



**TOWN OF WELLINGTON
PLANNING COMMISSION
December 6, 2021**

Work Session - 5:30 PM

Regular Meeting - 6:30 PM

Individuals that attend the meeting in person will be required to wear a face-covering while in attendance.

The Zoom details below are for online viewing and listening only.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/87278911242?pwd=bkorMnJwUE5wb3R0cm4vRmNKOUZZUT09>

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1. WORK SESSION - 5:30pm
 - A. Land Use Code - Draft Land Use Table and Discussion
 2. CALL TO ORDER REGULAR MEETING - 6:30pm
 3. ROLL CALL
 4. ADDITIONS TO OR DELETIONS FROM THE AGENDA
 5. PUBLIC FORUM
 6. CONSIDERATION OF MINUTES
 - A. Meeting Minutes of November 1, 2021
 7. NEW BUSINESS
 - A. Vacate 20-foot Platted Access Easement on Lot 1, Wellington Manor Minor Subdivision
 8. ANNOUNCEMENTS
 9. ADJOURNMENT
 10. WORK SESSION CONTINUED



Planning Commission Meeting

Date: December 6, 2021
Submitted By: Cody Bird, Planning Director
Subject: Land Use Code - Draft Land Use Table and Discussion

EXECUTIVE SUMMARY

The Planning Commission adopted the Wellington Comprehensive Plan 2021 on August 2, 2021. The Comprehensive Plan provides the long-range vision and recommendations for the growth and development of the Town and is the basis for zoning, subdivision regulations and other land use codes. The Town is now evaluating and updating the Town's land use codes to reflect the recommendations of the Comprehensive Plan 2021 and to bring the land use codes into compliance with recent changes to State statutes and other regulatory requirements. Additional considerations may also include updates to reflect emerging technologies, changes in development practices, water conservation needs and more.

Land use code topics and draft code language will be presented in work sessions over the coming months and will be presented in parts to facilitate review and discussion. The complete land use code and all recommended changes will be presented at a future meeting date for a public hearing.

Work sessions are for general presentation and discussion, but no action will be taken.

BACKGROUND / DISCUSSION

The Planning Commission has been conducting work sessions each month to discuss draft materials and draft language for the land use code update. As a reminder, the land use code is a planning implementation tool of the community's comprehensive plan. The land use code can include zoning regulations, subdivision regulations, annexation policy, fence and sign permitting, and more. For example, a land use code may prescribe how tall a single-family home can be, the density of a planned community, or the allowed uses within a commercial building. This is a tool that helps give more local control to reflect the values of a community. The Commission has been presented draft materials included in each agenda packet. Draft materials from prior agenda packets are available on the Town's website at <http://www.wellingtoncolorado.gov/129/Agendas-Minutes>.

At each work session, the Commission will have an opportunity to review and discuss materials presented at prior work sessions. The Commission may provide guidance on what additional information should be evaluated and include input on any recommended changes to the draft materials.

At the November work session, the Commission was presented with a draft table of uses to begin discussion of appropriate zoning districts where each land use may be a permitted use (use by right) or conditional use (requires conditional review and approval). Discussion of the draft table of uses will continue at the December work session.

White and Smith, LLC, Planning and Law Group is on the Town's consultant team and will be available to discuss appropriate zoning and regulatory strategies for specialized land uses including but not limited to telecommunication facilities, accessory dwelling units, adult entertainment establishments, and others. Preliminary methodology for defining use standards (requirements or specifications defining necessary conditions to allow a use to be located within a zone district, such as setbacks, parking, screening, and others)



will also be introduced. Having clear regulations and use standards in the land use code ensures the Town can direct appropriate land uses to appropriate locations and meet the Town's design and appearance needs while also giving a potential applicant clear guidance on what will be required for a new use to be established.

Attachments for consideration with this report include the following:

- Draft Zone District Descriptions
- Draft Land Use Definitions
- Draft Land Use Table

STAFF RECOMMENDATION

ATTACHMENTS

1. Draft Zone District Descriptions
2. Draft Land Use Definitions
3. Draft Land Use Table
4. Presentation - Use Standards

Zone District Descriptions - For Reference		
Zone District	Description from Existing Code	Proposed Revisions to Descriptions
A: Agriculture	This is an ultra low-density district intended for the pursuit of farm activities or for a transitional status. This zone is characterized by the growing of crops and related functions.	No major change proposed
R-1: Single-Family Rural Density	This is a very low-density residential district intended for no more than two (2) single-family dwellings per acre and one (1) or more accessory buildings. This zone has been developed to provide for large-lot, single-family development in areas more characteristically rural and on the outskirts of the planning area.	Rename to " Residential Rural Density " to remove the reference to single-family in the title
R-2: Single-Family Medium Density	This is a medium-density housing district intended primarily for single-family uses on individual lots. This zone is characterized by tree-lined local streets, an interconnected pedestrian circulation system and proximity to schools and parks.	Rename to " Residential Low Density ". Change to include single-family attached units, up to four units per building, on individual lots
R-3: Multi-Family combined with Senior Housing	R3-Senior Housing: This District is intended primarily for single-family detached dwellings on small lots with minimal yard space (patio homes) for senior housing. Housing must be developed and maintained in compliance with the Housing for Older Persons Act of 1995 (HOPA) as amended. Covenants and/or deed restrictions will be required to be recorded on the property to guarantee perpetual use as senior housing in compliance with HOPA. R4-Multi-Family: This is a high-density residential zone intended primarily for multi-family uses on individual lots. In order to facilitate appropriate higher densities near viable business centers, multi-family buildings are generally encouraged near a C-1 or C-2 Commercial District or within a mixed-use PUD. Street and open space designs in these areas shall be used to create compatibility among frontages, which encourage pedestrian interaction and discourage high automobile speeds. Multi-family residential developments shall be designed around or adjacent to open space.	Rename to " Residential Medium Density ". Combine descriptions to describe intent as an area for a mix of single-family detached (small lot), single-family attached, and multi-family dwellings.
R-4: NEW Downtown Neighborhood	NA	Intended for the older neighborhoods around downtown that have smaller, more constrained lots than newer developments and specific architectural characteristics such as four-square bungalows, etc.
MH: Manufactured Home Park	This is a high-density residential district on a parcel of land under single ownership or control on which two (2) or more manufactured homes are occupied as residences.	No major changes proposed
C-1: Community Commercial	The Community Commercial District is intended to preserve the character of the original downtown and to provide for a mixture of uses that will strengthen and expand the core community.	Change to describe general commercial areas outside of downtown but not along the highway - for example activity centers at intersections per the comp plan future land use map
C-2: Downtown Core Commercial	The Downtown Commercial District is intended to preserve the character of the original downtown and to provide for a mixture of uses that will strengthen and expand the core community.	No major changes proposed
C-3: Highway Commercial	The Highway Commercial Use District is intended to be a setting for development of a wide range of community and regional retail uses, offices and personal and business services, and it is intended to accommodate a wide range of other uses, including multi-family housing and mixed-use dwelling units. The C-3 District should integrate various commercial and multi-family uses while transitioning from the highway to adjacent lower density neighborhoods.	Rename to " Mixed-Use Commercial ". No major changes to description.
LI: Light Industrial	This zoning district is intended to provide locations for a variety of workplaces, including light industrial uses, research and development offices and institutions. This District shall accommodate secondary uses that complement and support primary workplace uses, such as hotels, restaurants, convenience shopping, child care and housing, to encourage the development of planned office and business parks and to promote excellence in the design and construction of buildings, outdoor spaces, transportation facilities and streetscapes.	Change to remove housing from the description.
I: Industrial	This zoning district is intended to provide a location for a variety of employment opportunities, such as manufacturing, warehousing and distributing, indoor and outdoor storage and a wide range of commercial and industrial operations. This District also accommodates complementary and supporting uses, such as convenience shopping and child care centers. Locations for this zone require good access to major arterial streets and adequate water, sewer and power.	Change to remove convenience shopping and child care centers.
P: Public	This District is intended to identify and perpetuate the existence of public parks, playgrounds, recreation facilities and public and quasi-public buildings, whether publicly owned or leased.	No major changes proposed
TR: Transitional	This zoning district is intended to encompass existing areas containing a mixture of residential and commercial and/or light industrial uses or areas which are currently older neighborhoods of mostly nonconforming residential structures immediately adjacent to expanding commercial and/or light industrial areas and where it is anticipated the neighborhood will transform over time to consist of entirely, or almost entirely, commercial or light industrial uses. All new uses and expansion of existing uses shall require processing as a conditional use.	Remove - replaced by Downtown Neighborhood

