



TOWN BOARD WORK SESSION

December 8, 2025 - 5:30 PM
1st Floor Conference Room, 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. Board/Manager/Attorney Monthly Meeting
2. New Hire Meet the Board
3. Community Grant Requests - 2026 - T. Fotsch, Director of Parks, Recreation, and Culture
4. Proposed Amendments to Land Use Codes, Accessory Dwelling Units (ADUs), and Reinstating and Adjusting Standards - C. Malone, Planning Manager
5. Future Meetings 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: December 8, 2025
To: Mayor and Town Board
From: Kevin Cornelison, HR Manager
Re: New Hire Meet the Board
Item #: 2.

Background / Discussion:

Employee Name	Position Title	Department Head	Date of Hire
Arben Borincaj	IT Operations Supervisor	Eric Lucas / Joe Gaona	10/20/2025
Jordan Kingsbury	IT Analyst I	Eric Lucas / Joe Gaona	9/22/2025
Candida Velasquez	GIS Analyst II	Eric Lucas / Joe Gaona	8/4/2025
Janel Belew	Utility Billing Coordinator	Dean Moyer	8/4/2025
Amanda Barrera	Records Manager	Chief Garrison	9/8/2025
Loni Graham Ashby	Records Specialist	Chief Garrison	8/11/2025

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:



MEMORANDUM

Date: December 8, 2025
To: Mayor and Town Board
From: Tara Fotsch, Director of PRC
Re: Community Grant Requests - 2026 - T. Fotsch, Director of Parks, Recreation, and Culture
Item #: 3.

Background / Discussion:

As requested, we will be bringing all the requests that were submitted for 2026 to the board for review and approval. We have also prepared application improvements and processes to be discussed for the next year.

Financial Impact:

No financial impact.

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:



MEMORANDUM

Date: December 8, 2025
To: Mayor and Town Board
From: Carlin Malone
Re: Proposed Amendments to Land Use Codes, Accessory Dwelling Units (ADUs), and Reinstating and Adjusting Standards - C. Malone, Planning Manager
Item #: 4.

Background / Discussion:

Executive Summary

This work session item contains an overview of upcoming land use code amendments, highlighted by two topics: the ADU section and general code corrections. The first topic and amendment include minor changes to the Town's Municipal Code ADU section related to the State's ADU Compliance Report comments pertaining to statutory requirements. The second topic includes amendments to address omissions from the land use code, including zoning application requirements and parking determinations for land uses not expressly listed in the code.

This memo summarizes the proposed changes and the rationale behind them.

Once the Town Board has reviewed and discussed the proposed amendments, staff will prepare a final draft of the land use code amendment ordinance, public hearing dates will be scheduled, and notifications will be issued in accordance with the Town's Municipal Code.

Topic 1 — ADU code language

The first amendment is a result of the State's Accessory Dwelling Unit (ADU) Compliance Report requirements, comments received from the State, and amendments needed within the Town's ADU section of the land use code to comply with this report. The main concern of the State pertains to matching statutory language. It was not known when the Town's ADU land use code update was approved earlier this year that the language in the Town's Code would need to completely match that of the State's. Several other minor edits to references and typographical errors were fixed, as shown in the draft ordinance.

To comply with state regulations, the Town of Windsor must update its land use code by January 1st, 2026. The Town notified DOLA that the land use code update is in progress with a Town Board first reading anticipated for January 7, 2026. This proposal was satisfactory.

Affected Code Sections:

Section 16-3-40 – Accessory Dwelling Units

1. Revised Sec. 16-3-40(b)(6). Revised to align with statutory language regarding ADUs.
2. Revised Sec. 16-3-40(e) Revised to align with statutory language regarding ADUs.
3. Revised Sec. 16-3-40(d)(1)(a). Revised to align with statutory language regarding ADUs.
4. Revised Sec. 16-3-40(d)(1)(c). Deleted to align with statutory requirements regarding ADUs.
5. Revised Sec. 16-3-40(g)(1). Revised to align with statutory language regarding ADUs.
6. Revised Sec. 16-3-40(h)(1 & 2). Clarification, removing "Zoning Official" and replaced with "Planning Director".

Topic 2 — Correcting Omissions

The 2021 code update accidentally removed the two sections below, which are proposed to be reinstated:

Section 14-2-70. – Interpretation of district boundaries

Section 14-2-70 includes critical information regarding where zone district boundaries need to be located when a zone district is proposed or rezoned. The section and its entirety need to be reinstated. Please refer to the attached draft code.

Section 15-5-20. – Parking requirements for buildings and uses outside of downtown parking district.

