



PLANNING COMMISSION REGULAR MEETING

January 7, 2026 - 7:00 PM

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

To view Planning Commission meeting broadcasts, visit

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
3. Public Invited to be Heard

Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Planning Commission.

Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three (3) minutes. Written comments are welcome and should be given to the Town Clerk prior to the start of the meeting.

The Planning Commission will not respond to any questions or comments made by the public during this section of the meeting, though it will take all input under advisement. If requesting a response from the Town, please leave your contact information with the Town Clerk. The Town Manager or other appropriate staff member will reach out after the meeting to address specific questions or concerns when appropriate.

B. CONSENT CALENDAR

1. Approval of the December 3, 2025, Planning Commission Regular Meeting Minutes - L. Richardson, Assistant Town Clerk

C. BOARD ACTION

1. Public Hearing - An Ordinance requesting to Rezone 39.485 acres within the Weld RE-4 School District properties located at 1100 Main Street, 1066 Main Street, 1020 Main Street, 900 Main Street and 110 N. 8th Street from Single Family One (SF-1) and General Commercial (GC) to Recreation and Open Lands (ROL) - Michael McCullar, Chief Operating Officer, Weld RE-4 School District (Owner); Megan Walter, Principal, Sunny Civil (Applicant's Representative).
 - Quasi-judicial action
 - Staff presentation: Kimberly Lambrecht, Long Range Planner
2. Recommendation to Town Board - Approve an Ordinance requesting to Rezone 39.485 acres within the Weld RE-4 School District properties located at 1100 Main Street, 1066 Main Street, 1020 Main Street, 900 Main Street and 110 N. 8th Street from Single Family One (SF-1) and General Commercial (GC) to Recreation and Open Lands (ROL) - Michael McCullar, Chief Operating Officer, Weld RE-4 School District (Owner); Megan Walter, Principal, Sunny Civil (Applicant's Representative).
 - Quasi-judicial action
 - Staff presentation: Kimberly Lambrecht, Long Range Planner

3. Public Hearing — An Ordinance by the Town of Windsor, Colorado, Amending Chapters 14, 15, and 16, Reinstating and Adjusting the Land Use Codes — Planning, Community Development Department
 - Legislative action
 - Staff presentation: Carlin Malone, Planning Manager
4. Recommendation to Town Board — An Ordinance by the Town of Windsor, Colorado, Amending Chapters 14, 15, and 16, Reinstating and Adjusting the Land Use Codes — Planning, Community Development Department
 - Legislative action
 - Staff presentation: Carlin Malone, Planning Manager
5. Election of Officers - Election of Planning Commission Chair
6. Election of Officers - Election of Planning Commission Vice Chair
7. Election of Officers - Election of Planning Commission Secretary

D. COMMUNICATIONS

1. Communications from Planning Commission
2. Communications from Town Board Liaison
3. Communications from Staff

E. 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: January 7, 2026
To: Planning Commission
From:
Re: Approval of the December 3, 2025, Planning Commission Regular Meeting Minutes - L.
Richardson, Assistant Town Clerk
Item #: B.1.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. 12.03.25 PC Draft Minutes



Planning Commission Regular Meeting

December 3, 2025 - 7:00 PM

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

To view Planning Commission meeting broadcasts, visit

www.windsorgov.com/MeetingsOnDemand.

MINUTES

A. CALL TO ORDER

Chairman Reddick called the meeting to order at 7:00 p.m.

1. Roll Call

Present: Chairman Reddick
Vice-Chair Nader
Nathan Kinney
David Hassard
Ben Kirch
Jordan Spight
Nancy Frase

Absent: John Neal

Also Present: Town Board Liaison Hallett
Kim Mihm, Deputy Town Attorney
Scott Ballstadt, Director of Planning
Carlin Malone, Planning Manager
Sandra Mezzetti, Senior Planner
McKenzie Paine, Communications Manager
Laura Richardson, Assistant Town Clerk

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

Planning Commissioner Nader moved to approve the agenda as presented, Planning Commissioner Hassard seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, David Hassard, Ben Kirch, Maxwell Nader, Jordan Spight, Nathan Kinney, Nancy Frase; Nays - None; Motion Passed.

3. Public Invited to be Heard

Chairman Reddick opened the meeting up for public comment on items not on the agenda, to which there were none.

B. CONSENT CALENDAR

1. Approval of the November 19, 2025, Planning Commission Regular Meeting Minutes - L. Richardson, Assistant Town Clerk

Planning Commissioner Nader moved to approve the consent calendar as presented, Planning Commissioner Hassard seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, David Hassard, Ben Kirch, Maxwell Nader, Jordan Spight, Nathan Kinney, Nancy Frase; Nays - None; Motion Passed.

Jason Hallett, Town Board Liaison, gave a statement to the Planning Commission.

"Mr. Chair, for the record, I would like to disclose that I am a sitting member of the Town Board and that I am here in my capacity as a nonvoting liaison to the Planning Commission. Although I will be present during all public hearings tonight, I will not be giving my opinion or participating in any of the discussions. I will not let tonight's proceedings influence or affect my review of these matters when they come before the Town Board. I will make my decision at the Town Board level based only on the evidence presented during the Town Board public hearings."

C. BOARD ACTION

1. Public Hearing — An Ordinance by the Town Board of the Town of Windsor, Colorado, Amending Chapter 14 of the Land Use Code Regarding Disconnection of Property Annexed to the Town — Town Attorney's Office & Planning

Executive Summary

The Town Board has asked the Town Attorney's Office to draft an ordinance for the disconnection of annexed property. This ordinance will outline processes, procedures, and criteria for a disconnection petition, which are not currently in the Town's Municipal Code. Note that Colorado Revised Statutes on property disconnection (Sec. 31-12-501 to 31-12-707) do not apply to home rule municipalities like Windsor. The attached ordinance will address disconnection of property annexed to the Town petitions within the Town's Land Use Code, Chapter 14, adding Section 14-2-30.5 – Disconnection.

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the ordinance amending Chapter 14, as stated in the staff recommendation section.

Chair Reddick clarified with staff that this was a legislative action, not quasi-judicial as indicated on the agenda.

Kim Mihm, Deputy Town Attorney, presented to the Planning Commission.

Chairman Reddick opened the meeting for public comment, to which there were none.

Chairman Reddick opened the meeting for Planning Commission questions and comments.

Commissioner Nader asked for clarification on the disconnection process and other jurisdiction's processes, to which Kim Mihm, Deputy Town Attorney, and Scott Ballstadt, Director of Planning, responded. Commissioner Hassard inquired if the ordinance was more or less restrictive than state regulations and asked who could initiate disconnections, to which Kim Mihm and Scott Ballstadt answered. Chairman Reddick asked about the Planning Commission review of disconnections and the perimeter requirement for disconnection compared to annexation, to which Scott Ballstadt and Kim Mihm answered. Chairman Reddick and Commissioner Nader asked questions about roads and infrastructure on de-annexed properties, to which Scott Ballstadt answered.

Chairman Reddick closed the public hearing.

2. Recommendation to Town Board — An Ordinance by the Town Board of the Town of Windsor, Colorado, Amending Chapter 14 of the Land Use Code Regarding Disconnection of Property Annexed to the Town — Town Attorney's Office & Planning

Please see public hearing item materials.

Planning Commissioner Nader moved to forward a recommendation of approval to the Town Board regarding an Ordinance by the Town Board of the Town of Windsor, Colorado, amending Chapter 14 of the land use code regarding disconnection of property annexed to the Town, Planning Commissioner Hassard seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, David Hassard, Ben Kirch, Maxwell Nader, Jordan Spight, Nathan Kinney, Nancy Frase; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

Chairman Reddick inquired if there was a pending disconnection request prompting the ordinance change. Scott Ballstadt, Director of Planning, responded that there were no active requests, and the change was to address a gap in the code. Staff noted they had only seen two disconnection requests in 25 years.

Chairman Reddick mentioned he may be unavailable for the January 7, 2026, meeting.

2. Communications from Town Board Liaison

Town Board Liaison Hallett reported that the Historic Preservation Commission was preparing for the Saving Places Conference. He also noted that the Town Board had approved the budget the previous week and renewed contracts for the town attorney, town manager, and town prosecutor. The Board also approved rate increases for stormwater and sewer. Their next meeting would be the following Monday.

3. Communications from Staff

Assistant Town Clerk Richardson reminded the Commission that the election of officers would take place after the first of the year.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:19 p.m.

Laura Richardson, Assistant Town Clerk



MEMORANDUM

Date: January 7, 2026
To: Planning Commission
From: Kimberly Lambrecht, Long Range Planner
Re: Public Hearing - An Ordinance requesting to Rezone 39.485 acres within the Weld RE-4 School District properties located at 1100 Main Street, 1066 Main Street, 1020 Main Street, 900 Main Street and 110 N. 8th Street from Single Family One (SF-1) and General Commercial (GC) to Recreation and Open Lands (ROL) - Michael McCullar, Chief Operating Officer, Weld RE-4 School District (Owner); Megan Walter, Principal, Sunny Civil (Applicant's Representative).
Item #: C.1.

Background / Discussion:

Executive Summary

The attached ordinance is an ordinance proposing to rezone 39.485 acres of the 72.492 acre Weld County School District RE-4 (Weld RE-4) Main Street and North 8th Street properties. During the review of a Major Site Plan application for an addition to the Weld RE-4 Administration Building located at 1020 Main Street, discrepancies in the location of utilities, easement and lot lines were discovered. In order to proceed with the Admin Building addition, it was necessary to survey the property to prepare a Minor Subdivision and 'clean up' the lot and easement lines. The Minor Subdivision application presented a logical lot layout that considered the existing structures and amenities of the properties, while correcting the discrepancies that triggered the need for the Minor Subdivision. However, the resulting lot configuration produced a split zoned lot (a single lot with multiple different zone districts), with a portion of the lot having a Recreation and Open Lands (ROL) zone, while the remainder of the lot having Single Family One (SF-1) zoning.

In an effort to provide consistent zoning for the School District properties in this area, the rezoning ordinance is proposing to not only rezone the split zoned lot, but to also rezone other lots on the property that are not zoned in alignment with the Comprehensive Plan / Land Use Map. Overall, the existing Single Family One (SF-1) (approx. 35.3 acres) and General Commercial (GC) (approx. 4.2 acres) properties are proposed to be rezoned to Recreation and Open Lands (ROL), which would put all the Weld RE-4 properties in this area under the same ROL zone district.