Preliminary Definitions of all Uses - For Reference	
Proposed Use (Green text indicates new or revised language)	Definitions (Green text indicates new or revised language)
Accessory Building	A subordinate building or structure, the use of which is customarily incidental to that of the main building or to the main use of the land, which is located on the same lot (or on a contiguous lot in the same ownership) with the main building or use.
Accessory Dwelling Unit	An additional dwelling unit integrated within a single-family dwelling, or located in a detached accessory building, such as carriage houses or agricultural-type outbuildings, located on the same lot
Accessory Use	subordinate use, clearly incidental and related to the main structure, building or use of land and located on the same lot (or on a contiguous lot in the same ownership) as that of the main structure, building or use.
Adult Entertainment Establishments	Any adult video or bookstore, adult cabaret, adult booth, adult modeling or display establishment, adult motel, or adult theater. a. Adult booth. A separate enclosure within a structure featuring adult entertainment or adult material. The term adult booth does not include a restroom or a foyer through which any person can enter or exit the establishment. b. Adult cabaret. An establishment that features adult entertainment. c. Adult entertainment. Any modeling, posing, exhibition, display, or exposure, of any type, whether through book, pictures, film displays, live performance, dance, or modeling, that has as its dominant theme, or is distinguished or characterized by an emphasis on any one or more of the following: i. Any actual or simulated specified sexual activities, ii. Specified anatomical areas, iii. The removal of articles of clothing, or iv. Appearing nude or semi-nude. d. Adult material. One or more of the following material that have as their primary or dominant theme matter depicting, illustrating, describing or relating to adult entertainment, regardless of whether it is new or used: i. Books, magazines, periodicals or other printed matter; ii. Photographs, films, motion pictures, video cassettes, slides, or other visual representations; iii. Recordings or other audio matter; iv. Instruments, novelties, devices or paraphernalia that are designed for use in connection with adult entertainment. e. Adult modeling or display establishment: Any establishment whose employees engage in adult entertainment or adult private modeling. f. Adult motel: Any motel, hotel, boarding house, rooming house, or other place temporary lodging that includes the work "adult" or "erotic" in any name it uses, or otherwise provides and advertises adult entertainment or adult material. g. Adult private modeling: Modeling, posing, exhibition, display, or exposure by an employee relating to adult entertainment before a non-employee while the non-employee is in an area not accessible to all other persons in the establishment, or while the non-employee is in an area (whether totally or partially screened or partitioned) during that display from the view of all persons outside the area. The term private performance is considered private modeling. h. Adult theater: An establishment consisting of an enclosed structure, or a portion or part of an enclosed structure, or an open-air area where a person may view adult material or adult entertainment. Generally, the adult material or adult entertainment is pre-recorded material. j. Adult video or bookstore: An establishment that sells or rents adult material. Any establishment meeting all the following criteria is not considered an adult video or bookstore: i. The adult material is accessible only by employees. ii. The individual items of adult material offered for sale and/or rental comprise less than 10 percent of the individual items publicly displayed at the establishment as stock in trade in the following categories: videos, books, magazines, periodicals, other printed matter, slides, other visual representations, recordings, and other audio matter. iii. The establishment does not use the following terms in advertisements or other promotional activities relating to the adult materials: "XXX," "XX," "X," or any series of the letter "X" whether or not interspersed with other letters, figures, or characters; "erotic" or deviations of that work; "adult entertainment" or similar phrases; "sex" or "sexual acts" or similar phrases; "nude" or "nudies" or similar phrases; or any other letters, words, or phrases that promote the purchase or rental of adult material.
Agriculture	The use of land for the production of plants and animals useful to humans, including, to a variable extent, the preparation of these products for human use and their disposal by marketing or otherwise, and includes horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, and any and all forms of farm products and farm production. This includes accessory uses for treating or storing farm products and equipment. [See Section 35-1-102, C.R.S.]

Airport	Any area of land or water which is used or intended for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way. This includes all necessary runways, taxiways, aircraft storage and tie-down areas, hangers, public terminal buildings and parking, helicopter pads, support activities such as airport operations and air traffic control, and other necessary buildings and open spaces. Includes dusting services. For purposes of this definition, "aircraft " means a device that is used or intended to be used for flight in the air, such as an airplane or helicopter.
Art Studio	The workshop of an artist, writer, craftsperson, or photographer, but not a place where members of the public come to receive instruction on a more than incidental basis or to sit for photographic portraits.
Bar / Tavern	an establishment providing or dispensing fermented malt beverages and/or malt, special malt, vinous or spirituous liquors, and in which the sale of food products such as sandwiches or light snacks, is secondary (also known as a tavern)
Bed and Breakfast	An establishment operated in a private residence or portion thereof, which provides temporary accommodations to overnight guests for a fee and which is occupied by the operator of such establishment.
Brewery, Distillery, or Winery	A "brewery," "distillery," or "winery" as defined by Section 44-3-103, C.R.S., as amended. The facility is used primarily for the on-site manufacturing of malt liquors, which may include a tap room that is less than or equal to 30 percent of the facility's total floor area, including any outdoor seating or accessory sales areas. A "tap room" means a use associated with and on the same premises as a brewery, at which guests may consume and purchase, for on or off premise consumption, the manufacturer's products and other nonalcoholic beverages.
Boarding and Rooming House	A building or portion of which is used to accommodate, for compensation, four (4) or more boarders or roomers, not including members of the occupant's immediate family who might be occupying such building.
Brew Pub, Distillery Pub, or Limited Winery	A "brew pub," "distillery pub," or "limited winery" as defined by Section 44-3-103, Colorado Revised Statutes, as amended.
Building and Landscaping Materials Supply	A business that sells and stores building materials or landscaping where the majority of sales are wholesale transactions to other firms. Outdoor storage and retail sales are incidental.
Car Wash	a facility where the primary or secondary function is washing automobiles, pick-up trucks, and small vans, but not trailers or commercial trucks. This includes both mechanical production line methods or self service equipment. A car wash may also function as an accessory use to an automobile service station or other primary use.
Cemetery	Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including mausoleums and mortuaries when operated in conjunction with and within the boundaries of such cemetery.
Child Care Center	a facility, by whatever name known, which is maintained for the whole or part of a day for the care of seven (7) or more children under the age of sixteen (16) years who are not related to the owner, operator or manager, whether such facility is operated with or without compensation for such care and with or without stated educational purposes, except that a child care center shall not include any of the following three (3) types of family care homes as defined by the State: family child care home, infant/toddler home or experienced family child care provider home. The term includes, but is not limited to, facilities commonly known as day care centers, day nurseries, nursery schools, preschools, play groups, day camps, summer camps, large child care homes as defined by the State, centers for developmentally disabled children and those facilities which give twenty-four-hour-per-day care for dependent and neglected children. Child care centers are also those facilities for children under the age of six (6) years with stated educational purposes which are operated in conjunction with a public, private or parochial college or a private or parochial school, except that the term shall not apply to a kindergarten maintained in connection with a public, private or parochial elementary school system of at least six (6) grades.

Civic Space	Public or quasi-public uses in residential or business areas that are accessible to the public and primarily serve as gathering or meeting areas for the immediate community, or reserved as open space that provides a community amenity or promotes environmental or ecological functions. Civic spaces may be public buildings; defined space in residential, commercial, or mixed-use buildings; or outdoor space constructed to accommodate community gatherings. They can be the settings where celebrations are held, where social and economic exchanges take place, where friends run into each other, and where cultures mix. Civic spaces include active or passive recreational uses, nature and recreation trails, nature preserves (such as wildlife sanctuaries, conservation areas, and game preserves), cultural amenities (e.g. fountains, ice rinks, reflecting pools), open spaces, parks, squares, plazas, playgrounds, or memorial parks. This includes any of the following as defined below: ·Active recreation: Recreational uses requiring constructed facilities for organized activities, such as playing fields, ball courts, and playgrounds. ·Dog park: A park that provides a variety of recreational amenities for dogs and persons that may include benches, parking, restrooms, and water fountains. If dogs are to be unleashed, the area must be fenced. ·Community space: Buildings or facilities that provide gathering places, such as community centers, property owner association meeting spaces, or clubhouses. ·Open space: Areas of trees, shrubs, lawns, grass, pathways and other natural and man-made amenities not within individual building lots, set aside for the use and enjoyment of residents, visitors and other persons, unoccupied by buildings or facilities unless related to recreational activities. Generally, open space is intended to provide light and air and is designed for either scenic or recreational purposes. For the purpose of this Ordinance, open space includes active recreation space, common open space, and dedicated open space. ·Park or plaza: An open space which may be improved and landscaped; usually surrounded by streets and buildings. ·Urban deck: A platform for landscaped greens or engineered to accommodate buildings, which spans over major roadways. The intent of an urban deck is to create and enable pedestrian movement across an otherwise, typically impenetrable barrier, and to provide space for activity that can link both sides of the roadway. ·Wetlands mitigation bank: A natural resource management technique authorized by Part 404 of the Federal Clean Water Act, or other state or federal law, as applicable, using wetland preservation, restoration, creation and/or enhancement to offset or replace wetland functions that are lost due to development. Wetland mitigation banks are typically large areas of wetlands operated by private or public entities, which may sell credits to other entities to compensate for wetland loss or impact at development sites or enter into other similar arrangements.
Club / Lodge	organizations of persons for special purposes or for the promulgation of sports, arts, literature, politics or other common goals, interests or activities, characterized by membership qualifications, dues or regular meetings, excluding clubs operated for profit and/or places of worship or assembly.
College	An institute of higher education that awards baccalaureate or higher degrees, which may include on-site student, faculty, and/or employee housing facilities.
Communication Facility	Uses and structures such as radio and television transmitting and receiving antennas, radar stations, and microwave towers.
Community Facility	A place, structure, area, or other facility used to provide fraternal, cultural, social, educational, or recreational programs or activities. This includes swimming pools, tennis courts, and similar facilities of a homeowners association, open to the public or a designated part of the public, and which may be publicly or privately owned.
Contractor and Contractor Storage	The offices and/or storage facilities for a specialized trade related to construction, electric, glass, painting and decorating, welding, water well drilling, sign making, or similar items. Includes storage yards (for equipment, materials [including sand, road-building aggregate or lumber], supplies and/or vehicles owned or rented by the establishment), roofing and sheet metal, fabrication of cabinetry and related millwork and carpentry, elevator maintenance and service, and venetian blind and metal awning fabrication and cleaning. Incidental sales of materials are included within this definition.
Convenience Store	A retail store containing less than five thousand (5,000) square feet of gross floor area which sells everyday goods and services which may include, without limitation, ready-to-eat food products, groceries, over-the-counter drugs and sundries.
Convenience Store, with fuel sales	A retail store containing less than five thousand (5,000) square feet of gross floor area which sells everyday goods and services which may include, without limitation, ready-to-eat food products, groceries, over-the-counter drugs and sundries. Fuel sales are allowed on site.
Dry Cleaning Plant	Establishments primarily engaged in supplying, on a rental or contract basis, laundered industrial work uniforms and related work clothing (such as protective (flame and heat resistant) and clean room apparel), dust control items (such as treated mops, rugs, mats, dust tool covers, and cloths), and shop or wiping towels. Also known as "industrial launderers."

