



TOWN BOARD WORK SESSION

July 22, 2013 – 6:00 P.M.

First Floor Conference Room, 301 Walnut Street, Windsor, CO 80550

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.

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

Members of the public in attendance who have a question related to an agenda item are requested to allow the Town Board to discuss the topic and then be recognized by the Mayor prior to asking their question.

This meeting will not be televised or recorded

AGENDA

1. Joint work session with Planning Commission
 - a. Discussion regarding research into Accessory Dwelling Unit (ADU) regulations – S. Ballstadt
 - b. Discussion regarding residential uses in the Central Business (CB) zoning district – S. Ballstadt
 - c. Discussion regarding annexation of enclaves (unincorporated properties surrounded by the Town) – S. Ballstadt
 - d. Code update revising Chapters 15, 16 & 17 to eliminate references to submittal of paper copies, allow electronic submittals, and update lists of referral agencies – B. Walker
 - e. Residential Lot Inventory Map – K. Arnold
 - f. Other Items?
2. Future Meetings Agenda



MEMORANDUM

Date: July 22, 2013
To: Mayor, Town Board and Planning Commission
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Scott Ballstadt, AICP, Chief Planner
Subject: Discussion regarding research into Accessory Dwelling Unit (ADU) regulations
Item #s: Work Session Item #1.a

Discussion:

At the direction of the Planning Commission, staff prepared the attached information regarding Accessory Dwelling Units (ADUs) for preliminary discussion. The Planning Commission discussed the topic at their June 6, 2013 work session and asked staff to continue researching for further discussion.

ADUs have become an increasingly popular concept in recent years due to a wide variety of factors. ADUs are considered an efficient "infill" development as they typically utilize existing water, sewer and street infrastructure. Additionally, declining household size; aging population; affordable housing options; and rental income for elderly or young homeowners are all examples of reasons why communities allow ADUs. Demand for accessory dwelling units is expected to increase in the immediate future as the baby boomer generation retires and a variety of housing options are needed. The enclosed article entitled "Making Room for Mom and Dad" from the American Planning Association's October 2012 *Planning* magazine provides a good overview of the topic of multi-generational households, which have been on the rise since 1980, and related planning challenges.

Several jurisdictions in Colorado have adopted ADU regulations, including Fort Collins, Loveland, Longmont, Grand Junction, Boulder, Golden, Arvada among others. The regulations are intended to ensure that the ADU is compatible with the surrounding neighborhood and to mitigate potential issues such as:

- Size limit - 800 square feet or less appears to be fairly typical and detached ADUs are often required to be proportionately smaller to the principal residence on the property
- Parking - 1 parking space per ADU appears to be typical
- Occupancy – Some jurisdictions limit the number of persons residing in an ADU
- Lot size/open space – Each dwelling unit may be required to comply with minimum lot size and open space requirements (for example, a 6,000 square foot minimum lot size would require a 12,000 square foot lot to support an ADU)
- Design standards requiring the ADU to complement the principal residence on the property

Current Windsor Municipal Code

Chapter 16 (Zoning) of the Windsor Municipal Code defines *dwelling unit* as "a housekeeping unit designed and used for occupancy by a single individual or a family containing cooking, living, sleeping and sanitary facilities and having a separate entrance" and Section 16-8-40(b) of the code only allows for one principal residential structure on a lot.

Chapter 16 currently only allows for dwelling units as accessory uses in the commercial and industrial zoning districts. Those dwelling units are limited to residential quarters for the owner, proprietor, commercial tenant, employee or caretaker, located in the same building as the business in the commercial zoning districts and for residential quarters for guards and caretakers in the industrial zones. Accessory dwelling units are not allowed in residential zones.

Existing Windsor Goals and Policies

While accessory dwelling units would require adoption of regulations in order to address parking, lot size, neighborhood compatibility, building/fire code and other potential impacts, the concept is supported by several of the Town's goals.

Conformance with Comprehensive Plan: Accessory dwelling units are consistent with the following Housing Goals and Policies of the Comprehensive Plan:

Goals:

1. Promote an adequate supply and variety of safe and economically achievable housing products to meet the current and future needs of the community.
2. Maintain housing that represents a diversity of style, density and price to meet the needs of Windsor residents.

Policies:

10. Encourage infill development of suitable vacant lots within the Town while considering density, zoning, and compatibility of surrounding land uses.
11. Encourage and facilitate the development of housing which offers alternative choices in lifestyle such as townhouses, apartments and condominiums.

Conformance with Vision 2025: Accessory dwelling units are consistent with Vision 2025 Housing Quality and Diversity Goal 1: "Provide choices for housing in town, not just single family homes."

Relationship to Strategic Plan: Accessory dwelling units are consistent with Strategic Plan Vision #5: "Windsor residents enjoy a friendly community with housing opportunities, choices for leisure, cultural activities, recreation and mobility for all"

Recommendation:

Staff recommends that the Town Board and Planning Commission provide staff with direction regarding accessory dwelling units and next steps.

Attachments:

American Planning Association October 2012 *Planning* article
Matrix of example language from Colorado communities
PowerPoint slides

Making Room for Mom and Dad

Multigenerational families are seeking new housing types.

By Jeffrey Spivak

Linda Cho knew that her aging in-laws would move in with her family someday. She just didn't imagine the perfect opportunity would materialize this year.

It happened when Cho, her husband, and his parents went to browse model homes in the Los Angeles suburb of Irvine. Cho just wanted to see the latest home decorating trends. But the development, the New Home Company's Lambert Ranch, also featured design ideas of a different sort: multigenerational homes. Buyers could choose layouts such as a separate living unit inside a single-family residence, or a lot with a detached guest house behind the main home.

Within a week, the Chos and the in-laws decided to move in together. They put down a deposit to build a 3,000-square-foot main house with a 1,000-square-foot guest house containing its own bedroom, bathroom, living room, and kitchenette.

"We had in our mind already that we would eventually live together, so we could take care of them," says Cho, a Chinese-American married to a first-generation Korean. "Then we saw these homes, and it was like 'why wait?' This type of housing fit with what we wanted to do, so it wasn't a hard decision to make."

Such decisions are becoming much more common across the U.S. More family members of different ages and generations are living under one roof, forming multigenerational households. The number of such households jumped by 14 percent just from 2007 to 2010, and the number of Americans in such arrangements has almost doubled since 1980, according to the U.S. Census Bureau and the Pew Research Center, which have tracked the phenomenon.

The reasons for this upswing range from the Great Recession, which forced more family members to move in together, to surging immigration, as ethnic families are more apt to combine relatives and generations in the same residence. No matter the reasons, the bottom line is that one of every six Americans now lives in a multigenerational household, and families like these are driving interest in a slew of new housing models and features.

Architects, residential developers, and home builders are introducing an assortment of atypical designs, from second master bedrooms to second kitchens, from separate living quarters inside homes to separate quarters in the backyard. The National Association of Home Builders this year named multigenerational living one of the hottest design trends in new homes.

"What we're seeing is a fairly large niche market that's growing," says Steve Melman, NAHB's director of economic services.



Growing niche

As this niche grows, it's presenting some challenges for planners. Communities across the country are grappling with how to handle some multigen features such as second kitchens and exterior entrances, plus whether to allow accessory dwelling units — typically small detached backyard bedroom units.

"There's an unfamiliarity with [accessory dwelling units] among city staffs," says Denver-based architect Mike Kephart, who designs these specialized units and has experience selling them in a handful of states.

Within the housing industry, there remains some debate about whether multigen's growing popularity is a short-term blip driven by the economic downturn, or if it's a long-term trend that will continue accelerating as more baby boomers retire and as ethnic minorities drive the nation's population growth.



"We definitely see this as a segment of the market that's going to be there for a while," says Rodney Harrell, a senior strategic policy advisor at AARP and a vice chair of APA's Planning and the Black Community Division.

John Martin, a housing consultant and market strategist in California, adds: "It's not like housing's ticket to the future. But it's also not something that's merely a result of the economic downturn. There will be increasing demand for this type of housing. It'll be sustaining because, demographically, the numbers are all pointing to the opportunity."

New again

Living with other adult family members was once pretty common in America. Throughout the first half of the 20th century, about a quarter of the population typically lived in a multigenerational household. In fact, that's how architect Howard Perlman grew up on Chicago's North Side. His family lived on the first floor of a two-flat, with his grandparents in the upstairs apartment. "Everyone we knew lived that way," he says.

Now Perlman, president of Environmental Design Group LLC in Las Vegas, markets a line of home designs called "Fusion" for multigenerational families. The designs include a separate suite with bedroom and kitchenette walled off from the rest of a home, like adjoining hotel suites. "This isn't Levittown 1952. This is 2012. People are living differently today," Perlman says.

The Census Bureau estimates that from 2007 to 2010 multifamily households increased from 13.6 million to 15.5 million, or 14 percent, while total households increased just one percent. The

Census defines multifamily households as those that include more than one family unit, such as middle-aged adults with older parents.

The Pew Research Center defines multigenerational more broadly, as households with at least two generations of adults, such as adult children (aged 25 and older) living in their parents' home. By Pew's definition, 4.9 million Americans moved into a multigenerational household just between 2007 and 2009, representing an 11 percent growth.