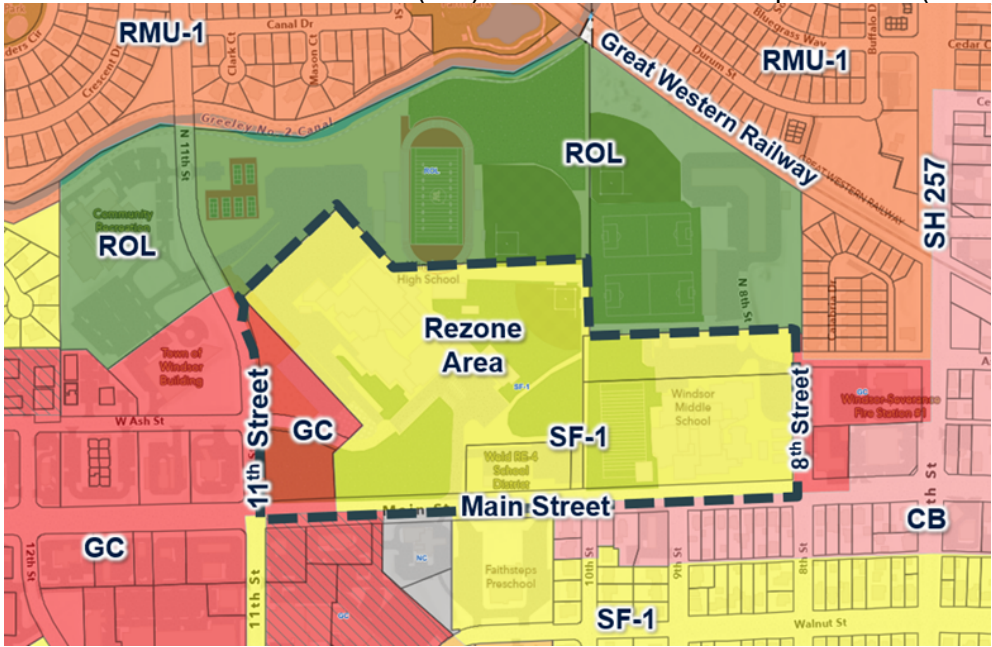
Background

The Weld RE-4 properties impacted by this proposed ordinance are located on the north side of Main Street, between 8th Street and 11th Street, and south of the Greeley No. 2 Canal, including the Administration Building at 1020 Main Street, the High School at 1100 Main Street, the Middle School at 900 Main Street and the Facilities site at 190N. 8th Street.



The existing zoning and land uses for the surrounding properties are as follows:

- North:** Recreation and Open Lands (ROL) & Residential Mixed Use One (RMU-1) | High School Athletic Fields & Single Family Residential
- East:** Residential Mixed Use One (RMU-1), General Commercial (GC) & Central Business (CB) | Single Family Residential & Commercial uses
- South:** Single Family One (SF-1), Central Business (CB), General Commercial (GC) & Neighborhood Commercial (NC) | Single Family Residential & Commercial
- West:** General Commercial (GC) and Recreation and Open Lands (ROL) | Civic & Commercial



Development of these sites as the hub of Weld RE-4's education, administration and operations began in 1952, with the annexation of the (now) Middle School site. Ongoing development evolved as follows:

- 1952: **School Annexation** (Middle School property, zoned SF-1) (900 Main Street)
- 1964: **Westview Annexation** (Facilities site, zoned SF-1) (110 N. 8th Street)
- 1974: **Windsor School Annexation** (High School Site, zoned SF-1) (1100 Main Street)

1978: **Windsor School 2nd Annexation** (Admin Building Site, zoned SF-1) (1020 Main Street)
1997: **Weld County School District RE-4 Annexation** (addition to the Facilities site, zoned ROL) (190 N. 8th Street)
1998: **Weld County School District RE-4 1998 Annexation** (High School football field, parking and detention pond areas, zoned ROL and GC) (1066 Main Street)

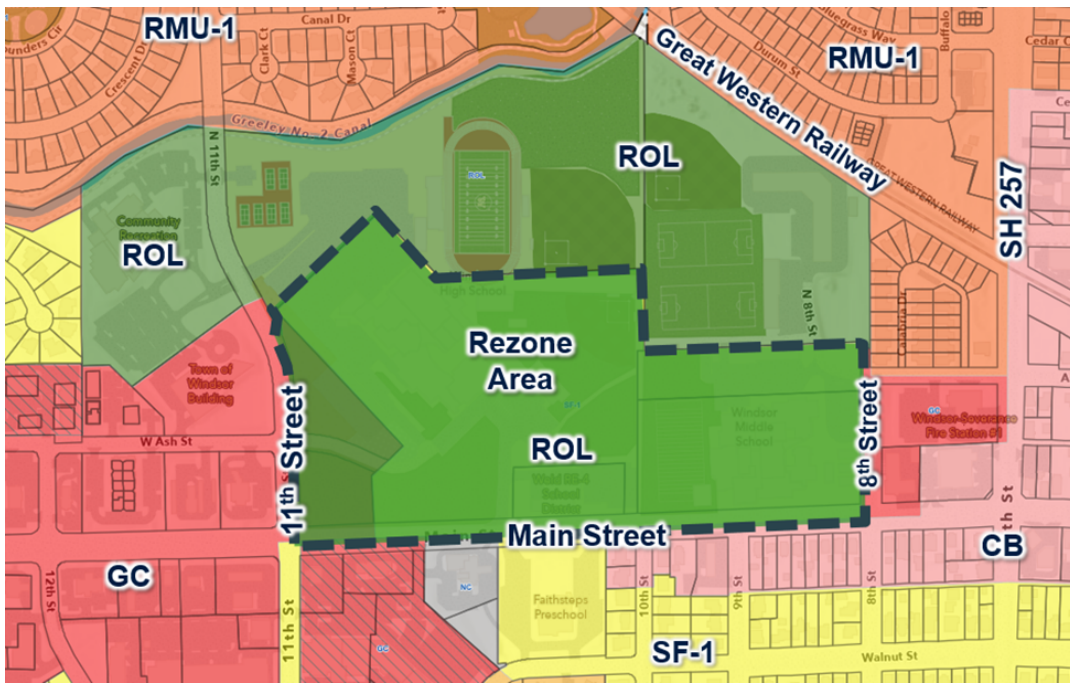
Although the Weld RE-4 School District continued to develop the properties and expand the school, administration and operations facilities, no further subdivision or platting of most of these Weld RE-4 properties occurred after they were annexed and zoned – until a discrepancy surfaced when the Administration Building was preparing for a major building addition.

Late in 2024, a Major Site Plan application for expansion of the Weld RE-4 School District Administration Building was received. During the site development and civil engineering review of the site, discrepancies in the location of the Admin Building, as it related to the property boundary and utility easements, was discovered. In order to confirm the location of the property boundary, utilities and easements, the property was surveyed. That survey confirmed that the Admin Building lot line, easements and utilities were slightly off, and the building addition would not meet the required building setbacks, thus requiring a Minor Subdivision to make the proper lot line adjustments.

In May of 2025, a Minor Subdivision application was received. The proposed lot layout is an acceptable solution to correct the lot line and easement discrepancies. However, the proposed lot layout created a split zoned lot, with a portion of the proposed overall High School lot being zoned Recreation and Open Lands and the remaining portion zoned Single Family One. This situation is discouraged as it leads to confusing implementation of zoning and building code regulations.

The resulting solution is to Rezone the Single Family One (SF-1) portion of the lot, along with the other SF-1 zoned lots to Recreation and Open Lands (ROL), to create a cohesively zoned campus, which will allow the Weld RE-4 School District to continue their current operations as a permitted use.

Additionally, Weld RE-4 owns the two small lots flanking the West Ash Street right-of-way segment that extends into the High School property. These lots are currently zoned General Commercial (GC). The School District has placed a monument sign and drainage infrastructure on one of the lots, and parking on the other, with no plans to further develop or sell these lots, so they have also been included them in the rezoning effort – effectively rezoning the entire Weld RE-4 campus to Recreation and Open Lands.



Comprehensive Plan:

The Recreation and Open Lands (ROL) zone district allows for the following principal uses permitted by right:

- Public Parks and recreation areas
- **Public Schools**
- Public, private, commercial and private group outdoor recreational activities
- Other similar uses as defined in this Code

Furthermore, this use and zoning is consistent with the Comprehensive Plan and the Land Use Map. The Weld RE-4 properties fall under the land use category of 'Public/Semi-Public', which includes the key characteristics calling for this type of use to be generally integrated within and adjacent to residential and commercial land uses that serve the Windsor community. The key civic uses included in this land use category are: schools, libraries, police and fire stations, and government offices. There is not a corresponding zone district for this land use, however, as previously noted, public schools are a permitted use in the ROL zone district.

Neighborhood Meeting:

A Neighborhood Meeting was held on December 2, 2025. There were eight (8) neighbors, representing six (6) households, in attendance. Discussion items included:

1. **Why is the School District rezoning this property?** *Response: The need to rezone came because of inconsistencies found during a Site Plan review for the Administration Building addition. It was determined that the property was not platted after its annexation to the Town in 1974. The rezoning and subsequent platting of the property will correct boundary lines and provide a consistent ROL zoning across all of the School District parcels in this location.*
2. **Clarification of what a 'rezone application' means in this situation.** *Response: Rezoning is a land use process intended to provide development standards that will result in compatibility between land uses and neighborhoods. It does not have anything to do with the 'neighborhood boundaries' the School District sets for each of the school service areas.*
3. **Why rezone to Recreation and Open Lands (ROL)?** *Response: The ROL zone district*

provides the most flexibility for the school district uses, while minimizing opportunities for commercial and residential development on School District property.

4. **Does the rezone impact property taxes?** *Response: No. The only property being rezoned is school district property, which does not correlate with the property taxes associated with your property. Additionally, the school district is a governmental agency, and as such does not pay property taxes.*

After the neighborhood meeting concluded, it was determined that several surrounding property owners were not included in the original mailing. A follow up letter was sent to those neighbors, with an outline of the proposed project, along with a summary of the meeting discussion. One (1) neighbor called, asking for a more detailed explanation of what a rezone was, and which properties specifically were being rezoned. After a brief discussion with the caller, no further action was required.