Entertainment Facility	a building or part of a building devoted to showing motion pictures or dramatic, musical or live performances, but does not include a sexually oriented business as defined in Article 11.
Financial Institution	A business where the primary occupation is financial services such as banking, savings and loans, loan offices, and check cashing and currency exchange outlets. It does not include financial services that typically occur in an office or storefront, such as investment companies, loan companies, credit and mortgage, insurance services, or brokerage firms), which are classified under "Office," below.
Food Catering	an establishment in which the principal use is the preparation of food and/or meals on the premises, and where such food and/or meals are delivered to another location for consumption or distribution, and where such use occupies not more than five thousand (5,000) square feet in gross floor area.
Funeral Services	An establishment used primarily for human funeral services, which may or may not include facilities on the premises for embalming and, performing of autopsies or other surgical procedures. Examples include funeral homes, mortuaries, crematoriums, or columbarias.
Golf Course	A tract of land laid out with a course having nine or more holes for playing golf, including any accessory clubhouse, driving range, offices, restaurant, concession stand, picnic tables, pro shop, maintenance facilities, or similar accessory uses or structures.
Greenhouse / Nursery	Any land or structure used primarily to raise trees, shrubs, flowers or other plants for sale or for transplanting and may include the sale of nonliving landscape and decorating products.
Grocery Store (add supplemental regs for supermarkets)	a retail establishment primarily selling food, as well as other convenience and household goods, which occupies a space of not more than twenty-five thousand (25,000) square feet.
Group Home	state-licensed facilities for developmentally disabled, handicapped, seniors or children as defined by and meeting the requirements of Section 31-23-303(2), C.R.S., or similar state statute.
Health and Membership Club	an establishment that is open only to members and guests and that provides facilities for at least three (3) of the following: aerobic exercises, running and jogging, exercise equipment, game courts and swimming facilities, and that also includes amenities such as spas, saunas, showers and lockers.
Heavy Equipment Sales & Rental	The sales and maintenance of heavy machinery. This includes establishments primarily engaged in sales, renting, or servicing machinery and equipment for use in business, agricultural, or industrial operations. These establishments typically cater to a business clientele and do not generally operate a
Home Occupation	an occupation or business activity which results in a product or service and is conducted in whole or in part in a dwelling unit and is subordinate to the residential use of the dwelling unit.
Hotel / Motel	A building containing guest rooms in which lodging is provided, with or without meals, for compensation, and which is open to transient or permanent guests, or both. A hotel, motel or resort only provides temporary lodging, and does not include multi-family or attached dwelling or any other form of permanent residence. Guests are prohibited from using a guest room or suite as a primary permanent residence.
Industrial and Manufacturing, Heavy	Manufacturing of paper, chemicals, plastics, rubber, cosmetics, drugs, nonmetallic mineral products (such as concrete and concrete products, glass), primary metals, acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, electrical equipment, appliances, batteries, and machinery. This group also includes asphalt mixing plants, concrete mixing plants, smelting, animal slaughtering, oil refining, and magazine contained explosives facilities.

Industrial and Manufacturing, Light	Manufacturing of products, from extracted, raw, recycled or secondary materials, including bulk storage and handling of those products and materials, or crushing, treating, washing, and/or processing of materials. This includes similar establishments, and businesses of a similar and no more objectionable character. It also includes incidental finishing and storage. Goods or products manufactured or processed on-site may be sold at retail or wholesale on or off the premises. This does not include any activity listed under Industrial and Manufacturing, Heavy. Examples of general manufacturing include the manufacture or production of the following goods or products: apparel (including clothing, shoes, dressmaking); boats and transportation equipment; brooms; caskets; communication or computation equipment; dairy products; die-cut paperboard and cardboard; drugs, medicines, pharmaceutical; electrical equipment or machinery; farm machinery; fasteners and buttons; feed and grain; food/baking (including coffee roasting, creameries, ice cream, ice, frozen food, confectionery, and beverage); fruit and vegetable processing, canning and storage; gaskets; glass products made of purchased glass; household appliances; industrial controls; leather and allied products; lithographic and printing processes (including printing plants as defined below); mattresses; medical equipment and supplies; medicines; mill work and similar woodwork; mobile homes; musical instruments; novelties; office supplies; optical goods; photographic equipment; prefabricated and modular housing and components; printing and print supplies (including printing plants); 3-D printing, radio and TV receiving sets; sanitary paper products; scientific and precision instruments; service industry machines; signs; textiles (including dyeing, laundry bags, canvas products, dry goods, hosiery, millinery); tobacco products; toys, sporting and athletic goods; and watches and clocks. A "printing plant" means a facility devoted to printing or bookbinding, including related large-scale storage and transshipment.
Kennel	A facility licensed to house dogs, cats or other household pets and/or where grooming, breeding, boarding or training or selling of animals is conducted as business.
Long-Term Care Facilities	Any of the following or similar uses: a. Convalescent center means a health institution that is planned, organized, operated and maintained to offer facilities and services to in-patients requiring restorative care and treatment and that is either an integral patient care unit of a general hospital or a facility physically separated from, but maintaining an affiliation with, all services in a general hospital. b. Nursing care facility means a health institution planned, organized, operated and maintained to provide facilities and health services with related social care to in-patients who require regular medical care and twenty-four-hour-per-day nursing services for illness, injury or disability. Each patient shall be under the care of a physician licensed to practice medicine in the State. The nursing services shall be organized and maintained to provide twenty-four-hour-per-day nursing services under the direction of a registered professional nurse employed full time. c. Intermediate health care facility means a health-related institution planned, organized, operated and maintained to provide facilities and services which are supportive, restorative or preventive in nature, with related social care, to individuals who because of a physical or mental condition, or both, require care in an institutional environment but who do not have an illness, injury or disability for which regular medical care and twenty-four-hour-per-day nursing services are required.
Manufactured Home	A single-family dwelling which is partially or entirely manufactured in a factory; which is not less than twenty-four (24) feet in width and thirty-six (36) feet in length; which is installed on an engineered permanent foundation; which has brick, wood or cosmetically equivalent siding extending to the ground level; which has a pitched roof; which has the delivery system including wheels, tires, axles and tongue hitch removed; and which is certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 et seq., as amended.
Medical Care Facility	An establishment, whether or not licensed or required to be licensed by the State Board of Health or the State Hospital Board, by or in which facilities are maintained, furnished, conducted, operated, or offered to prevent, diagnose, or treat human disease, pain, injury, deformity or physical condition, whether medical or surgical, of two or more non-related mentally or physically sick or injured persons; or for the care of two or more non-related persons requiring or receiving medical, surgical, or nursing attention or service as acute, chronic, convalescent, aged, or physically disabled. This use includes an intermediate care facility, mental retardation facility, outpatient surgery center, birthing facility, diagnostic imaging facility, radiation therapy facility, dialysis facility, medical/physical rehabilitation and trauma unit, or related institution or facility that offers treatment on an outpatient basis. This use may be operated for profit or non-profit, privately owned, or operated by a local government unit. This use includes any hospital, defined as any licensed and State of Colorado accredited health care institution with an organized medical and professional staff and with inpatient beds available around-the-clock, whose primary function is to provide inpatient medical, nursing, and other health-related services to patients for both surgical and nonsurgical conditions and that usually provides some outpatient services (such as emergency care).

Medical Office	A facility operated by one (1) or more duly licensed members of the human health care professions, including but not limited to physicians, dentists, chiropractors, psychiatrists and osteopaths, where patients are not lodged overnight but are admitted for examination and/or treatment.
Mini-Storage Facility	A facility containing separate, individual, private storage spaces, which may be of various sizes and which are rented pursuant to individual leases for varying periods of time.
Mixed-Use Dwelling	Multi-Family Dwelling units contained within a mixed-use building attached above the building's non-residential uses (the mixed-use building may contain office or commercial uses below the residential use).
Motor Vehicle Dealership	A facility for the sale or rental of automobiles, motorcycles, ATVs, boats, or recreational vehicles. This
Motor Vehicle Repair, Heavy	An establishment that offers mechanical and body work on motor vehicles including straightening of body parts, body repairs, battery rebuilding, painting, welding, short term storage of automobiles not in operating condition, outdoor similar work on motor vehicles that may involve noise, glare, fumes, smoke, or similar impacts.
Motor Vehicle Repair, Light	An establishment that offers only general maintenance activities including engine tune-ups, lubrication, carburetor cleaning, brake repair, car washing, detailing, polishing, replacement of filters, fluids, light bulbs, belts, fuses, oil, and tires, emissions testing, and similar activities.
Motor Vehicle Storage	
Multi-Family Dwelling	A dwelling contained in a structure also containing other dwellings in which each unit is attached to another at one or more party walls and at either the floor or the ceiling. This includes apartments and manor style apartments. This does not include townhomes or duplexes, which are considered single-family attached dwellings.
Nightclub	a bar or similar nonalcoholic establishment containing more than one hundred (100) square feet of dance floor area.
Off-Street Parking Facility	An enclosed structure (other than a private garage) or open, hard surfaced area (other than a public street or private road), designed, arranged, and made available for parking vehicles, where such use is operated as a business enterprise with a service charge or fee being paid by the vehicle operator. Off street parking facility shall include, but not be limited to, a commercial parking lot and public garage.
Open-air farmers' markets	an occasional or periodic market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.
Pawn Shop	Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling that property back to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security on it, and takes or receives
Personal Service	shops primarily engaged in providing services generally involving the care of the person or such person's apparel, or rendering services to business establishments such as laundry or dry-cleaning retail outlets, portrait/photographic studios, beauty or barber shops, employment service, or mailing or copy shops.
Print Shop	an establishment in which the principal business consists of duplicating and printing services using photocopy, blueprint or offset printing equipment and may include the collating of booklets and reports.
Professional Office	An office for professionals, such as physicians, dentists, lawyers, architects, financiers, engineers, artists, musicians, designers, teachers, accountants and others who, through training, are qualified to perform services of a professional nature and where no storage or sale of merchandise exists, except as accessory to the professional services.
Public Facilities	Those constructed facilities, including but not limited to transportation systems or facilities, water systems or facilities, wastewater systems or facilities, storm drainage systems or facilities, fire, police and emergency systems or facilities, electric, gas, telecommunication utilities or facilities and publicly owned buildings or facilities.
Recreational Entertainment, Indoor	a place where recreation activities occur completely within an enclosed structure, including but not limited to bowling alleys, skating rinks, pool halls, video and pinball parlors.
Recreational Entertainment, Outdoor	a place with outdoor activities, including but not limited to miniature golf, batting cages, water slides, skateboard parks, driving ranges and go-cart tracks.
Recycling Facility	A facility used for the collection and/or processing of recyclable material. Processing means the preparation of material for efficient shipment by such means as baling, compacting, flattening, grinding, crushing, mechanical sorting or cleaning. Such a facility, if entirely enclosed within a building or buildings, shall be considered a warehouse.