Pew estimates that more than 50 million Americans now live in such households, and the percentage of the population in such arrangements has slowly climbed from 12 percent in 1980 to 17 percent in 2009. By comparison, 10 percent of Americans live alone.

Generations United, a Washington D.C.-based public policy group, surveyed multigenerational households last year, and two-thirds of respondents reported the economy was a factor in their family choosing that arrangement. Pew described the phenomenon this way: "Without public debate or fanfare, large number of Americans enacted their own anti-poverty program in the depths of the Great Recession: They moved in with relatives."

Even when the economy fully rebounds, some housing and demographic experts believe the multigen trend is here to stay, for a couple of reasons.

First, the baby boomers — the generation that dictated housing patterns for the past half century — are now entering their golden years. An estimated 10,000 boomers are hitting retirement age every day, and the number of Americans at least 65 years old is forecasted to balloon from 40 million in 2010 to 72 million in 2030. Not all of them will be able to afford specialized senior care, with assisted living facilities costing an average of \$42,000 a year and nursing homes typically costing more, according to Deborah Howe, FAICP, chair of Temple University's Department of Community and Regional Planning.

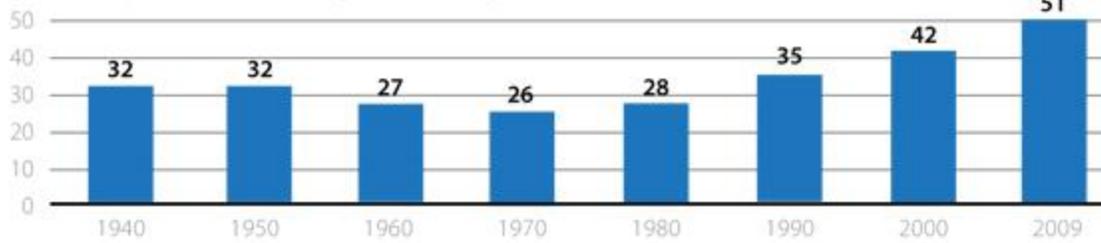
Meanwhile, the nation's population growth continued to be driven by minorities and immigrants, and they are more likely to live in multigen arrangements. According to Pew, about 28 percent of Asians and 25 percent of Hispanics live in multigen households, compared with just 14 percent of whites.

Consider the Chos, the family that bought a multigen home in Lambert Ranch. Linda Cho always expected her in-laws, who are now in their 70s, would one day move in with her, even though she and her husband have five children. For the Chos, a nursing home was never a consideration. "It's how we were raised; you take care of family," Cho says.

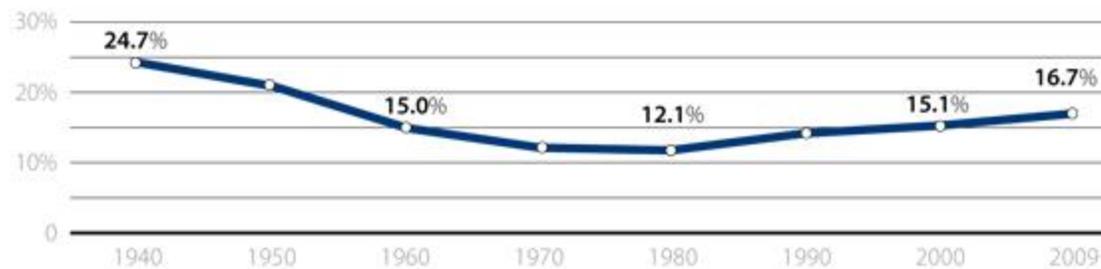
The combination of these factors has been enough to pique the interest of some architects and home-building companies. "It seems like this demographic trend is a compelling enough story to provide it with a product type," says Tom Redwitz, president of the California-based New Home Company, which is doing just that.

The Trend: 1940-2009

U.S. Population Living in Multigenerational Households, *in millions*

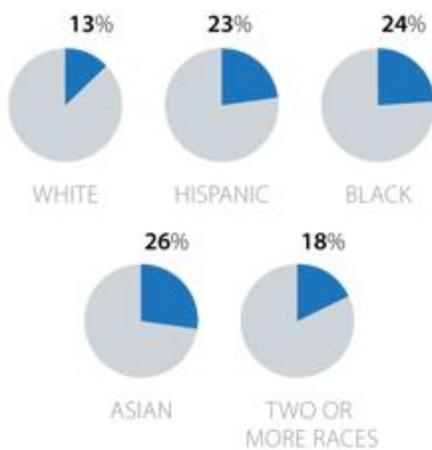


Share of U.S. Population Living in Multigenerational Households, *in millions*



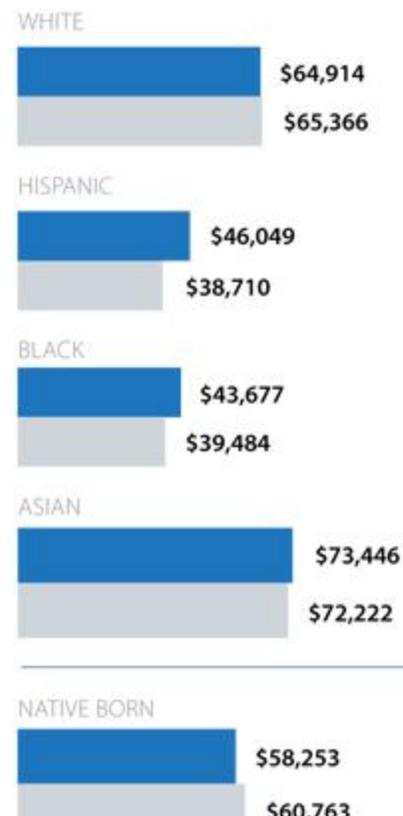
2009

Share of U.S. Population Living in Multigenerational Households, by Race and Ethnicity

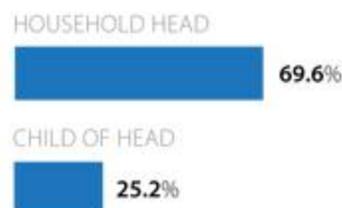


Median Income for a Three-person Household

■ MULTI-GENERATIONAL HOUSEHOLDS
■ OTHER HOUSEHOLDS



Generations' Shares of Household Income in Multigenerational Households



Housing innovations

Different ways to attract and accommodate multigenerational households are popping up all across the country:

- In Arizona, Florida, and a few other states, national homebuilder Lennar has introduced what it calls NextGen home designs, which market a separate 600- to 800-square-foot section of a single-family home as a "home with a home." This has a second outdoor entrance and includes a small sitting room, kitchenette with refrigerator, plus one bathroom and one or two bedrooms. "It's like adjoining hotel rooms where you're just doors away," Lennar regional president Jeff Roos once explained.
- In California, Colorado, and Texas, architect Mike Kephart has developed what he calls "Sidekick Homes," detached accessory dwelling units ranging in size from 360 square feet to 1,160 square feet. His clients are primarily interested in housing for older parents, and the Sidekicks — at \$50,000 to \$150,000 — cost less than a single-family home in desirable locales. "This is a way to create more affordable housing to take care of the wave of aging that is upon us," Kephart says.
- In Pennsylvania, architect Bill Warwick has designed a multigenerational master planned community in a distant suburb of Philadelphia. Scheduled to break ground this fall, the Spring Oak community offers different homes for different age groups, plus different amenities for different age groups. There are playgrounds and an activity center for the young, plus a community garden, a bocce court, and even a clubhouse card room for older adults.

"We have to be flexible enough to deal with multiple demographics. It's a cultural change we're going through," says Warwick, a principal with BartonPartners Architects Planners.

But perhaps no residential developer has created such an array of multigen options as the New Home Company outside Los Angeles. At Irvine's upscale Lambert Ranch, the company offers four different design options for multigen households.

One option has what the company calls a "private quarters," or a one-bedroom suite with a "service bar" kitchenette that's locked off from the rest of the house and has its own outside entrance. Another option includes a detached "guest house" of about 800 square feet, connected to the main home by a covered outdoor patio. The most expensive option is a two-home compound, with two fully functional homes sharing a yard.

"It's a spectrum of solutions for today's changing family structures," says Joan Marcus-Colvin, the New Home Company's senior vice president of sales, marketing, and design. "There's not one solution for this market."

The New Home Company chose Irvine for its multigen development partly because the Asian population there almost doubled in the 2000s, and the company's focus groups of prospective buyers indicated Asian relatives wanted to live near or with each other. Lambert Ranch's first phase released 42 homes for sale this past spring, and they sold out, with more than half the

buyers coming from ethnic families, according to company executives. Also, one-quarter of all buyers chose a multigen design, usually the private quarters or the guest house.

"In this housing market, anything that gives us a 25 percent boost in sales, we're happy about," Marcus-Colvin says.

Planning challenges

Some multigenerational housing designs are so novel that they can create planning and zoning challenges. In many communities, a dwelling with a second full kitchen — including an oven or range — is outlawed in single-family zones. In other places, multigen features have sparked debates about density issues, secondary outdoor entrances, and even extra parking requirements.

Consider what North Carolina homebuilder Chris Kearns went through. A client asked him to construct a \$1 million home in the small Charlotte suburb of Matthews. It was designed in an L-shape, with a wing set aside for the client's older parents, complete with separate kitchen and entrance. The suburb's residential zoning ordinance didn't even address second kitchens in homes.

