



## TOWN BOARD SPECIAL MEETING

October 21, 2024 - 5:30 PM

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

To view Town Board meeting broadcasts, visit  
[www.windsorgov.com/MeetingsOnDemand](http://www.windsorgov.com/MeetingsOnDemand).

### 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. BOARD DISCUSSION

1. Via Mobility
2. Private Development Project Map Tutorial
3. Legislative Update and Land Use Code Updates - Chapters 14-17 of the Town's Municipal Code - C. Malone, Chief Planner
4. Strategic Plan Survey Results
5. Future Meetings Agenda

#### C. EXECUTIVE SESSION

1. An Executive Session Pursuant to Colorado Revised Statutes §24-6-402 (4)(e)(I) for the Purposes of Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Concerning Economic Development Opportunities and Incentives (Evan Wendlandt, Economic Development Director)

#### D. 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:** October 21, 2024  
**To:** Mayor and Town Board  
**From:** Eric Lucas, Deputy Town Manager  
**Re:** Via Mobility  
**Item #:** B.1.

### **Background / Discussion:**

In mid-September, I met with representatives of Via Mobility Services of Weld County, a private, non-profit that provides door to door free ride services for older adults (60+) and people living with disabilities (short or long term). The intent of the meeting was to share information about their service and gauge Windsor' interest in utilizing the service. At that meeting, I was made aware of other participating municipalities and that a North Front Range Multimodel Grant application deadline was approaching in early November. Subsequently, I attended a meeting with our engineers, the Weld County Transportation Planner and 6 local municipalities to discuss the grant and associated costs.

While staff see the benefits of joining the program, the decision ultimately rests with the Town Board. Knowing this, representatives of Via Mobility will be present to provide a brief overview of their services. Staff will also present the cost of joining the program in 2025 as well as the grant match if the Board is inclined to move forward.

### **Financial Impact:**

None at this time.

### **Relationship to Strategic Plan:**

### **Recommendation:**

Provide staff feedback and direction.

### **CC:**

### **Attachments:**



## MEMORANDUM

**Date:** October 21, 2024  
**To:** Mayor and Town Board  
**From:** Mark Price, Planner 1  
**Re:** Private Development Project Map Tutorial  
**Item #:** B.2.

**Background / Discussion:**

The Private Development Project Map was created to serve as a public resource, offering general information about private development projects within the Town of Windsor. Its primary goal is to promote transparency and keep residents informed about ongoing and upcoming developments throughout the Town.

**Financial Impact:**

N/A

**Relationship to Strategic Plan:**

N/A

**Recommendation:**

N/A

**CC:**

John Thornhill, Scott Ballstadt, Carlin Malone

**Attachments:**



# MEMORANDUM

**Date:** October 21, 2024  
**To:** Mayor and Town Board  
**From:** Carlin Malone, Chief Planner  
**Re:** Legislative Update and Land Use Code Updates - Chapters 14-17 of the Town's Municipal Code - C. Malone, Chief Planner  
**Item #:** B.3.

## Background / Discussion:

### Executive Summary

Chapters 14 through 17 of the Town's Municipal Code, which collectively make up the Town's Land Use Code, were updated in February 2021. Recent State house bills require the need to update several sections within the code, described herein. Additionally, there is a need to amend some areas to address corrections or clarifications to resolve ongoing issues with the current code.

The below sections and their entirety, illustrating proposed deleted and added language, have been attached in a draft ordinance. This memo summarizes the proposed changes and reasons behind those changes.

Sections 1, 3, 7, 8 and 10 include minor revisions, such as incorrect references and missing information. Sections 2, 4, 5, 6, 9, 11, and 12 require further explanation, which are described herein.

Below is an overview of the sections proposed for updates, in order by chapter and section number:

- Section 1 §14-1-110. – Effective date. (Clerical error)
- Sections 2, 4 & 5 §14-2-10(a), (h) and §14-2-120. – These sections remove the public hearing requirement for a vacation of easement.
- Section 3 §14-2-10(c) – Inactive applications. (Clerical error)
- Section 6 Chapter 14, Article V – Definitions.  
 - Clarifies definition of *Front building corner of a principal structure and Front yard*  
 - Modifies the definition of *Family* to align with C.R.S. sections. (HB24-1007)
- Sections 7-8 §15-7-10 – Supplementary regulations and §15-7-30 – Procedure.  
 Modifies land use application terminology from previous code to current code.
- Section 9 Table 16-3-10(a). – Accessory Building Location Requirements. Clarifies front lot line language.
- Section 10 §16-3-20. – Home Occupations. Clarification and eliminates conflicting language, codifies a land use application requirement.
- Section 11 §16-3-40. – Accessory dwelling units. Modifies to align with C.R.S. sections. (HB24-1152)
- Section 12 §17-1-30. Lots. – Double Frontage. Defining, clarifying section.

Once the Town Board has had an opportunity to review the proposed amendments and discuss, staff will seek direction regarding processing the land use code updates. Land use code updates include public hearings before the Planning Commission and Town Board. Once directed to do so, staff will schedule these hearings and notification will be completed in accordance with the Town's Municipal Code.

**Sections 2, 4 & 5: §14-2-10(a), (h) and §14-2-120 concerning the public hearing requirements for a vacation of easement.**

The intent of these sections was to have a public hearing requirement for vacation of Town-owned right-of-way. It was not the intent to include easements in the public hearing requirement. Therefore, the public hearing requirement for easements has been eliminated and the requirement for a public hearing for a vacation of right-of-way will remain in place.

**Section 6: Chapter 14, Article V, Definitions**

**Definitions for *Front building corner of a principal structure* and *Front yard*.**

The existing definitions of front building corner of a principal structure and front yard were clarified so the language was easy to understand. Language within the Accessory Structures section of the code pertaining to “Primary Front” and “Secondary Front” was duplicated and added to this section for consistency. Additionally, language pertaining to an uncommon situation where two secondary fronts exist was added. This will allow the Director to make a determination pertaining to the location of a rear yard, if this situation is to occur.

**Definition of *Family*.**

The definition of family was modified to align with State House Bill 24-1007 – Prohibit Residential Occupancy Limits. The bill prohibits local governments from enacting or enforcing residential occupancy limits based on familial relationship while allowing local governments to implement residential occupancy limits based on demonstrated health and safety standards such as international building code standards, fire code regulations, or Colorado department of public health and environment wastewater and water quality standards. Therefore, the language in the new definition eliminates restrictions on marital status, blood relationship and the number of unrelated persons.

**Section 9: Table 16-3-10(a). – Accessory Building Location Requirements.**

**Clarification to front lot line.**

Consistent with the definition of *front yard*, the language pertaining to the front lot line was modified to include an uncommon situation where two secondary front lot lines may exist. This will allow the Director to make a determination pertaining to the location of a rear lot line, if this situation is to occur.

**Section 11: §16-3-40. – Accessory dwelling units.**

The language in this section was modified to align with C.R.S. sections, including State House Bill 24-1007, pertaining to prohibiting a local government from enacting or enforcing residential occupancy limits. State House Bill 24-1152, Accessory Dwelling Units, states that local governments must allow accessory dwelling units (ADUs). The Town’s ADU ordinance needed minimal changes to adhere to SH24-1152. SH24-1152 highlights the following:

- Removal of compliance with restrictive covenants. Homeowner’s Associations cannot prohibit ADUs.
- Parking requirements. Parking can be required when no on-street parking is allowed or on-site parking is not provided at time of application. Garage spaces cannot be required.
- Revised the owner occupancy requirement – owner must reside on the property at the time of the ADU application and at the time of the recordation of the ADU with the applicable county.
- Types of accessory dwelling units – Type II & Type III (ADUs located within a single-family dwelling) - local governments cannot put limitations on occupancy (except for building/fire codes, public health, utility capacity).
- Revised the procedure for ADU approval to administrative only, especially the grievance process - it cannot require a public hearing process.

Those modifications included occupancy limitations and when additional parking cannot be required. Parking can be required when on-street parking in the area of the proposed ADU is prohibited and when on-site parking for the ADU is not available. If on-street parking is available, the local government cannot require additional parking for the ADU.

**Section 12: §17-1-30. Lots. – Double Frontage.**

This section was modified to add a definition of what double frontage lot means, as well as what it does not mean (corner lot). This section already prohibited the creation of double fronted lots; however, it allowed for some exceptions when no other possibility was available. This exception was being utilized as an opportunity to disregard the intent of the code rather than solve a design solution. There has never been an intent to allow double frontage lots, as these lots are inefficient and undesirable for homeowners. Therefore, the exception portion of this language is proposed to be eliminated. As stated, a double frontage lot is not a corner lot. It is also not a lot that is situated between a street and an alley.

**Financial Impact:**

**Relationship to Strategic Plan:**

**Recommendation:**

These items are for discussion purposes. Proposed Land Use Code Updates will be scheduled for future public hearings before the Planning Commission and Town Board.

**CC:**

**Attachments:**

1. DRAFT Ord - Land Use Code Update
2. Staff Powerpoint

TOWN OF WINDSOR

ORDINANCE NO. 2024-xxxx

AN ORDINANCE AMENDING PORTIONS OF THE LAND USE CODE IN CHAPTERS 14-17 OF THE WINDSOR MUNICIPAL CODE

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested by 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 Code; and

WHEREAS, amendments to the Code are necessary to align with both current practices and recent state legislation; 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. Code Sec. 14-1-110 concerning Effective date is hereby amended and shall read as follows:

**Sec. 14-1-110.- Effective date.**

The provisions of this Code became effective thirty (30) days after adoption. Development plans approved under previous regulations that received vested property rights through a site-specific development plan shall be valid for the duration of that vested property right provided that all terms and conditions of the site-specific development plan **are met**.