Section 15-5-20(h) Reinstates Parking Determination Procedure. This section outlines standards for determining parking requirements when permitted land uses are not specifically listed in the code. In such cases, the use is assessed based on its necessity. This section needs to be reinstated. The language remains consistent with the 2020 version of the previous code. Please refer to the attached draft code for more details.

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. Land Use Code Updates ADU & Reinstatements

TOWN OF WINDSOR
ORDINANCE NO. 2025-

AN ORDINANCE BY THE TOWN OF WINDSOR, COLORADO AMENDING CHAPTERS
14 -16 OF THE LAND USE CODES, REINSTATING AND ADJUSTING STANDARDS

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

WHEREAS, since the adoption of the Land Use Code, the Town has, from time to time, reinstated and adjusted its requirements regarding procedures and standards; 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, these amendments to the Land Use Code promote the public health, safety and welfare of the residents of the Town.

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

Section 1. Portions of Windsor Municipal Code Chapters 14, 15, and 16 are hereby amended and shall read as follows:

Sec. 14-2-10. General—All applications.

(a) Applications and Fees.

(1) General. Applications and land use procedures shall be processed in accordance with Table 14-2-10(a) and this Chapter.

Table 14-2-10(a) Land Use Application Procedures								
Application Type	Code Section	Neighbor-hood meeting	Concept Review Meeting	Decision Maker				Vote
				Director	PC	TB	BOA	
Accessory Dwelling Unit	Sec. 14-2-100		☐	D			A*	
Annexation	Sec. 14-2-30	☒	☐	R	R*	D*		S

Appeals	Sec. 14-2-180			Refer to section 14-2-180				S
Code Amendment	Sec. 14-2-190			R	R*	D*		S
Comprehensive Plan Amendment	Sec. 14-2-200							
Conditional Use Permit	Sec. 14-2-130		☐	R	R*	D*		M
Special Conditional Use	Sec. 14-2-230		☐	D	A*			M
Conditional Use Permit Oil and Gas, Gravel Mining	Sec. 14-2-130	☒	☐	R	R*	D*		M
Height Modification	Sec. 14-2-160		☐	R	R*	D*		M
Large Retail Establishment	Sec. 15-7-30		☐	R	R	D		M
Master Plan	Sec. 14-2-40	☒	☐	R	R*	D*		M
Non-Regulated Land Transfer	Sec. 14-2-50							
Parking Determination	Sec. 15-5-20(h)		☐	R	D*			M
Rezoning	Sec. 14-2-70	☒	☐	R	R*	D*		S
Sign Permit	Sec. 14-2-170			D			A*	
Site Plan—Major	Sec. 14-2-90		☐	D		A*		

Site Plan—Minor	Sec. 14-2-90		☐	D		A*		
Subdivision, Major—Final	Sec. 14-2-60		☐	R	R*	D*		M
Subdivision, Major—Preliminary	Sec. 14-2-60		☐	R	D*	A*		M
Subdivision—Minor	Sec. 14-2-60		☐	D		A*		
Substantial Change Hearing	Sec. 14-2-20		☐	R	R*	D*		M
Telecommunications	Sec. 14-2-110		☐	D ¹			A*	
Vacation of Town ROW	Sec. 14-2-120			R		D*		M
Variance	Sec. 14-2-150		☐	R			D*	S
Variance, Minor	Sec. 14-2-140		☐	D			A*	
Vested Property Rights	Sec. 14-2-210			R		D*		M
¹ Director may refer to PC/TB per Sec. 16-5-40(j) to be reviewed as a Conditional Use Permit			R = Recommendation					
☒ = Required			D Decision Maker					
☐ = 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					

- (2) Required Information. Applicants shall submit the information required for a subject application or development in accordance with the application and submittal standards maintained by the Director.