Review 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. *Response: As noted, the proposed rezone is in alignment with the Strategic Plan, along with the Comprehensive Plan vision and goals that speak to a sense of community and high quality public and local services.*
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. *Response: The Wizard Rezone is effectively a 'clean up' effort that the School District is undertaking in order to create clear property lots that will allow for a more efficient development process for any future school district expansion needs.*
3. Density is consistent with the Comprehensive Plan Land Use Plan, and applicable utility capacity studies. *Response: Negative impacts to the Town's utilities are not anticipated by this rezone.*
4. The proposal serves a community need or amenity that was not considered at the time of the initial zoning of the property. *Response: As previously noted, this rezone is a 'clean up' effort that corrects inconsistent zoning that was assigned at the time of the annexations.*
5. The proposal shall be accompanied by a Master Plan or Site Plan that demonstrates compatibility with adjacent uses. *Response: A Site Plan application has been received, and is consistent with the expectations for expansion of the Weld RE-4 School, Administration and Facilities site.*

Public Hearing Notification

The following notifications were completed in accordance with the Municipal Code as follows:

- December 16, 2025 – notice sent to property owners within 500 feet
- December 18, 2025 – (3) Signs posted on property
- December 19, 2025 – legal ad published in the newspaper
- December 19 2025 – legal ad posted on the Town's website

Record:

Staff requests that the following be entered into the record:

- Rezone Application materials
- Staff memorandum and supporting documents
- Public hearing testimony

- Recommendation

Financial Impact:

N/A

Relationship to Strategic Plan:

The rezone application is consistent with the **Strategic Plan Mission Statement**: The Town of Windsor promotes community and hometown pride through sustainable, excellent, and equitable delivery of services in a fiscally responsible manner.

Strategic Growth:

Windsor is committed to responsible and purposeful growth of our community through a connected transportation system, land use policies, open space preservation, services and amenities that reflect the needs of our Town, and sustainable resources.

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of **approval** of the **Wizard Rezone** Ordinance that proposes to rezone portions of the Windsor School, Windsor School 2nd, Weld County School District RE-4 1998, and Westview Annexation properties from Single Family One (SF-1) and General Commercial (GC) to **Recreation and Open Lands (ROL)** to the Town Board, subject to any outstanding Planning Commission and staff comments being addressed.

CC:

Carlin Malone, Planning Manager

Attachments:

1. Wizards Rezone Petition_12.29.2025
2. REZONE PLAT_PRELIM 11.18.2025
3. Rezoning ordinance GC and SF1 to ROL_DRAFT_12.18.2025
4. PC - Wizard Rez Staff Presentation_1.7.2026

REZONING PETITION

The Weld RE-4 School District, being the owners of the property described in the attached, hereby request a change in zoning on Lots 2, 3, and 4 from Single Family One (SF-1) to Recreation and Open Lands (ROL), and Lot 5 from General Commercial (GC) to Recreation and Open Lands (ROL).

A handwritten signature in black ink, appearing to read 'Michael McCuller', written over a horizontal line.

Michael McCuller
Chief Operating Officer
Weld RE-4 School District

PARCEL DESCRIPTION

A parcel of land, situate in the South Half (S1/2) of Section Seventeen (17), Township Six North (T.6N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), Town of Windsor, County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 17 and assuming the South line of the Southeast Quarter (SE1/4) as bearing South 87°16'50" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2576.33 feet, being monumented by a #6 rebar with 3.25" aluminum cap stamped LS 20685 on the Southeast corner and the South Quarter corner of Section 17 and with all other bearings contained herein relative thereto;

THENCE South 87°16'50" West, along said South line, a distance of 525.02 feet to the POINT OF BEGINNING;

THENCE South 87°16'50" West, continuing along said South line, a distance of 2008.81 feet to an extension of the West line of Lot 3, Columbine Center Subdivision, as recorded December 1, 2000, as Reception No. 2810486 of the Weld County Clerk & Recorder (WCCR);

Thence along the West lines of Lot 3, Ash Street, and Lot 5, Columbine Center Subdivision, and an extension thereof the following four courses:

THENCE North 02°43'16" West a distance of 396.27 feet to the beginning point of a curve, non-tangent to aforesaid course;

THENCE along the arc of a curve concave to the Northeast a distance of 15.19 feet, having a Radius of 20.00 feet, a Delta of 43°31'08" and is subtended by a Chord that bears North 24°28'50" West a distance of 14.83 feet to a Point of Tangency (PT);

THENCE North 02°43'16" West a distance of 139.79 feet to a Point of Curvature (PC);

THENCE along the arc of a curve concave to the Southwest a distance of 200.27 feet, having a Radius of 537.00 feet, a Delta of 21°22'04" and is subtended by a Chord that bears North 13°24'19" West a distance of 199.11 feet to a PT;

THENCE North 02°38'49" West along a line non-tangent to the aforesaid curve a distance of 69.74 feet to the South line of Tract A, Columbine Center Subdivision;

Thence along said South line the following four courses:

THENCE North 43°43'10" West a distance of 27.57 feet;

THENCE North 46°16'50" East a distance of 507.00 feet;

THENCE South 43°43'10" East a distance of 315.00 feet;

THENCE North 87°16'50" East a distance of 742.18 feet to the East line of the Weld County School District RE4 1997 Annexation as recorded May 9, 1997 as Reception No. 2548754 of the WCCR;

Thence along the West and South lines of said Reception No. 2548754 the following three courses:

THENCE South 00°37'08" East a distance of 301.52 feet;

THENCE North 87°17'03" East a distance of 769.56 feet;

THENCE South 57°31'58" East a distance of 5.41 feet to the West Right of Way (ROW) of North 6th Street;

THENCE South 00°25'10" East, along said West ROW line, a distance of 626.95 feet to the POINT OF BEGINNING.

Said described parcel of land contains 1,719,956 Square Feet or 39.485 Acres, more or less (±).

WIZARDS REZONING MAP

SITUATE IN THE SOUTH HALF OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH P.M. TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO 39.485 ACRES

PARCEL DESCRIPTION

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COMMENCING at the Southeast corner of said Section 17 and assuming the South line of the Southeast Quarter (SE1/4) as bearing South 87°16'50" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2576.33 feet, being monumented by a #6 rebar with 3.25" aluminum cap stamped LS 20685 on the Southeast corner and the South Quarter corner of Section 17 and with all other bearings contained herein relative thereto;

THENCE South 87°16'50" West, along said South line, a distance of 525.02 feet to the POINT OF BEGINNING;

THENCE South 87°16'50" West, continuing along said South line, a distance of 2008.81 feet to an extension of the West line of Lot 3, Columbine Center Subdivision, as recorded December 1, 2000, as Reception No. 2810486 of the Weld County Clerk & Recorder (WCCR);

Thence along the West lines of Lot 3, Ash Street, and Lot 5, Columbine Center Subdivision, and an extension thereof the following four courses:

THENCE North 02°43'16" West a distance of 396.27 feet to the beginning point of a curve, non-tangent to aforesaid course;

THENCE along the arc of a curve concave to the Northeast a distance of 15.19 feet, having a Radius of 20.00 feet, a Delta of 43°31'08" and is subtended by a Chord that bears North 24°28'50" West a distance of 14.83 feet to a Point of Tangency (PT);

THENCE North 02°43'16" West a distance of 139.79 feet to a Point of Curvature (PC);

THENCE along the arc of a curve concave to the Southwest a distance of 200.27 feet, having a Radius of 537.00 feet, a Delta of 21°22'04" and is subtended by a Chord that bears North 13°24'19" West a distance of 199.11 feet to a PT;

THENCE North 02°38'49" West along a line non-tangent to the aforesaid curve a distance of 69.74 feet to the South line of Tract A, Columbine Center Subdivision;

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Thence along the West and South lines of said Reception No. 2548754 the following three courses:

THENCE South 00°37'08" East a distance of 301.52 feet;

THENCE North 87°17'03" East a distance of 769.56 feet;

THENCE South 57°31'58" East a distance of 5.41 feet to the West Right of Way (ROW) of North 6th Street;

THENCE South 00°25'10" East, along said West ROW line, a distance of 626.95 feet to the POINT OF BEGINNING.

Said described parcel of land contains 1,719,956 Square Feet or 39.485 Acres, more or less (±).

ENGINEERING DEPARTMENT APPROVAL

Approved this ____ day of _____, 20__.

Engineering Manager

SURVEYOR'S CERTIFICATE

I certify that this plat accurately represents the results of a survey made by me or under my direct supervision.

PRELIMINARY

Steven Parks - On Behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38348

PLANNING DEPARTMENT APPROVAL

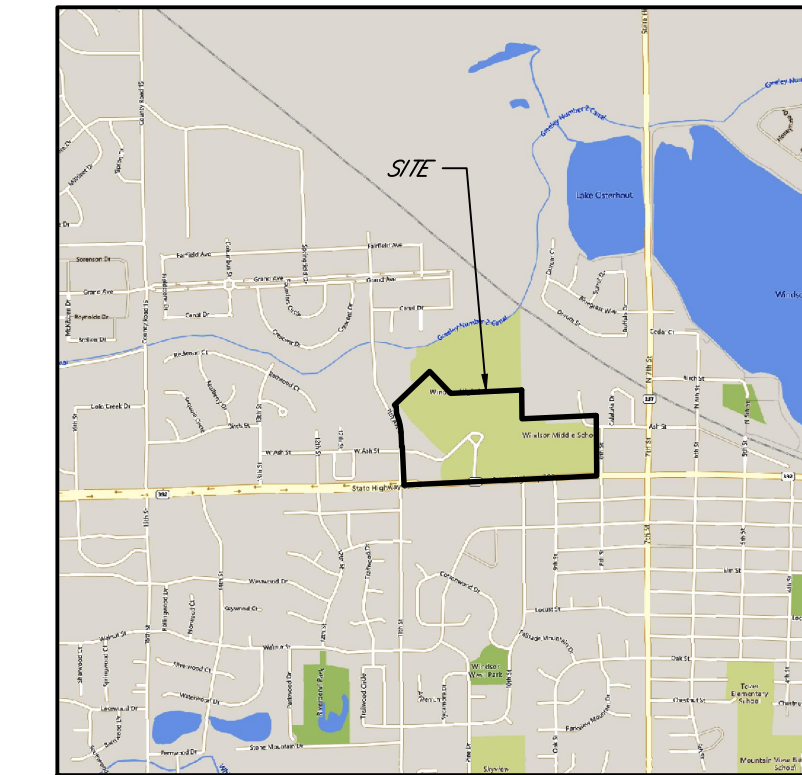
Approved this ____ day of _____, 20__.