Religious Land Use	A structure or group of structures intended for regular gatherings of people to attend, participate in or conduct religious services and other related activities and associated accessory uses. Associated accessory uses may include religious instruction classrooms, church offices, counseling programs, private school, youth programs, parking, child and adult day care facilities, summer camps, recreational facilities, caretaker's quarters, food bank, thrift shop, sale of religious items, and cemeteries.
Research and Development	A facility (such as a laboratory) for general research, scientific research, development and/or training where assembly, integration, and testing of products in a completely enclosed building is incidental to the principal use of scientific research, development, and training.
Resource Extraction	Any facility, land, or portion thereof, removal or recovery by any means whatsoever of sand, gravel, soil, rock, minerals, mineral substances or organic substances, other than vegetation, from water or land on or beneath the surface thereof, exposed or submerged.
Restaurant, Fast Food	Any establishment in which the principal business is the sale of food and beverages to the customer in a ready-to-consume state, and in which the design or principal method of operation includes the following characteristics: a. Food and beverages are usually served in paper, plastic or other disposable containers; and b. The consumption of food and beverages is encouraged or permitted within the restaurant building, within a motor vehicle parked upon the premises or at other facilities on the premises outside the restaurant building or for carryout.
Restaurant, Fast Food with Drive-Thru	Any <i>Restaurant, Fast Food</i> establishment in which the principal business is the sale of foods and beverages to the customer in a ready-to-consume state and in which the design or principal method of operation of all or any portion of the business is to allow food or beverages to be served directly to the customer in a motor vehicle without the need for the customer to exit the motor vehicle.
Restaurant, Sit-down	Any establishment in which the principal business is the sale of food and beverages to customers in a ready-to-consume state; where fermented malt beverages and/or malt, special malt or vinous and spirituous liquors may be produced on the premises as an accessory use; and where the design or principal method of operation includes one (1) or both of the following characteristics:
Retail Store (add supplemental regs for large retail stores)	A shop or store that, as its primary business, sells new merchandise to the public. Examples include drugstores and discount department stores, and stores that sell apparel, home improvement/furnishings, toys, electronics or sporting goods.
Salvage Yard	A facility used to store used appliances, scrapped glass, rags, paper, metals, automotive parts, or equipment, regardless of whether used for remanufacture, resale or recycling.
School	A public or private educational facility offering instruction at the elementary, junior, and/or senior high school levels in the branches of learning and study required to be taught in the schools of Colorado.
Service Station	Any building, land area, premises or portion thereof, where gasoline or other petroleum products or fuels are sold and light maintenance activities, such as engine tune-ups, lubrication, minor repairs and carburetor cleaning, may be conducted. A service station shall not include premises where heavy automobile maintenance activities, such as engine overhaul, automobile painting and body fender work, are conducted.
Single-Family Attached Dwelling	A dwelling contained in a structure that shares party walls with another dwelling. This includes duplexes and townhomes.
Single-Family Detached Dwelling	A single-family dwelling (a building designed exclusively for occupancy by one (1) family) which is not attached to any other dwelling or building by any means, excluding mobile homes and manufactured housing situated on a permanent foundation.
Solid Waste Facility	A facility where non-hazardous wastes are taken from collection vehicles, temporarily stored, and ultimately relocated to a permanent disposal site. This includes any facility, incinerator, landfill, materials recovery facility, municipal solid waste landfill, private or public solid waste management facility, recovered materials processing facility, sanitary landfill, or solid waste management facility.
Stable	A facility that keeps or boards horses owned for the private use of the owners and/or residents of the property. This also includes horses owned by non-owners or non-residents of the property for private use. Accessory uses are permitted and include but are not limited to offices, storage areas, caretaker's quarters, educating and training in equitation, and caring for, breeding, or training horses associated with the Stable use.
Technical School	A nonacademic establishment such as a trade school, where instruction is offered in secretarial, computer and data processing, drafting, electronic repair including radio/TV repair, commercial art, allied health care, real estate, banking, restaurant operation, or similar trades, or vocational training such as automobile body and engine repair, construction equipment operation, building trades, truck driving, and mechanical and electrical equipment/appliance repair.
Tourist Facilities	an establishment set up to primarily provide local tourist information to visitors.
Transit Facilities	Includes transit or bus shelters, bus terminals, stations, and associated right-of-way. A "transit shelter" means a roofed structure on or adjacent to the right-of-way of a street, which is designed and used primarily for the protection and convenience of bus passengers. Includes accessory vehicle and bicycle parking.

Veterinary Facilities, Large animals	Any facility which is maintained by or for the use of a licensed veterinarian in the diagnosis, treatment or prevention of animal diseases.
Veterinary Facilities, Small animals	Any facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment or prevention of animal diseases wherein the animals are limited to dogs, cats or other comparable household pets and wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal.
Wholesale Distribution, Warehousing, and Storage	The storage of goods, and the sale of goods to other firms for resale, including activities involving significant storage and movement of products or equipment. This use does not involve manufacturing or production. Examples include: ·carting, ·cold storage, ·distribution facilities (as defined below), ·dry goods wholesale, ·express crating, ·hauling, ·feed locker plants, ·fulfillment centers that combine storage with call centers, ·hardware storage, ·merchant wholesalers (such as restaurant supply sales), ·warehouse or produce/fruit/food storage and wholesale structures, ·wholesale sale of paper supplies, shoes, sporting goods, professional and commercial equipment and supplies, and ·otherwise preparing goods for transportation. A "distribution facility" means the intake of goods and merchandise, individually or in bulk, the short-term holding or storage of such goods or merchandise, and/or the breaking up into lots or parcels and subsequent shipment off -site of such goods and merchandise. Distribution may be provided to an entity with an identity of interest with the distribution facility or to businesses and individuals unrelated to the distributor. The term "Distribution Facility" also includes a transshipment facility for the temporary holding, storage and shipment of goods or vehicles.
Wireless Telecommunications Facility	any freestanding facility, building, pole, tower or structure used to provide only wireless telecommunication services, and which consists of, without limitation, antennae, equipment and storage and other accessory structures used to provide wireless telecommunication services.
Workshop	A facility wherein goods are produced or repaired on a small scale by hand, using hand tools or small-scale equipment, including small engine repair, furniture making and restoring, upholstery, custom car or motorcycle restoring or other similar uses.

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Black Text	Existing Use Categories and Zone District Allowances
Green Text	Proposed New Use Categories and Zone District Allowances
Yellow Cell	Guidance Being Requested from PC for Proposed New Zone District Allowances
Orange Cell	Deferred to December 6 Work Session, Needs more Discussion with Legal Consultant
Gray Cell	Existing Use Categories or Zone Districts Being Replaced

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Proposed Use	Existing Uses Collapsed into Proposed Uses	Open	Residential							Commercial			Industrial		Miscellaneous	
		A Agriculture	R-1 Residential Rural Density	R-2 Residential Low Density	R-3 Residential Medium Density	R-4 Multi-Family (OLD DISTRICT, COMBINED WITH R-3)	R-4 Downtown Neighborhood (PROPOSED NEW DISTRICT)	MH Manufactured Home Park	C-1 Community Commercial	C-2 Downtown Core Commercial	C-3 Mixed-Use Commercial	II Light Industrial	I Industrial	P Public	TR Transitional (OLD DISTRICT, REPLACED WITH R-4)	
Accessory Building		P	P	P	P		P	P								
	Accessory buildings	P	P	P	P			P	P		P	P	P	P	P	
Accessory Dwelling Unit		P	P	P	P		P				P					
	Accessory dwelling when associated with a permitted use	P	P	P	P							C	C			
	Accessory dwelling with alley access when associated with a principal use									C						
Accessory Use		P	P	P	P		P	P	P	P	P	P	P	P	P	
	Accessory Uses	P	P	P	P			P	P		P	P	P	P	P	
Adult Entertainment Establishments																
	Adult uses, including product sales and entertainment												C			
Agriculture		P	P													
	Livestock	P														
	Cultivation, storage and sale of crops, vegetables, plants, flowers and nursery stock produced on the property.	P	P												C	
	Farming, including but not limited to gardening, horticulture and growing and harvesting of fruit, vegetables, trees, shrubs, plants, turf and sod.	P														
	Structures for storage of agricultural products produced on the property.	P														
Airport													C	C		
	Airports												C	C		
Art Studio									P	P	P	P	P			
	Artisan and photography studios and galleries								P	P	C	C	C		C	
Bar / Tavern									P	P	P	P	P			
	Bars and taverns								C	C	C	P	C		C	
Bed and Breakfast					C		C		C							
	Bed and breakfasts								P	P	P	C			C	
Brewery, Distillery, or Winery									C	C	P	P	P			
Boarding and Room House					C		C				P					
	Boarding and rooming houses					C			P	P	P	C			C	
Brew Pub, Distillery Pub, or Limited Winery									P	P	P	P				
Building and Landscaping Materials Supply									C		C	P	P			
	Retail and supply yard establishments with outdoor storage										C	C	P			
Car Wash									P		P	P				
	Car washes										P	P	P		C	
Cemetery		P	P											P		
	Cemeteries	C	C			C								P		
Child Care Center							C		P	P	P					
	Child care centers	C	C	C		C			P	P	P	C	C		C	
Civic Space		P	P	P	P		P		P	P	P	P		P		
	Parks and open space	P	P	P	P	P			P / C	P	P	P	P	P	C	
Club / Lodge									P	P	P					
	Clubs and lodges										C	P	P			
College									P	C	P	P		P		
	Public and private schools, including colleges, universities, vocational and technical training								C	C	C	P	C	C		
Communication Facility																
Community Facility									P		P	P				
	Community Facility		C	C	C	C			C	C	C	P	P	P		
Contractor and Contractor Storage												C	P			
Convenience Store									P	P	P	P				
	Convenience retail stores with or without fuel sales										P					
	Convenience shopping and retail establishments without fuel sales								P	P					C	
	Convenience shopping and retail establishments											P	C		C	
Convenience Store, with fuel sales									P		P	P				
	Convenience retail stores with or without fuel sales										P					
Commercial Dry Cleaning Facility												C	P			
	Dry-cleaning plants												C			
Entertainment Facility									P		P					
	Entertainment facilities and theaters								C	C	C	C	C			
Financial Institution									P	C	P					