Section 2. Code Sec. 14-2-10 is hereby amended by amending Table 14-2-10(a), and Table 14-2-10(a) shall read as follows:

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Table 14-2-10(a) Land Use Application Procedures

Application Type	Code Section	Neighborhood meeting	Concept Review Meeting	Decision Maker				Vote
				Director	PC	TB	BOA	
Accessory Dwelling Unit	<a href="#">Sec. 14-2-100</a>		<input type="checkbox"/>	D			A*	
Annexation	<a href="#">Sec. 14-2-30</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R	R*	D*		S
Appeals	<a href="#">Sec. 14-2-180</a>			<a href="#">Refer to section 14-2-180</a>				S
Code Amendment	<a href="#">Sec. 14-2-190</a>			R	R*	D*		S
Comprehensive Plan Amendment	<a href="#">Sec. 14-2-200</a>							
Conditional Use Permit	<a href="#">Sec. 14-2-130</a>		<input type="checkbox"/>	R	R*	D*		M
Conditional Use Permit Oil and Gas, Gravel Mining	<a href="#">Sec. 14-2-130</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R	R*	D*		M
Height Modification	<a href="#">Sec. 14-2-160</a>		<input type="checkbox"/>	R	R*	D*		M
Master Plan	<a href="#">Sec. 14-2-40</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R	R*	D*		M
Non-Regulated Land Transfer	<a href="#">Sec. 14-2-50</a>							
Rezoning	<a href="#">Sec. 14-2-70</a>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R	R*	D*		S
Sign Permit	<a href="#">Sec. 14-2-170</a>			D			A*	
Site Plan — Major	<a href="#">Sec. 14-2-90</a>		<input type="checkbox"/>	D		A*		
Site Plan — Minor	<a href="#">Sec. 14-2-90</a>		<input type="checkbox"/>	D		A*		
Subdivision, Major — Final	<a href="#">Sec. 14-2-60</a>		<input type="checkbox"/>	R	R*	D*		M
Subdivision, Major — Preliminary	<a href="#">Sec. 14-2-60</a>		<input type="checkbox"/>	R	D*	A*		M
Subdivision — Minor	<a href="#">Sec. 14-2-60</a>		<input type="checkbox"/>	D		A*		
Substantial Change Hearing	<a href="#">Sec. 14-2-20</a>		<input type="checkbox"/>	R	R*	D*		M
Telecommunications	<a href="#">Sec. 14-2-110</a>		<input type="checkbox"/>	D 1			A*	
Vacation of <b>Town ROW or Town Easement</b>	<a href="#">Sec. 14-2-120</a>			R		D*		M
Variance	<a href="#">Sec. 14-2-150</a>		<input type="checkbox"/>	R			D*	S
Variance, Minor	<a href="#">Sec. 14-2-140</a>		<input type="checkbox"/>	D			A*	
Vested Property Rights	<a href="#">Sec. 14-2-210</a>			R		D*		M

<u>1</u> Director may refer to PC/TB per Sec. 16-5-40(j) to be reviewed as a Conditional Use Permit	R = Recommendation
<input checked="" type="checkbox"/> = Required	D = Decision Maker
<input type="checkbox"/> = May be required by Director	* = Public hearing required
PC = Planning Commission	A = Appeal of Decision
TB = Town Board	S = Super Majority Vote Required (Ordinances require majority on 1st reading, super majority on 2nd reading)
BoA = Board of Adjustment	M = Majority Vote Required

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**Section 3.** Code Sec. 14-2-10(c) concerning Inactive Applications is hereby amended and shall read as follows:

- (c) Inactive Applications. If the applicant fails to submit requested additional or revised application materials within one hundred ~~eight~~ **eighty** (180) days of the request, the Director may declare the application withdrawn.

**Section 4.** Code Sec. 14-2-10 is hereby amended by amending Table 14-2-10(h), and Table 14-2-10(h) shall read as follows:

	Posted	Published	Mailed	Distance	Timing
Annexation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	<a href="#">See Sec. 14-2-30</a>
Appeals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Code Amendment		<input checked="" type="checkbox"/>			10 days
Comprehensive Plan Amendment	<input checked="" type="checkbox"/> *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> *	500'	15 days
Conditional Use Permit	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Conditional Use Permit Oil & Gas, Gravel Mining	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Height Modification	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Land Use Amendment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	15 days
Master Plan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Neighborhood Meeting		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Rezoning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	15 days
Subdivision, Major - Final Plat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days

Subdivision, Major - Preliminary Plat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Substantial Change Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Vacation of <b>Town</b> ROW or Easement	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Abutting	10 days
Variance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	300'	15 days
Variance, Minor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	300'	<a href="#">See Sec. 14-2-140(d)</a>
Vested Property Rights	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	15 days

**Section 5.** Code Sec. 14-2-120 is hereby amended to remove public hearing requirements for easement vacations, and shall read as follows:

- (a) ~~Eligibility~~ **Right-of-way**. The vacation of right-of-way ~~or easement~~ application process is used to vacate unnecessary ~~easements and~~ rights-of-way. The vacation of right-of-way ~~or easement~~ shall be in accordance with C.R.S. § 43-2-301, et seq. Only the following types of right-of-way ~~and easements~~ may be vacated by the Town:
- (1) Right-of-way-owned by the Town.
  - ~~(2) Easements dedicated for the benefit of the Town, including easements dedicated for the benefit of the Town and other parties.~~
- (b) **Easements**. Only the following types of easements may be vacated by the Town:
- (1) **Easements that have been dedicated to the Town for the benefit of the Town and other parties and are no longer required.**
  - (2) **Easements may be vacated by resolution or by plat.**
- ~~(b)~~ (c) **Review Criteria**.
- (1) The right-of-way or easement being vacated is not needed in the short or long term.
  - (2) If necessary, the right-of-way or easement will be replaced. To replace the right-of-way or easement, the vacation application shall be accompanied by a development application which proposes a new right-of-way or easement.
  - (3) The applicant is relocating all public facilities or utilities within the right-of-way or easement.
  - (4) The public and surrounding properties will not be negatively impacted by the vacation.
- ~~(c)~~ (d) **Recording**. Once approved the vacation shall be recorded by the Town, in the office of the applicable county clerk and recorder.

**Section 6.** Chapter 14, Article V of the Code is hereby amended and shall read as follows:

## ARTICLE V – Definitions

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*Family* means an individual living alone, or ~~either of the following groups~~ **individuals** living together in a single dwelling unit and sharing common living, sleeping, cooking and eating facilities.:

- ~~(1) Any number of persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, unless such number is otherwise specifically limited in this Code; or~~
- ~~(2) Any unrelated group of persons consisting of (i) not more than four (4) persons; or (ii) not more than two (2) unrelated adults and their related children, if any.~~
- ~~(3) This definition shall not include individuals living in small group living facilities as defined in this Code.~~

*Front building corner of a principal structure* ~~refers to~~ **means** each of the two (2) corners of the widest portion of the foundation of the principal structure that face and ~~are~~ **run** parallel to the right-of-way line/**property line** which defines the front yard (see front yard).

*Front yard* ~~means~~ **refers to** the horizontal space ~~area~~ between the nearest foundation of a building ~~to the~~ right-of-way line/**property line** and the nearest part of a building's foundation. **This area extends across the width of the lot, running from one side property line to the other side property line.** ~~that right-of-way line/property line, extending to the side lines of the lot, and measured as the shortest distance from that the front corners of the foundation to the right-of-way line.~~ **For a corner lot, the front yard of a corner lot shall include the space between both front right-of-way lines/property lines and that yard which contains the front lot line marking the boundary between the right-of-way lines the nearest part of a building's foundation.** ~~the lot and the shorter of the two (2) abutting street segments, except as otherwise specified by deed restrictions, and usually, but not always, that portion of the yard which is situated in front of the building elevation that contains the building address.~~

- a. **Primary front lot line.** The principal front lot line refers to the lot line on a property where the primary building entrance faces the street and/or the primary building is addressed from that street frontage.
- b. **Secondary front lot line.** The secondary front lot line refers to all front lot lines other than the principal front lot line.
- c. **Two Secondary front lot lines – Rear yard determination.** In the case of two secondary front lot lines where there must be a determination on the location of a rear yard, the Director shall be the decision maker.

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Section 7. Code Sec. 15-7-10 concerning Supplementary regulations is hereby amended and shall read as follows:

Sec. 15-7-10. - Supplementary regulations.

No large retail establishment occupying more than fifty thousand (50,000) square feet of gross leasable area (GLA), as defined by this Code, shall be approved for construction or occupancy unless such establishment has been determined by the Town Board to be in compliance with this Division, including subsequent amendments thereto. In addition to the foregoing, no large retail establishment occupying more than fifty thousand (50,000) square feet of GLA shall be approved for construction or occupancy unless such establishment has obtained ~~approval of a qualified commercial site plan approval~~ by the Town Board in accordance with the requirements and standards set forth in this Code.

The Design Criteria and Procedures set forth in this Section, shall not apply to Large Entertainment Establishments located within a Commercial Corridor Plan area, or governed by design standards contained within any Intergovernmental Agreement or any area governed by specific site plan development standards.

For the purposes of this Section, Large Entertainment Establishments shall be defined as any facility, the primary purpose of which is devoted to recreational or entertainment uses, such as showing motion pictures or the presentation of dramatic, musical or live performances or containing amusement facilities such as bowling, billiards, and video arcades.

Section 8. Code Sec. 15-7-30 concerning large retail establishments procedure is hereby amended and shall read as follows:

Sec. 15-7-30. - Procedure.

All retail establishments of more than fifty thousand (50,000) square feet of GLA shall require **site plan approval by the Town Board** ~~approval of a qualified commercial site plan~~ and shall not be eligible for administrative approval.

Section 9. Table 16-3-10(a) concerning accessory building location requirements is hereby amended and shall read as follows:

- (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, and shall be generally compatible and not detrimental to the surrounding neighborhood.
- (d) Location Requirements. The location of all accessory buildings shall be in conformance with Table 16-3-10(a).