Director of Planning

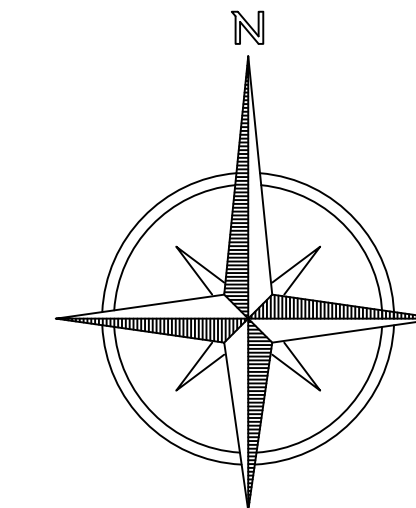
BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the South line of the Southeast Quarter of Section 17, Township 6 North, Range 67 West of the 6th P.M., monumented as shown on this drawing, as bearing South 87°16'50" West, being a Grid Bearing of the Colorado State Plane, North Zone, North American Datum 1983/2011, a distance of 2576.33 feet and with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot".



VICINITY MAP
SCALE: 1" = 200'



TOWN MANAGER'S APPROVAL

Approved this ____ day of _____, 20__.

Town Manager

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

THE UNDERSIGNED, being all the owners, lienholders, and holders of any ownership interest as defined by the Town of Windsor, of the land described hereon, have caused such land to be rezoned as indicated on this plat. The within rezoning plat is submitted in accordance with the Windsor Municipal Code. It is hereby acknowledged that all construction, use and development of this property will be in strict accordance with this rezoning plat. It is further acknowledged that deviation from this rezoning plat without the express written consent of the Town of Windsor may result in revocation of the Town's approval of the rezoning plat, denial of building permits, refusal to issue certificates of occupancy, injunctive relief prohibiting use of the property and other remedies available to the Town under the Windsor Municipal Code and other applicable laws of the State of Colorado. The undersigned have caused said land to be laid out and rezoned under the name of WIZARDS REZONING MAP. Witness our hands and

seals this ____ day of _____, 20__.

OWNER: Weld RE-4

By: _____ As: COO Weld RE-4 School District
Michael McCullar

NOTARIAL CERTIFICATE

STATE OF COLORADO)
 ss
COUNTY OF WELD)
The foregoing instrument was acknowledged before me by _____ as _____ this
____ day of _____, 20__.

Witness my Hand and Official Seal.

My commission expires: _____.

NOTICE OF OTHER DOCUMENTS

All persons take notice that certain documents have been executed pertaining to this development, which create certain rights and obligations of the development, the developer and/or subsequent owners of all or portions of the development site, many of which obligations constitute promises and covenants that run with the land. These documents are of record and are on file with the director of planning of the Town of Windsor and should be closely examined by all persons interested in purchasing any portion of the development site.

MAYOR CERTIFICATE

This is to certify that a rezoning map of the property described herein was approved by Ordinance

No. _____ of the Town of Windsor passed and adopted on the ____ day of

, 20__, A.D. and that the Mayor of the Town of Windsor, as authorized by said ordinance, on behalf of the Town

of Windsor, hereby acknowledges and adopts the said rezoning map upon which this certificate is endorsed for all

purposes indicated thereon.

Mayor
Attest: _____
Town Clerk

TITLE COMMITMENT NOTE

For all information regarding easements, rights-of-way and title of records, Majestic Surveying, LLC relied upon Property Information Binder Number PIB25216166.28170189, dated March 19, 2025, as prepared by Land Title Guarantee Company to delineate the aforesaid information.

This survey does not constitute a title search by Majestic Surveying, LLC to determine ownership or easements of record.

OPEN SPACE PROTECTION

All areas depicted hereon as "Open Space" shall remain undeveloped, regardless of ownership and regardless of official zoning designation. No permanent structures of any kind may be erected upon areas depicted hereon as "Open Space" without the prior written consent of the Town Manager for the Town of Windsor.

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

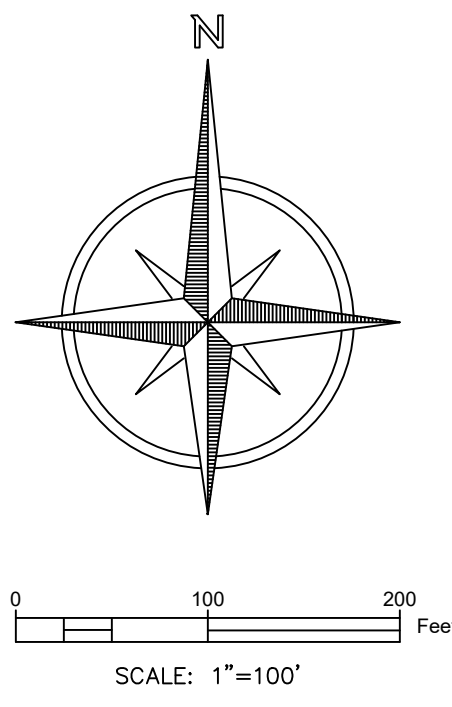


PROJECT NO: 2024378	PROJECT NAME: WMS WHS	REVISIONS:	DATE:
DATE: 8-14-2025	CLIENT: WELD RE4	REVISED	10-13-25
DRAWN BY: SIP	FILE NAME: 2024378REZ	REVISED	11-18-25
CHECKED BY: SIP	SCALE: N/A		

WIZARDS REZONING MAP

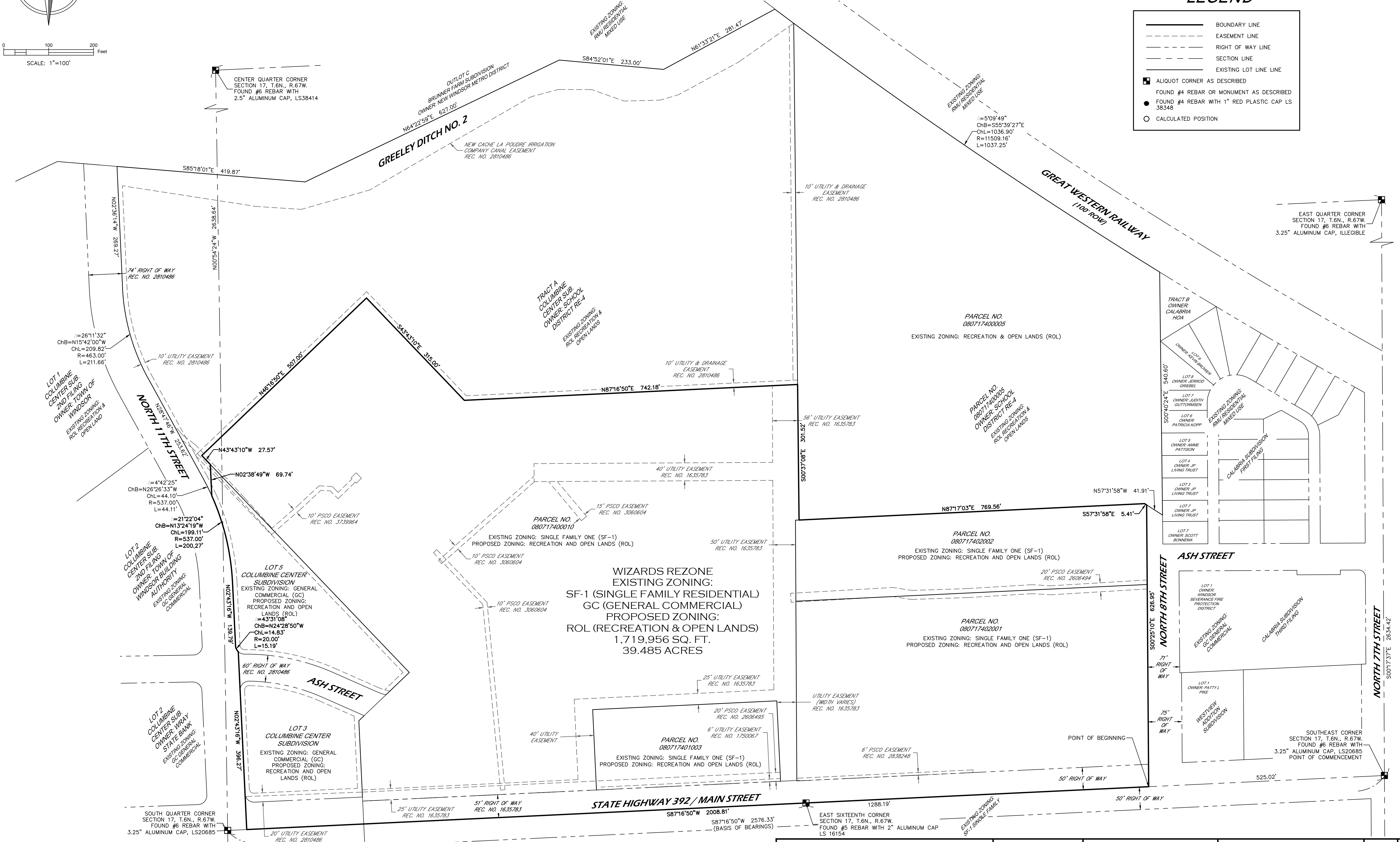
SITUATE IN THE SOUTH HALF OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH P.M.
TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO
39.485 ACRES

NOTICE
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)



LEGEND

- BOUNDARY LINE
- EASEMENT LINE
- RIGHT OF WAY LINE
- SECTION LINE
- EXISTING LOT LINE LINE
- ALIQUOT CORNER AS DESCRIBED
- FOUND #4 REBAR OR MONUMENT AS DESCRIBED
- FOUND #4 REBAR WITH 1" RED PLASTIC CAP LS 38348
- CALCULATED POSITION



WIZARDS REZONE
EXISTING ZONING:
SF-1 (SINGLE FAMILY RESIDENTIAL)
GC (GENERAL COMMERCIAL)
PROPOSED ZONING:
ROL (RECREATION & OPEN LANDS)
1,719,956 SQ. FT.
39.485 ACRES

PRELIMINARY

Steven Parks - On Behalf of Majestic Surveying, LLC
Colorado Licensed Professional Land Surveyor #38348



PROJECT NO: 2024378	PROJECT NAME: WMS WHS	REVISIONS:	DATE:
DATE: 8-14-2025	CLIENT: WELD RE4	REVISED	10-13-25
DRAWN BY: SIP	FILE NAME: 2024378REZ	REVISED	11-18-25
CHECKED BY: SIP	SCALE: 1" = 100'		

2
SHEET 2 OF 2

TOWN OF WINDSOR

ORDINANCE NO. 2026- [##]