Kearns met with city planners and appeared before the zoning board, pleading for a zoning amendment. He finally prevailed, with the suburb permitting single-family homes with two kitchens within one household. "It was acceptable to us to allow some flexibility like this," says Kathi Ingrish, AICP, the town's planning director. Yet for Kearns, the process delayed his project for most of a year. "I think cities are behind the boat on this," Kearns says of multigenerational designs.

Some communities, though, are trying to be accommodating as new developments incorporate multigen housing features. With new-home construction coming back to life in metropolitan Phoenix, the suburb of Gilbert started seeing home designs with a secondary full kitchen, which is prohibited if it contains an oven and range.

But Gilbert tries to be builder-friendly, and the planning staff didn't want to stifle any housing momentum because of a minor zoning variance. So planners took the position that the city would allow second kitchens so long as the home wasn't sectioned off like a duplex — that is, walls or doors could not block access to the section with the second kitchen.

"We have tried to be very flexible in working through this issue," says Kyle Mieras, AICP, Gilbert's planning and development services manager. "We understand the importance of multigeneration housing, and we're attempting to balance that need with the need to protect the intent of a single-family neighborhood."

Granny flats

Another way some cities are accommodating multigen arrangements is by allowing accessory dwelling units, sometimes known as "granny flats." These are small — less than 800 square feet

— and range from garage additions to detached backyard boxes equipped with a kitchen, bedroom, and bathroom.

California for at least a decade has allowed secondary housing units on single-family lots, resulting in more acceptance of them in some local communities, such as in Irvine. "It's something the city has been trying to encourage," says Eric Tolles, Irvine's director of community development.

Outside of California, most cities across the country prohibit accessory dwelling units. But that is changing. A recent U.S. Department of Housing and Urban Development report on accessory dwelling units notes that "an increasing number of communities across the nation are adopting flexible zoning codes within low-density areas in order to increase their affordable housing supply."

Seattle in 2006 created a pilot program allowing accessory units in one part of the city, then legalized them citywide in 2009. A city report found about 50 permits are issued a year, with cottages as small as 224 square feet. Portland followed suit in 2010, revamping its policy toward accessory units by waiving development fees, which were as high as \$15,000.

Yet accessory dwelling units are not always welcomed in cities. In Salt Lake City, Mayor Ralph Becker, FAICP, two years ago introduced a Sustainability City Code Initiative, which included a zoning amendment to allow accessory dwelling units capped at 650 square feet. Such dwellings already exist in violation of city code in just about every neighborhood, but some neighborhoods don't want them at all. During a year of public hearings, one resident told the city council that ADUs would "soon turn our neighborhood into an undesirable, overcrowded slum."

An underlying issue in the debate is "the fear of additional density," says Wilf Sommerkorn, director of Salt Lake City's planning division. "Opponents would say this is a densification of the neighborhood. But (accessory units) are not really a densification, they're a supplement to a household," he says. The mayor's zoning amendment remains under consideration, and Sommerkorn predicts it will eventually pass in limited form, with accessory units allowed solely in transit-oriented development areas.

While accessory units can serve several purposes, such as rental housing or an artist's studio, they are also being marketed as a housing option for older parents, which is why AARP supports their acceptance.

"If you have a multigen family, this can make the existing house work better," says AARP's Rodney Harrell. "As a general principle, the more options we can provide, the better, so we won't be stuck in 20 years when 20 percent of the population is over 65 years old."

Jeffrey Spivak is a senior research analyst at HNTB Corporation, a Kansas City, Missouri-based engineering and architecture firm. He is also a freelance writer who specializes in real estate planning and development issues.

Resources

Images: Top — Chung and Yong Cho, with their grandchildren (from right) Alex, Sara, Liana, Matthew, and Elise with Peeve the dog. Photo courtesy of the Cho family. Bottom — It didn't take long to find a new home that suited this family's multigen needs. The basic plan includes a guest house that is visually connected to the house by a patio.

The New Home Company's Lambert Ranch:

<http://thenewhomecompany.com/neighborhood/lambert-ranch-irvine>

Lennar's NextGen "Home Within a Home": <http://lennarnextgen.com>

The Pew Research Center's latest report on multigenerational households:

<http://pewresearch.org/pubs/2110/multigenerational-households-young-adults-recession-finances-economy-poverty>

AARP's report on multigenerational households: www.aarp.org/home-garden/housing/info-04-2011/fs221-housing.html

Jurisdiction	Accessory Dwelling Regulations
Windsor	n/a
Fort Collins	<p>City Plan Appendix A Glossary of Terms</p> <p>Accessory Dwelling Unit</p> <p>A second dwelling unit either in or added to an existing single-family detached dwelling or business or in a separate accessory structure on the same lot as the main building. They are commonly known as “granny flats,” “mother-in-law apartments,” “alley houses,” or “secondary dwellings.”</p>
Loveland	<p>18.48.060 Accessory dwelling unit.</p> <p>An accessory dwelling unit, where permitted, must meet the following conditions:</p> <ul style="list-style-type: none"> A. It must be on the same lot, either attached or detached with another single-family dwelling unit; B. It must have a minimum of five hundred square feet and cannot exceed seven hundred fifty square feet of floor area; C. It must have its own cooking and bathing facilities; D. Electric, water and sewer service must be from the single-family dwelling unit on the property. There shall not be separate utilities to the accessory unit; E. It must be of the same architectural style, materials and colors as the principal single-family dwelling so as to be architecturally compatible; F. No portion of an accessory unit shall be located nearer the front lot line than the principal single-family dwelling unit; G. It must meet all of the setback requirements within the zoning district in which it is located; H. The minimum required lot size is ten thousand square feet except if approved through special review; I. There can only be one accessory dwelling unit permitted per lot; J. Within the R1 zoning district, no accessory dwelling unit shall be located within five hundred feet of another accessory dwelling unit; K. The maximum number of accessory dwelling unit permits which can be issued during any calendar year shall be limited to one percent of the total number of dwelling units within the city limits as determined by the chief planner; L. There shall be no off-street parking required where the street width is twenty-eight feet or greater; M. To qualify as an accessory unit under this section, one of the units on the property must continue to be occupied by the owner of the property; N. Pay all applicable plant investment fees customarily associated within new single-family dwellings; O. The planning division shall submit a report to the city council on an annual basis that lists the location and number of accessory dwelling units constructed during the previous year; P. In the event that any provision of this section is inconsistent with restrictive covenants that are in force, the more restrictive provision shall apply.
Johnstown	n/a
Grand Junction	<p><i>Accessory dwelling unit</i> means a dwelling unit which is secondary to a principal dwelling unit which may be attached to the principal structure or freestanding.</p>

Jurisdiction	Definition of Dwelling Unit
Windsor	<i>Dwelling unit</i> means a housekeeping unit designed and used for occupancy by a single individual or a family containing cooking, living, sleeping and sanitary facilities and having a separate entrance.
Fort Collins	<i>Dwelling unit</i> shall mean one (1) or more rooms and a single kitchen and at least one (1) bathroom, designed, occupied or intended for occupancy as separate quarters for the exclusive use of a single family for living, cooking and sanitary purposes, located in a single-family, two-family or multi-family dwelling or mixed-use building.
Loveland	18.04.144 Dwelling unit defined. “Dwelling unit” means one or more rooms and a single kitchen designed for or occupied as a unit by one family for living and cooking purposes, located in a one-family, two-family or multiple-family dwelling or a mobile home. 18.04.144.1 Dwelling unit, accessory defined. “Accessory dwelling unit” means a single-family dwelling which meets all the requirements of Section 18.48.060.
Johnstown	<i>Dwelling unit</i> means a housekeeping unit designed and used for occupancy by a single individual or a family and containing cooking, living, sleeping and sanitary facilities, and having a separate entrance.
Grand Junction	<i>Dwelling unit</i> means one or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.
Weld County	<i>DWELLING UNIT</i> : One (1) or more interconnected rooms which are arranged, designed, used or intended for USE as a complete independent living facility for one (1) LIVING UNIT. The term <i>DWELLING UNIT</i> does not include HOTELS, MOTELS, RECREATIONAL VEHICLES or other places or accommodations when used for transient occupancy.

