forth in this code.~~
 - ~~c. All materials shall conform with the applicable federal or state regulations, if any.~~
- ~~(g) It shall be unlawful to erect or maintain any fence, wall, or architectural screening device with or having an electric charge sufficient to cause shock.~~

Table 15-11-30 Fence and Wall Standards for Non-Residentially Zoned Properties, Excluding HI		
Location of Fence/Wall	Maximum Height	Other Requirements
All permitted locations that are not specifically enumerated below	6 feet	
Front Yard	6 feet	Chain link prohibited except in IL
Side and rear	8 feet	

15-11-40. – Heavy Industrial (HI) Fences and Walls. Fences, walls, or other architectural screening devices in the Heavy Industrial zone district shall comply with the requirements of Table 15-11-10(c) unless specifically authorized by the provisions of this Code.

Table 15-11-40 Fence and Wall Standards for Heavy Industrial Zoned Properties	
Location of Fence/Wall	Maximum Height
All permitted locations that are not specifically enumerated below	6 feet
Front Yard,	6 feet generally 10 feet for structurally engineered screen walls which are compatible with site and building design and approved on a site plan
Side and rear	10 feet

Section 13. Section 15-16-40 (1) is hereby amended and shall read as follows:

Sec. 15-16-40 (1) Commission review with owner's consent. No more than sixty (60) days after the filing of an application for designation, the Commission shall hold a public hearing on any proposal. The Commission shall review the application for conformance with the established criteria for designation. Within thirty (30) days of the conclusion of the public hearing, the Commission shall approve, **conditionally approve, or deny the nomination.** ~~modify and improve such designation before the nomination is accepted as complete for review.~~ **The Commission shall forward its recommendation by written report to the Town Board for consideration and final action.**

Section 13. Table 16-1-30(b) is hereby repealed, amended, and replaced as follows:

Table 16-1-30(b): 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%

Table ~~16-1-30~~(b): ER District Lot Development Standards

Minimum Setbacks – General	
Front	20'
Side	20'
Rear	10'
Minimum Setbacks – Accessory Buildings Housing Large Domestic Animals	
Front	35'
Side	35'
Rear	35'
Maximum Building Height	
Height	40'

Table 16-1-30(b): ER District Lot Development Standards		
Vehicular Access		
Residential Uses	Standard, Limited, or Rear	
Non-Residential Uses	Any	
Lot Standards	Lots less than 2.5 acres in size	Lots 2.5 acres in size or greater
Minimum Lot Area (acres)	1	2.5
Minimum Lot Width	45’	45’
Maximum Lot Coverage	65%	65%
Minimum Setbacks – General	Lots less than 2.5 acres in size	Lots 2.5 acres in size or greater
Front	20’	25’
Side	5’	25’
Rear	10’	25’
Minimum Setbacks – Accessory Buildings Housing Large Domestic Animals		
Front	35’	
Side	35’	
Rear	35’	
Maximum Building Height		
Height	40’	

Section 14. Section 16-1-30 is hereby amended by the addition of subsection (e), and 16-1-30(e) shall read as follows:

Sec. 16-1-30(e):

Permitted accessory uses.

1. Accessory Dwelling
2. Private garages, carports and paved parking areas.
3. Private residential and private group outdoor recreational facilities, including, by way of example but not of limitation, swimming pools and tennis courts.
4. Home occupations, subject to the provisions of this Chapter.
5. Service buildings and facilities normally incidental to the use of a public park or recreation area.

6. Any other structure or use clearly incidental to and commonly associated with the operation of a principal use permitted by right.
7. Keeping of animals. Contrary provisions of this Code notwithstanding, large domestic animals shall be permitted as an accessory use in the Estate Residential (ER) District on lots 2.5 acres in size or greater. For the purpose of this Section only, *large domestic animals* are defined as and shall be limited to horses, ponies, mules, donkeys, and llamas. For each permitted animal, one (1) acre of lot area inclusive of improvements shall be required. Offspring shall be allowed until the weaning process is complete.

Section 15. Section 16-1-50 of the *Windsor Municipal Code* is hereby repealed in its entirety and replaced as follows.

Sec. 16-1-50. – Single-family attached residential (SF-2) district. (Trevenna Annexation and a portion of Tacincala Annexation, only)

1. **Applicability.** Trevenna Annexation and a portion of the Tacincala Annexation have been previously zoned SF-2, pursuant to this section. No other properties shall be zoned SF-2 in the future, and for future purposes this zone district shall and is being eliminated.
- (a) Purpose. The purpose the SF-2 zone district is:
 - (1) To establish and preserve compact, pedestrian oriented residential neighborhoods with a variety of housing types and densities.
 - (2) To provide for a gradual transition from single-family residential to multifamily or commercial uses.
 - (b) Lot Development Standards. Development in the SF-2 zone district shall adhere to the standards contained in Table 16-1-50(b) and this Section.