AN ORDINANCE APPROVING A REZONE FROM SINGLE FAMILY ONE AND GENERAL COMMERCIAL ZONING TO RECREATION AND OPEN LANDS ZONING WITHIN THE WINDSOR SCHOOL, WINDSOR SCHOOL 2ND, WELD COUNTY SCHOOL DISTRICT RE-4 1998, AND WESTVIEW ANNEXATION PROPERTIES

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

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

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

WHEREAS, WHEREAS, the Windsor School, Windsor School 2nd, Weld County School District RE-4 1998, and Westview Annexation Properties, more particularly known as the High School building lot, the vacant General Commercial lots at the corner of 11th and Main, the Admin Building lot, the Middle School lot and a portion of the District Facilities lot. (“Properties”) are presently zoned “Single Family One (“SF-1”) and General Commercial (“GC”); and

WHEREAS, the owner of the Property has filed a Petition (“Petition”), attached hereto and incorporated herein by reference, requesting zoning of the Property from its current designations of Single Family One (“SF-1”) and General Commercial (“GC”) to a Recreation and Open Lands (“ROL”) designation, as depicted on the Rezone Plat attached hereto and incorporated herein by reference; and

WHEREAS, in accordance with the requirements for ROL zoning, the request has been reviewed by staff and referred to the Planning Commission on January 7, 2026, for review and recommendation following a public hearing; and

WHEREAS, the Planning Commission has recommended that the Town Board approve the request for ROL rezoning for the Windsor School, Windsor School 2nd, Weld County School District RE-4 1998, and Westview Annexation Properties, subject to certain conditions to which the property owner has no objection; and

WHEREAS, pursuant to the requirements for rezoning found in Zoning Code Sec. 14-2-70, the Town Board has convened a public hearing and heard relevant evidence with respect to the merits of the rezoning for the removal of the SF-1 and GC zone districts; and

WHEREAS, based upon the evidence presented at the public hearing, the Town Board concludes that the Petition should be granted, and the Property rezoned from SF-1 and GC to ROL as requested.

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

Section 1. The Windsor School, Windsor School 2nd, Weld County School District RE-4 1998, and Westview Annexation Properties depicted on the Wizard Rezone Plat, and the Petition, are hereby approved for the rezoning from SF-1 and GC to ROL.

Section 2. The Windsor School, Windsor School 2nd, Weld County School District RE-4 1998, and Westview Annexation Properties shall forthwith be zoned ROL only, and are further subject to the following additional condition:

All outstanding Planning Commission and staff comments, if any, shall be addressed prior to the recordation of the Wizard Rezone plat.

Introduced, passed on first reading and ordered published this 12th day of January, 2026.

TOWN OF WINDSOR, COLORADO

Julie Cline, Mayor

ATTEST:

[Seal]

Karen Frawley, Town Clerk

Introduced, passed on second reading and ordered published this 26th day of January, 2026.

TOWN OF WINDSOR, COLORADO

Julie Cline, Mayor

ATTEST:

[Seal]

Karen Frawley, Town Clerk



Rezone

Wizard Rezone

Kimberly Lambrecht, Long Range Planner
Planning Commission, January 7, 2026



Rezone Request

Article II of Chapter 14 of the Municipal Code outlines the purpose and procedures of the Rezoning process, including:

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.

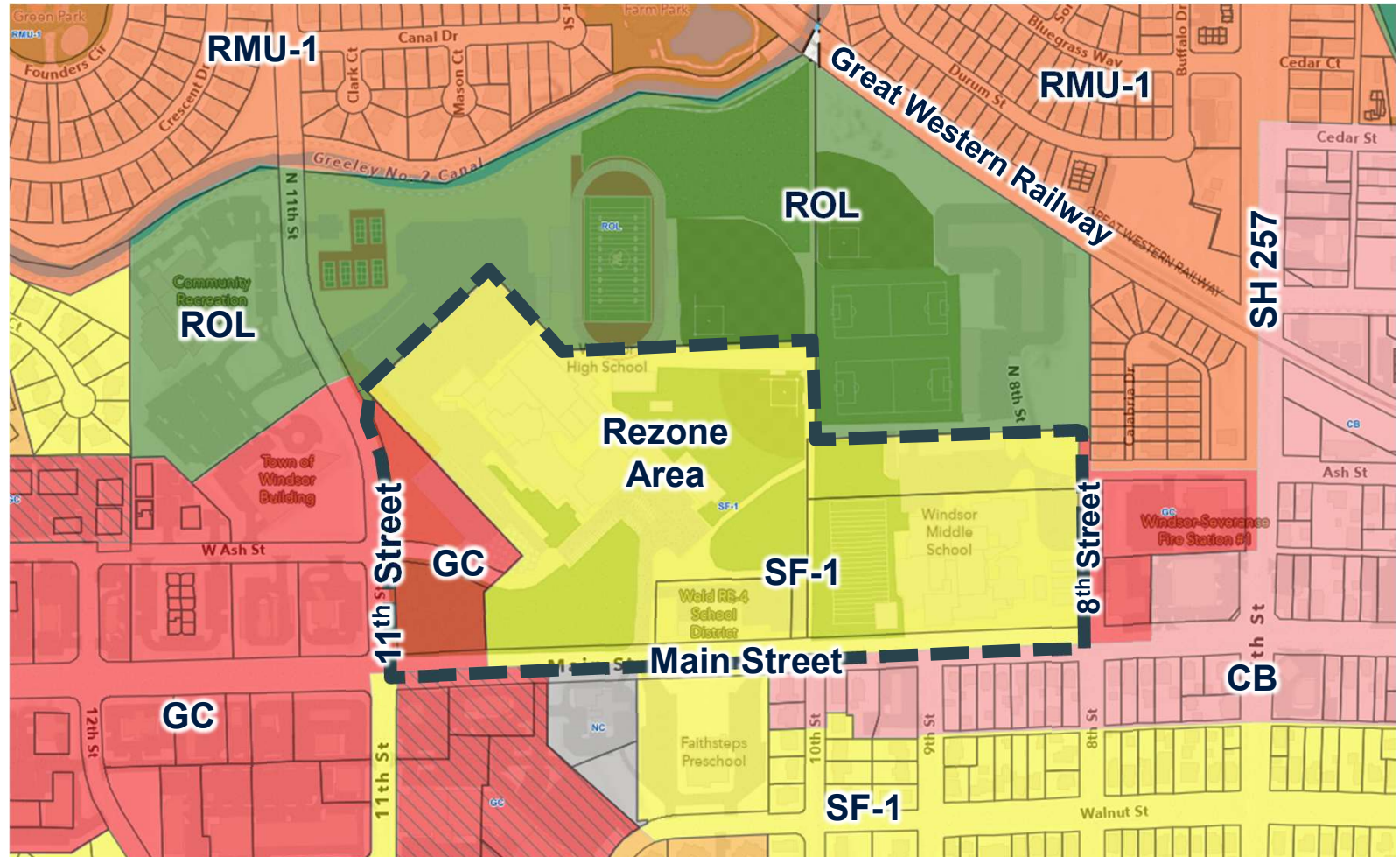


Site Vicinity Map



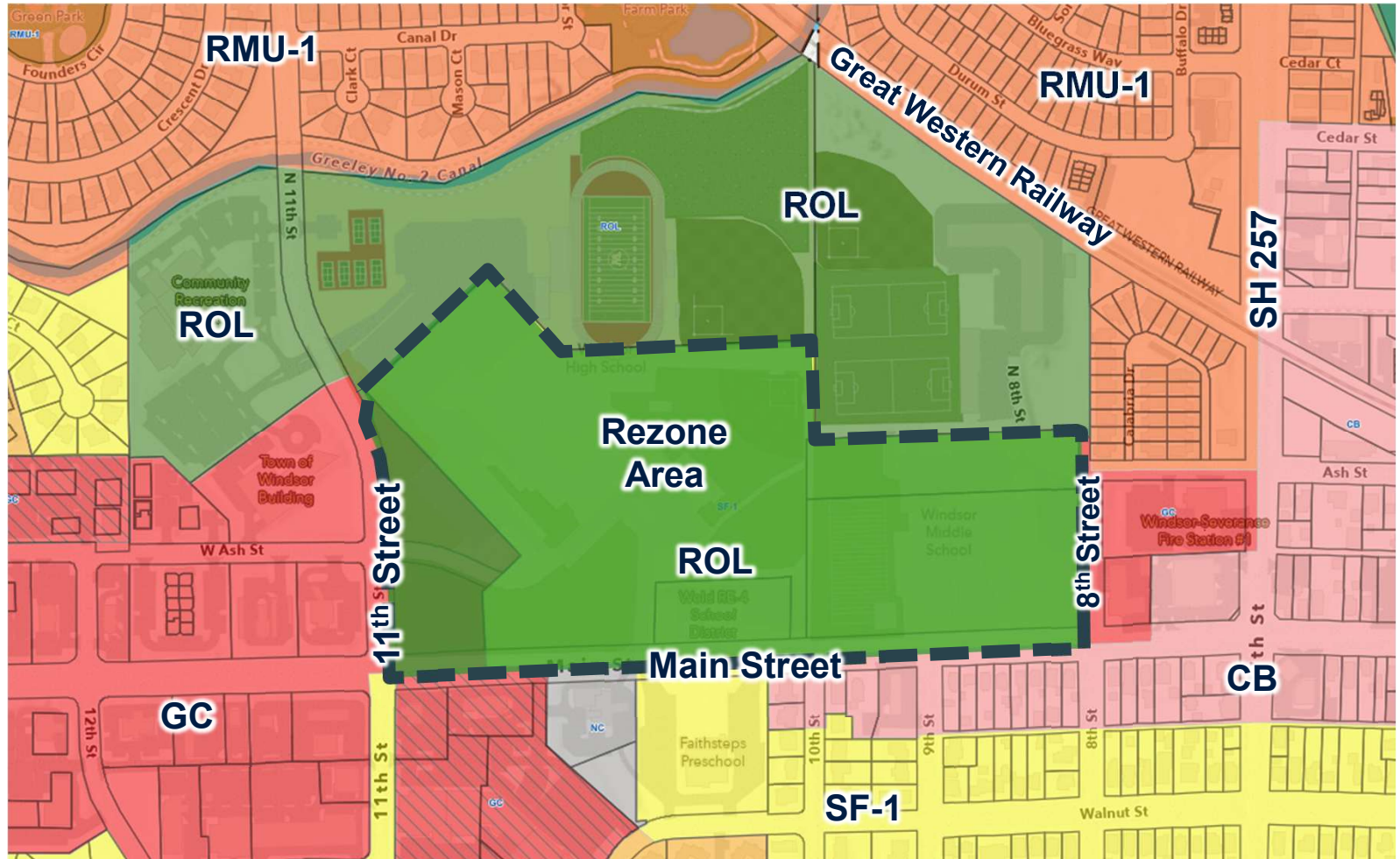


Zoning Map – Existing Zoning





Zoning Map – Proposed Zoning





Rezone Request

Background:

1952: School Annexation (Middle School property, zoned SF-1)

1964: Westview Annexation (Facilities site, zoned SF-1)

1974: Windsor School Annexation (High School Site, zoned SF-1)

1978: Windsor School 2nd Annexation (Admin Building Site, zoned SF-1)

1997: Weld County School District RE-4 Annexation (Facilities site, zoned ROL)

1998: Weld County School District RE-4 Annexation (High School football field, parking and detention pond areas, zoned ROL and GC)

No further subdivision or platting of most of the Weld RE-4 property occurred after these properties were annexed and zoned.