Jurisdiction	Definition of Family
Windsor	<p><i>Family</i> means an individual living alone, or either of the following groups living together in a single dwelling unit and sharing common living, sleeping, cooking and eating facilities:</p> <p>a. Any number of persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, unless such number is otherwise specifically limited in this Code; or</p> <p>b. Any unrelated group of persons consisting of (i) not more than four (4) persons; or (ii) not more than two (2) unrelated adults and their related children, if any.</p> <p>c. This definition shall not include individuals living in small group living facilities as defined in this Code.</p>
Fort Collins	<p><i>Family</i> shall mean any individual living alone or any number of persons who are all related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, and who live together as a single housekeeping unit and share common living, sleeping, cooking and eating facilities.</p>
Loveland	<p>18.04.160 Family defined. “Family” means any individual or two or more persons related by blood, adoption or marriage, or an unrelated group of not more than three persons living together in a dwelling unit, and includes family foster care of up to four children which is licensed according to the statutes of the state.</p>
Johnstown	<p><i>Family</i> means one (1) or more persons occupying the premises and living as a single housekeeping unit, as distinguished from a group of individuals occupying a hotel.</p>
Grand Junction	<p><i>Family</i> means any number of related persons living together within a single dwelling unit as a single housekeeping unit, but not more than four persons who are unrelated by blood, marriage, guardianship or adoption.</p>
Weld County	<p><i>FAMILY</i>: An individual, or a group of two (2) or more individuals related by blood, marriage or adoption, living together. (See also <i>LIVING UNIT</i>.)</p> <p><i>LIVING UNIT</i>: One (1) <i>FAMILY</i> plus up to three (3) additional individuals whose place of residence is with the <i>FAMILY</i> in the <i>DWELLING UNIT</i>.</p>

Jurisdiction	Other Applicable Code
Windsor	<p data-bbox="415 302 898 329">Sec. 16-8-40. Basic location regulations.</p> <p data-bbox="415 337 1900 402">(b) One (1) building per lot. Except as otherwise provided for multifamily dwellings and planned unit developments, only one (1) principal residence structure shall be permitted on a lot.</p> <p data-bbox="415 443 695 470">Sec. 16-11-40. Density.</p> <p data-bbox="415 479 1900 613">(a) Purpose. The regulatory techniques controlling the distribution of population throughout the community are intended to achieve the desired environmental character as set forth in the Comprehensive Development Plan and to achieve a practical, economic and functional relationship between the residential use of land and its consequent impact upon traffic circulation, public utilities, community facilities and other service demands.</p> <p data-bbox="415 654 1900 789">(b) Method. In single-family residential development, the density is established by the minimum required lot size. In multifamily residential development, the determination of the number of allowable dwelling units on a given property being developed shall be made by dividing the net area of the parcel to be developed by the number of square feet required per dwelling unit.</p> <p data-bbox="415 829 678 857">Sec. 16-12-10. Intent.</p> <p data-bbox="415 865 1864 930">The Single-Family Residential SF-1 District is intended to provide for the development of single-family dwellings with a full complement of accessory uses.</p>



ACCESSORY DWELLING UNITS

Scott Ballstadt, AICP, Chief Planner
July 22, 2013

Town Board & Planning Commission

Work Session Item #1.a



ACCESSORY DWELLING UNITS

What is an Accessory Dwelling Unit (ADU)?

City of Grand Junction definition:

“Accessory dwelling unit means a dwelling unit which is secondary to a principal dwelling unit which may be attached to the principal structure or freestanding.”

City of Fort Collins’ City Plan definition:

A second dwelling unit either in or added to an existing single-family detached dwelling or business or in a separate accessory structure on the same lot as the main building. They are commonly known as “granny flats,” “mother-in-law apartments,” “alley houses,” or “secondary dwellings.”



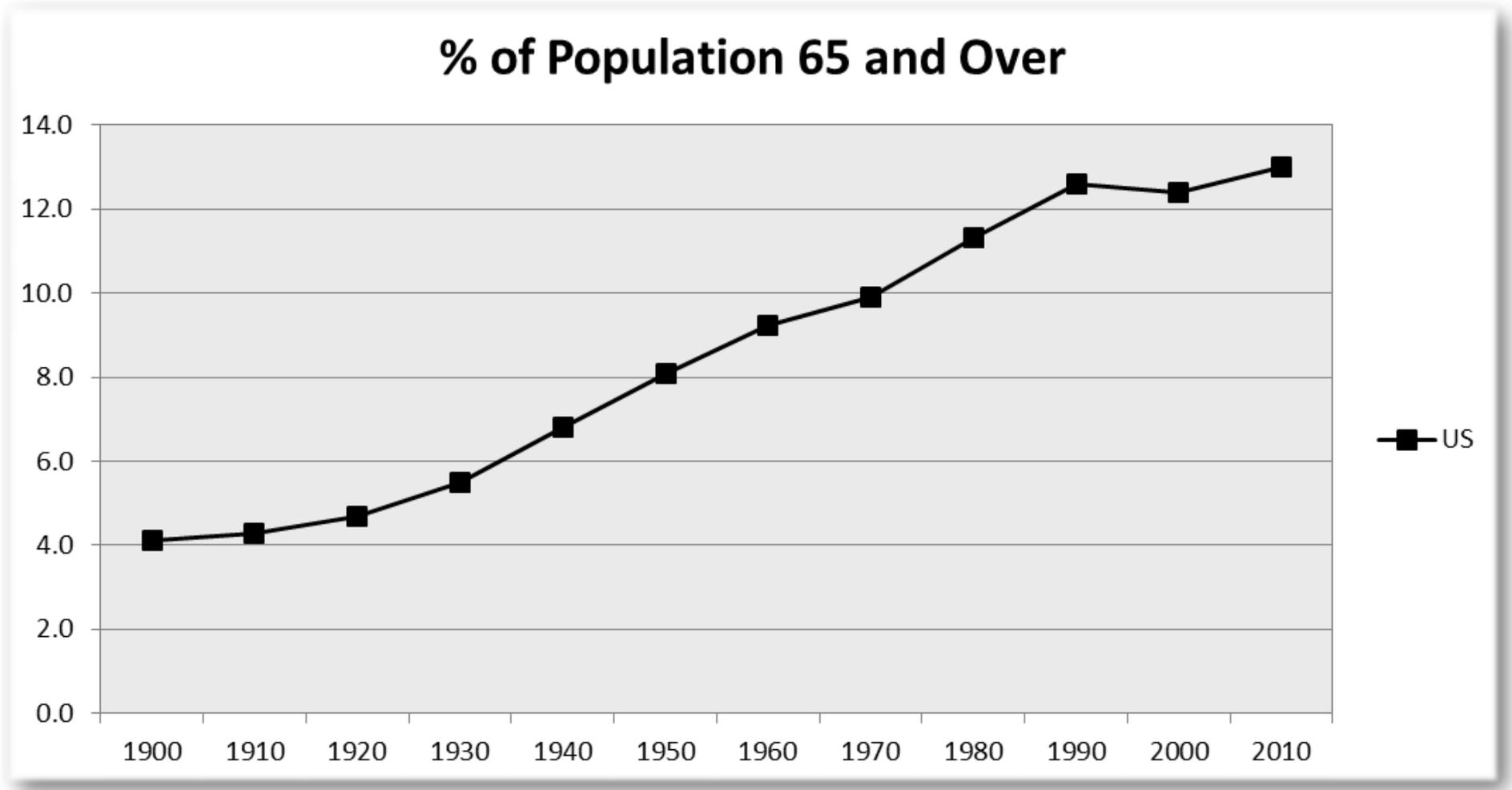
ACCESSORY DWELLING UNITS

Why do communities allow ADUs?

- Efficient form of infill development which utilizes existing water, sewer and street infrastructure
- Provides a housing option for special family needs (such as care for a family member who also desires independence)
- More diverse and affordable housing options – particularly for one or two person households
- Additional income for senior homeowners - allowing them to “age in place”
- Additional income for young families with mortgage