- (3) Modification. The Director may modify submittal requirements where the Director finds that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly support such modification.
 - (4) Supplement. The Director may require further submittals or information, provided that the supplement is reasonably required to evaluate compliance with this code or with the comprehensive plan.
 - (5) Fees. The initial non-refundable application fee shall be determined by the type of application submitted pursuant to a fee schedule set by Town Board. These fees may be amended from time to time by Town Board by Resolution.
- (b) Withdrawal of an Application.
- (1) The applicant may request a withdrawal of an application in writing. Annexation applications with an approved Town Board resolution initiating annexation proceedings may only be withdrawn subject to approval by Town Board.
 - (2) After withdrawal, the Town will take no further action on the application.
 - (3) If an application is withdrawn, the applicant may resubmit the application, which shall be treated as a new application for purposes of review, scheduling, and payment of application fees.
 - (4) A request for withdrawal of an application from a noticed agenda is subject to the discretion of the decision-making body.
 - (5) An application will be considered withdrawn if the applicant fails to attend a hearing before the decision-making body. The applicant may petition that body for reinstatement of the application within seven (7) days of the date of the missed hearing, and the decision-making body may reinstate the application for good cause shown.
- (c) Inactive Applications. If the applicant fails to submit requested additional or revised application materials within one hundred eighty (180) days of the request, the Director may declare the application withdrawn.
- (d) Lapse of Approval. Approvals of the following development applications shall automatically lapse, be null and void and have no further force and effect, in the following circumstances:
- (1) For Site Plans, Height Review, and Conditional Uses: lapse shall occur if the applicant does not apply for a building permit and commence construction to act on the development approval within one (1) year of the approval.
 - (2) For Preliminary Subdivision Plats: lapse shall occur if the applicant does not submit a complete proposed Final Subdivision Plat within one (1) year of the approval. The submittal of a complete Final Subdivision Plat application within that one-year period for a portion of the approved subdivision shall automatically extend the approval period of the remaining portion for one (1) more year from the date of the respective complete proposed Final Plat Application.
 - (3) For Annexations, Final Subdivision Plats, Minor Subdivision Plats, Master Plans, Rezoning, and Vacations: lapse shall occur if the applicant does not submit to the town any necessary documents or fees within ninety (90) days of the approval.

- (4) For Minor Variances: lapses shall occur if the applicant fails to apply for a building permit within one (1) year of the date of approval, or other period provided by the Director.
- (5) Major Variance: lapse shall occur if the applicant fails to apply for a building permit within one (1) year of the date of approval, or other period provided by the BOA.
- (6) For Sign Permits: lapse shall occur if the applicant does not construct the sign within one (1) year of the approval.
- (e) Extension of Approval Periods.
 - (1) Upon written request and good cause shown (unless otherwise specified in the approval), extensions may be granted by the original decision maker for a period not to exceed the original approval period.
 - (2) Applicants shall submit requests for extension of any approval period in writing before the applicable lapse of the approval deadline, and a minimum of thirty (30) days before any meeting where the extension will be considered.
 - (3) No public notice or hearing shall be required for such an extension request.
 - (4) An appeal by the applicant from a determination to extend an approval time frame shall be made to the appeal body which would have heard an appeal of the underlying approval.
- (f) Concept Review Meeting. Concept review meetings are pre-application meetings that may be required by the Director for a development proposal. When required, the applicant shall submit the information required for the development in accordance with the application and submittal standards maintained by the Director.
- (g) Staff Review. Upon receipt of an application and payment of the required fee, the Director shall take the following steps:
 - (1) Review for Completeness. The Director shall determine if an application is complete. An application shall be considered complete if it is submitted in the required form, includes all submittal information specified by the Director, and is accompanied by the applicable application fee.
 - a. If an application is determined incomplete, the Director shall notify the applicant in writing of the deficiencies. No further processing of the application shall occur until the deficiencies are corrected.
 - b. If an application is complete, it shall be processed for formal review.
 - (2) Referral Process.
 - a. Referral Agencies. As part of the review process, referral agencies may be notified and provided the opportunity to comment on an application. The Director has discretion to remove or add any other relevant or applicable agency to this list:
 - 1. Gas and electric utilities.
 - 2. Telecommunications utilities.
 - 3. Windsor-Severance Fire Rescue.

4. Cable television provider.
 5. Windsor Post Office.
 6. School Districts.
 7. Water and sewer utilities.
 8. Special Districts.
 9. Colorado Department of Transportation.
 10. Counties and municipalities.
- b. Referral Agency Review Fees. The applicant shall be responsible for the payment of agency review fees, if applicable.
 - c. Referral Period.
 1. The Director shall distribute the application materials to the appropriate referral agencies, and allow up to twenty-one (21) days for referral agency comment.
 2. Failure of an agency to respond within the prescribed time period (or extended period) may be interpreted by the Director as consent to the application by the agency, with the exception of agencies holding legal interests in the property
 3. Upon written request by the applicant or referral agency, the Director may extend the referral period or suspend the development review process in order to allow time for the applicant and the referral agency to resolve conflicts.
 - d. Subsequent Reviews. After the initial submittal, the applicant shall coordinate and address review comments with the applicable agencies directly.
- (3) Staff Comments. The Director shall coordinate a staff review and provide the applicant the following information in writing:
- a. Recommended changes based on the results of any referral agency comments, or staff review on the merits of the application requirements and criteria of this code.
 - b. Any supplemental information required to support the application, address comments, or recommended changes.
 - c. The applicant shall submit revised plans and/or any additional information.
 - d. If the applicant chooses not to address any particular comment or recommended change, a written explanation shall be included with the resubmittal. Failure to address any particular comment or recommended change without explanation may be grounds for rejection of the revised plans.
 - e. Resubmittal of the revised plans demonstrating compliance with this Code, shall deem the application ripe for scheduling before the applicable review body.
- (4) Scheduling. If required by Table 14-2-10(a), the Director shall schedule applications for further review according to these regulations.