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Proposed Use	Existing Uses Collapsed into Proposed Uses	Open	Residential						Commercial			Industrial		Miscellaneous	
		A Agriculture	R-1 Residential Rural Density	R-2 Residential Low Density	R-3 Residential Medium Density	R-4 Multi-Family (OLD DISTRICT, COMBINED WITH R-3)	R-4 Downtown Neighborhood (PROPOSED NEW DISTRICT)	MH Manufactured Home Park	C-1 Community Commercial	C-2 Downtown Core Commercial	C-3 Mixed-Use Commercial	LI Light Industrial	I Industrial	P Public	TK Transitional (OLD DISTRICT, REPLACED WITH R-4)
Food Catering	Food catering										P	P			
Funeral Services	Funeral homes								C		P	P			
Golf Course	Golf courses	P	P								C			P	
Greenhouse / Nursery	Plant nurseries and greenhouses	C	C			C					C	C	C	P	
Grocery Store (add supplemental regs for supermarkets)	Small grocery stores	P									P	P	P		C
	Supermarkets								P	P	P	C			C
Group Home	Group homes		P	P	P	P	P		P		P				
Health and Membership Club	Health and membership clubs		P	P	P	P			P	C	P	C		C	C
Heavy Equipment Sales & Rental	Sales and leasing of farm implements, heavy equipment sales, mobile and manufactured homes and heavy excavation equipment										P	P	P		
	Equipment rental facilities												P		
	Equipment, truck and trailer rental establishments										C				
	Equipment, truck and trailer rental establishments with outdoor storage												C		
	Equipment rental establishments (without outdoor storage)										P	P			C
Home Occupation	Home occupations	P	P	P	P		P	P							
Hotel / Motel	Hotel/motel/lodging establishments	P	P	P	C	C			P	C	P	P			
Industrial and Manufacturing, Heavy	Heavy industrial uses								C	C	P	C			
	Poultry slaughtering												P		
Industrial and Manufacturing, Light	Light industrial (production, assembly packaging)										C	P	P		
	Light industrial uses; provided all manufacturing, fabrication and similar uses shall be carried on entirely within a completely enclosed structure								C	C		P			C
	Light industrial uses with manufacturing, fabrication and similar uses carried on outside of a completely enclosed structure											C			
	Light industrial uses										C		P		
	Manufacturing of electric or electronic instruments and devices											C	P		
	Manufacturing and preparing food products												P		
	Manufacturing, assembly or packaging of products from previously prepared materials											C	P		
	Plumbing, electrical and carpenter shops												P		
Kennel	Small animal boarding (kennels and catteries)	C									P	P			
Long-Term Care Facilities	Convalescent center / nursing care facility / intermediate health care facility	C			C				C	C	C	P / C	C		C
Manufactured Home	Manufactured homes	P	P				P	P							
Medical Care Facility	Hospitals										P	P			
Medical Office	Medical and dental offices and clinics								P	P	C	C		C	C
Mini-Storage Facility	Enclosed mini-storage facilities										P	P	P		
Mixed-Use Dwelling	Mixed-use dwelling units						P		P	P	C	C	P		
	Mixed-use dwelling units. In the case of single-story structures with commercial uses on the primary street front, alley-loaded or side-loaded residential uses are allowed.								P	P					C

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Proposed Use	Existing Uses Collapsed into Proposed Uses	Open	Residential						Commercial			Industrial		Miscellaneous	
		A Agriculture	R-1 Residential Rural Density	R-2 Residential Low Density	R-3 Residential Medium Density	R-4 Multi-Family (OLD DISTRICT, COMBINED WITH R-3)	R-4 Downtown Neighborhood (PROPOSED NEW DISTRICT)	MH Manufactured Home Park	C-1 Community Commercial	C-2 Downtown Core Commercial	C-3 Mixed-Use Commercial	LI Light Industrial	I Industrial	P Public	TK Transitional (OLD DISTRICT, REPLACED WITH R-4)
	Residential lofts above ground-level retail or office space.								P	P		P			C
Motor Vehicle Dealership	Auto, RV, boat and truck sales										P	C	C		
Motor Vehicle Repair, Heavy	Motor vehicle service and repair (major repairs)								C		C		P		
	Motor vehicle service and repair facilities								C	C					
Motor Vehicle Repair, Light	Motor vehicle service and repair (minor repairs)								P		P	P			
	Motor vehicle service and repair facilities								C	C	P	C			
Motor Vehicle Storage	Auto, RV, boat and truck storage											P	P		
Multi-Family Dwelling	Multiple-family dwellings (no more than twelve [12] units per building); provided that the density and dimensional standards for the R-4 District are met and the lot upon which any such dwelling is located is of sufficient size so that twenty percent (20%) thereof shall be devoted to functional open space.			P			C				P		P		
	Multi-family dwellings					P									
Nightclub	Nightclubs								C		C	P	P		
Off-Street Parking Facility	Parking lots and parking garages								C	P	C	P	C		
	Parking lots and parking garages as a principal use								C	C	C	P	P		
Open-Air Farmers' Markets	Open-air farmers' markets	P							P	P	P	C	C		C
Fawn Shop	Personal and business service shops								P	P	P	C			
Personal Services	Print shops								P	P	P	C			C
Print Shop	Professional offices, financial services and clinics										P				
Professional Office	Professional offices, financial services and clinics								P	P	P	P			C
Public Facilities	Public facilities; provided that business offices and repair and storage facilities are not included.	C	C	C	C	C		P	C	C	C	C	C	C	
	Public facilities, no business offices or repair and storage facilities								P			C	C	C	C
	Public facilities with business offices and repair and storage facilities								C		C	C	C	C	
	Public facilities, no repair and storage facilities									P					
	Public facilities with repair and storage facilities									C					
	Public facilities, without business offices or repair and storage facilities										P				
	Public facilities, with or without business offices and repair and storage facilities												P		
Recreational Entertainment, Indoor	Limited indoor recreation facilities								P	P	P	C		C	C
Recreational Entertainment, Outdoor	Limited outdoor recreation facilities	C	C	C	C	C			P		P	P			
Recycling Facility	Recycling facilities								C	C	C	C	C	C	
Religious Land Use	Churches or places of worship and assembly	C	P	P	P		P		C		C				
Research and Development	Research, experimental or testing laboratories								P	P	P			P	C
Resource Extraction	Resource extraction, processes and sales establishments	C									C	C	P / C		
	Gas, oil and other hydrocarbon well drilling and production (as permitted by state and local regulations)	C											C	C	
Restaurant, Fast Food	Restaurants, standard and fast food without drive-through facilities								P	P	P	C			
	Restaurants, with or without drive-through facilities								P	P	P		P		C

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Proposed Use	Existing Uses Collapsed into Proposed Uses	Open	Residential						Commercial			Industrial		Miscellaneous	
		A Agriculture	R-1 Residential Rural Density	R-2 Residential Low Density	R-3 Residential Medium Density	R-4 Multi-Family (OLD DISTRICT, COMBINED WITH R-3)	R-4 Downtown Neighborhood (PROPOSED NEW DISTRICT)	MH Manufactured Home Park	C-1 Community Commercial	C-2 Downtown Core Commercial	C-3 Mixed-Use Commercial	LI Light Industrial	I Industrial	P Public	TR Transitional (OLD DISTRICT, REPLACED WITH R-4)
	Restaurants without drive-through facilities								P		P	P			C
Restaurant, Fast Food with Drive-Thru									P		P	C			
	Restaurants, standard and fast food with drive-through facilities								C			C	C		
Restaurant, Sit-down									P	P	P	P	P		
	Restaurants, standard and fast food without drive-through facilities								P	P			P		C
	Restaurants, with or without drive-through facilities										P				
	Restaurants without drive-through facilities											P			C
Retail Store (add supplemental regs for large retail stores)									P	P	P				
	Large retail establishments										P				
Salvage Yard													C		
School														P	
	Public and private schools for elementary, intermediate and high school education	C	C	C		C								C	
Service Station									C		P	P	P		
	Gasoline stations								C	C	P	P	P		C
Single-Family Attached Dwelling		P		P	P		P								
Single-Family Detached Dwelling		P	P	P	P		P								
	Single-family detached dwellings		P	P	P										
	Single-family dwellings	P													
Solid Waste Facility															
Stable		P	P										C	C	
	Corrals	P													
	Horses, subject to densities based on specified number per acre of ground and pasture area		C			C									
Technical School									P	C	P	P		P	
	Public and private schools, including colleges, universities, vocational and technical training								C	C	C	P	C	C	
Tourist Facilities										P	P	P			
	Tourist facilities								P	P	P	P		P	C
Transit Facilities											P				
	Transit facilities without repair or storage										P				
Veterinary Facilities, Large animals		P									C	C	P		
	Veterinary facilities, large animal clinics	P											C		
	Veterinary hospitals										C	C	C		
Veterinary Facilities, Small animals		P							P		C	P	P		
	Veterinary facilities, small animal clinics	P									P	P	P		C
	Veterinary hospitals										C	C	C		
Wholesale Distribution, Warehousing, and Storage													P		
	Warehouse, distribution and wholesale uses											P	P		C
Wireless Telecommunications Facility															
	Wireless telecommunications facilities											P	C		
Workshop									C	C	P	P	P		
	Workshops and custom small industry uses								C	C	P	P	P		C
	Plumbing, electrical and carpenter shops											P			