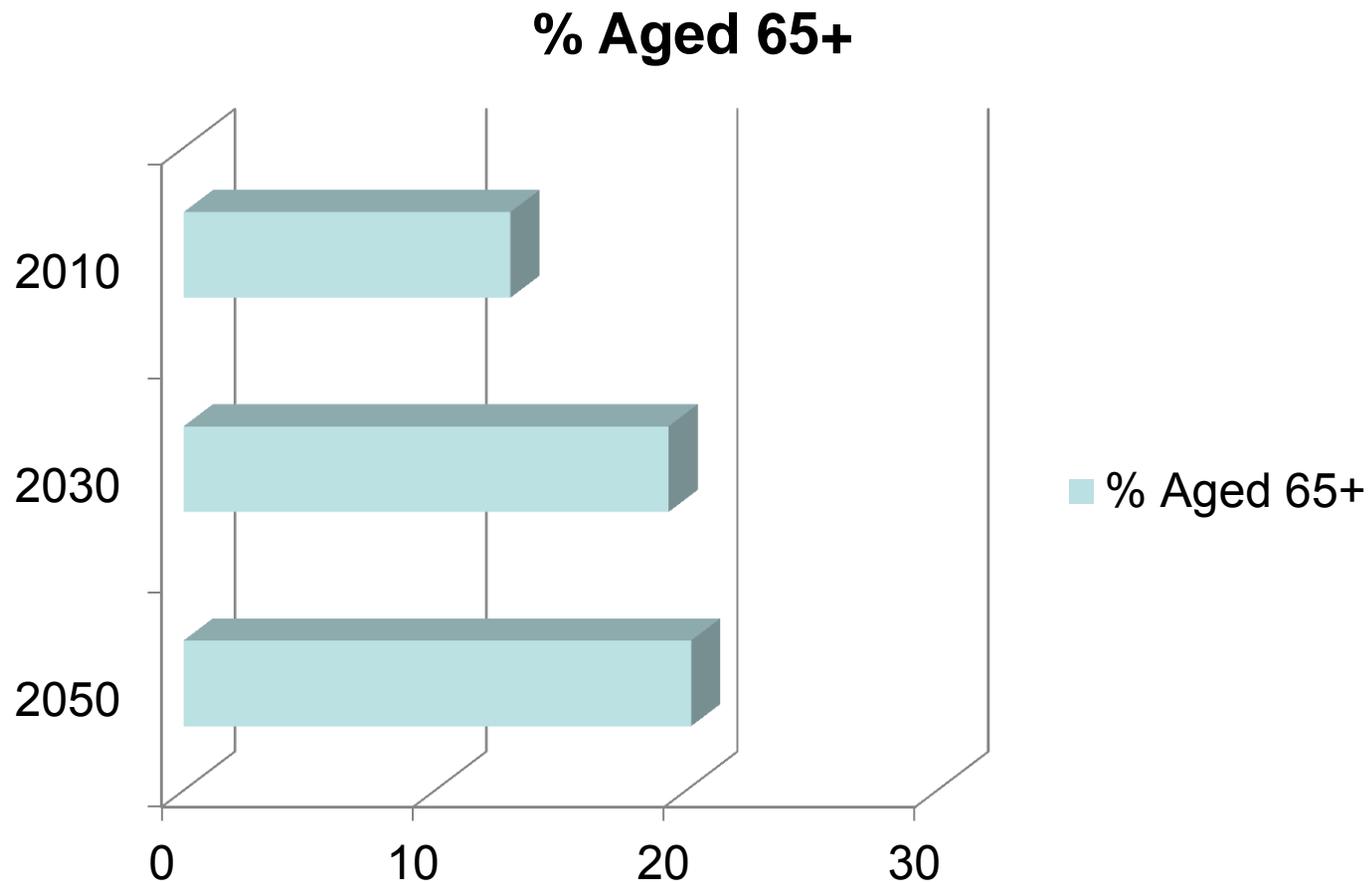
ACCESSORY DWELLING UNITS

Aging Population Chart



ACCESSORY DWELLING UNITS

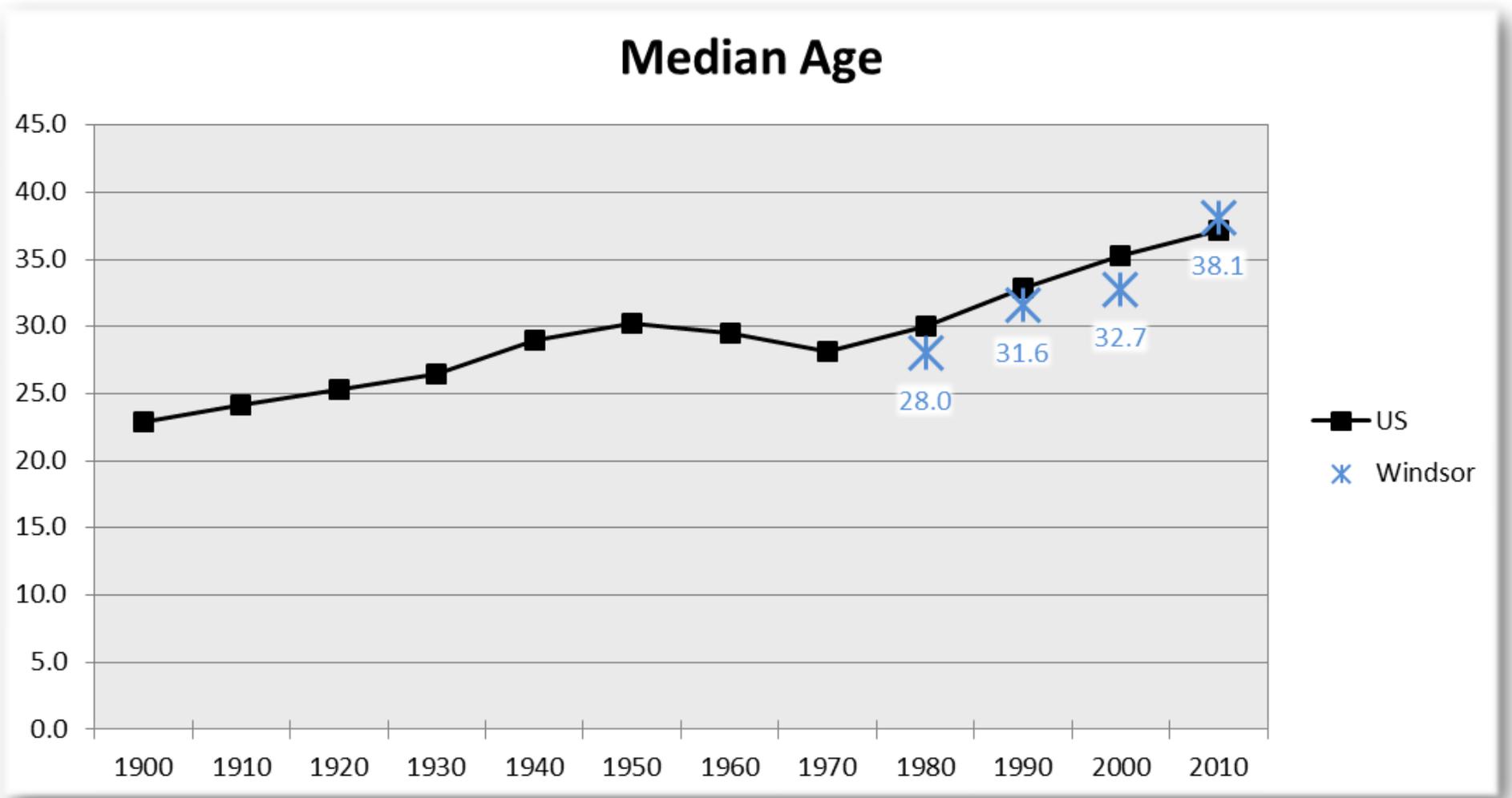
Percent Aged 65 and Over for the United States:
2010, 2030, and 2050