Table 16-3-10(a) Accessory Building Location Requirements			
Type		Relative to Primary Front Lot Line <sup>3</sup>	Location Relative to Secondary Front Lot Line <sup>4</sup>
Large Accessory Building <sup>1</sup>		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 <sup>2</sup>	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.
<p><sup>1</sup> 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.</p> <p><sup>2</sup> 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.</p> <p><sup>3</sup> 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 <b>principal front lot line refers to the lot line on a property be street to which the where the primary building entrance of the principal building faces the street and/or the primary building is addressed from the street frontage or to which the building is addressed shall be considered the principal front line. All front lot lines other than the principal shall be considered secondary front lot lines.</b></p> <p><sup>4</sup> Secondary front lot line, in accordance with Chapter 14, Article V, <del>means-refers to</del> all front lot lines other than <del>the</del> principal front lot lines <del>shall be considered secondary front lot lines.</del> <b>In the case of two secondary front lot lines where there must be a determination on the location of a rear yard, the Director shall be the decision maker.</b></p>			

Section 10. Code Sec. 16-3-20 concerning Home occupations is hereby amended and shall read as follows:

**Sec. 16-3-20. Home occupations.**

- (a) Intent. The intent of this Section is to provide for limited business uses within dwellings when such uses will clearly not alter the character or appearance of the residential neighborhood. Telecommuting, as defined in this Code, is exempt from home occupation registrations.
- (b) Home occupations shall be permitted as an accessory use of any dwelling unit ~~in any Single-Family Residential Zoning District~~, whether or not authorized as a named accessory use by this Code, if the following conditions are met and continuously exist:

- (1) Home occupations shall be incidental and secondary to the residential purpose of the dwelling unit, and occupational activity shall be harmonious with the residential use.
- (2) The exterior appearance of the dwelling and lot shall not be altered, nor shall any home occupation within the dwelling be conducted in a manner which would cause the premises to differ from its residential character.
- (3) Home occupations shall not alter the exterior appearance by the use of colors, materials, construction or lighting, or by the emission of sounds, noises, dust, odors, fumes, smoke or vibrations detectable outside the dwelling.
- (4) There shall be no advertising display or signage or other indications of a home occupation on the premises.
- (5) All persons carrying on the home occupation must be regular inhabitants of the dwelling unit, with not more than one (1) additional noninhabitant employee or co-worker per home occupation.
- (6) The total square footage devoted to home occupations shall not exceed either twenty-five percent (25%) of the total floor area of the dwelling unit or five hundred (500) square feet, whichever is less, and in no event shall more than fifty percent (50%) of the total square footage of any building on the property be used for storage of materials, inventory or equipment related to the home occupation.
- (7) There shall be no sale, display or distribution of merchandise which requires customers to visit the property to transact business. ~~On-site retail or wholesale transactions cannot be the primary activity of the home occupation. All such sales must remain incidental and secondary to the home occupation.~~
- (8) Home occupations may be conducted within the dwelling which shall be the principal building and use on the lot, as long as the home occupation is in compliance with the square footage requirement identified in Subsection (6) above.
- (9) In the event a home occupation involves tutoring or instruction, no more than two (2) students may be present at the dwelling unit at any one (1) time without prior approval of a conditional use grant in accordance with Sec. 14-2-130.
- (10) In the event a home occupation involves child care, the number of children cared for at the dwelling unit at any one (1) time shall be limited to the lawful number permitted by the rules and regulations for the day care homes then in effect and issued by the Department of Social Services of the State. The home occupation of child care shall be exempt from the square footage conditions as set forth in Subsection (6) above.
- (11) Vehicular traffic flow associated with the home occupation shall not adversely affect traffic flow and parking in the surrounding residential area.
- (12) There shall be no exterior storage of material and/or equipment used as part of the home occupation on the property.
- (13) The use of utilities shall be limited to that normally associated with the use of the property for residential purposes. Electrical or mechanical equipment that creates audible interference in radio receivers or visual or audible interference in television

receivers or causes fluctuations in line voltage outside the dwelling unit shall be prohibited.

- (14) Home occupations shall not be transferable to alternate locations or persons.
- (15) Activities conducted and buildings, equipment and material used or stored in coordination with the home occupation shall comply with all building and fire codes, as adopted by the Town.
- (c) Prior to the establishment of any home occupation, an application for such home occupation shall be registered with the Planning Department. Such application shall include the name and address of the persons conducting the home occupation, ~~and~~ a description of said occupation **and property owner or landlord authorization, when unit is not owned by home occupation applicant.** Upon completion of an application and verification by the Town that said home occupation meets the provisions identified in this Section, staff shall issue to the property a copy of the approved home occupation registration. There shall be no fee for the registration of the home occupation set forth herein.
- (d) If the Town determines that the use does not meet all of the requirements of a home occupation, then the home occupation application shall be refused, and the use shall either be brought into full compliance with the provisions of this Chapter for home occupation registrations, or the use shall be abandoned and all operations ceased.
- (e) Revocation. In the event any activities associated with a home occupation registration no longer meet the provisions of this Chapter for home occupation registrations, this noncompliance may result in revocation of the Town's approval of the home occupation, denial of building permits and/or certificates of occupancy, injunctive relief prohibiting use of the property and other remedies available to the Town under this Code and other applicable laws of the State.
- (f) All home occupations lawfully in existence at the time of the adoption of this Section shall be allowed to continue at their present levels of activity and in their present form, and, if hereafter changed, those home occupations must conform to the requirements of this Section.

Section 11. Code Sec. 16-3-40 concerning Accessory dwelling units is hereby amended and shall read as follows:

**Sec. 16-3-40. Accessory dwelling units.**

- (a) Statement of intent. The intent of this Section is to provide for accessory dwelling uses in areas within which single-family detached residential uses are permitted, while protecting the public health, safety and welfare through reasonable limitations on size, occupancy, density and parking associated with such uses, **in accordance with C.R.S. Sec. 29-35-102 and Sec. 29-35-103.**
- (b) General provisions. Accessory dwelling units shall be permitted as an accessory use in conjunction with all single-family detached dwellings in all zoning districts which permit single-family dwelling units as a permitted use, subject to the following conditions:
  - (1) Compliance with development standards and building codes. Every accessory dwelling unit shall meet the same development standards applicable to the principal dwelling unit. In addition, every accessory dwelling unit shall meet all applicable municipal codes,

building codes, residential codes, fire codes and property maintenance codes. The application of these codes may render some property ineligible for accessory dwelling unit approval.

~~(2) Compliance with restrictive covenants. If the parcel upon which an accessory dwelling unit is proposed falls within the jurisdiction of a homeowners' association or similar covenant-based property owners' association, the requirements of this Section shall be considered minimum requirements. Any such association shall have the right to lawfully adopt more stringent standards for accessory dwelling units, including the outright prohibition of accessory dwelling units, for any parcel within the regulatory authority of such association.~~

(23) Parking. ~~One (1) off-street parking space shall be required for an accessory dwelling unit, which parking space shall be in addition to any parking otherwise required for the principal dwelling unit. The parking space required under this Section may be established in tandem with other required parking spaces.~~ **Parking for an accessory dwelling unit shall comply with C.R.S. Sec. 29-35-103(3)(a) and (b):**

- a. **No parking space(s) shall be required so long as there is an existing parking space available for designation, including a driveway, garage, tandem parking, other off-street parking space, or on-street parking is available.**
- b. **Where on-street parking is prohibited, on-site parking is unavailable, and parking is required as of January 1, 2024 for the primary dwelling unit, at least one (1) parking space shall be provided.**

The parking space required under this Section shall be paved with asphalt or concrete.

(34) Accessory dwelling unit size and configuration. Except as modified in Subsection (5) below, the living space of the accessory dwelling unit shall be no larger than the living space of the principal dwelling unit on the subject lot or parcel, and shall not in any event exceed nine hundred fifty (950) square feet. No accessory dwelling unit shall be less than five hundred (500) square feet, and all accessory dwelling units shall be designed and configured as either studio, one-bedroom or two-bedroom units. Square footage calculations, as contained herein, exclude any related garage, porch or similar area.

(45) Unit size exception. The limitations of Subsection (4) above shall not apply to accessory dwelling units located within the footprint of an existing home as long as the living space of the accessory dwelling unit is not larger than fifty percent (50%) of the entire principal dwelling unit, including the basement. For example, if a home has one thousand (1,000) square feet of living space within the basement, an accessory dwelling unit could be established in this space if the principal dwelling also contains at least one thousand (1,000) square feet of living space.

~~(6) Unit occupancy. No more than three (3) persons shall occupy an accessory dwelling unit.~~

(57) Number of accessory dwelling units per lot or parcel. Only one (1) accessory dwelling unit shall be allowed for each lot or parcel.

(68) Owner occupancy **at time of application submittal**. The property owner, as reflected in the books and records of the County Clerk and Recorder, must **reside on the parcel at the time of application submittal for an** ~~occupy either the principal dwelling unit or~~

accessory dwelling unit. In the case of a corporation, limited liability company, trust or other owner entity, owner occupancy by a natural person **at the time of accessory dwelling unit application submittal** shall be established by resolution or other formal declaration by the entity.

(79) Existing development on lot.

- a. Certificate of occupancy required. A single-family dwelling shall exist as the principal use on the lot or parcel, or shall be constructed in conjunction with the accessory dwelling unit. A certificate of occupancy for an accessory dwelling unit will only be granted after a certificate of occupancy has been granted to the principal dwelling unit on the lot or parcel.
  - b. Legal nonconformity. Nothing herein shall be construed to render lawful any dwelling unit in use which, at the time of its establishment, was not lawful. Nothing herein shall require adherence to the requirements of this Section as applied to any dwelling unit which, at the time of its establishment, was lawful, unless such dwelling unit is proposed for expansion, modification or use different than that taking place at the time of the adoption of this Section.
  - c. Utility service requirements. With the exception of telephone, television, electrical and Internet service, accessory dwelling units must be served through the utility services of the principal dwelling unit and shall not have separate services.
  - ~~d. Limitations on garage space accessory dwelling units. Garage space dedicated for use in conjunction with an accessory dwelling unit shall not exceed two hundred fifty (250) square feet.~~
  - d. Prohibited accessory dwelling units. Mobile homes, travel trailers and recreational vehicles shall be prohibited for use as an accessory dwelling unit.
  - e. Minimum lot size. No accessory dwelling unit shall be permitted on a lot or parcel consisting of less than six thousand (6,000) square feet.
- (c) Types of accessory dwelling units. The following designations shall identify three (3) distinct types of accessory dwelling units:
- (1) Type I: An accessory dwelling unit which is detached from the principal dwelling unit and considered a separate dwelling unit under the Residential Code.
  - (2) Type II: An accessory dwelling unit located inside a single-family dwelling ~~whose occupants and the occupants of the principal dwelling unit do not live together as a single household unit~~. Type II accessory dwelling units typically have a separate access from the principal dwelling unit. In this case, both the accessory dwelling unit and the principal dwelling unit to which it is accessory are considered separate dwelling units under the Residential Code.
  - (3) Type III: An accessory dwelling unit located inside a single-family dwelling ~~whose occupants and the occupants of the principal dwelling unit live together as a single household unit~~ and which is not locked off from the principal dwelling unit. In this case, the accessory dwelling unit and principal dwelling unit shall be considered part of one (1) dwelling unit under the Residential Code.