Rezone Request

Background:

2024: Major Site Plan application for expansion of the Weld RE-4 School District Administration Building received.

- During the site development and civil engineering of the site, discrepancies in the location of the Admin Building, as it related to the property boundary, were discovered.
- Property was surveyed to confirm lot and easement line locations, along with utility lines and building location.



Rezone Request

Background:

2025: Minor Subdivision application

- To correct discrepancies in lot and easement line locations, a Minor Subdivision application has been received.
- The proposed lot layout is an acceptable solution to correct the lot line and easement discrepancies.
- The proposed lot layout created a split zoned lot.

Solution – Rezone the Single Family One (SF-1) lots to Recreation and Open Lands (ROL)



Rezone Request

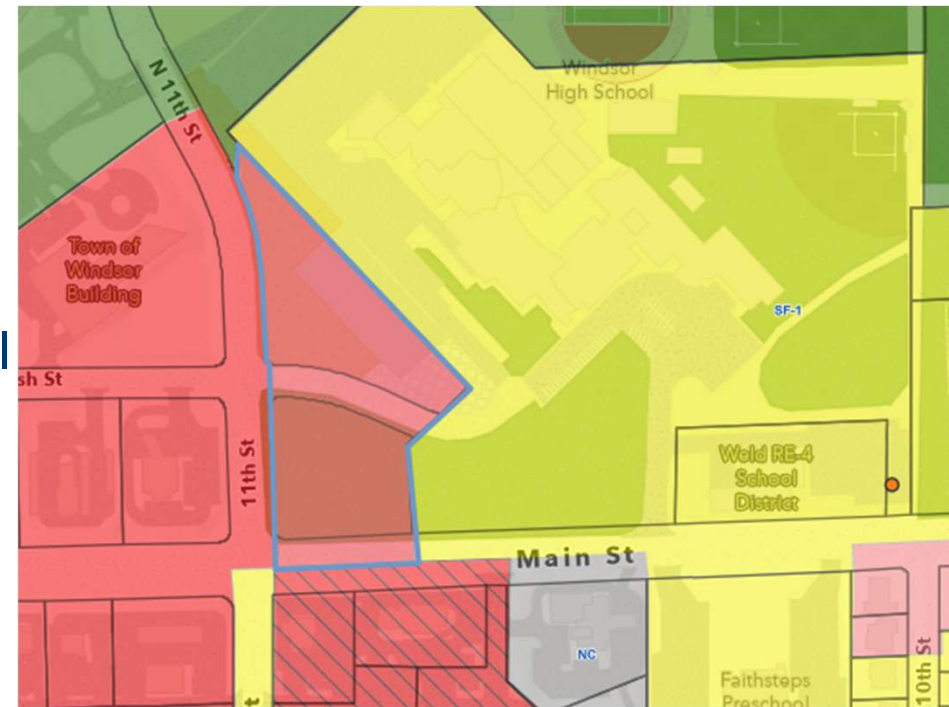
Background:

General Commercial (GC) lots at the northeast corner of 11th Street and Main Street are also owned by Weld RE-4

- Currently house a monument sign, site drainage infrastructure and parking
- Weld RE-4 has no plans to develop or to sell

Include them in the ROL rezone to effectively create a singularly zoned campus

Provides cohesive implementation of zoning and building code regulations.





Rezone Plat

WIZARDS REZONING MAP

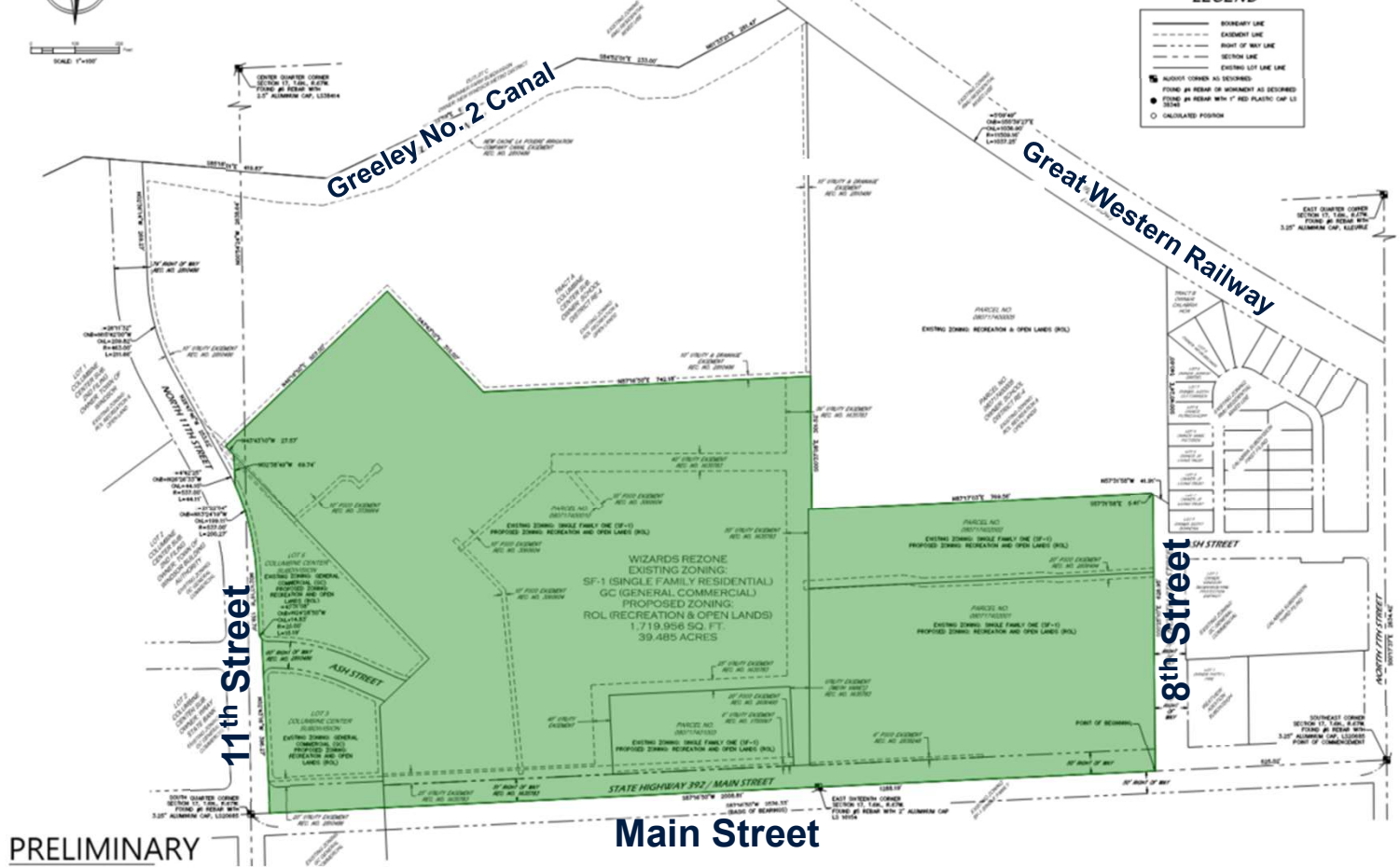
SITUATE IN THE SOUTH HALF OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH P.M.
TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO
39.485 ACRES

NOTICE
According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. No one may sue after three years have expired after the date of this survey, be commenced more than ten years from the date of the certification shown herein. (13-60-105 C.R.S. 2012)



LEGEND

- BOUNDARY LINE
- - - EXISTING LINE
- · - · POINT OF MEASURE
- - - SECTION LINE
- · - · EXISTING LOT LINE
- · - · EXISTING LOT LINE
- ADJUST CORNER AS REQUIRED
- POINT OF MEASURE AS REQUIRED
- POINT OF MEASURE WITH 1" RED PLASTIC CAP IS SHOWN
- CALCULATED POSITION



PRELIMINARY

Main Street

7th Street
(SH 257)