Source: U.S. Census Bureau, 2008

ACCESSORY DWELLING UNITS

Aging Population Chart

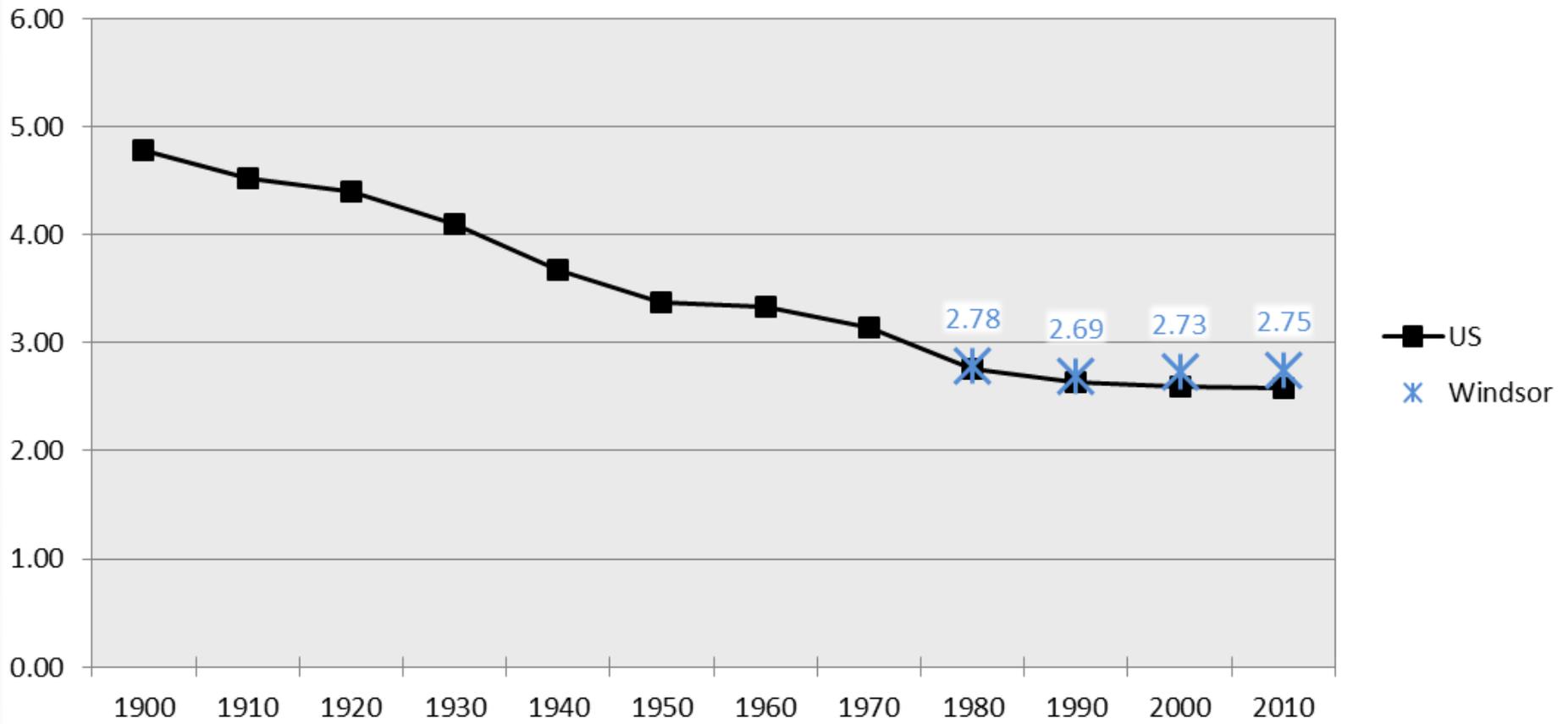




ACCESSORY DWELLING UNITS

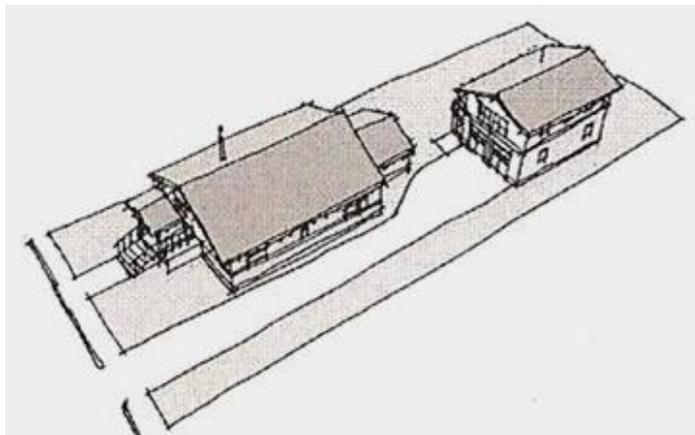
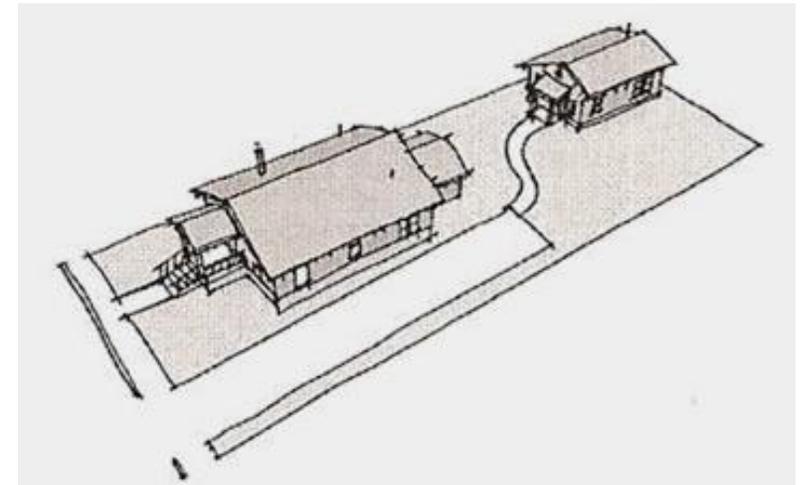
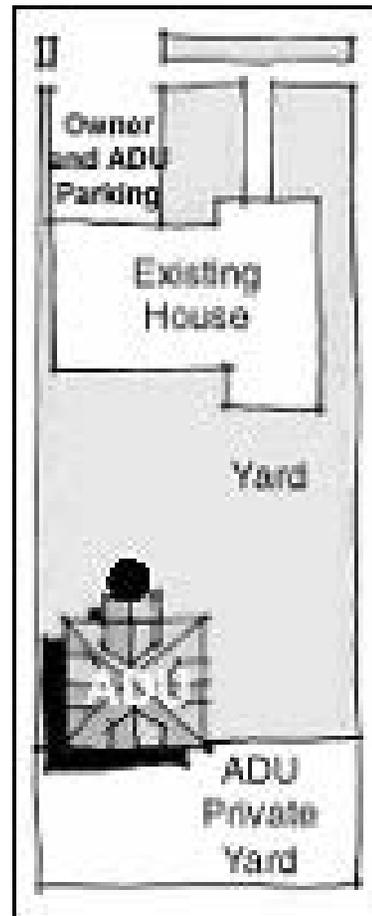
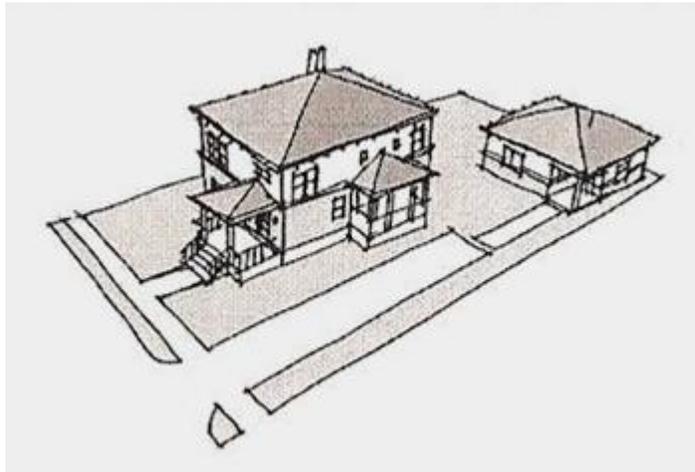
Declining Household Size Chart

Average Household Size



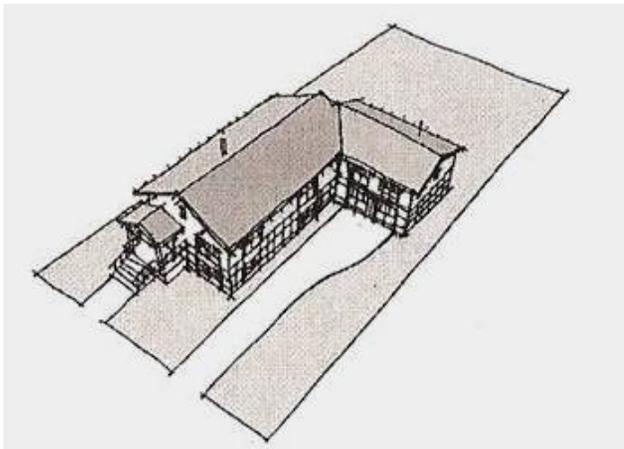
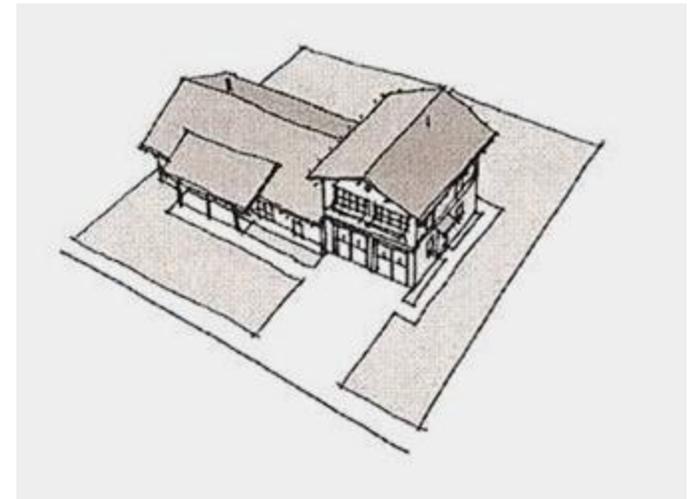
ACCESSORY DWELLING UNITS

What does a detached ADU look like?



ACCESSORY DWELLING UNITS

What does an attached ADU look like?





ACCESSORY DWELLING UNITS

What types of regulations are applied to ADUs?

- Size limit - 800 square feet or less appears to be fairly typical and detached ADUs are often required to be proportionately smaller to the principal residence on the property
- Parking - 1 parking space per ADU appears to be typical
- Occupancy – Some jurisdictions limit the number of persons residing in an ADU
- Lot size/open space – Each dwelling unit may be required to comply with minimum lot size and open space requirements (for example, a 6,000 square foot minimum lot size would require a 12,000 square foot lot to support an ADU)
- Design standards requiring the ADU to complement the principal residence on the property



ACCESSORY DWELLING UNITS

Retrofit versus new construction?

- The aforementioned examples of ADU regulations would be necessary to address the “retrofit” of ADUs into an existing neighborhood
- The Town’s Planned Unit Development (PUD) process could be used to establish ADU requirements specific to a new development proposal:
 - Sec. 16-23-10(d) states the PUD provisions are intended to “...provide flexibility in land planning and development, resulting in amenable relationships between buildings and ancillary uses and permitting more intensive use of land where well-related open space and recreational facilities are integrated into the overall design.”



ACCESSORY DWELLING UNITS

What does Windsor's code currently allow?

- Only allows for accessory dwelling units in commercial and industrial zoning districts
- Limited to residential quarters for the owner, proprietor, commercial tenant, employee or caretaker, located in the same building as the business in commercial zones
- Limited to residential quarters for guards and caretakers in industrial zones
- Accessory dwelling units are not allowed in residential zones



ACCESSORY DWELLING UNITS

Relevant goals and policies?

Comprehensive Plan:

Goals:

1. Promote an adequate supply and variety of safe and economically achievable housing products to meet the current and future needs of the community.
2. Maintain housing that represents a diversity of style, density and price to meet the needs of Windsor residents.

Policies:

10. Encourage infill development of suitable vacant lots within the Town while considering density, zoning, and compatibility of surrounding land uses.
11. Encourage and facilitate the development of housing which offers alternative choices in lifestyle such as townhouses, apartments and condominiums.



ACCESSORY DWELLING UNITS

Relevant goals and policies?