- (d) Design-related limitations, provisions. Each accessory dwelling unit proposed for any location shall be approved in the form of a site plan, which shall, in addition to any other required contents, contain the following:
- (1) Design. To preserve the appearance of the single-family dwelling, accessory dwelling units shall be designed in the following manner:
    - a. The design of the accessory dwelling unit shall be compatible with the design of the principal dwelling unit by use of similar style, exterior wall materials, window types, door and window trims, roofing materials and roof pitch and colors.
    - b. If the entrance to the accessory dwelling unit is visible from an adjacent street, it shall be designed in a manner as to be clearly subordinate to the entrance of the principal dwelling.
    - c. Windows which face an adjoining residential property shall be designed to protect the privacy of neighbors.
  - (2) Outdoor areas. The site plan shall provide accessible outdoor space and landscaping for both the accessory dwelling unit and the principal dwelling unit. The parking area required under Sec. 16-3-40(b)(23) shall be paved with asphalt or concrete.
- (e) Home occupations. Home occupations may take place within any accessory dwelling unit approved or lawful pursuant to this Section. However, home occupations taking place in any accessory dwelling unit shall comply with the requirements of Sec. 16-3-30.
- (f) Recorded declaration of restrictions required. As a condition of accessory dwelling unit approval and condition of any building permit issued for or within an accessory dwelling unit, the property owner shall record a declaration of restrictions with the clerk and recorder of the county in which the property is located. Such declaration of restrictions shall be in the form approved and maintained by the Zoning Official, and shall state that:
- (1) The declarant (~~at least one [1], if more than one [1]~~) shall reside on the property and such property shall be the primary and permanent dwelling place of the declarant, excluding temporary absences and temporary stays elsewhere, and said property shall be ~~and remain~~ **at the time an application is submitted** the declarant's place of legal residence.
  - (2) Ownership of the accessory dwelling unit shall not be transferred separately from the principal dwelling unit, nor shall the lot or parcel upon which the accessory dwelling unit is situated be subdivided.
  - (3) The accessory dwelling unit shall be restricted to the approved size, and shall not be expanded. Any modification of the approved accessory dwelling unit site plan shall first be approved by the Town.
  - (4) The certificate of occupancy for the accessory dwelling unit shall be in effect only so long as a principal dwelling remains on the property.
  - (5) If the accessory dwelling unit is approved as Type III, the accessory dwelling unit shall not be locked off from the principal dwelling unit unless, prior to such action, the property owner has applied for and received approval for a change of designation to a Type II accessory dwelling unit.
  - (6) The above restrictions are binding upon any successor in ownership of the property.

- (7) Noncompliance with the declaration of restrictions may subject both the owner of the property and any accessory dwelling unit occupants to criminal prosecution and civil remedies, including but not limited to injunctive relief. The owner of the property shall be liable for all Town expenses associated with civil remedies sought by the Town in association with the declaration of restrictions. The failure of the Town to pursue civil or criminal remedies shall not be deemed a waiver of any violations or noncompliance.
- (8) The declaration of restrictions shall lapse upon removal of the accessory dwelling unit. To affect this intent, and upon verification of such removal, the Town shall execute documentation confirming release of the deed restriction. The property owner shall record the Town-executed documentation releasing the declaration of restrictions. The property owner shall pay all required recording fees, and shall provide satisfactory written evidence that such recording was successfully completed.
- (9) The declaration of restrictions shall be perpetual and constitute covenants running with the land. The declaration of restrictions shall be binding upon the property owner, and the heirs, successors and assigns of the property owner and all persons claiming under them.
- (10) Neither the declaration of restrictions, nor any of the specifics set forth or incorporated therein, shall be amended, terminated or modified in any way without the written consent of the Town, filed with the clerk and recorder of the county in which the property is located.
- (g) Procedure for accessory dwelling unit approval. The approval of each accessory dwelling unit shall be governed by the following procedures:
  - (1) The property owner shall file an application for approval with the Planning Department upon such forms as may be approved by the Zoning Official. Upon completion of Planning Department review, the Zoning Official shall either approve the application as presented, deny the application as presented or approve the application with conditions. The Zoning Official shall base the determination and any conditions upon the express requirements and limitations of this Article.
  - (2) ~~Any applicant aggrieved by the Zoning Official's determination pursuant to this Section shall have a right to appeal as provided in Sec. 14-2-180.~~
  - (3) ~~The determination of the appeal body pursuant to this Section shall be deemed final agency action for purposes of judicial review.~~

Section 12. Code Sec. 17-1-30(j) concerning double frontage lots is hereby amended and shall read as follows:

**Sec. 17-1-30. Lots.**

.....

- (j) Double Frontage. **Double frontage lot means any lot which abuts two or more streets other than a corner lot, which abuts two intersecting streets.** 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. Such double frontage lots shall incorporate a 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 homeowner's association or metropolitan district.~~

.....

Section 13. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 14. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance are hereby repealed, only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Introduced, passed on first reading, and ordered published this \_\_\_\_ day of \_\_\_\_\_ 2024.

TOWN OF WINDSOR, COLORADO

\_\_\_\_\_  
Julie Cline, Mayor

ATTEST:

\_\_\_\_\_  
Karen Frawley, Town Clerk

[Seal]

Introduced, passed on second reading, and ordered published this \_\_\_\_ day of \_\_\_\_\_ 2024.

TOWN OF WINDSOR, COLORADO

\_\_\_\_\_  
Julie Cline, Mayor

ATTEST:

\_\_\_\_\_  
Karen Frawley, Town Clerk

[Seal]



# Legislative Update and Proposed Land Use Code Updates

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*Town Board Work Session ~ October 21, 2024*

*Carlin Malone, Chief Planner  
Planning / Community Development*



## Overview – Land Use Code Amendments

### Chapter 14

- ❖ **§14-1-110. – Clarifying Effective Date language.**
- ❖ **§14-2-10. – Amending Table 14-2-10(a) – Vacation of Town easements. Eliminating public hearing requirement.**
- ❖ **§14-2-10(c). – Inactive Applications. Clarifying language.**
- ❖ **§14-2-10. – Amending Table 14-2-10(h) – Vacation of Town Easements. Eliminating public hearing notification requirements.**
- ❖ **§14-2-120. – Vacation of right-of-way/easement. Clarifying language and removing public hearing requirement for easement vacations. ROW process will not change.**
- ❖ **Chapter 14, Article V - Definitions. – Clarifying definitions; revised definition of *Family*, *Front building corner of a principal structure*, and *Front yard*.**



## Overview – Land Use Code Amendments

### Chapter 15

- ❖ §15-7-10. – Large Retail Establishments – Supplementary Regulation. Clarifying language removing the term “*qualified commercial*”.
- ❖ §15-7-30. – Large Retail Establishments – Procedure. Clarifying language and removing the term “*qualified commercial*”.

### Chapter 16

- ❖ Table 16-3-10(a). – Accessory Building Location. Clarifying language.
- ❖ §16-3-20. – Home Occupations. Clarifying and updating language.
- ❖ §16-3-40. – Accessory Dwelling Units. Clarifying language to align with requirements outlined in recently passed state legislation.

### Chapter 17

- ❖ §17-1-30(j). – Lots – Double frontage. Clarifying the definition of a double frontage lot and removing all exceptions.



# Overview – Land Use Code Amendments

## ❖ §14-1-110. – Effective Date

Clarifying language added that was inadvertently omitted and shall read as follows:

- The provisions of this Code became effective thirty (30) days after adoption. Development plans approved under previous regulations that received vested property rights through a site-specific development plan shall be valid for the duration of that vested property right provided that all terms and conditions of the site-specific development plan **are met**.

## ❖ §14-2-10. – Table 14-2-10(a) – Vacation of Town ROW.

- Table amended to remove *or Town Easement*

Vacation of <del>Town</del> ROW- <del>or Town</del> Easement	<u>Sec. 14-2-120</u>			R		D*
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# Overview – Land Use Code Amendments

## ❖ §14-2-10(c). – Inactive Applications.

- Clarifying language added and shall read as follows:  
Inactive Applications. If the applicant fails to submit requested additional or revised application materials within one hundred ~~eight~~ **eighty** (180) days of the request, the Director may declare the application withdrawn.

## ❖ §14-2-10. – Amending Table 14-2-10(h) – Vacation of Town ROW. Clarifying language

- Table amended to add ***Town*** and remove ***or Easement***

Vacation of <b>Town</b> ROW <del>or Easement</del>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Abutting
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## Overview – Land Use Code Amendments

### ❖ **§14-2-120. – Vacation of right-of-way/easement. Clarifying language and removing public hearing requirement for easement vacations.**

Clarifying language added separately for Right-of-Way vacation and Easement vacations. Additional language added removing the public hearing requirement to easement vacations.

- (a) **Right-of-way.** The vacation of right-of-way or easement application process is used to vacate unnecessary rights-of-way. The vacation of right-of-way shall be in accordance with C.R.S. § 43-2-301, et seq. Only the following types of right-of-way may be vacated by the Town:
  - (1) Right-of-way-owned by the Town.
- (b) **Easements.** Only the following types of easements may be vacated by the Town:
  - (1) **Easements that have been dedicated to the Town for the benefit of the Town and other parties and are no longer required.**
  - (2) **Easements may be vacated by resolution or by plat.**



# Overview – Land Use Code Amendments

## ❖ Chapter 14, Article V - Definitions.

Clarifying language to align with requirements outlined in recently passed state legislation, HB24-1007, prohibits residential occupancy limits based on familial relationship.

- Family is defined as:
  - An individual living alone
  - Individuals living together in a single dwelling unit and sharing common living, sleeping, cooking and eating facilities



## Overview – Land Use Code Amendments

### ❖ Chapter 14, Article V - Definitions.

Clarifying language has been added to better define *front building corner of a principal structure* and *front yard*.