- a. Neighborhood Meeting. Applicant shall coordinate, notice and conduct a neighborhood meeting at a public meeting facility within the Town at least fifteen (15) days prior to the initial Planning Commission meeting.
- b. Public Hearing. Applications requiring a public hearing shall be scheduled for the hearing within sixty (60) days of receipt of all final revised submittal documents.

If the next regular meeting of the review body is beyond these time periods, has a full agenda in the determination of the Director, or the required notice cannot be given within these time periods, the application shall be scheduled for the closest available meeting.

- (7) Staff Report. The Director shall prepare a staff report for the application identifying the appropriate policies, plans, regulations and review criteria. The Director shall provide a copy of the report to the review body and to the applicant prior to the scheduled public meeting or hearing.
 - (8) Review Prioritization. It shall be the policy of the Town to prioritize the review of commercial and industrial projects over residential projects in order to promote commercial and industrial development. Project reviews shall be scheduled accordingly.
- (h) Public Notice. Public notice shall be provided as identified in Table 14-2-10(h) and this section.
- (1) Timing. In computing the timing prescribed for the purpose of giving notice, the day of the publication, mailing, or posting shall be included. The day of the meeting or hearing shall not be counted. Saturdays, Sundays, and legal holidays shall be counted as any other day.
 - (2) Continuation of Hearings. A hearing for which proper notice was given may be continued to a later date without again complying with the public notice requirements of this Section, provided that the date of the continued hearing or meeting is announced to the public at the time of continuance.
 - (3) Failure to Provide Notice; Defective Notice. Failure to timely provide the required affidavit, or evidence that a mailing list or notice letter was defective, shall be cause to suspend the hearing or neighborhood meeting until proper notice is provided. Such suspension may be ordered by the Director or body that is responsible for the meeting, hearing, or decision.

Table 14-2-10(h) Public Notice Requirements					
	Posted	Published	Mailed	Distance	Timing
Annexation	☒	☒	☒	500'	See Sec. 14-2-30
Appeals	☒	☒	☒	500'	10 days
Code Amendment		☒			10 days
Comprehensive Plan Amendment	☒ *	☒	☒ *	500'	15 days

Conditional Use Permit	☒	☒	☒	500'	10 days
Special Conditional Use	☒	☒	☒	300'	See Sec. 14-2-10(h)(6)g.
Conditional Use Permit Oil & Gas, Gravel Mining	☒	☒	☒	500'	10 days
Height Modification	☒	☒	☒	500'	10 days
Land Use Amendment	☒	☒	☒	500'	15 days
Master Plan	☒	☒	☒	500'	10 days
Neighborhood Meeting		☒	☒	500'	10 days
Parking Determination	☒	☒	☒	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 Town ROW	☒	☒	☒	Abutting	10 days
Variance	☒	☒	☒	300'	15 days
Variance, Minor	☒	☒	☒	300'	See Sec. 14-2-140(d)
Vested Property Rights	☒	☒	☒	500'	15 days

*Required for amendments to Land Use Map

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

- (4) Published Notice Requirements. Except as otherwise specifically provided in this Section, the following written notice requirements shall be met:

- a. Public Hearings. Published notice shall be arranged by the Town at the Town's expense.
 - b. Neighborhood Meetings. Published notice shall be arranged by the applicant at the applicant's expense.
 - c. Content. Where published notice is required by Table 14-2-10(h), the notice shall be published in a newspaper of general circulation in the Town. The published notice shall contain the following information:
 - 1. A description of the land use proposal in question,
 - 2. The location of the land which is the subject of the hearing or meeting,
 - 3. The date, time and location of the hearing or meeting; and
 - 4. A recital that public comment will be taken at the public hearing or meeting.
 - d. Proof of Publication. An affidavit or other proof of publication shall be provided by the applicant for Neighborhood Meeting published notices.
- (5) Posted Notice Requirements. Except as otherwise specifically provided for in this Section, the Town shall cause a notice stating that a land use proposal is under review and containing contact information for the Planning Department to be posted in the vicinity of such proposed land use proposal no less than ten (10) calendar days prior to the date set for the public hearing.
- (6) Mailed Notice Requirements. Except as otherwise specifically provided in this Section, the following written notice requirements shall be met:
- a. Content. The Director shall provide the proponent with a form of written notice which shall contain the following information:
 - 1. A description of the land use proposal in question;
 - 2. The location of the land which is the subject of the hearing or meeting;
 - 3. The date, time and location of the hearing or meeting; and;
 - 4. A recital that public comment will be taken at the public hearing or neighborhood meeting.
 - b. Property Owners List. The Director shall provide the proponent with a listing of all property owners within the Distance specified in Table 14-2-10(h), according to the ~~then-current~~ Assessor's records. For the purposes of this section, abutting shall mean any property which shares a boundary with the easement or right-of-way in question. The proponent shall mail notice by first-class mail, postage prepaid, to all such property owners.
 - c. Affidavit of Compliance. An affidavit of the applicant's compliance with the mailed notice requirements shall be provided to the Director prior to public hearing or meeting to which the notice relates. For mailed notices of public hearings, failure to provide the affidavit of compliance shall result in continuation of the public hearing