Conformance with Vision 2025: Accessory dwelling units are consistent with Vision 2025 Housing Quality and Diversity Goal 1: “Provide choices for housing in town, not just single family homes.”

Relationship to Strategic Plan: Accessory dwelling units are consistent with Strategic Plan Vision #5: “Windsor residents enjoy a friendly community with housing opportunities, choices for leisure, cultural activities, recreation and mobility for all”



ACCESSORY DWELLING UNITS

Direction?

- Does the Planning Commission wish to pursue ADUs further?
- If so, what type of ADUs most interest the Planning Commission?
- Joint work session with Town Board
- Survey to gauge community support?
- Open house?



MEMORANDUM

Date: July 22, 2013
To: Mayor, Town Board and Planning Commission
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Scott Ballstadt, AICP, Chief Planner
Subject: Discussion regarding residential uses in the Central Business (CB) zoning district
Item #s: Work Session Item #1.b

Discussion:

Based upon review of the current Municipal Code (Code) language regarding residential uses in the Central Business (CB) district and discussion at the June 6, 2013 Planning Commission work session, the following would be a "house-keeping" amendment proposed to address a problem with the current language.

Residential occupancy of upper floors of commercial buildings:

Sections 16-17-20(2)d and 16-18-20(2)a of the Code currently allows for residential quarters for the owner, proprietor, commercial tenant, employee or a caretaker to reside in the same building as the business, but does not specifically allow for residential space for rent.

Central Business district Section 16-18-20. Use regulations.

A building or lot may be used for the following purposes and no other:

(2) Permitted accessory uses.

- a. Any accessory uses permitted in the Neighborhood Commercial District.

Neighborhood Commercial district Section 16-17-20. Use regulations.

A building or lot may be used for the following purposes and no other:

(2) Permitted accessory uses.

- d. Residential quarters for the owner, proprietor, commercial tenant, employee or caretaker, located in the same building as the business.

However, the Downtown Corridor Plan and Comprehensive Plan both anticipate and encourage mixed use development with commercial space on the ground level and residential uses on the upper floors of commercial buildings to promote a vibrant downtown. Therefore, the Code should be clarified to allow residential uses on the upper floors of commercial buildings.

Downtown Corridor Plan:

IV. Sub Area Guidelines

B. *Sub Areas*

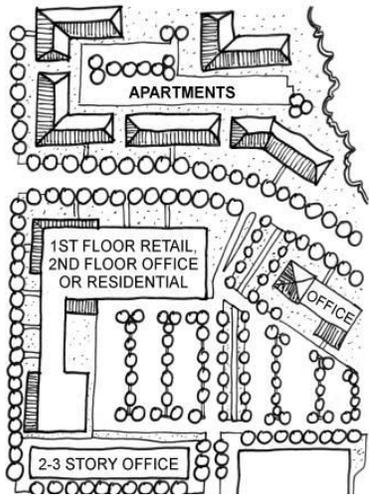
1. Old Town Windsor

b) Character

(5) First story retail, second story commercial/ residential

Comprehensive Plan:

Overall Land Use Policy 15. Provide “mixed-use” development opportunities which will allow for market-driven development of a wide variety of retail, commercial and residential land uses, and which will emphasize the potential for synergy between land uses. Mixed-Use development provides a mix of residential, commercial, retail, and office uses in a compact, pedestrian-oriented environment. These areas should incorporate pedestrian-friendly design elements through management of location, scale and orientation of parking facilities, driveways, connective sidewalks and trails, public plazas, and storefronts.



Overall Land Use Policy 16. Mixed-use development can occur in two primary configurations – *Vertical Mixed-Use* or *Horizontal Mixed-Use*. *Vertical mixed-use* refers to the integration of two or more land use types within a building, occurring on different floors. A typical example of a vertical mixed use building would incorporate active uses, such as stores and restaurants, at the street level and residential or office uses on the upper floors. *Horizontal mixed-use* refers to a pattern where several types of uses or buildings are included, as part of a cohesive development in proximity to each other – but each building would contain its own separate use. Either pattern should be designed as a set of coordinated uses, with common off-street parking areas, strong pedestrian connections, and similar design features.

Commercial and Industrial Land Use Policy 9. Continue to develop and assess the downtown revitalization plan and respective implementation strategies.

Recommendation:

Based upon the aforementioned plans, goals and policies that encourage residential use of the upper floors of downtown commercial businesses, staff recommends that the Town Board and Planning Commission direct staff to bring forth code language allowing such uses in the Central Business district.



MEMORANDUM

Date: July 22, 2013
To: Mayor, Town Board and Planning Commission
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Scott Ballstadt, AICP, Chief Planner
Subject: Discussion regarding annexation of enclaves (unincorporated properties surrounded by the Town)
Item #s: Work Session Item #1.c

Discussion:

During the review of a recent Weld County referral proposed on an unincorporated enclave surrounded by Windsor, the Planning Commission raised the question of potential annexation of the enclave property. The topic of enclave annexation has been discussed at various times in the past, most recently in 2009. Enclosed is a map of enclave properties that was created during the 2009 discussion and, while there are a few updates required to reflect annexations that have occurred since that time, it still depicts most enclaves accurately.

During the Planning Commission discussion of the Weld County referral it was explained that previous boards and commissions had directed staff to have discussions with respective owners of enclave properties to encourage voluntary annexation, however, those discussions revealed little interest in annexation. While the Planning Commission agreed that voluntary annexation is always preferable, they also indicated that the Town may want to consider "ordinance annexation" in order to have more control over the use of these properties since these properties are utilizing the Town's streets and other services. In accordance with § 31-12-106(1) of the Colorado Revised Statutes, when an unincorporated area has been entirely contained within the boundaries of a municipality for more than three (3) years, the municipality may annex those areas by ordinance, or "ordinance annexation".

Conformance with Comprehensive Plan: Annexation of enclave properties is consistent with the Annexation Goal of the Comprehensive Plan: "Ensure the logical extension of the Town boundaries so that Windsor may expand in a directed, logical and fiscally responsible manner."

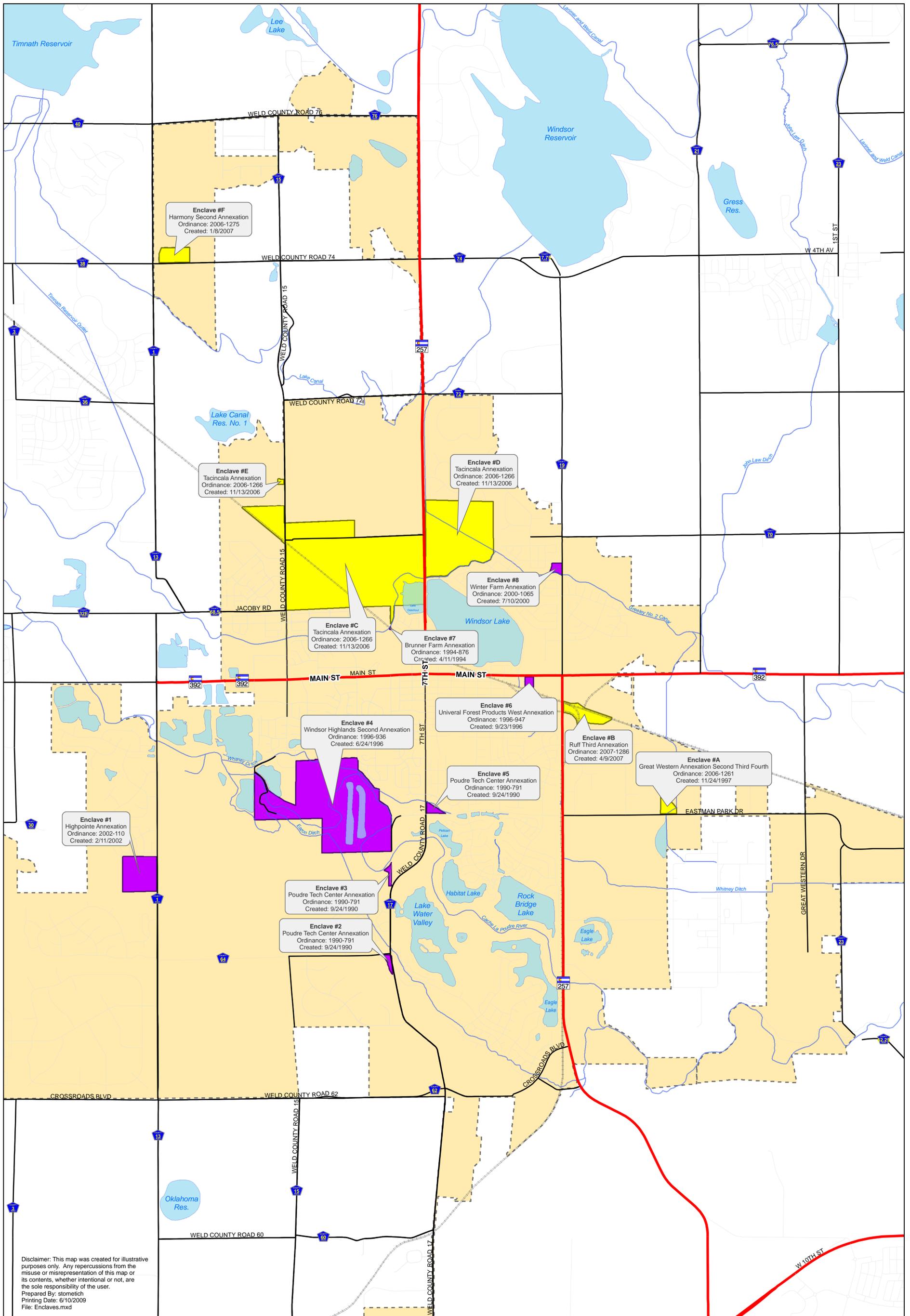
Conformance with Vision 2025: Annexation of enclave properties is consistent with Vision 2025 Infrastructure Goal 1: "Infrastructure Goal 1: "Create and adopt growth management policies and procedures that will enhance and maximize the Town's infrastructure for the future benefit of the Town and its end users", and Strategy: "Limit the practice of flagpole annexations that encourage development beyond the boundaries of existing infrastructure."