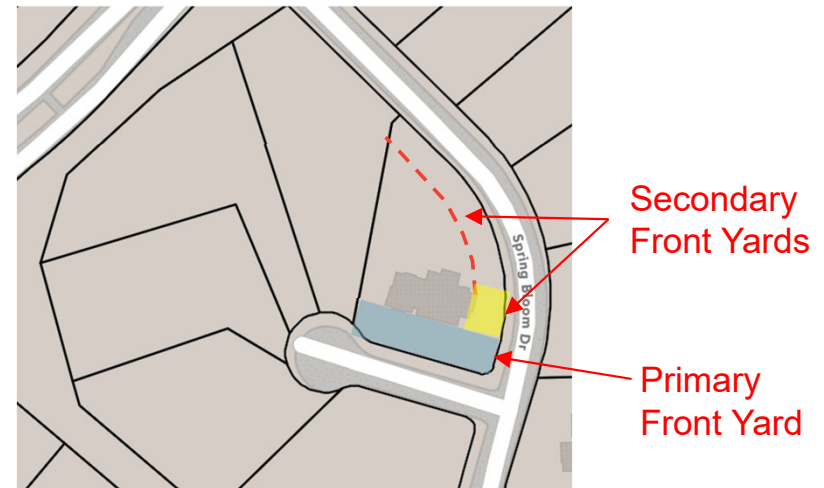
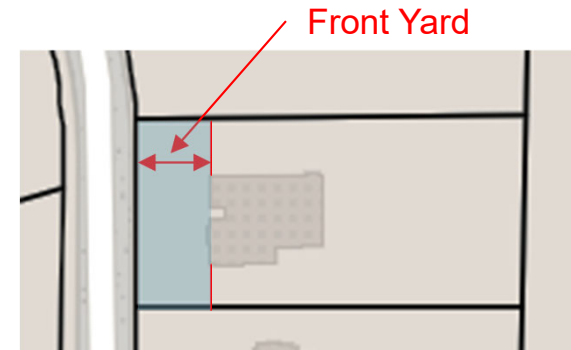
- *Front building corner of a principal structure* **refers to** each of the two (2) corners of the widest portion of the foundation of the principal structure that face and **run** parallel to the right-of-way line/**property line** which defines the front yard (see front yard).



## Overview – Land Use Code Amendments

### ❖ Chapter 14, Article V - Definitions.

- **Front yard** refers to the area between the right-of-way line/property line and the nearest part of a building's foundation. This area extends across the width of the lot, running from one side property line to the other side property line.
  - For a corner lot, the front yard shall include the space between both front right-of-way lines/property lines and the nearest part of a building's foundation.
    - a) Primary front lot line.
    - b) Secondary front lot line.
    - c) Two Secondary front lot lines





## Overview – Land Use Code Amendments

### ❖ §15-7-10. – Large Retail Establishments – Supplementary Regulation.

Clarifying language - removed the term *“qualified commercial”*.

### ❖ §15-7-30. – Large Retail Establishments – Procedure.

Clarifying language - removed the term *“qualified commercial”*.

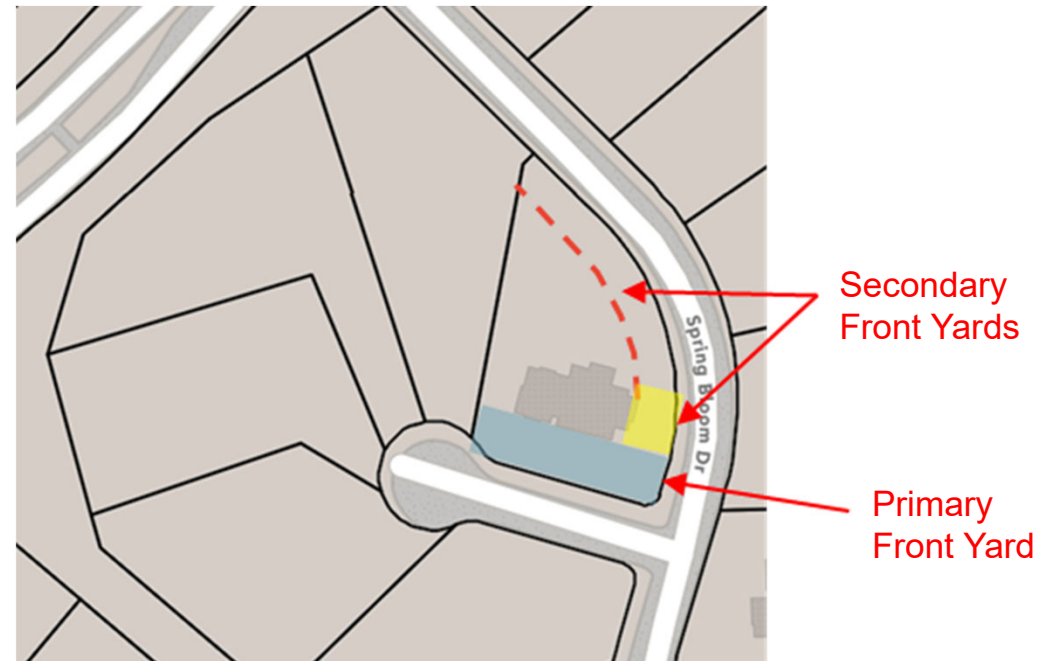


## Overview – Land Use Code Amendments

### ❖ §16-3-10. – Accessory Buildings.

Clarification to the front lot line:

- Language pertaining to the front lot lines was modified to include an uncommon situation where two secondary front yard property lines may exist.
- Allows the Director to make the determination pertaining to the rear yard lot line location.





## Overview – Land Use Code Amendments

### ❖ §16-3-20. – Home Occupations. Clarifying language.

Removed the zoning reference *“in any Single Family Residential Zoning District”*.

- b) Home occupations shall be permitted as an accessory use of any dwelling unit whether or not authorized as a named accessory use by this Code, if the following conditions are met and continuously exist:
  - 7) Condensed language regarding sale, display or distribution of merchandise.
- c) Added language requiring applicants applying for a home occupation to provide property owner or landlord authorization when the dwelling unit is not owned by the home occupation applicant.



## Overview – Land Use Code Amendments

### ❖ §16-3-40. – Accessory Dwelling Units.

Clarifying language added to align with requirements outlined in recently passed state legislation, **HB24-1152**, regarding accessory. Specific areas of change include:

- Removal of compliance with restrictive covenants – HOA cannot prohibit.
- Parking requirements – limitations on what can be required.
  - Cannot require garage space.
  - Can require parking in limited situations.
- Revised the owner occupancy requirement – owner must reside on the property at the time of the ADU application AND when recording ADU with county.
- Types of Accessory Dwelling Units – Type II & Type III (ADUs located within a single-family dwelling) – cannot limit occupancy type.
- Revised the procedure for ADU approval – admin only, especially the grievance process. No public hearing process.

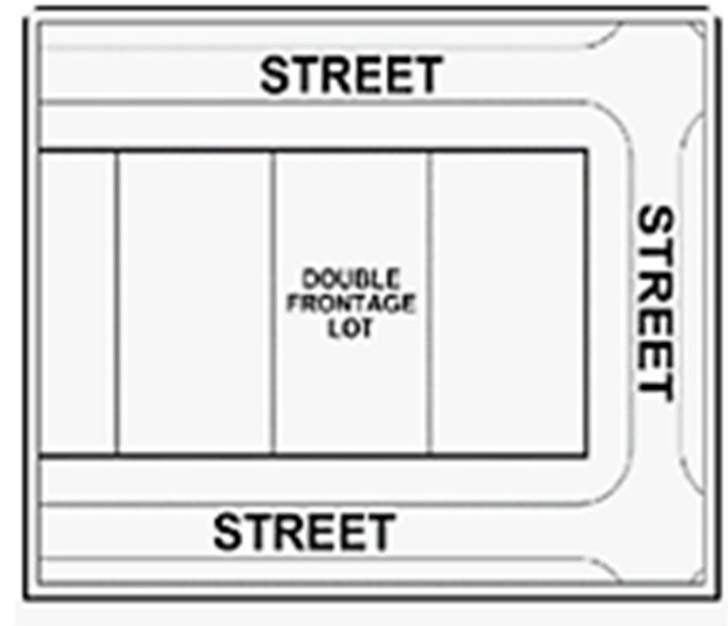


## Overview – Land Use Code Amendments

### ❖ §17-1-30. – Lots – Double Frontage

- Clarifying language added regarding the definition of a double frontage lot
- Removed language pertaining to exceptions previously allowed.

***Double frontage lot means any lot which abuts two or more streets other than a corner lot, which abuts two intersecting streets. Double frontage lots for single family dwellings, duplexes, multiplexes, and townhomes shall not be permitted.***



# Questions / Thank you



*Town Board Work Session  
October 21, 2024*



## MEMORANDUM

**Date:** October 21, 2024  
**To:** Mayor and Town Board  
**From:** Shane Hale, Town Manager  
Eric Lucas, Deputy Town Manager  
**Re:** Strategic Plan Survey Results  
**Item #:** B.4.

### **Background / Discussion:**

Every two years, the Town Board reviews and updates the Town's Strategic Plan. That process began May 16-17, 2024 with a retreat at the Sylvan Dale Ranch where the Board and staff discussed Board priorities for the next two years. In July, staff worked through those priorities and developed goals and action steps designed to accomplish the priorities set forth by the Board.

At a work session on August 12, we shared with the Board the proposed goals and action steps and sought approval to move toward a public commenting period. This request was approved and enabled staff to provide a way for the public to comment on the plan via Project Connect on our website. We launched the survey on Project Connect on September 14, 2024. Since then, we have received 57 responses. The attached report shows all responses to the survey and all comments from respondents.

The purpose of the work session will be to review the results of the public comment period and seek approval to proceed toward strategic plan adoption.

### **Financial Impact:**

None at this time

### **Relationship to Strategic Plan:**

Direct relationship to the 2025-27 Town strategic plan.

### **Recommendation:**

Staff will be seeking board feedback on the public comments provided and approval to proceed toward strategic plan adoption.