- d. Notice for Annexations. Notice shall be completed in accordance with Colorado statute; see CRS § 31-12-101 et seq.
- e. Notice for Minor Variances. Notice of a minor variance request shall be provided in accordance with Table 14-2-10(h), 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 ten (10) days of the date of the Notice. If an objection is received by the Town, the applicant shall address the objection within ten (10) days of the Notice of Objection provided to the applicant by the Town. If the objection cannot be resolved within ~~the~~ ten (10) days, the variance request shall be forwarded to the Board of Adjustment for a decision.
- f. Surface Development Notification. Notice shall be mailed to the mineral estate owner no later than required by state statute; see C.R.S. § 24-65.5-103.
- g. Notice for Special Conditional Uses. Notice of a Special Conditional Use request shall be provided in accordance with Table 14-2-10(h), at the time the application is accepted by the Town. The notice shall state that any objections must be received in writing by the Planning Department within ten (10) days of the date of the Notice. If a timely objection is received by the Town, the applicant shall address the objection within fifteen (15) days from the date the Notice of Objection is forwarded to the applicant by the Town. If the objection cannot be resolved within ~~the~~ fifteen (15) days, the Special Conditional Use request shall be forwarded to the Planning Director for a decision. The applicant may then appeal the decision to Planning Commission.
- (i) Public Hearings. Where public hearings are required, the following procedures apply:
 - (1) The hearing shall be conducted and a record of the proceedings shall be preserved.
 - (2) Applicant or a representative must be present at the public hearing.
 - (3) Any interested person or party may appear and be heard in person or by agent.
 - (4) The review body may request testimony or a report on the application from any government official or agency, or any other person with information pertinent to the application.
 - (5) A public hearing for which proper notice was given may be continued to a later date without again requiring notice provided in this section if the specific date, time and place of the continued public hearing is announced at the hearing.
 - (6) Failure by the applicant to have a representative at the applicable public meeting(s) will result in the item being withdrawn from the agenda or continued to the next agenda.
- (j) Neighborhood Meetings.
 - (1) Generally. The Applicant shall coordinate, notice and conduct the meeting at a public meeting facility within the Town.
 - (2) Timing. The Neighborhood Meeting must occur at least fifteen (15) days prior to the initial Planning Commission meeting;

- (3) Content. The meeting content shall include, but not be limited to:
 - a. The general nature and scope of the proposed project;
 - b. A summary of the land use, including planned or all potential future uses under the request; and
 - c. The most recent plans and submittals available for the project, depicting the scale, location and design of any buildings and the relation of all site improvements to the streets and adjacent property.
- (4) Notification. Applicant shall provide notice of the neighborhood meeting in the same manner as is required for a public hearing, including published, posted and mailed notice as specified in subsection 14-2-10(h), and notify the Director of the time and location of the meeting.
- (5) Summary. Applicant shall prepare a summary of the meeting and provide evidence of the notice, attendance, content, and outcomes of the meeting. The applicant shall provide a written summary of the meeting to the Director at least ten (10) days prior to the initial Planning Commission meeting, including the general nature of comments, questions and discussion and responses by the applicant.
- (k) Successive Applications. Neither an applicant nor his or her successors in interest in property for which a land use application was denied within the preceding one (1) year may submit a land use application or request a rehearing on a previously submitted application for any portion of the property contained in the original application unless the Town Board has determined that, based upon a showing by the applicant, there has been a substantial change in the facts and circumstances in accordance with Section 14-2-20.
- (l) Permits. Upon final approval as specified for each application-type in this Section, applicants may apply for all permits necessary to construct buildings, infrastructure and site improvements. Permits necessary to show full compliance with the standards of this Code, or other applicable Town codes may be required.