USE REGULATIONS & PARKING INTRODUCTION

WHITE & SMITH, LLC

LOGAN SIMPSON



AGENDA

◀◀ Review

📊 Use Table

📁 Approach

📝 Best Practices

↻ Use Deep Dive

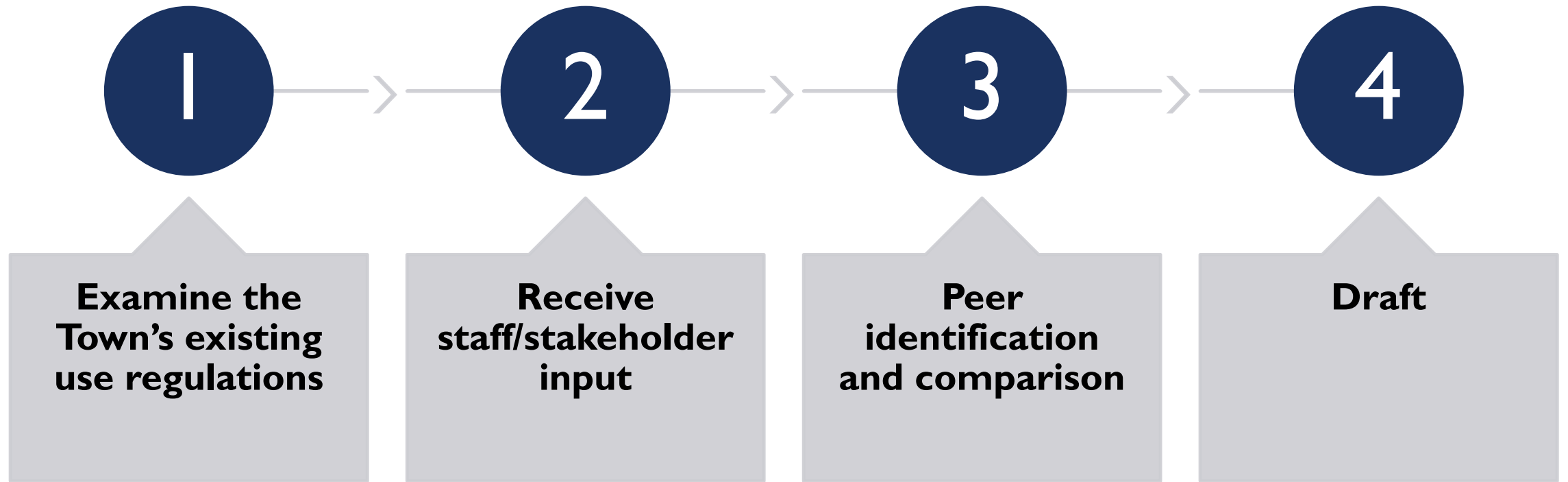
🚫 Parking

👣 Next Steps

USE TABLE

Proposed Use	A Agriculture	R-1 Residential Rural Density	R-2 Residential Low Density	R-3 Residential Medium Density	R-4 Downtown Neighborhood	(PROPOSED NEW DISTRICT)	MH Manufactured Home Park	C-1 Community Commercial	C-2 Downtown Core Commercial	C-3 Mixed-Use Commercial
Accessory Building	P	P	P	P	P		P			
Accessory Dwelling Unit	P	P	P	P	P					P
Accessory Use	P	P	P	P	P		P	P	P	P
Adult Entertainment										
Agriculture	P	P								
Airport										
Art Studio								P	P	P
Bar / Tavern								P	P	P
Bed and Breakfast				C		C		C		
Brewery, Distillery, or Winery								C	C	P
Boarding and Rooming House				C		C				P
Brew Pub, Distillery Pub, or Limited Winery								P	P	P
Building and Landscaping Materials Supply								C		C
Car Wash								P		P
Cemetery	P	P								
Child Care Center						C		P	P	P
Civic Space	P	P	P	P	P			P	P	P
Club / Lodge								P	P	P

- Consolidated uses into general use categories
- Added modern uses that are common in revised zoning codes
- Provided definitions for each use*
- Indicated which uses require additional regulations
- Provided use allowances



APPROACH

BEST PRACTICES

- **Regulations that address:**
 - **Spacing**
 - **Size**
 - **Operational requirements**
 - **Special screening and buffering**
 - **Outdoor storage and display**

- **Example**

- *Any building greater than 3 stories shall be located 500 feet from of any residential zoning district*



Minimum 500' from
residential zoning district

Residential
zoning
district



- **Intention**

- **Limits uses by providing specific locational requirements**

BEST PRACTICES: SIZE

- **Example**

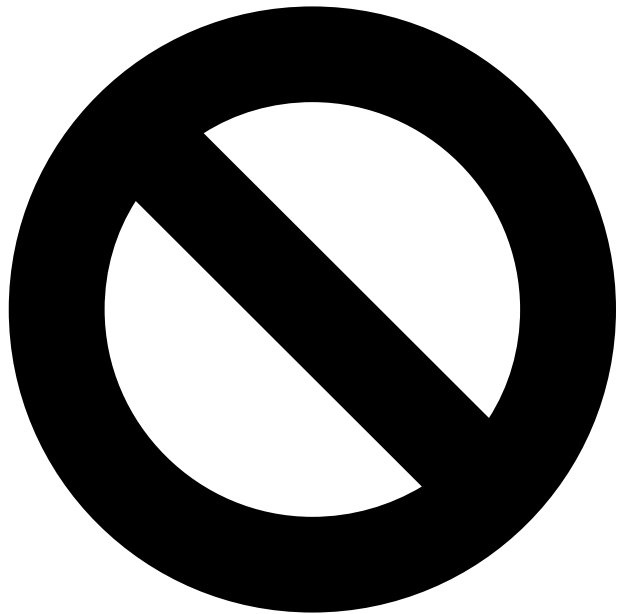
- *In the Downtown District, no Retail Store shall exceed 5,000 square feet in building area*

- **Intention**

- Limits uses by right-sizing building size to a specific zoning district



BEST PRACTICES: OPERATIONAL REQUIREMENTS



- **Example**
 - *A Car Wash shall not be open for business between the hours of 10:00 PM and 7:00 AM*
- **Intention**
 - Limits uses to reduce noise, pollution, capacity, and traffic by accounting for:
 - Hours of operation
 - Occupancy levels
 - Rented facilities
 - Event duration



BEST PRACTICES: SPECIAL SCREENING & BUFFERING

- **Example**

- *Screened areas for disabled or damaged vehicles are only allowed in areas to the rear of the principal structure of the Motor Vehicle Repair facility. Screening for disabled or damaged vehicles shall be constructed from concrete or masonry and be at least 6 feet tall.*

- **Intention**

- Limits uses by preventing unsightly development from public viewing



BEST PRACTICES: OUTDOOR STORAGE & DISPLAY

- **Example**
 - *No outdoor display is allowed for a Pawn Shop*
- **Intention**
 - Limits uses by
 - preventing unsightly development from public viewing
 - reducing visual clutter
 - Regulating ancillary sales areas



USE DEEP DIVE

- **Telecommunications**
- **ADUs** (Accessory Dwelling Units)
- **Religious Land Uses**
- **Marijuana**
- **STRs** (Short-term Rentals)
- **SOBs** (Sexually-Oriented Businesses)



PARKING

- **What uses generate the most parking?**
- **Where is parking most problematic?**

- # PARKING
- **What uses generate the most parking?**
 - **Where is parking most problematic?**



COMMON PARKING PRACTICES

- **Minimums and Maximums**
- **Parking Districts**
- **Right-sizing**
- **Reductions**
- **Shared Parking**



Jurisdiction	Non-Residential								Residential					
	Retail	Restaurant		Repair/Service	Office		Industrial		Single Family Detached	Single Family Attached	Duplex	Multi-Family		
		Sit-Down	Fast Food		General	Medical	Light	Heavy				1BR	2BR	3BR
Wellington	1/200 sf	1/100 sf	1/100 sf	**	1/300 sf	1/300 sf	1/100 sf	**	2/DU	2/DU	2/DU	1 (up to 2 per unit)	1 (up to 2 per unit)	1 (up to 2 per unit)
Longmont*	4/1000 sf	12/1000 sf	10/1000 sf	5/1000 sf	4/1000 sf	5/1000 sf	3/1000 sf	3/1000 sf	2/DU	2/DU	2/DU	1.75	2	2.25
Greeley	1/250 sf	1/4 seats	1/4 seats + 2/3 employees	1/400 sf	1/300 sf	1/250 sf	2/3 employees	**	2/DU	2/DU	2/DU	1.5	1.75	2
Berthoud	4/1000 sf	1/100 sf	1/100 sf	4/1000 sf	3/1000 sf	3/1000 sf	1/1000 sf	**	2/DU	2/DU	2/DU	2	2	2
Loveland	1/300 sf	1/200 sf	1/150 sf	1/450 sf	3/1000 sf	1/225 sf	1/1000 sf	**	2/DU	2/DU	2/DU	1.5	2	2
Arvada	4/1000 sf	5/1000 sf	6/1000 sf	3/bay (1/1000 sf)	3/1000 sf	4/1000 sf	1.75/1000 sf	1/1000 sf	2/DU	2/DU	2/DU	1.6	2.1	2.5
Fort Collins*	2/1000 sf / 4/1000 sf	5/1000 sf / 10/1000 sf	7/1000 sf / 15/1000 sf	1/1000 sf / 2/1000 sf	1/1000 sf / 3/1000 sf	2/1000 sf / 4.5/1000 sf	1/1000 sf / 2/1000 sf	0.5/employee / 0.75/employee	2/DU	2/DU	2/DU	1.5	1.75	2
Windsor	1/250 sf	1/200 sf + 1/2 employees	1/200 sf + 1/2 employees	1/250 sf	1/300 sf	5/practitioner	1/2 employees	1/2 employees	2/DU	2/DU	2/DU	1.5	1.75	2
Timnath	1/300 sf	1/100 sf	1/125 sf	1/400 sf	1/400 sf	1/200 sf	1/750 sf	1/1000 sf	2/DU	2/DU	2/DU	1.5	1.7	2
Severance	1/250 sf	1/200 sf + 1/2 employees	1/200 sf + 1/2 employees	1/250 sf	1/300 sf	5/practitioner	1/2 employees	1/2 employees	2/DU	2/DU	2/DU	1.5	1.5	1.5

PARKING COMPARISON

PARKING COMPARISON

Jurisdiction	Retail Ratio	Example: 5,000 sf Retail bldg.	Sit-down Restaurant Ratio	Example: 2,500 sf sit-down restaurant with 10 employees
Wellington	1/200 sf	25 ¹	1/100 sf	25 ²
Longmont	4/1000 sf	20	12/1000 sf	30
Greeley	1/250 sf	20	**	**
Berthoud	4/1000 sf	20	1/100 sf	25
Loveland	1/300 sf	17	1/200 sf	13
Arvada	4/1000 sf	20	5/1000 sf	13
Fort Collins	2/1000 sf / 4/1000 sf	10 / 20	5/1000 sf / 10/1000 sf	13 / 25
Windsor	1/250 sf	20	1/200 sf + ½ employees	18
Timnath	1/300 sf	17	1/100 sf	25
Severance	1/250 sf	20	1/200 sf + ½ employees	18

NEXT STEPS

Review

- **Specific Uses**
- **Parking**
- **Signs**

Discussion

- **Parking**
- **Signs**

Drafting

- **Use Regulations**
- **Parking Standards**



Planning Commission Meeting

Date: December 6, 2021
Submitted By: Patty Lundy, Development Coordinator
Subject: Meeting Minutes of November 1, 2021

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

Move to approve the work session minutes and the regular meeting minutes of November 1, 2021 as presented.