### **CC:**

### **Attachments:**

1. StrategicPlanSurveyResponseReport.101724

# Strategic Plan 2024-2029 Survey

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## SURVEY RESPONSE REPORT

17 September 2024 - 16 October 2024

### PROJECT NAME:

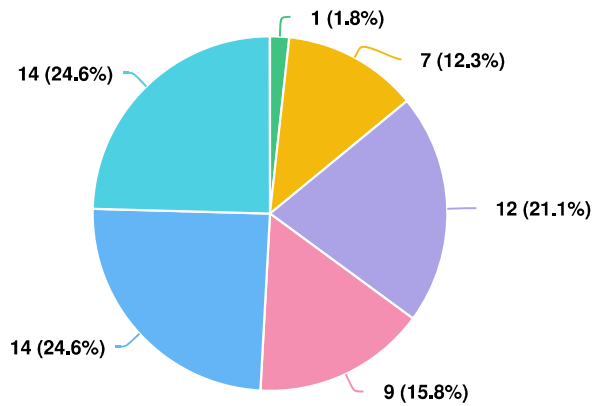
Strategic Plan 2024-2029





SURVEY QUESTIONS

**Q1 | What district do you live in?**

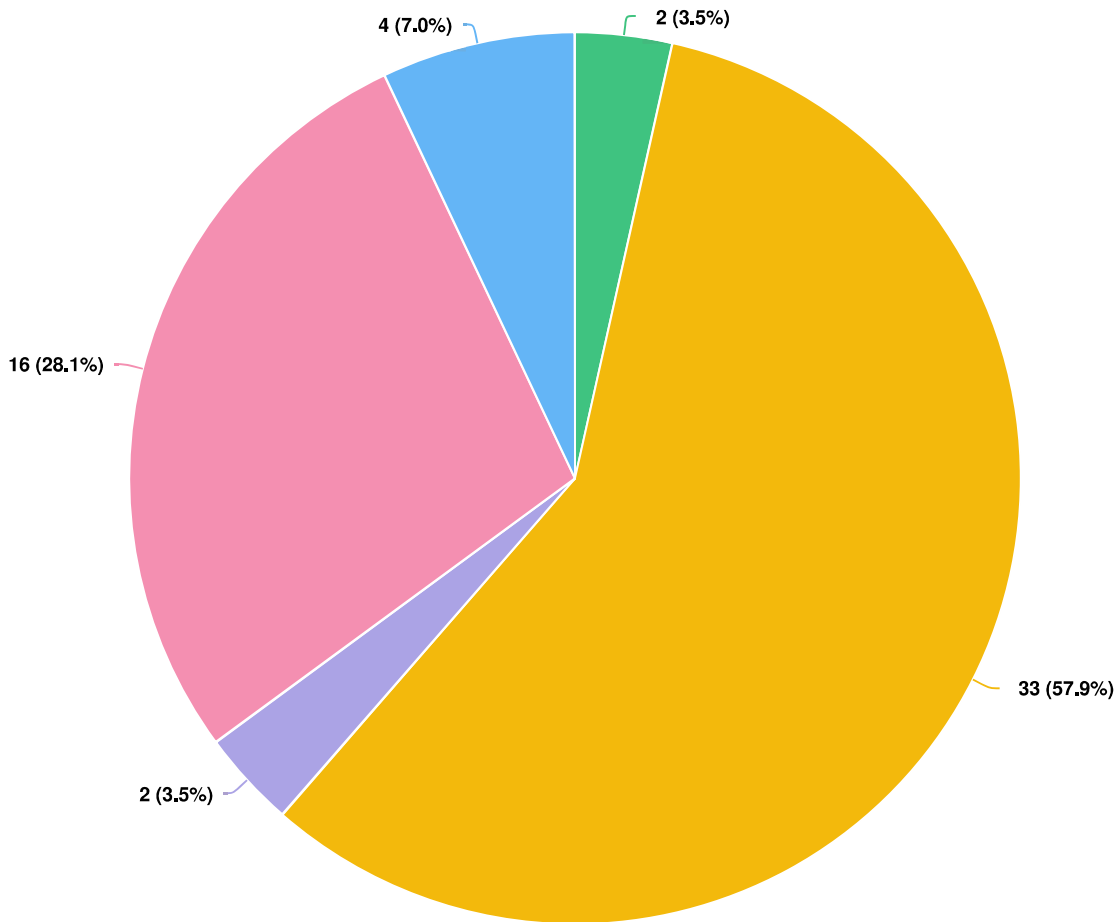


**Question options**

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

*Mandatory Question (57 response(s))  
Question type: Radio Button Question*

**Q2 Strategic Growth Goals: Which of the following should be a top priority for Town Board?  
(Choose One)**

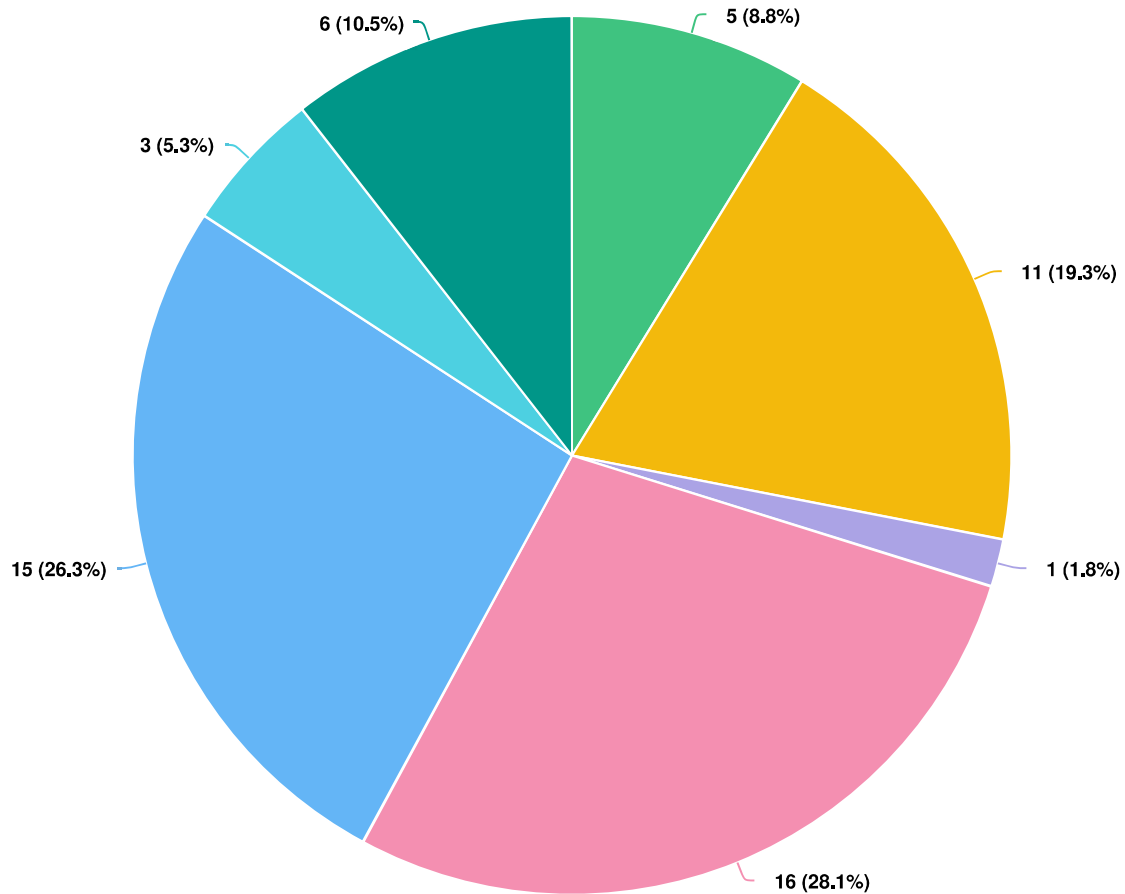


**Question options**

- Continue to develop Windsor's emergency response
- Acquire 1,290 acres of open space to ensure Windsor maintains its identity and quality of life
- Assess and address long-term capital facility needs
- Implement growth priorities from Comprehensive Plan
- Increase attainable housing by 10% for those who work in Windsor so they can live in Windsor

*Mandatory Question (57 response(s))  
Question type: Radio Button Question*

**Q3 Vital Infrastructure Goals: Which of the following should be a top priority for Town Board? (Choose One)**

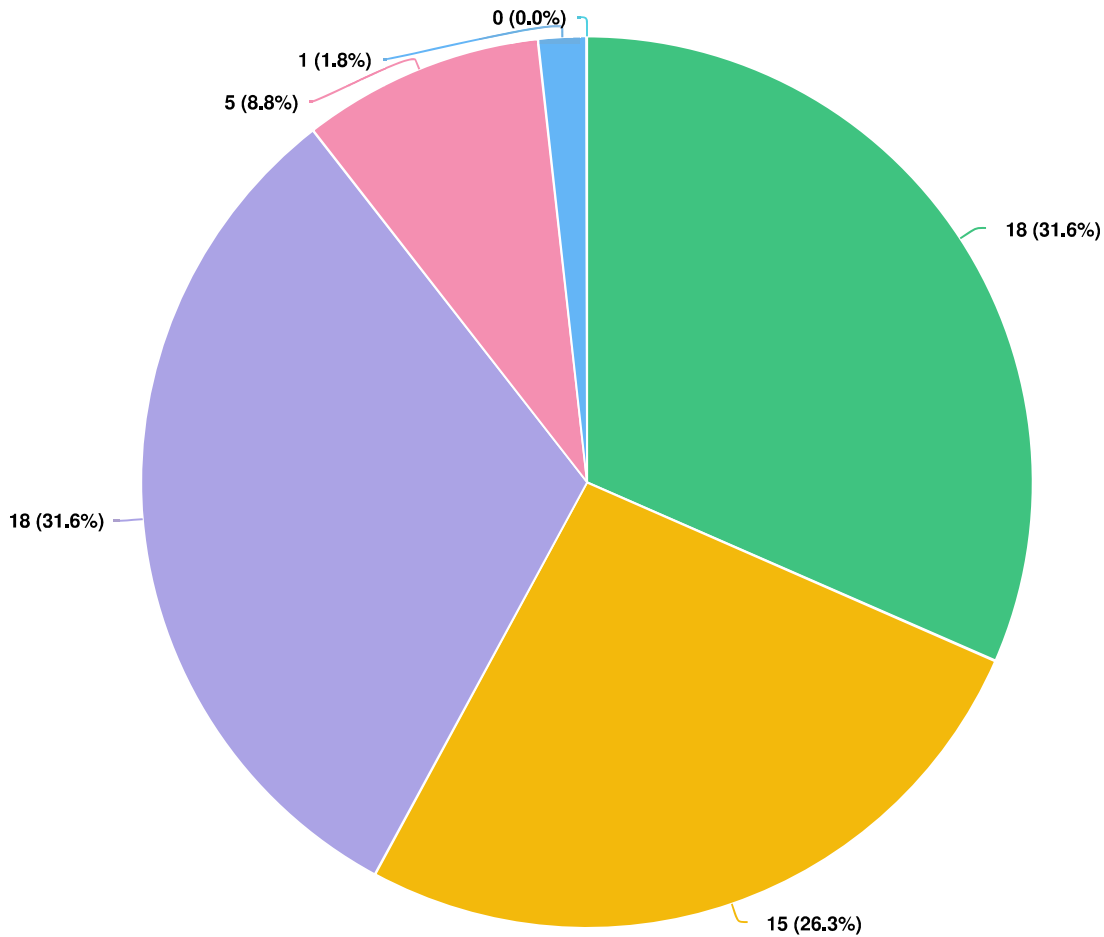


**Question options**

- Design and implement a well-connected, efficient, safe multimodal public transportation network
- Build out pedestrian and bicycle connectivity throughout Windsor
- Increase alternative transportation opportunities for Windsor residents
- Provide a safe and reliable water supply for the community
- Maintain and expand existing infrastructure to meet current and future demands
- Complete park system buildout
- Support efforts to make the Windsor downtown area a cultural center for public art, events and activities

Mandatory Question (57 response(s))  
Question type: Radio Button Question

**Q4 Vibrant and Healthy Economy Goals: Which of the following should be a top priority for Town Board? (Choose One)**



**Question options**

- Enhance and expand Main Street downtown vitality
- Attract diverse and unique restaurants throughout Windsor
- Promote business diversification to attract balanced commercial development that will sustain the future of Windsor
- Leverage entertainment opportunities in and around Windsor to capture revenue
- Support public private partnerships
- Expand a public art plan

Mandatory Question (57 response(s))  
Question type: Radio Button Question

**Q5 | How can we improve this Plan?**

TadChadwick

9/23/2024 01:53 PM

Quit trying to put so much money and resources on making everyone ride bikes and walk everywhere. City needs parking especially in an area that gets cold half the year.

johnson.dana

9/23/2024 02:10 PM

There are a handful of stores on Main Street that I believe are no longer suitable to on the main drag. Manweiler Hardware would be one example. I'm sure they're probably grandfathered into that space, but with such prime real estate I would prefer to see a restaurant in this location.