Section 2. Windsor Municipal Code Sec. 14-2-70 is amended by adding in language that had been inadvertently deleted in a prior update, concerning the interpretation of zone district boundaries, and shall read as follows:

Sec. 14-2-70. Rezoning.

- (a) Applicability. The rezoning process provides review of changes to the boundary of zoning districts that may be necessary to implement the Comprehensive Plan, to account for changed conditions in the general area, or to reflect a change in public policies with respect to future development.
- (b) Review Criteria. A Rezoning shall be reviewed according to the following criteria:
 - (1) The proposal complies with the Comprehensive Plan's goals and objectives, this Code, the applicable Master Plan, and all other applicable adopted plans or policies.

- (2) The proposed development does not result in undue or unnecessary burdens on the existing public infrastructure and public improvements, or that arrangements are made to mitigate such impacts.
- (3) Density is consistent with the Comprehensive Plan Land Use Plan, and the applicable utility capacity studies.
- (4) The proposal serves a community need or amenity that was not considered at the time of the initial zoning of the property.
- (5) The proposal shall be accompanied by a Master Plan or Site Plan that demonstrates compatibility with adjacent uses.

(c) Interpretation of district boundaries.

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning District Map, the following rules shall apply:

- (1) Boundaries indicated as approximately following the center lines of streets or highways shall be construed as following such center lines.**
- (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.**
- (3) Boundaries indicated as approximately following Town limits shall be construed as following such Town limits.**
- (4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.**
- (5) Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline, shall be construed as moving with the actual shoreline.**
- (6) Boundaries indicated as approximately following the centerline of streams, rivers or canals shall be construed to follow such center lines.**
- (7) Boundaries indicated as parallel to, or extensions of features indicated in Paragraphs (1) through (6) above shall be so construed. Distances not specifically indicated on the Official Zoning District Map shall be determined by the scale of the map.**
- (8) Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning District Map or in circumstances not covered by Paragraphs (1) through (7) above, the Board of Adjustment shall interpret the district boundaries.**

- (d) Effect of Decision.** Upon approval of an Ordinance changing the district boundaries of the Official Zoning District map, an entry on the official map shall be made, after the effective date of the ordinance, indicating the change and referencing the ordinance approving the change. The ordinance becomes effective ten (10) days after publication after the approval of the ordinance on second reading. A zoning map amendment shall

not create a vested property right unless it is approved in association with another application in this Section specifically creating a vested property right.

~~(d)~~(e) Protest Petitions.

- (1) A zoning amendment under this Article shall require an affirmative vote of three-quarters ($\frac{3}{4}$) of the members of the Town Board then in office under the following circumstances:
 - a. A written protest in compliance with sub-sections b. through d. below, inclusive, is presented to the Director no less than seven (7) days prior to the Town Board public hearing, or first of multiple Town Board hearings, on the proposed zoning amendment.
 - b. The written protest shall expressly state objection to the zoning amendment, shall contain original signatures, or authenticated copies thereof, of each person in support of the protest, shall contain the printed name of each such signatory, and shall contain the full address of each such signatory.
 - c. The written protest shall be signed by natural persons consisting of:
 1. the owners of no less than twenty percent (20%) of the area of the land within the proposed zoning amendment; or
 2. the owners of no less than twenty percent (20%) of the land area immediately adjacent to the land area within the proposed zoning amendment and extending one hundred (100) feet the property line of the land area within the proposed zoning amendment; and
 3. if a public street abuts any portion of the land area within the proposed zoning amendment, the owners of no less than twenty percent (20%) of the land area opposite any such abutting street and extending one hundred (100) feet deep from the paved portion of the public street along the entire abutting street frontage of the land area within the proposed zoning amendment.
 - d. Written protests submitted under this Section shall be attested under penalty of perjury by a natural person over the age of eighteen (18) years. Such attestation shall affirm that each of the signatures appearing in the written protest are valid and in compliance with the eligibility requirements of sub-section (C) above.
 - e. Protests in the form of oral statements, online surveys, emails and unsigned documents shall not be considered sufficient under with this Section.
- (2) Any person who has previously signed a written protest may withdraw his or her signature, but may do so only through an unequivocal statement of withdrawal made in-person on the record at the Town Board public hearing where the written protest is presented for the record by Town staff.
- (3) Any written protest that meets the requirements of subsection (1)a. through d. above shall be presented for the record by Town staff at the Town Board public hearing, or first of multiple Town Board hearings, on the proposed zoning amendment.

Section 3. Windsor Municipal Code Sec. 15-5-20 is hereby amended by adding language for consistency between the Code and practice concerning parking lot design criteria and shall read as follows:

Sec. 15-5-20. Parking requirements for buildings and uses outside of downtown parking district.