Relationship to Strategic Plan: Annexation of enclave properties is consistent with Strategic Plan Vision #4: "Windsor promotes quality development through managed growth"

Recommendation:

Staff recommends that the Town Board and Planning Commission provide staff with direction regarding annexation of unincorporated enclave properties.

Attachments: 2009 map of enclave properties

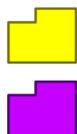


Disclaimer: This map was created for illustrative purposes only. Any repercussions from the misuse or misrepresentation of this map or its contents, whether intentional or not, are the sole responsibility of the user.
Prepared By: stometich
Printing Date: 6/10/2009
File: Enclaves.mxd



TOWN OF WINDSOR ENCLAVES

June 2009



Enclaves <3 years old



Enclaves >3 years old



Town Limits



1:20,000



MEMORANDUM

Date: July 22, 2013
To: Mayor and Town Board
Town of Windsor Planning Commission
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Brett Walker, Associate Planner
Subject: Municipal Code edits reflecting planning application submittal requirements and associated processes.
Location: Town-wide.
Item #s: Work Session Item No. 1.d

Discussion

Planning staff is working on updating Chapters 15, 16, and 17 of the Municipal Code to reflect current practices for accepting application materials, updating referral noticing processes, and changing/eliminating obsolete application processing practices.

A portion of the code edits are detailed below. Proposed new text is identified in **bold**, and proposed text deletions are depicted in ~~strike-through~~ font.

- (3) Supportive information. The following supportive information shall be submitted with the minor subdivision plat. **Additional paper copies of any required documents may be required if deemed necessary for review purposes-**.
- a. A Town application form, provided by the Planning Department, ~~with original signature of the property owner or the owner's authorized representative plus ten (10) copies.~~ If signed by the authorized representative, written evidence of such authorization signed by the property owner shall be submitted as well.
 - b. ~~Ten (10) copies of a~~ **A** Town general application overview form provided by the Planning Department.
 - c. ~~One (1) copy of a~~ **A** deed or legal instrument identifying the applicant's interest in the property.
 - d. ~~All copies shall be collated into complete application packets. With the exception of utility drawings which contain more than ten (10) sheets per set, all maps, plats and plans are to be folded and included with each individual packet.~~
 - e. ~~Three (3)~~ **c** Complete sets of utility drawings. Such utility drawings shall include, but shall not be limited to, existing and proposed facilities and utility lines, sizes and appurtenances, storm drainage facilities, etc. Appurtenances shall include valves, fire hydrants, manholes, etc. ~~if each set contains ten (10) or fewer sheets, these~~

~~shall be folded; if each set contains more than ten (10) sheets, rolled utility drawings are acceptable.~~

- f. ~~Three (3) copies of t~~Topographical map with two-foot contour intervals.
- g. ~~Three (3) sets of c~~Complete improvement plans prepared by a registered professional engineer at a scale no smaller than one (1) inch represents fifty (50) feet to include the following:
 - 1. Complete street plans and profiles.
 - 2. Complete storm drainage plans and profiles.
 - 3. Complete sanitary sewer plans and profiles, and water main plans with grades and sizes indicated.
 - 4. Complete overlot and final grading plans.
- h. ~~Three (3) copies of the d~~Drainage plan and report.
- i. ~~Three (3) copies of d~~Design soil test results and a corresponding location map.
- j. ~~One (1) original and two (2) copies of the p~~Preferred method of water rights dedication: total acreage, lot-by-lot or phase.
- k. ~~Five (5) copies of a l~~Landscaping plan for any public right-of-way adjacent to any arterial street.
- l. ~~Five (5) copies of a w~~Written narrative description of special considerations requested by the developer including but not limited to:
 - 1. Phasing plan (~~also to include five [5]~~ 24" x 36" phasing plan plats).
 - 2. Landscaping proposal for all areas other than and in addition to the landscaping plan required for arterial streets in Item No. (3)k. above (also to be delineated on ~~all ten [10] copies of~~ minor subdivision plat).
 - 3. Infrastructure oversizing requirements.
 - 4. Park land dedication (also to be delineated on ~~all ten [10] copies of~~ minor subdivision plat).
 - 5. Design variations of required public improvements.
 - 6. Any variations to subdivision regulations proposed in accordance with the Planned Unit Development (PUD) overlay.

Residential Development Status by Subdivision

WINDSHIRE PARK 3RD
 Permits Issued (Current Month): 0
 Permits Issued (YTD): 0
 Lots Remaining: 290
 Average Valuation (YTD): \$0.00*

WINTER FARM 1ST FILING
 Permits Issued (Current Month): 0
 Permits Issued (YTD): 14
 Lots Remaining: 0
 Average Valuation (YTD): \$242,924.00*

BISON RIDGE
 Permits Issued (Current Month): 0
 Permits Issued (YTD): 1
 Lots Remaining: 7
 Average Valuation (YTD): \$320,000.00*

POUDRE HEIGHTS 2ND
 Permits Issued (Current Month): 0
 Permits Issued (YTD): 6
 Lots Remaining: 11
 Average Valuation (YTD): \$238,362.00*

HIGHLAND MEADOWS GOLF COURSE (north side)
 Permits Issued (Current Month): 2
 Permits Issued (YTD): 16
 Lots Remaining: 24
 Average Valuation (YTD): \$320,001.00*

HIGHPOINTE
 Permits Issued (Current Month): 2
 Permits Issued (YTD): 30
 Lots Remaining: 203
 Average Valuation (YTD): \$319,093.00*

HIGHLAND MEADOWS GOLF COURSE (south side)
 Permits Issued (Current Month): 0
 Permits Issued (YTD): 11
 Lots Remaining: 63
 Average Valuation (YTD): \$296,780.00*

FOSSIL RIDGE 1ST
 Permits Issued (Current Month): 4
 Permits Issued (YTD): 71
 Lots Remaining: 51
 Average Valuation (YTD): \$282,930.00*

HILLTOP ESTATES
 Permits Issued (Current Month): 0
 Permits Issued (YTD): 1
 Lots Remaining: 14
 Average Valuation (YTD): \$349,157.00*

WATER VALLEY SOUTH
 Permits Issued (Current Month): 5
 Permits Issued (YTD): 32
 Lots Remaining: 192
 Average Valuation (YTD): \$375,471.00*

WATER VALLEY HILLSIDE
 Permits Issued (Current Month): 0
 Permits Issued (YTD): 10
 Lots Remaining: 13
 Average Valuation (YTD): \$259,820.00*

RANCH AT HIGHLAND MEADOWS
 Permits Issued (Current Month): 0
 Permits Issued (YTD): 5
 Lots Remaining: 35
 Average Valuation (YTD): \$397,258.00*

*Average Valuation is based on the building permit valuation and does not reflect sale price and/or land value.



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 Updated: 6/19/2013
 Created by: townofwindsor
 Created: 2/12/2013
 Created by: townofwindsor
 File: DevelopmentStatus_bySubdivision3/14/13.L





FUTURE TOWN BOARD MEETINGS
Work Sessions & Regular Meetings will be held in the Board Chambers
unless otherwise noted.

July 29, 2013	Fifth Monday
August 5, 2013 6:00 p.m.	Town Board Work Session Citizen's Survey review Water Service Agreement with North Weld County Water District
August 12, 2013 5:30 p.m. First floor conference room	Board/Manager/Attorney Monthly Meeting
August 12, 2013 7:00 p.m.	Town Board Meeting
August 19, 2013 6:00 p.m.	Town Board Work Session CIP and revenue presentation and discussion
August 26, 2013 6:00 p.m.	Town Board Work Session Joint work session with the Downtown Development Authority
August 26, 2013 7:00 p.m.	Town Board Meeting
September 2, 2013	Labor Day – Offices closed
September 9, 2013 5:30 p.m. First floor conference room	Board/Manager/Attorney Monthly Meeting
September 9, 2013 7:00 p.m.	Town Board Meeting Kern Board Meeting
September 16, 2013 6:00 p.m.	Town Board Work Session
September 23, 2013 6:00 p.m.	Town Board Work Session
September 23, 2013 7:00 p.m.	Town Board Meeting
September 30, 2013	Fifth Monday

Additional Events

October 12, 2013 Budget work session

Future Work Session Topics

None.