Chris

9/23/2024 02:11 PM

Continue to keep the health and well-being (safety) for residents and families as a priority and focus. That is what draws people to our community and will keep people moving here.

Bping

9/23/2024 03:10 PM

The Great Western trail provides an opportunity to expand walkability for residents in district 3 and beyond. There is currently land around the trail that can be used to build out restaurants and apartments and use the trail as a vehicle free pedestrian destination. One of the charming parts about Windsor is it walkability. If we can extend this east of town we truly can have a front range destination. We can look at what Carmel Indiana did for their downtown district. They created a destination for not only residents of Carmel, but residents of the greater Indianapolis area by remaining walkable and adding in local restaurants and shopping.

Abcd

9/23/2024 03:22 PM

Implement a minimum lot size so we are not just a sea of rooftops.

andrewtodd

9/23/2024 03:37 PM

I know you won't see this but LOOK UP CARMEL INDIANA

WV2014

9/23/2024 04:57 PM

The bike lanes on walnut are really dumb, please don't do that to other streets.

Csmith5

9/23/2024 05:27 PM

Na

mmcoats

N/A

9/23/2024 05:48 PM

Michael

Parter with nonprofits

9/23/2024 05:58 PM

windsorres133

Increase the walk-ability of our downtown -- add more flashing pedestrian crosswalks, encourage more store fronts at street level rather than offices, bring in new restaurants, etc

9/23/2024 06:09 PM

Raleigh Turley

A

9/23/2024 06:39 PM

James Vanhook

We need a new grocery store on the East Side of town and traffic needs to be addressed on cr 19 around the school.

9/23/2024 07:00 PM

JDiscoe

We moved back to Windsor after 9-years in New Hampshire. Being here, we love the trails, the lakes, and being in the mix of the front range. We don't love all the fracking wells in our area, but we guess necessary. We like the mix of ag and open space some of the developers are doing and it would be great to see more public art like sculptures along paths or from roadside vantage points. Generally though, we can see living in Windsor for the rest of our days.

9/23/2024 07:02 PM

HLMondt

Continue to acquire more open space so that we can maintain the beauty of Colorado within our small town. More unique restaurants (like Tiho's) and not a lot of chains-this helps keep us unique & invites out of towners to visit Windsor for our unique dining options.

9/23/2024 07:45 PM

Mnoonan94

More animals and nature preservation to ensure we don't turn into a place where animals (eagles, large birds) no longer feel safe in their natural space

9/23/2024 09:14 PM

Cbrunner

Stop approving new construction permits. 90% of Windsor residents do not work in Windsor. That being said well over 90% of traffic through Windsor passes through Windsor without stopping. Install synchronized traffic lights like Denver. This will reduce speeding, since if you drive the speed limit you will make every green light. This will reduce traffic by getting everyone through town quickly. This will be safer, This will reduce pollution as less vehicles will be left idling. It would also be even better to make main street and Walnut st two lane one ways west from 257 and main to around 11th and main

9/24/2024 04:00 AM

cmykdesigner  
9/24/2024 05:55 AM

consider putting someone in a position for community development opportunities that will allow business to pull patrons after 5pm (that's when downtown seems to die). There really should be more city-centered events for networking and gathering. there are only a few restaurants downtown and several boarded up on main street. Find ways to make that downtown strip a walking mall that showcases the great businesses we have in Windsor.

Sgwindsor  
9/24/2024 09:57 AM

O

Gregg P.  
9/24/2024 10:27 AM

Concentrate on traffic flow and find alternative trucking routes.

Eric  
9/24/2024 10:59 AM

Support the population with businesses that people use not fill the town with hair salons that won't survive. Work on getting a real grocery store on the east side of town so residents will actually shop in Windsor and not take their money elsewhere. Get CR70 to go through to hwy 257 as a bypass of downtown.....things like that may be a start.

Maseargeant  
9/24/2024 11:04 AM

I really love how Windsor still feels small while meeting all of our needs. I would love to see growth of business in downtown that's sustainable. The other concern is safety in our community as the Colorado population continues to grow.

ksare81  
9/24/2024 11:25 AM

No comment

KPatt  
9/24/2024 11:43 AM

Difficult to select only one priority for each category. Would like to see environmental issues considered as each priority is tackled. We have a beautiful community and I appreciate your investment in a strong future.

arcole1901  
9/24/2024 12:07 PM

We can improve this by encouraging new businesses to come to Windsor through encouraging Windsor citizens to get out and be apart of the community more, social media postings supporting local businesses, put more sit down restaurants that aren't Mexican food or Chinese food. We need more American food and Italian Restaurants that aren't fast food. We should uplift the businesses that have been here for years and been loyal to staying in Windsor.

DRR

9/24/2024 01:07 PM

Please keep open spaces and natural areas! We need less houses and grocery stores and restaurants

D From Windsor

9/24/2024 01:30 PM

1

WindsorsGreat

9/24/2024 03:16 PM

Build more on the east end of Windsor.

Kg16

9/24/2024 05:23 PM

Insure

JayKay

9/24/2024 09:37 PM

Assign a grading or rating system to assess current status or health to balance improving basic needs vs. investing in distinctive improvements.

CSondrup

9/25/2024 04:38 AM

Communication is key

BK

10/05/2024 09:04 PM

Continue transparency

Ipurcelley

10/07/2024 03:17 PM

It is important to add plans to handle increased traffic downtown and on residential streets. Consider putting up more speed bumps or something like that to slow traffic down on residential streets where drivers cut through to avoid 7 th and also Main Street.

YouCanOnlyGuessWhoThisIs

10/07/2024 04:42 PM

I'm satisfied with what I've seen of the plan.

SamuelK

10/08/2024 06:47 AM

There are a lot of great ideas in this plan. I wish we could fund them all. I think a through and thoughtful approach to projects is key for success.

Y Ruebel

10/08/2024 07:22 AM

STOP BUILDING SUBDIVISIONS! KEEP THE FARMERS AND OPEN SPACE!!!! USE THE WATER FOR THE FARMERS!!! SAY NO TO LAND DEVELOPERS/DESTROYERS

Dinapolanco

Install more crosswalks with flashing lights.

10/08/2024 08:43 AM

cnw

10/08/2024 11:07 AM

Understand that while growth may be economically important for the town, we should make sure that the parks, restaurants, social activities all grow in proportion to avoid overcrowding.

Kaylecrist

10/08/2024 08:34 PM

I would like to ensure infrastructure is being created based on the continuous growth of the community which I why I chose that as my number one option. Biking trails and outdoor space is a top priority to maintain the health and activity level of Windsor citizens. This also allows for reduction in carbon footprint as well with more possibility of biking or walking to work.

Lindsey Wilson

10/08/2024 09:55 PM

Implement climate resilience and multi use building actions . Fight against big oil. Bring Barry back

Linda hessler

10/10/2024 07:13 PM

Provide more sidewalks to connect all parts of the town. Continue the sidewalk all the way down CR13 from new liberty to hwy 392

mmaledon

10/11/2024 01:08 PM

more grocery stores

Rachel

10/12/2024 07:18 AM

NA

Jones'

10/12/2024 01:08 PM

N/a

Tre2003

10/12/2024 01:13 PM

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Susan Hric

10/12/2024 01:20 PM

Continue to attract small businesses and restaurants the community to create a vibrant creative community

Scottsr9034

10/12/2024 01:21 PM

N/A

Linda M

10/12/2024 01:31 PM

Listen to opinions on the committee that are for the good of all and that the motivation is not just for those that have an individual/personal benefit.

Windsordogmom

10/12/2024 01:40 PM

To actually do something.

MikeS

10/12/2024 01:59 PM

Avoid over development, keep open space and make downtown a desired destination

DKSMW

10/12/2024 05:46 PM

Do Not even think about public transportation. Bring in homeless, drugs and crime. Just look west to Fort Collins.

basims

10/13/2024 01:12 PM

Prioritize residents wants and needs rather than developer or corporate desires. Keep Windsor small!

Stephanie S.

10/13/2024 06:44 PM

Help make Windsor an affordable community.

Windsor Lady

10/14/2024 05:47 AM

Additional grocery store toward east end

jhowe

10/14/2024 03:54 PM

Infrastructure: Expand the 35 mph zone on 392 from 15th to CR 13. Put red light cameras at 392 and CR13. Create more single track bike trails

Jlabus

10/15/2024 09:40 AM

I think it is solid.

JFinn

10/16/2024 09:56 AM

Stop so many house building permits till schools can stabilize.

**Mandatory Question** (57 response(s))

**Question type:** Essay Question

## Q6 | What did we miss?

TadChadwick

9/23/2024 01:53 PM

Too much housing growth with slow response to infrastructure requirements that increased citizens require.

johnson.dana

9/23/2024 02:10 PM

Please make sure that open spaces stay open spaces, even at the cost of more housing. Houses are already built far too closely

together as is.