Off-street parking space shall be provided for buildings and uses outside of the Downtown Development Authority boundary as follows:

- (a) Applicability. Provision of parking space shall be required for any new use or expanded use by the addition of primary floor area or other expansion of building use or property use generating new parking demand.
- (b) Location. Parking areas shall be provided upon the same lot containing the use for which they are required or on separate lots or structures located within a one-thousand-foot radius of the lot containing the use for which they are required. A Town-approved parking agreement is required for all off-site parking. This agreement shall be recorded with the County Clerk and Recorder, and shall be a covenant running with the land upon which parking is provided. All shared parking lots must be paved. All shared parking lots and shared parking structures shall have sidewalk connections to the subject property.
- (c) Surfacing Materials.
 - (1) Generally. Parking and driveway areas, primary access to parking facilities, and other vehicular use areas for all uses and in all zone districts except as permitted below shall be surfaced with concrete or asphalt.
 - (2) Industrial Zones. Uses in industrial zones shall comply with surface material requirements, except that company-owned vehicles with a valid state license plate may be parked upon unpaved surfaces, subject to the following:
 - a. Identified and approved on a Site Plan.
 - b. Surfacing shall be aggregates or recycled asphalt meeting CDOT Class 5 or 6 aggregate base course gradation, or any subsequent amendments thereto.
 - c. Perpetual maintenance is required to limit fugitive dust, tracking of mud onto roadways, and other nuisances.
 - d. Screened from view from roadways.
 - (3) Single family residential and duplex uses. Residential driveway surfaces shall be concrete or asphalt with a concrete approach in accordance with the Town of Windsor Design Criteria and Construction Specifications. Additional supplemental parking shall only occur on approved surfaces and is prohibited on landscaped or lawn areas. Approved surfaces include concrete, asphalt, or approved permeable paving such as gravel in conformance with Town standards. Gravel parking surfaces shall be limited to the following:

- a. Shall only be for supplemental parking adjacent to the primary concrete driveway, and does not create additional driveway access;
 - b. Shall not exceed twelve (12) feet in width and shall comply with driveway standards contained in this Section.
 - c. Shall transition to a concrete or asphalt surface for the entire distance within right-of-way or for a minimum distance of ten (10) feet prior street access, whichever is greater;
 - d. Shall maintain minimum landscape requirements; and
 - e. Shall not track gravel or mud into the street.
- (4) Natural Areas. Parking and driveway areas, primary access to parking facilities, and other vehicular use areas for natural areas owned and operated by the Town or other governmental entity shall be surfaced with concrete, asphalt, or gravel. Parking shall be prohibited on all other surfaces. When gravel drives are used, a paved apron is required for the first twenty (20) feet adjacent to the street.
- (5) Permeable Paving. Permeable paving designed to allow stormwater infiltration shall be considered on a case-by-case basis and must be approved by the Director.
- (d) Screening. Every off-street parking area, other than that provided for a single-family residence, shall provide a planting screen, landscaped fence or wall at least four (4) feet in height along any side abutting or fronting on a residential district. Plans for such screening shall be submitted to the Planning Department for approval before installation.
- (e) Standard dimension. Each individual parking space shall be at least nine (9) feet wide by twenty (20) feet long and, if covered, shall have a minimum height clearance of seven (7) feet.
- (f) Determination of need. The number of parking spaces required shall be based upon the anticipated parking demand of individual uses and shall be as designated for specific uses and situations as follows:

Use	Parking Requirement
Single-family residence	2 spaces per dwelling unit
Multifamily dwelling residence*:	
1 bedroom or studio	1.5 parking spaces
2 bedroom	1.75 parking spaces
3 bedroom	2.0 parking spaces
4+ bedroom	3.0 parking spaces
Public assembly facilities, provided for seated audiences (churches, theaters, auditoriums, etc.)	1 space for every three seats
Elementary schools (If the elementary school includes an auditorium, the auditorium requirement above shall govern if it is greater.)	2 spaces for every classroom

Junior and senior high schools	Auditorium requirement above or 1 space for every 5 students of maximum occupant capacity
Hospitals	1 space for every 2 beds
Clinics	5 spaces for every practitioner on the staff
Industrial uses	1 space for every 2 employees
Commercial office	1 space for every 300 square buildings feet of Gross Leasable Area (GLA)
Retail stores, customer service establishments, shopping centers and other similar uses	1 space for every 250 square feet of GLA
Eating and drinking establishments	1 space for every 200 square feet of GLA, plus 1 space for every 2 employees, computed on the maximum service capacity
Hotel or motel	1 space for every room to be rented, plus 1 space for every 2 employees, computed on the maximum service capacity

* Multifamily development shall receive a credit towards the requirements of this sub-section on one (1) parking space for every twenty-five (25) feet of the subject lot's frontage on a public street which is designed to accommodate on-street parking. Such credit shall not exceed ten percent (10%) of the total required parking of any one (1) development.