Table 16-1-50(b): 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 ¹	Rear	Rear Abutting Alley	
Single Family Dwelling	Standard	6,000	45'	60%	20'	15'	5'	10'	5'	40'
	Limited	4,000	35'	65%	15'	10'	5'	10'	5'	40'
	Rear or Auto Court	2,500	30'	65%	15'	10'	5'	10'	5'	40'
Standard Duplex	Standard	4,000 ²	35' ²	65%	20'	15'	5'	10'	5'	40'
	Limited	3,000 ²	30' ²	70%	15'	10'	5'	10'	5'	40'
	Rear or Auto Court	2,500 ²	25' ²	70%	15'	10'	5'	10'	5'	40'
Over-Under Duplex	Standard	7,000 ³	55' ³	60%	20'	15'	5'	10'	5'	40'
	Limited	5,000 ³	50' ³	65%	15'	10'	5'	10'	5'	40'
	Rear or Auto Court	4,000 ³	45' ³	65%	15'	10'	5'	10'	5'	40'
Townhouse	Rear or Auto Court	1,400 ⁴	16'	80% ⁵	15'	10'	5'	10'	5' ⁶	40'
Multiplex	Rear or Auto Court	2,500 ⁴	80'	70%	15'	10'	5'	10'	5'	40'
Non-residential	Any	20,000	100'	80%	20'	n/a	20'	20'	10'	40'

¹ No side setback required for attached units

² Per Unit

³ Per Building

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

⁵ Refers to overall site; no maximum lot coverage for individual lots or units

⁶ No rear setback required if vehicular access is provided by abutting private drive which is a minimum of 26' wide

- (c) Master Plan. In addition to the Master Plan requirements of Chapter 14, 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 be allowed only in accordance with an approved Master Plan. The Master Plan shall be recorded with the county Clerk and Recorder.
- (d) 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.
- (e) 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 Section 14-2-130:
 - a. Any conditional use permitted in the Single-Family Residential District.
 - b. Oil and gas facilities pursuant to the conditional use regulations contained in this Chapter pertaining thereto.
 - c. Small group living facilities pursuant to the conditional use regulations contained in this Chapter pertaining thereto.
 - d. Subject to the applicable requirements of this Chapter, open or surface mining operations for the development or extraction of solid materials, as defined in this Code.

Section 16. Table 16-1-70, footnote 3 is hereby amended and shall read as follows:

Table 16-1-70, Footnote 3. Refers to overall maximum development density on a per unit basis; however, ~~there this~~ is no minimum lot size per individual unit.

Section 17. Section 16-3-10 is repealed, amended, and replaced and shall read as follows:

Sec. 16-3-10. – Accessory Buildings.

- (a) Permit required. Accessory buildings which are larger than one hundred twenty (120) square feet in area, as measured around the perimeter of the building, or which exceed ten (10) feet in height, as measured as the vertical distance from the ground level adjacent to the structure to the highest point of the roof surface, shall require a building permit. All other accessory buildings shall not require a building permit unless otherwise required by this Code.
- (b) Setbacks. All accessory buildings shall conform to the setback requirements of the zoning district in which the building is located.
- (c) Other Requirements. All accessory buildings shall conform to the visibility requirements of this Code and the open space requirements of the zoning district in which the building is located.
- (d) Location Requirements. The location of all accessory buildings shall be in conformance with Table 16-3-10(a).

~~Accessory buildings which are not any larger than one hundred twenty (120) square feet in area, as measured around the perimeter of the building, and do not exceed ten (10) feet in height, as measured as the vertical distance from the ground level adjacent to the structure to the highest point of the roof surface, shall be permitted without a building permit. Accessory buildings which have dimensions in excess of either or both of these requirements shall conform to the location requirements of the zoning district in which the building is located and shall be required to have a building permit. However, no accessory building, regardless of its size, shall be located any closer to the front property line than the rear corners of the principal building; that is, accessory buildings are only allowed in rear yards. Additionally, all accessory buildings shall also conform to the visibility requirements of this Code and the open space requirements of the zoning district in which the building is located.~~

Table 16-3-10(a) Accessory Building Location Requirements			
Type		Relative to Primary Front Lot Line³	Location Relative to Secondary Front Lot Line⁴
Large Accessory Building¹		Shall be located no closer to a principal front lot line than the front façade of the primary building	Shall be located no closer to a secondary front lot line than the front corner of the primary building
Small Accessory Building²	Non-Residential Property	Shall be located no closer to a principal front lot line than the front façade of the primary building	Shall be located no closer to a secondary front lot line than the front corner of the primary building