ATTACHMENTS

1. Minutes of November 1, 2021



**TOWN OF WELLINGTON
PLANNING COMMISSION
November 1, 2021**

**MINUTES
WORK SESSION – 5:30pm**

1. WORK SESSION – 5:30pm

The Planning Commission for the Town of Wellington, Colorado, met on November 1, 2021, at the Wilson Leeper Center, 3800 Wilson Avenue, Wellington, Colorado at 5:30 p.m. in a work session to discuss draft language relating to updates to the Town's land use code.

Town staff and Jennifer Gardner with Logan Simpson presented a draft table of uses to begin discussion of appropriate zoning districts where each land use may be considered. Each land use can be a permitted use (use by right) or conditional use (requires conditional review and approval) within one or more of the zone districts. The Planning Commission reviewed and discussed the draft table of uses and which zone district land uses might be considered.

It was identified that additional discussion would be needed at the December work session. All land uses and zone district designations are subject to further discussion and change.

No action was taken during the work session. The work session adjourned at 6:30pm.



**TOWN OF WELLINGTON
PLANNING COMMISSION
November 1, 2021**

**MINUTES
REGULAR MEETING – 6:30pm**

2. CALL REGULAR MEETING TO ORDER – 6:30pm

The Planning Commission for the Town of Wellington, Colorado, met on November 1, 2021, at the Wilson Leeper Center, 3800 Wilson Avenue, Wellington, Colorado at 6:30 p.m.

3. ROLL CALL

Commissioners Present: Bert McCaffrey, Chairperson
Tim Whitehouse
Rebekka Kinney
Eric Sartor
Troy Hamman
Linda Knaack
Barry Friedrichs

Absent:

Town Staff Present: Cody Bird, Planning Director
Liz Young Winne, Planner II
Patty Lundy, Development Coordinator

4. ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

5. PUBLIC FORUM

None

6. CONSIDERATION OF MINUTES

A. Meeting Minutes of October 4, 2021

Moved by Commissioner Sartor, seconded by Commissioner Knaack to approve the minutes as presented.

Motion passed 7-0.

7. NEW BUSINESS

A. Site Plan Review – Lot 2B, Block 1, Boxelder Commons

Liz Young Winne, Planner II introduced the staff report. The applicant is seeking an approval for a site plan to create a multi-tenant commercial building. Tenants are currently unidentified but uses are desired to be 2 restaurants and 1 retail establishment. The property is zoned C-3-Highway Commercial zoning district in which restaurants and retail are primary uses. The site is just over 2 acres. The proposed units are composed of 8,999 square feet of restaurant

(including a roof top deck) and 2,595 square feet of retail. Following Planning Commission approval, the applicant will need to revise the site plan documents to incorporate all corrections or comments, including Town engineering review of the civil plans, and submit revised copies to the Town.

Andrew Rauch with FR Development and Shane Ritchie with Northern Engineering addressed the Commission briefly to comment on parking concerns. The building plans will no longer include the roof top patio option due to cost constraints and the removal of the roof top patio from the plans will also alleviate the shortage of parking spaces. There will be enough parking spaces for the types of businesses desired for this building and will also leave room for another future building to the north and there will be enough space for parking for that future building as well. They understand that they need to update the site plan and work with staff to get the correct documents submitted.

Chairman McCaffrey opened the public hearing for comments to which there was none.

Commissioner Kinney moved to approve the site plan for Lot 2B, Block 1, Boxelder Commons subject to the staff report comments and engineering review comments. Commissioner Friedrichs seconded.

Motion passed 7-0.

B. Site Plan Review – Lot 6 & 7, Meridian First Subdivision – Multi-tenant, mixed use

Cody Bird, Planning Director introduced the staff report. This site plan application was presented to the Planning Commission on October 4, 2021. Following discussion, the Commission voted to table the application to the November 1, 2021, meeting. The applicant addressed many of the topics discussed at the October meeting and updated some of the plan sheets to reflect changes. Not all plan sheets got updated with the changes, creating some inconsistencies that may need to be readdressed. There are also comments from the October staff report that do not appear to be addressed. Staff requests that Town staff and the applicant have authority to address any remaining minor comments and corrections identified in the staff report.

Fouad Faour with Wellington Business Court LLC briefly addressed the Commission and apologized for the misunderstanding of what was required of him. He spent the last month focusing on the 11 items that were talked about with the Planning Commission and missed addressing the staff report comments. He is willing to work with staff to get them addressed.

Chairman McCaffrey opened the public hearing for comments to which there was none.

Commissioner Kinney moved to approve the site plan for Lot 6 & 7, Meridian First Subdivision subject to town staff and engineering comments with the revised site plans and with an adjacent property recorded parking easement. Commissioner Knaack seconded.

Motion passed 6-1.

C. Planning Commission Schedule 2022

Commissioner Kinney moved to approve the calendar shown, with the exception of moving January 3rd to January 10, 2022. Commissioner Sartor seconded.

Motion passed 7-0.

8. ANNOUNCEMENTS

None

9. ADJOURNMENT

Chairman McCaffrey adjourned the meeting at 8:37 PM.

Approved this _____ day of _____, 2021

Recording Secretary

Planning Commission Meeting

Date: December 6, 2021
Submitted By: Cody Bird, Planning Director
Subject: Vacate 20-foot Platted Access Easement on Lot 1, Wellington Manor Minor Subdivision

EXECUTIVE SUMMARY

- The owner of Lot 1, Wellington Manor Minor Subdivision (3922 Cleveland Ave.), Illa Drohman has submitted a request to vacate a 20 ft. platted public access easement.
- The public access easement is platted across Lot 1, Wellington Manor Minor Subdivision and is dedicated to the public for the purpose of providing access from Cleveland Ave. to Lot 2, Wellington Manor Minor Subdivision.
- The owners of Lot 2 (Vicky and Bruce Beckner), worked with the owner of Lot 1 (Drohman) to create the access easement at the time the subdivision plat was approved.
- The owners of Lot 2 (Beckners) have joined the owner of Lot 1 (Drohman) in the desire to vacate the access easement and all affected property owners support the desire to vacate.
- Vacation of the public access easement requires public hearings before the Planning Commission and the Board of Trustees.
 - At the time of this report, no public comments have been received regarding the request to vacate the access easement.
 - The Planning Commission will need to hear and consider any public testimony presented at the public hearing.
- Following the public hearing, if the Planning Commission recommends approval of vacating the public access easement, the recommendation will be forwarded to the Board of Trustees for consideration on January 11, 2022.

BACKGROUND / DISCUSSION

- Lot 1, Wellington Manor Minor Subdivision is burdened by the platted access easement for the benefit of Lot 2.
- Lot 2 has adequate legal access to existing public streets to facilitate development or redevelopment. Harrison Ave. to the north has 166 ft. frontage and Fourth St. to the east has 88 ft. frontage.
- Town staff has not identified a need to retain any portion of the platted access easement and has not identified any conditions necessary to support vacation of the easement.
- The land underlying the easement still belongs to the owner of Lot 1, so no ownership interest will be conveyed by vacation of the easement.
- State Statutes provides the Town authority to vacate public grounds. Vacation requires adoption of an appropriate ordinance. A draft ordinance will be provided for the Board of Trustees at the January 11, 2022 hearing.

STAFF RECOMMENDATION



- Forward a recommendation to the Board of Trustees to adopt an ordinance vacating the platted 20-foot access easement on Lot 1, Wellington Manor Minor Subdivision.

ATTACHMENTS

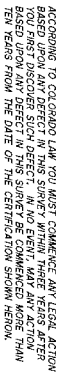
1. Location Map
2. Plat - Wellington Manor Minor Subdivision
3. Consent to Vacation - Beckner
4. Presentation Slides

Location Map

Lot 1, Wellington Manor Minor Subdivision



W-585
1/1



Known all men by these parents and having the Owners, Mortgagee or
 Lenderholder of certain lands in Wellington, Colorado, described as follows:
 Block 3, Banner's Addition to the Town of Wellington, Colorado. Containing
 1.00 acre, more or less, situate in the County of Larimer, State of
 Colorado. The said lands are owned by the said Owners, who have
 acknowledged the same and this and becket as shown on this plat, under the
 name and type of WELLINGTON MARION MINORS SUBDIVISION, Inc.
 right-of-way and easements for the purpose shown hereon.
 Executed this 18 day of OCT 1904.
 Owner: John Dur Johnston
 Mortgage or Lenderholder: First National Bank
 State of Colorado) ss
 County of Larimer)
 The foregoing declaration was acknowledged before me this 18 day of October
 1904.
 Witness my Hand and Seal
 My commission expires: January 1st 1907
 Notary Public: John Bailey

 Planning Commission Certificate.
 This plat approved by the Wellington Planning Commission this 2nd day of
August 1904.
 Approved by the Board of Trustees of Wellington, Colorado, this 12th day of
October 1904.
 Mayor: John Bailey
 Alder: Lytle S. Simpson
 from Board: John Bailey
 Recorder's Certificate.
 This plat was filed for record in the office of the County Clerk and Recorder of Larimer
 County at W. on the 18 day of October 1904.
 County Clerk and Recorder: _____
 by: _____ Deputy _____
 Surveying Certificate.
 I, Franklin D. Shaw, a registered Professional Land Surveyor in the State of Colorado, do
 hereby certify that the foregoing is a true and correct copy of the original plat and the
 monuments shown thereon exactly exist and this plat accurately represents said survey.
 Franklin D. Shaw
 Registered Land Surveyor
 Date: October 18, 2004


Surveying Certificate.