- (g) No Backing Into Right-of-Way. No off-street parking stall shall be designed so as to require vehicles to back into any public or private roadway.
- (h) Uses not enumerated. In any case where there is a question as to the parking requirements for a use or where such requirements are not specifically enumerated, the Planning Commission shall convene a public hearing to determine the appropriate application of the parking requirements to the specific situation, applying the criteria set forth above and in keeping with sound land use planning principles.**

Section 4. Windsor Municipal Code Sec. 16-3-40 concerning Accessory Dwelling Units is hereby amended to comply with State mandated language, 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. §§ 29-35-102 and 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. Parking. Parking for an accessory dwelling unit shall comply with C.R.S. §§ 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.

3. Accessory dwelling unit size and configuration. Except as modified in Subsection ~~(5)~~ (4) 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.
4. Unit size exception. The limitations of Subsection ~~(4)~~ (3) 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.
5. Number of accessory dwelling units per lot or parcel. Only one (1) accessory dwelling unit shall be allowed for each lot or parcel.
6. Owner occupancy at time of application submittal. The property owner (**declarant**), as reflected in the books and records of the County Clerk and Recorder, ~~must~~ **shall**

reside on the ~~parcel~~ **property, at the time an application submittal for an accessory dwelling unit, and such property shall be the primary and permanent dwelling place of the declarant at the time an application is submitted and until the application is approved.** In the case of a corporation, limited liability company, trust, or other owner entity, owner occupancy by a natural person at the time the accessory dwelling unit application submittal shall be established by resolution or other formal declaration by the entity.

7. 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. 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. 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, 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.~~
 - a. Without applying a higher standard than that required for the principal building, the ADU shall be designed to maintain the architectural design, appearance, and character of the principal building, including massing, scale, and color.**
 - 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 [Section 16-3-40\(b\)\(2\)](#) 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 [Section 16-3-20](#).
- (f) Accessory dwelling unit short-term rentals. Properties containing an ADU may be granted one (1) short-term rental license. The license can apply to either the accessory dwelling unit or the single-family dwelling, but not both. Accessory dwelling units being used for the purpose of a short-term rental shall comply with the requirements outlined in [Section 16-3-60](#).
- (g) 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 shall reside on the property, and such property shall be the primary and permanent dwelling place of the declarant **at the time an application is submitted and until the application is approved**, excluding temporary absences and temporary stays elsewhere, ~~and said property shall be the declarant's place of legal residence at the time an application is submitted.~~
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~~**the** 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.

(h) Procedure for accessory dwelling unit approval. The approval of each accessory dwelling unit shall be governed by the following procedures:
The property owner shall file an application for approval with the Planning Department upon such forms as may be approved by the ~~Zoning Official~~ **Planning Director**. Upon completion of Planning Department review, the ~~Zoning Official~~ **Planning Director** shall either approve the application as presented, deny the application as presented, or approve the application with conditions. The ~~Zoning Official~~ **Planning Director** shall base the determination and any conditions upon the express requirements and limitations of this Article.

Section 5. 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 6. 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 ____ 2026.

TOWN OF WINDSOR, COLORADO

Julie Cline, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

Introduced, passed on second reading, and ordered published this ____ day of ____ 2026.

TOWN OF WINDSOR, COLORADO

Julie Cline, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

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FUTURE TOWN BOARD MEETINGS

December 15, 2025	Canceled
December 22, 2025	Canceled
December 29, 2025	Canceled – 5 th Monday
January 5, 2026	Canceled – 1 st Monday
January 12, 2026 5:30 p.m.	Town Board Work Session Board/Manager/Attorney Monthly Meeting Fire District Impact Fees Open Space Charter Amendment Discussion
January 12, 2026 6:45 p.m.	Kern Board Meeting
January 12, 2026 7:00 p.m.	Town Board Regular Meeting
January 19, 2026	Canceled – MLK Holiday
January 26, 2026 5:30 p.m.	Town Board Work Session New Hire – Meet the Board Proposed IGA/MOU with Clearview Library Standardized Reserved Powers Ordinance Follow-up
January 26, 2026 7:00 p.m.	Town Board Regular Meeting

Future Work Session Topics

- Wildfire Resiliency Code presentation – 2026
- Colorado's 150 celebration discussion
- Backyard Chicken Ordinance Discussion
- WDA Review and Evaluation – 2nd Quarter (April or May)
- Camping Ban
- October 19th meeting – light agenda (ICMA 2026)