Chris

9/23/2024 02:11 PM

Safety/ first responders infrastructure is always a priority for residents

Bping

9/23/2024 03:10 PM

Nothing to note here

Abcd

9/23/2024 03:22 PM

Focus on a new 'downtown' area instead of forcing it into the current area. There is not enough space and the stores that are there currently will not attract people to the area.

andrewtodd

9/23/2024 03:37 PM

Mixed use development!

WV2014

9/23/2024 04:57 PM

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Csmith5

9/23/2024 05:27 PM

Na

mmcoats

9/23/2024 05:48 PM

N/A

Michael

9/23/2024 05:58 PM

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windsorres133

9/23/2024 06:09 PM

Please don't risk our water supply by encouraging too much development in our area. Water is a limited natural resource in our state and that should be taken into account when approving new development

Raleigh Turley

9/23/2024 06:39 PM

A

James Vanhook

9/23/2024 07:00 PM

Traffic plan.

JDiscoe

9/23/2024 07:02 PM

We have only been here 4-mo but love our Ravina development neighborhood, it would be nice to be more connected via pathways to Windsor in the future!

HLMondt

9/23/2024 07:45 PM

Bring in another grocery store!!! If nothing else in this plan is done, let this be the top priority-we need another grocery store to sustain and match the growth this town has seen over the past few years-Traders Joe's, Whole Foods, Sprouts-anything!! We need more options and I'm sure the amazing workers of King Soopers could use a break from overstocking every single day!

Mnoonan94

9/23/2024 09:14 PM

Any environmental concerns. I think preserving the earth and preserving open spaces starts at home.

Cbrunner

9/24/2024 04:00 AM

TRAFFIC! and Conservation/Preservation

cmykdesigner

9/24/2024 05:55 AM

revitalizing downtown is important but in order to do that, you need to have a plan that includes public outreach and events centered around downtown on more than just one day a week. windsor struggles with the awkward teenage phase of development. it seems like growth is wanted but the small town way of life is paramount to being preserved. it's hard to have both. preserving open space is an important factor to maintain that small town feel but allowing for commercial development in an organized fashion needs to happen as well. perhaps considering a bypass for heavy traffic allowing the downtown area to become more of a foot traffic area; one where you come to gather and walk rather than just driving through. this would allow more events to take place outdoors and allow businesses to have outside areas for gathering. also, discussions with Kroger to replace the aging and outdated grocery store is key. we've lived here over 3 years and the frustration of shopping there sometimes leads me to go to other stores in FoCo meaning that Windsor is losing that tax revenue. i'm sure i'm not the only one. Windsor has so much potential to be a great small city. the sooner that the town administrators realize that, true growth can happen.

Sgwindsor

9/24/2024 09:57 AM

Please slow down the residential growth of Windsor until the infrastructure can catch up. Especially the school and road systems.

Gregg P.

9/24/2024 10:27 AM

Develop a plan with the Federal Govt to build a new Post Office.

Eric

9/24/2024 10:59 AM

What's up with the ballpark?

Maseargeant  
9/24/2024 11:04 AM

Are there any needs to increase safety?

ksare81  
9/24/2024 11:25 AM

No comment

KPatt  
9/24/2024 11:43 AM

Public safety

arcole1901  
9/24/2024 12:07 PM

A Plan to slow the development of housing on open spaces and making Windsor “connect” to every surrounding city. The town is growing rapidly and with the resources we currently have we no longer need to “expand” but need to take care of the things we already have. Upgrade downtown and all of our parks and recreation areas, put some sort of plan in place to slow the rapid growth of the town and keep it at a manageable pace. Even if people can’t find housing here there are already too many houses in Windsor. Keeping the town a “small town feel” is important to a lot of the residents and while most would encourage building and increasing captital for the town, it’s also important to realize the town only has so much space to work with and the surrounding cities / communities are set up to withstand an influx of people. Even with constant upgrading, the town will always be “set up” as a small town feel and if we continue selling all of the open spaces to commercial or residential developers instead of preserving the little land we have left , there will be nothing left to enjoy in our “small farm town”. It’s important to continue developing but not at the current rate. I know most of the residents in town are overwhelmed with the traffic and the overcrowding everywhere you go. We don’t have enough parking for public events anywhere and if we continue building it will only get worse. Build trails on the open land and let people enjoy the breathtaking beauty that our town naturally has. We want to be able to view the mountains without a huge subdivision blocking our view or a giant apartment complex. Colorado is among the most beautiful states in the world and Windsor is a hidden gem. We need to try and preserve the original way of life here while slowly integrating new things. Rapid Change isn’t good for anyone but the developers and investors. I LOVE this town and would like to see it restore some of it’s original values / history.

DRR  
9/24/2024 01:07 PM

The land behind Timberline church should be used as park with open space to provide more areas for our children!

D From Windsor

1

9/24/2024 01:30 PM

WindsorsGreat

Addressing how to fix Windsor lakes algae problem and the ability to stock the lake with fish.

9/24/2024 03:16 PM

Kg16

Any way to create an easier way to get down Main Street during "rush hour" times. Also the amount and length of the trains during busy hours.

9/24/2024 05:23 PM

JayKay

Is there a stop doing list?

9/24/2024 09:37 PM

CSondrup

Doing a great job

9/25/2024 04:38 AM

BK

Reroute trucks on 392 off Main Street

10/05/2024 09:04 PM

lporcelley

Poudre Trail -corridor— address the use of Ebikes on this trail and also consider having the trail go underneath roads. Traffic on 257 goes so fast it is becoming more and more dangerous to cross the trail at this location.

10/07/2024 03:17 PM

YouCanOnlyGuessWhoThisIs

The only thing I can think of is what will come of the Future Legends project. The project has become an eye-sore and a blight on the Windsor community.

10/07/2024 04:42 PM

SamuelK

I would love to see a sidewalk along CR-13 from Frank State wildlife trail head connected to where the sidewalk ends at the Raindance subdivision. It is not safe to walk or bike along CR-13.

10/08/2024 06:47 AM

Y Ruebel

STOP BUILDNG SUBDIVISIONS!!

10/08/2024 07:22 AM

Dinapolanco

NA

10/08/2024 08:43 AM

cnw

I would be interested to hear more about the future legends complex. The future vision of the complex seems amazing, but the current

10/08/2024 11:07 AM

leadership does not seem adequate to complete the project. And given public information about that ownership group, it is hard to cheer for them to succeed.

Kaylecrist

10/08/2024 08:34 PM

Cleanliness of Windsor lake for summer activities continues to be at the top of our list. As our children get older we would like them to be able to utilize the lake but fear with the common issues related to blue green algae we will not use the lake as much as we intend. We also have dogs who love the dog park but have strayed from utilizing it to avoid them getting sick.

Lindsey Wilson

10/08/2024 09:55 PM

Climate adaptation and/or resilience, sustainability, affordable housing. Lower income populations are getting priced out of Windsor moving them to other communities. Windsor is losing that tax income and making Windsor a less desirable and inclusive place (data shows this)

Linda hessler

10/10/2024 07:13 PM

Nothing

mmaledon

10/11/2024 01:08 PM

more grocery stores

Rachel

10/12/2024 07:18 AM

This may be in the actual plan (I understand this is just a survey), but how is Windsor looking at health and equity in its planning?

Jones'

10/12/2024 01:08 PM

N/a

Tre2003

10/12/2024 01:13 PM

.

Susan Hric

10/12/2024 01:20 PM

Plans for new schools?

Scottsr9034

10/12/2024 01:21 PM

No more tire shops.

Linda M

10/12/2024 01:31 PM

Thank you for your work.

Windsordogmom

10/12/2024 01:40 PM

Check the spelling when you post these surveys and use the same font size for all options.

MikeS

10/12/2024 01:59 PM

Nothing

DKSMW

10/12/2024 05:46 PM

The need to keep Windsors small town feel.

basims

10/13/2024 01:12 PM

N/A

Stephanie S.

10/13/2024 06:44 PM

Not sure

Windsor Lady

10/14/2024 05:47 AM

Preserve space, Windsor is getting crowded

jhowe

10/14/2024 03:54 PM

I'd have been nice to rank these choices rather than choose one only

Jlabus

10/15/2024 09:40 AM

Focus areas are covered.

JFinn

10/16/2024 09:56 AM

...

**Mandatory Question** (57 response(s))

**Question type:** Essay Question



## FUTURE TOWN BOARD MEETINGS

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October 28, 2024 5:30 p.m.	Town Board Work Session (3 <sup>rd</sup> floor) Metro/Special District 101 Discussion Grocery Sales Tax Follow-up Discussion
October 28, 2024 6:45 p.m.	Special Kern Board Meeting New Cache Agreement
October 28, 2024 7:00 p.m.	Town Board Regular Meeting
November 4, 2024 5:30 p.m.	Town Board Special Meeting Budget: Utility Rates for 2025 SB 131: Prohibiting Firearms in Sensitive Spaces Discussion Executive Session: Annual Reviews for Town Attorney and Town Manager
November 11, 2024	Canceled for Veteran's Day Holiday
November 18, 2024 5:30 p.m.	Town Board Work Session Budget Wrap-up/Revisions Windsor Severance Fire Rescue Impact Fees Update Natural Medicine Psilocybin Mushroom Discussion
November 25, 2024 5:30 p.m.	Town Board Work Session Dig Once Policy Discussion
November 25, 2024 7:00 p.m.	Town Board Regular Meeting
December 2, 2024 5:30 p.m.	Town Board Work Session Charter Commission Recommendation Discussion
December 9, 2024 5:30 p.m.	Town Board Work Session Board/Manager/Attorney Monthly Meeting Vision Zero Plan Update
December 9, 2024 7:00 p.m.	Town Board Regular Meeting
December 16, 2024	Board/Manager/Attorney Annual Dinner
December 23, 2024	Canceled
December 30, 2024	Canceled

**Future Work Session Topics**

- 
- Water 101 (January)



## MEMORANDUM

**Date:** October 21, 2024

**To:** Mayor and Town Board

**From:**

**Re:** An Executive Session Pursuant to Colorado Revised Statutes §24-6-402 (4)(e)(I) for the Purposes of Determining Positions Relative to Matters that may be Subject to Negotiations; Developing Strategy for Negotiations; and Instructing Negotiators Concerning Economic Development Opportunities and Incentives (Evan Wendlandt, Economic Development Director)

**Item #:** C.1.

**Background / Discussion:**

**Financial Impact:**

**Relationship to Strategic Plan:**

**Recommendation:**

**CC:**

**Attachments:**