	Residential Property	Shall be located no closer to a principal front lot line than the front façade of the primary building	Shall be located no closer to a secondary front lot line than the front corner of the primary building, unless located behind a solid fence which is at least 5' in height.
¹ Large Accessory Building, in accordance with Chapter 14, Article V, means an accessory building which is greater than 120 square feet in size or greater than ten feet in height. ² Small Accessory Building, in accordance with Chapter 14, Article V, means an accessory building which is 120 square feet or less in size and 10 feet or less in height ³ Primary Front Lot Line, in accordance with Chapter 14, Article V, means, in the case of lots with more than one (1) 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. ⁴ Secondary Front Lot Line, in accordance with Chapter 14, Article V, means, all front lot lines other than principal front lot line shall be considered secondary front lot lines.			

Section 18. Section 17-2-10 of the *Windsor Municipal Code* is hereby amended, and shall read as follows:

Sec. 17-2-10. – General regulations for subdivisions, security for public improvements.

- (a) The subdivider or developer shall enter into a **subdivision development** agreement with the Town to guarantee construction of all required improvements, including streets, curbs and gutters, driveways, sidewalks, storm drainage system, sanitary sewerage system, and potable water system.
- (b) Under ~~such~~ **each subdivision development** agreement, the subdivider or developer shall post **security in the form of a** performance bond, letter of credit, or similar security instrument **approved in advance by the Town and** drawn in favor of the Town in an amount equal to one hundred percent (100%) of the estimated cost of the construction of **public** improvements. **For purposes of this Section, “public improvements” shall mean:**
 - (1) All subdivision improvements intended for dedication to the Town; and
 - (2) All permanent storm drainage improvements, regardless of whether such storm drainage improvements are intended for dedication to the Town; and
 - (3) All streets, regardless of whether they are intended for dedication to the Town; and
- (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. **Upon Town certification of completion for streets not intended for dedication to the Town, one hundred percent (100%) of the security posted for construction of such streets shall be released.**

- (d) Dedication of easements or land within a subdivision shall be required where storm drainage, sanitary sewer 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,** approved plans and profiles and the construction requirements and specifications of the **Director of Community Development or designee** ~~Engineering Manager~~.

Section 19. All references to “Engineering Manager” in the following sections shall be amended to “Director of Community Development or designee”:

- 17-2-20(a)(b)(c)(g)
- 17-2-40
- 17-2-50

Section 20. All references to “Sanitary sewerage system” in 17-2-20 (b) shall be amended to sanitary sewer system.

Introduced, passed on first reading and ordered published this day of , 2022.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

Introduced, passed on second reading and ordered published this day of 2022.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]



MEMORANDUM

Date: August 22, 2022
To: Mayor and Town Board
From:
Re: Future Meeting Agenda
Item #: 3.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. 2022 Future Meetings Agenda



FUTURE TOWN BOARD MEETINGS

August 29, 2022	Canceled – Fifth Monday
September 5, 2022	Canceled – Labor Day Holiday
September 12, 2022 5:30 p.m.	Town Board Work Session Board/Manager/Attorney Monthly Meeting Preview of Police Facility Police Facility Funding Discussion
September 12, 2022 7:00 p.m.	Town Board Regular Meeting
September 19, 2022 5:30 p.m.	Town Board Work Session Introduction of the Poudre River Trail Executive Director Windsor Arts Commission Update Water Conservation Program
September 26, 2022 5:30 p.m.	Town Board Work Session Compensation Study Review
September 26, 2022 7:00 p.m.	Town Board Regular Meeting
October 3, 2022 5:30 p.m.	Town Board Work Session Budget – Capital Improvement Plan
October 10, 2022 5:30 p.m.	Town Board Work Session Board/Manager/Attorney Monthly Meeting
October 10, 2022 7:00 p.m.	Town Board Regular Meeting
October 15, 2022 (Saturday)	Town Board Work Session (Evergreen Room at CRC) Operating Budget
October 17, 2022 5:30 p.m.	Town Board Work Session Rates and Fees Discussion
October 24, 2022 5:30 p.m.	Town Board Work Session Budget – Follow-up Questions
October 24, 2022 7:00 p.m.	Town Board Regular Meeting
October 31, 2022	Canceled – Fifth Monday

Future Work Session Topics

- DDA Entertainment District
- Telecom Code (Pending FCC Rules)
- Regional Water Treatment Plant Site Update
- Weld RE-4 School Land Dedication/Cash in lieu of Land Update
- Discuss Wells Used For Geologic Sequestration of Carbon Dioxide draft ordinance