I, Freddie D. Stone, a qualified Professional Land Surveyor in the State of Colorado, do hereby certify that the foregoing is a true and correct copy of the original record and the monuments shown hereon doubly exact and this plat accurately represents said survey.

Freddie D. Stone
Freddie D. Stone
Registered Land Surveyor

1989
JAN 1 1990
STATE OF COLORADO

Witness my hand and seal this October 18, 2004 day of October, 2004.


 Date: October 18, 2004
 Franklin D. Blake
 Registered Land Surveyor

SKLD, Inc. CH SKL18215 LR 102193-2004.001

CONSENT TO VACATION OF ACCESS DRIVE EASEMENT

This **CONSENT TO VACATION OF ACCESS DRIVE EASEMENT** is executed as of date(s) set forth below by **Vicky G. Beckner and Bruce A. Beckner and Craig A. Beckner and Gloria A. Beckner, as Trustees of the Craig A. Beckner Revocable Trust and Gloria A. Beckner Revocable Trust dated February 27, 1995** (jointly, the "Owners").

RECITALS

A. Owners are the record owners of certain real property located in Larimer County, Colorado, commonly known as 8217 5th St., Wellington, Colorado, 80549 ("Lot 2"), which is legally described as:

**Lot 2, Wellington Manor Minor Subdivision,
County of Larimer, State of Colorado.**

B. Illa Lee Drohman, an individual, is the owner of the adjoining lot, commonly known as 3922 Cleveland Avenue, Wellington, Colorado, 80549 ("Lot 1") which is legally described as:

**Lot 1, Wellington Manor Minor Subdivision,
County of Larimer, State of Colorado.**

C. Lot 2 may be accessed via a certain 20-foot wide access drive over and across Lot 1 (the "Access Easement") which is depicted on that certain Plat of Wellington Manor Minor Subdivision recorded on **October 20, 2004, at Reception No. 20040102193** in the real property records of Larimer County, Colorado (the "Plat").

D. Illa Lee Drohman has submitted an application to vacate the Access Easement to the Town of Wellington, which application is currently pending review and approval.

E. The Owners wish to consent to such request to vacate the Access Easement and release any right they have or might have to use the Access Easement.

CONSENT TO VACATION OF EASEMENT

The Owners, for themselves, their heirs, personal representatives, successors, and assigns, hereby consent to the vacation of the Access Easement by the Town of Wellington and further disclaim and release in perpetuity any and all rights which the Owners might have to use the Access Easement as depicted on the Plat.

The Owners have executed this Consent to Vacation of Access Easement on the date(s) set forth below.

SIGNATURE PAGE TO FOLLOW

OWNERS

Vicky G. Beckner
Vicky G. Beckner Date

Bruce A. Beckner 11/6/21
Bruce A. Beckner Date

CRAIG A. BECKNER REVOCABLE TRUST AND GLORIA A. BECKNER REVOCABLE TRUST DATED
FEBRUARY 27, 2021

Craig A. Beckner Trustee 11/3/21
Craig A. Beckner Date

Trustee of the Craig A. Beckner Revocable Trust and Gloria A. Beckner Revocable Trust dated
February 27, 1995

Gloria A. Beckner Trustee 11/3/21
Gloria A. Beckner Date

Trustee of the Craig A. Beckner Revocable Trust and Gloria A. Beckner Revocable Trust dated
February 27, 1995

Vacate Access Easement

20-foot platted access easement

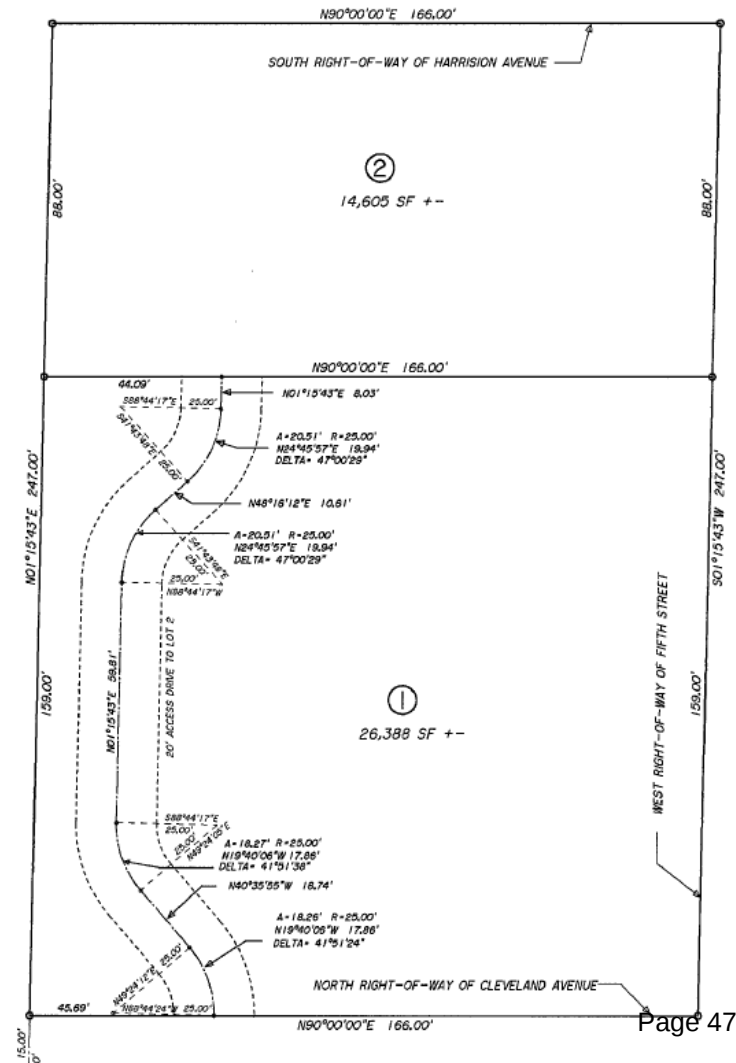
Lot 1, Wellington Manor Minor Subdivision



TOWN OF
WELLINGTON



TOWN OF
WELLINGTON



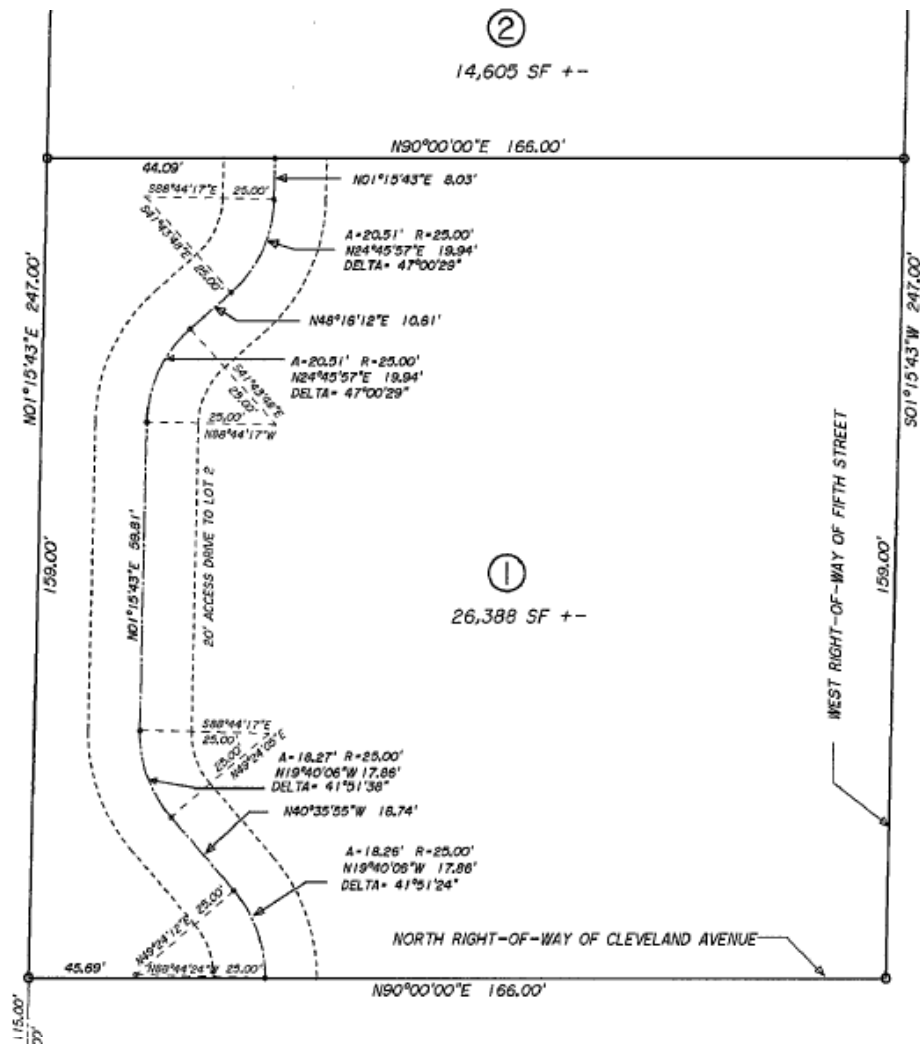
General Location





Background Information

- Applicant requests to vacate a platted 20-foot access easement.
- Easement crosses Lot 1 to provide Lot 2 with access to Cleveland Ave.
- Both the Applicant and the adjacent owners of Lot 2 desire to vacate the access easement.
- Lot 2 has adequate legal access to existing public streets (Harrison Ave. and Fourth St.)
- No needs to retain a portion of the access easement have been identified.
- Town staff supports vacation of the access easement.





Action

- Conduct public hearing
 - No written public comments have been received by Town staff.
 - Consider testimony provided at the public hearing.
- Planning Commission makes a recommendation to the Board of Trustees.



Staff Recommendation

- Forward a recommendation to the Board of Trustees to adopt an ordinance vacating the platted 20-foot access easement on Lot 1, Wellington Manor Minor Subdivision.