Zoning – Recreation and Open Lands

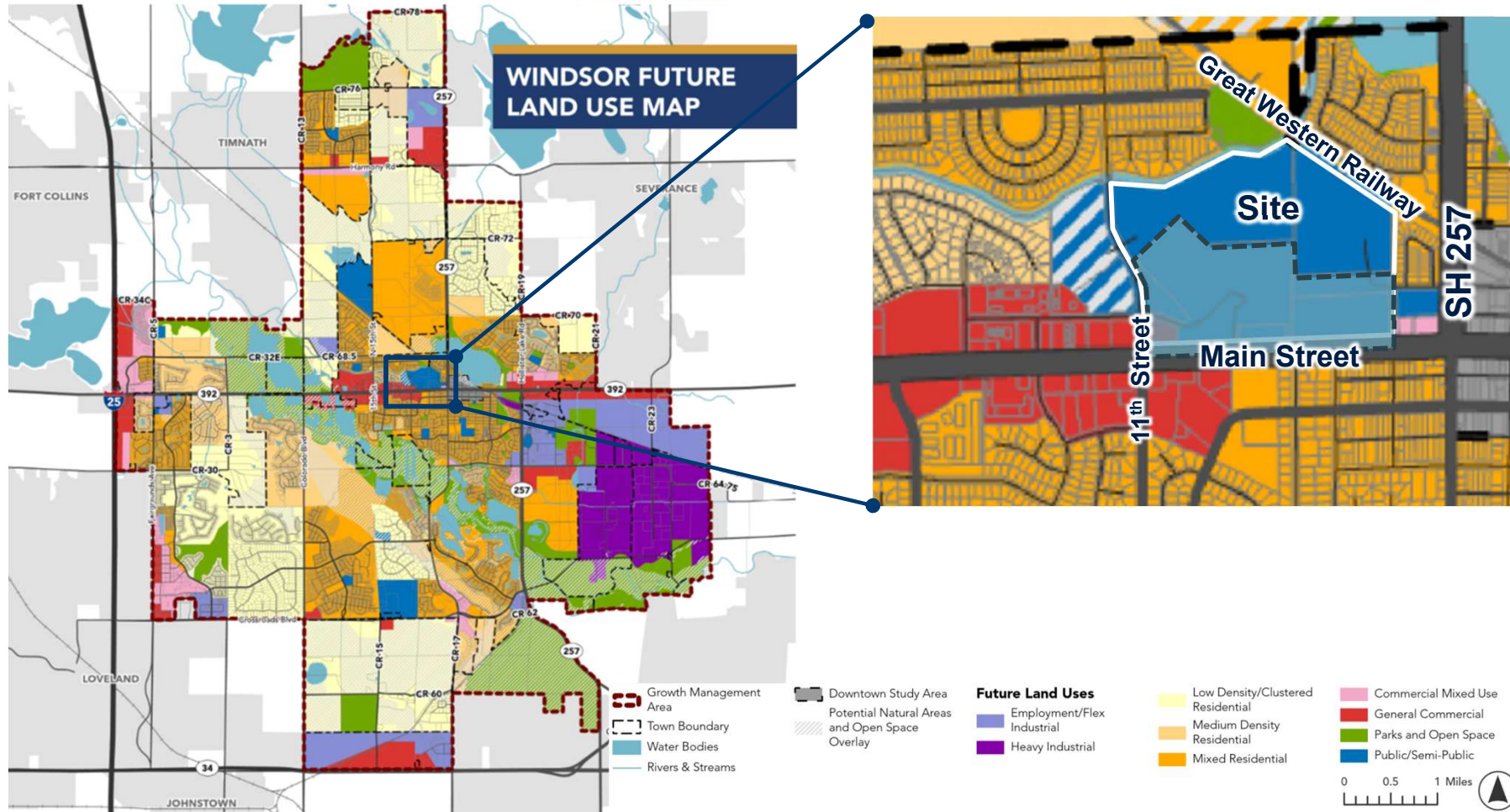
Recreation and Open Lands (ROL) allows for the following principal uses permitted by right:

- Public Parks and recreation areas
- ***Public Schools***
- Public, private, commercial and private group outdoor recreational activities
- Other similar uses as defined in this Code

Consistent with the Comprehensive Plan | Land Use Map



Land Use Map





Comprehensive Plan



FUTURE LAND USE PLAN

PUBLIC/SEMI-PUBLIC

KEY CHARACTERISTICS

- Generally integrated within and adjacent to residential and commercial land uses to serve the Windsor community and nearby areas.

SUGGESTED DENSITY RANGE

N/A

ALIGNMENT WITH CURRENT ZONING

N/A

LAND USE MIX



CIVIC

- Schools, libraries, police and fire stations, and government offices

PARKS & OPEN SPACE

KEY CHARACTERISTICS

- Intended as accessible public amenities for residents and the broader community.

SUGGESTED DENSITY RANGE

N/A

ALIGNMENT WITH CURRENT ZONING

Recreation and open lands (ROL)

LAND USE MIX



RECREATIONAL

- Primary uses: Active and passive recreation, sports facilities and fields, golf courses, gathering spaces associated with athletics, greenways and trails, community gardens, undeveloped natural areas, conservation easements
- Secondary uses: Temporary mineral extraction sites, such as gravel mining



Relationship to the Strategic Plan

The rezone application is consistent with the Strategic Plan Mission Statement: ***The Town of Windsor promotes community and hometown pride through sustainable, excellent, and equitable delivery of services in a fiscally responsible manner.***

Strategic Growth:

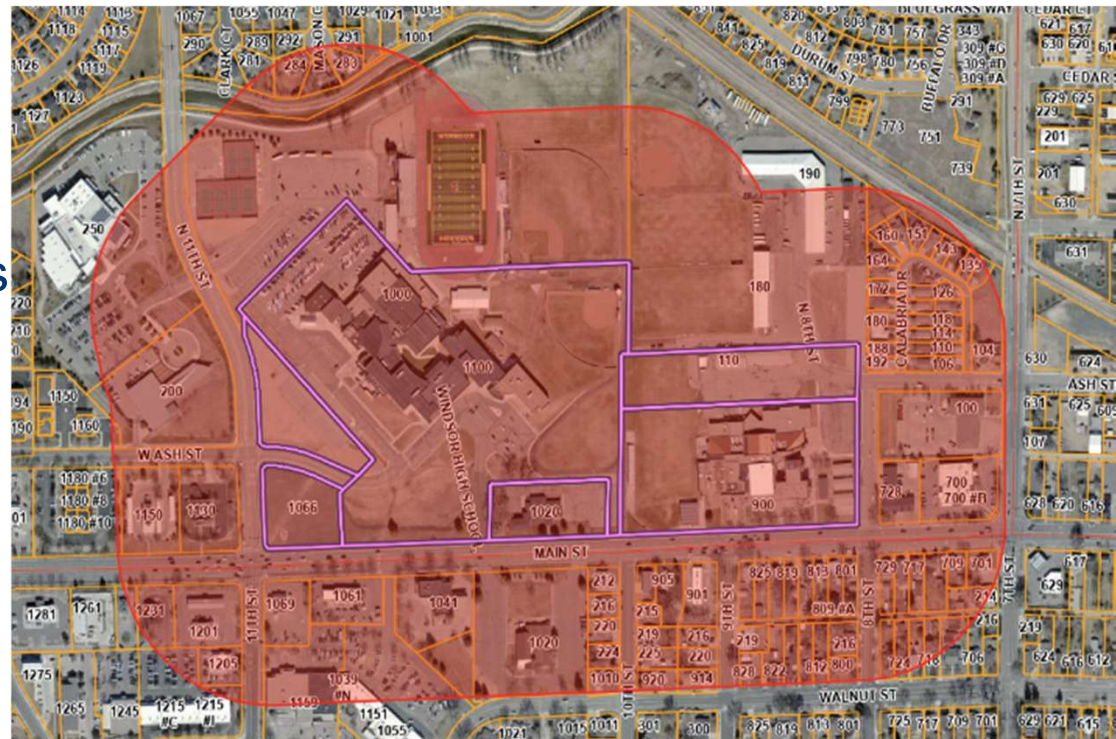
Windsor is committed to responsible and purposeful growth of our community through a connected transportation system, land use policies, open space preservation, services and amenities that reflect the needs of our Town, and sustainable resources.



Neighborhood Meeting

As required by the Municipal Code for a rezoning application, the applicant held a neighborhood meeting on December 02, 2025.

- Notices were sent to property owners within 500 feet.
- A follow-up letter was sent to several property owners who did not receive the original NHM notification.
- A summary of the neighborhood meeting discussion is included with the packet materials.

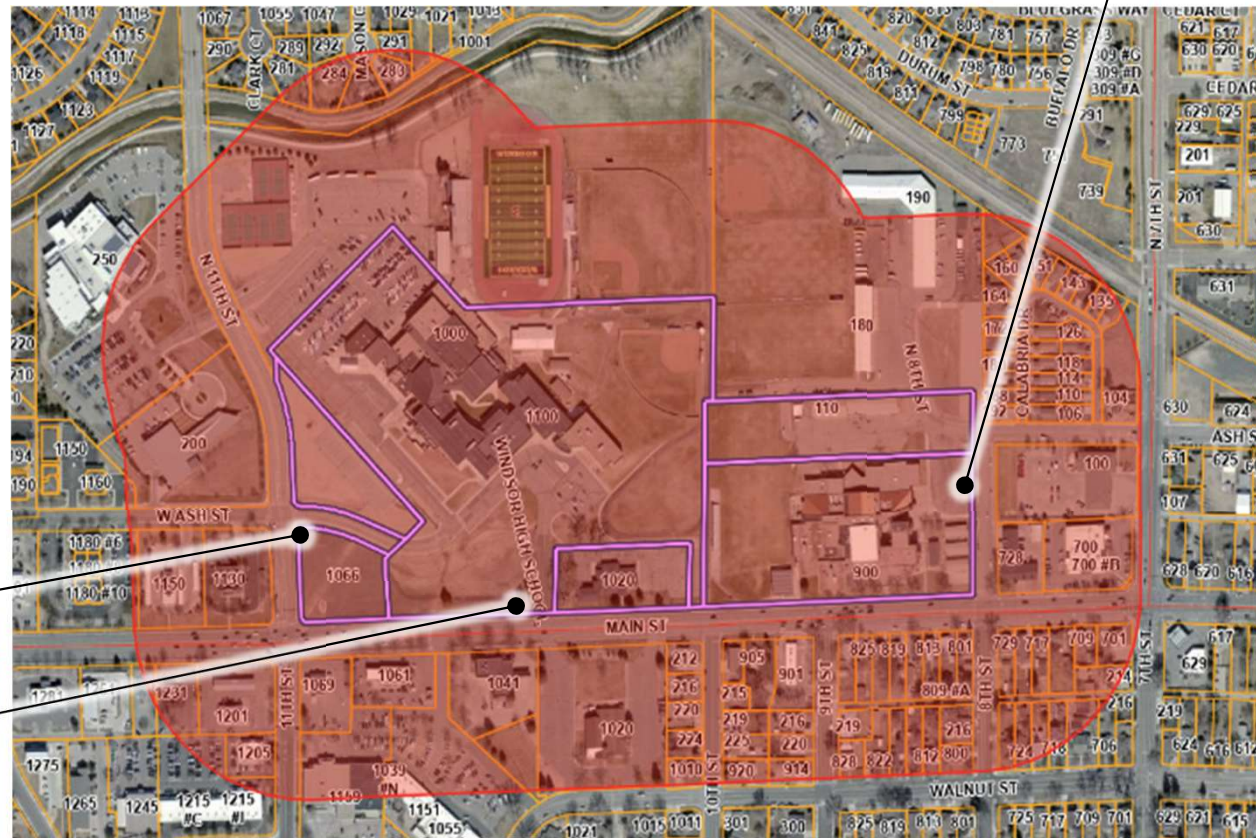




Public Hearing Notification

The following notifications were completed in accordance with the Municipal Code as follows:

- December 16, 2025 – notice sent to property owners within 500 feet
- December 18, 2025 – (3) Signs posted on property
- December 19, 2025 – legal ad published in the newspaper
- December 19, 2025 – legal ad posted on the Town’s website





Recommendation

Staff recommends that the Planning Commission forward a recommendation of **approval** of the **Wizard Rezone** Ordinance that proposes to *rezone portions of the Windsor School, Windsor School 2nd, Weld County School District RE-4 1998, and Westview Annexation properties from Single Family One (SF-1) and General Commercial (GC) to Recreation and Open Lands (ROL)* to the Town Board, subject to any outstanding Planning Commission and staff comments being addressed.



Record

Staff requests that the following be entered into the record:

- Rezone Application Materials
- Staff memorandum and supporting documents
- Public hearing testimony
- Recommendation



Review Criteria - Rezone

- 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 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.



Thank You

Questions



MEMORANDUM

Date: January 7, 2026
To: Planning Commission
From: Kimberly Lambrecht, Long Range Planner
Re: Recommendation to Town Board - Approve an Ordinance requesting to Rezone 39.485 acres within the Weld RE-4 School District properties located at 1100 Main Street, 1066 Main Street, 1020 Main Street, 900 Main Street and 110 N. 8th Street from Single Family One (SF-1) and General Commercial (GC) to Recreation and Open Lands (ROL) - Michael McCullar, Chief Operating Officer, Weld RE-4 School District (Owner); Megan Walter, Principal, Sunny Civil (Applicant's Representative).
Item #: C.2.

Background / Discussion:

Please refer to previous item for background information concerning this application.

Financial Impact:

N/A

Relationship to Strategic Plan:

N/A

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of **approval** of the **Wizard Rezone** Ordinance that proposes to rezone portions of the Windsor School, Windsor School 2nd, Weld County School District RE-4 1998, and Westview Annexation properties from Single Family One (SF-1) and General Commercial (GC) to **Recreation and Open Lands (ROL)** to the Town Board, subject to any outstanding Planning Commission and staff comments being addressed.

CC:

Carlin Malone, Planning Manager

Attachments:



MEMORANDUM

Date: January 7, 2026
To: Planning Commission
From: Carlin Malone, Planning Manager
Re: Public Hearing — An Ordinance by the Town of Windsor, Colorado, Amending Chapters 14, 15, and 16, Reinstating and Adjusting the Land Use Codes — Planning, Community Development Department
Item #: C.3.

Background / Discussion:

Executive Summary

This memorandum contains an overview of proposed land use code amendments, highlighted by two topics: adjusting the ADU (Accessory Dwelling Unit) section and reinstating two code sections and adjusting the land use table. 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. It is proposed that the land use process table is adjusted to include the Parking Determination process, as well as adding the Large Retail Establishment process to the table.

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

Town Board reviewed the proposed changes during their work session on December 8, 2025, and directed staff to schedule and notice these land use code updates for public hearings before the Planning Commission and Town Board.

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 1, 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.

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

Adjusting the table includes the existing process for Large Retail Establishment and proposed reinstatement of the Parking Determination process, as illustrated below.

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	
Large Retail Establishment	Sec. 15-7-30		<input type="checkbox"/>	R	R	D		M
Parking Determination	Sec. 15-5-20(h)		<input type="checkbox"/>	R	D*			M

Notifications:

Notification of this land use code update was in accordance with the Town Code, requiring notification at least ten (10) days prior to the Town Board public hearing:

- December 7, 2025 ~ Legal notice published in the Greeley Tribune
- December 8, 2025 ~ Notice posted on the Town’s website

Land Use Code Update Schedule:

- January 7, 2026 ~ Planning Commission public hearing
- January 12, 2026 ~ Town Board public hearing, first reading of ordinance
- January 26, 2026 ~ Town Board public meeting, second reading of ordinance

Financial Impact:

There are no financial impacts associated with the land use code updates.

Relationship to Strategic Plan:

The land use code amendments are in support of the following Strategic Growth element by implementing land use policies that support strategic planning:

Create land use policies that support the Comprehensive Plan to direct growth and density to appropriate areas.

Recommendation:

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the Ordinance Amending Chapters 14, 15, and 16 of the Town of Windsor, Colorado, Municipal Code, Reinstating and Adjusting the Land Use Codes, subject to any comments from the Planning Commission being addressed.

CC:

Scott Ballstadt, Director of Planning

Attachments:

1. Staff Presentation
2. Draft Ordinance - Land Use Code Updates



An Ordinance Amending Chapters 14, 15, & 16, Reinstating and Adjusting Land Use Codes

Planning Commission ~ January 7, 2026

*Carlin Malone, Planning Manager
Planning/Community Development*





Overview – Land Use Code Adjustments

Chapter 16

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

- Clarifying language to align with statutory requirements and language.



Image Credit: AARP

▲ Accessory dwelling units (or ADUs) come in many shapes and styles.



Overview – Land Use Code Reinstatements

Chapter 14

- ❖ **§14-2-70 – Interpretation of District Boundaries (Zone Districts).**
 - Reinstating standards for zone district boundaries.

Chapter 15

- ❖ **§15-5-20 – Parking requirements for buildings and uses outside of the downtown parking districts.**
 - Reinstating the parking determination procedure.



Overview – Land Use Code Adjustments

❖ §14-2-10. – Table 14-2-10(a) – Land Use Application Procedures

- **Parking Determination**
- **Large Retail Establishment**

Table amended to add Parking Determination and Large Retail Establishment

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	
Large Retail Establishment	Sec. 15-7-30		<input type="checkbox"/>	R	R	D		M
Parking Determination	Sec. 15-5-20(h)		<input type="checkbox"/>	R	D*			M



Notification & Next Steps

Notifications:

Notification of this land use code update was in accordance with the Town Code, requiring notification at least ten (10) days prior to the Town Board public hearing:

- December 7, 2025 ~ Legal notice published in the Greeley Tribune
- December 8, 2025 ~ Notice posted on the Town's website

Land Use Code Update Schedule:

- January 7, 2026 ~ Planning Commission public hearing
- January 12, 2026 ~ Town Board public hearing, first reading of ordinance
- January 26, 2026 ~ Town Board public meeting, second reading of ordinance



Staff Recommendation & Record

Staff recommends that the Planning Commission forward to the Town Board a recommendation of approval of the Ordinance Amending Chapters 14, 15, and 16 of the Town of Windsor, Colorado, Municipal Code, Reinstating and Adjusting the Land Use Codes, subject to any comments from the Planning Commission being addressed.

Staff requests that the following be entered into the record:

- Draft ordinance
- Staff memorandum
- Public testimony from the public hearing

Questions / Thank you



Planning Commission
January 7, 2026

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 (“Code”) on January 14, 2020, by Ordinance No. 2020-1620; and

WHEREAS, since adoption, the Town has reinstated and adjusted its requirements regarding procedures and standards within 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

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

The Town of Windsor Municipal Code Chapters 14, 15, and 16 are hereby amended and shall read as follows:

Section 1.

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	Neighborhood meeting	Concept Review Meeting	Decision Maker				Vote
				Director	PC	TB	BOA	
Accessory Dwelling Unit	Sec. 14-2-100		<input type="checkbox"/>	D			A*	
Annexation	Sec. 14-2-30	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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		<input type="checkbox"/>	R	R*	D*		M
Disconnect	Sec. 14-2-30.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R	R*	D*		S
Special Conditional Use	Sec. 14-2-230		<input type="checkbox"/>	D	A*			M
Conditional Use Permit Oil and Gas, Gravel Mining	Sec. 14-2-130	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R	R*	D*		M
Height Modification	Sec. 14-2-160		<input type="checkbox"/>	R	R*	D*		M
Large Retail Establishment	Sec. 15-7-30		<input type="checkbox"/>	R	R	D		M
Master Plan	Sec. 14-2-40	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R	R*	D*		M
Non-Regulated Land Transfer	Sec. 14-2-50							
Parking Determination	Sec. 15-5-20(h)		<input type="checkbox"/>	R	D*			M
Rezoning	Sec. 14-2-70	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R	R*	D*		S
Sign Permit	Sec. 14-2-170			D			A*	

Site Plan— Major	Sec. 14-2- 90		<input type="checkbox"/>	D		A*		
Site Plan— Minor	Sec. 14-2- 90		<input type="checkbox"/>	D		A*		
Subdivision, Major—Final	Sec. 14-2- 60		<input type="checkbox"/>	R	R*	D*		M
Subdivision, Major— Preliminary	Sec. 14-2- 60		<input type="checkbox"/>	R	D*	A*		M
Subdivision— Minor	Sec. 14-2- 60		<input type="checkbox"/>	D		A*		
Substantial Change Hearing	Sec. 14-2- 20		<input type="checkbox"/>	R	R*	D*		M
Telecommu- nications	Sec. 14-2- 110		<input type="checkbox"/>	D 1			A*	
Vacation of Town ROW	Sec. 14-2- 120			R		D*		M
Variance	Sec. 14-2- 150		<input type="checkbox"/>	R			D*	S
Variance, Minor	Sec. 14-2- 140		<input type="checkbox"/>	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					
<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					

- (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.

	Posted	Published	Mailed	Distance	Timing
Annexation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	See Sec. 14-2-30
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
Special Conditional Use	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	300'	See Sec. 14-2-10(h)(6)g.
Conditional Use Permit Oil & Gas, Gravel Mining	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	10 days
Disconnection	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	500'	See Sec. 14-2-30.5
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 Town ROW	<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'	See Sec. 14-2-140(d)
Vested Property Rights	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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.

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.

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.

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.

DRAFT



MEMORANDUM

Date: January 7, 2026
To: Planning Commission
From: Carlin Malone, Planning Manager
Re: Recommendation to Town Board — An Ordinance by the Town of Windsor, Colorado, Amending Chapters 14, 15, and 16, Reinstating and Adjusting the Land Use Codes — Planning, Community Development Department
Item #: C.4.

Background / Discussion:

Please refer to public hearing item materials.

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Scott Ballstadt, Director of Planning

Attachments:



MEMORANDUM

Date: January 7, 2026
To: Planning Commission
From:
Re: Election of Officers - Election of Planning Commission Chair
Item #: C.5.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:



MEMORANDUM

Date: January 7, 2026
To: Planning Commission
From:
Re: Election of Officers - Election of Planning Commission Vice Chair
Item #: C.6.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:



MEMORANDUM

Date: January 7, 2026
To: Planning Commission
From:
Re: Election of Officers - Election of Planning Commission Secretary
Item #: C.7.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments: