



TOWN BOARD WORK SESSION

June 23, 2014 – 6:00 P.M.

Town Board Chambers

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.

AGENDA

1. Trail Master Plan (W. Willis – Parks and Open Space Manager)
2. Discussion of Park Improvement Fund fees (M. Chew - Director of Parks, Recreation & Culture)
3. Larimer County Open Space Tax Update (M. Chew - Director of Parks, Recreation & Culture and Dean Moyer, Director of Finance and IT)
4. Future meetings agenda



MEMORANDUM

Date: June 23, 2014
To: Town Board
Via: Kelly Arnold, Town Manager
From: Wade Willis, Manager of Parks and Open Space
Re: Trails Master Plan Update 2014
WKs Item #: 1.a.

Background / Discussion:

In late 2013 a committee was formed to modify the Trail Master Plan. The committee consisted of staff members from Engineering, Planning and PRC Department, Myles Baker from Town Board, Ken Bennett from PReCAB and Town citizens Michele Ukleja and Bill Sortino as well as David Roberts from Spokes Bike Shop.

The process started by reviewing the existing plan for accuracy. Staff also met with Severance and Timnath regarding their current trails plans to ensure consistency with regional connectivity. The committee then toured all of the locations on the Master Plan, staff also presented other areas that were not on the master plan but had been either requested by the community or locations identified by staff as in need. The committee continued with classifications established in the 2009 which consist of On-Street, Off-Street and Soft Surface. Those were further broken down on the trails master plan as complete or incomplete.

Next each trail location was given a classification for what was needed, whether it was paving, acquisition of an easement, improvement of a crossing, or whether it just needed to be reclassified on the trails master plan. The committee utilized grading criteria developed in the 2009 Trails Master Plan to establish a prioritization for each category identified on the matrix. Note, not all of the priorities require funding, some items can be handled through the development process, are outside of the Town of Windsor GMA, or are simple reclassifications made on the proposed updated master plan.

Financial impact:

N/A – implementation will be reflected in annual budget requests.

Recommendation:

For discussion and direct staff to schedule for a future action item.

Attachments:

- b. Adopted PReCAB Resolution No. 2014-PRC03

c. Trails Master Plan Update 2014

TOWN OF WINDSOR

RESOLUTION NO. 2014-PRC03

A RESOLUTION OF THE WINDSOR TOWN BOARD APPROVING TRAILS MASTER PLAN FOR THE TOWN

WHEREAS, the Town of Windsor constructs, manages and maintains a variety of trails within corporate limits; and

WHEREAS, in 2009, the Town Board adopted by resolution the Town's Trails Master Plan with intent to identify and prioritize a variety of trail sections, connections, crossings and easements; and

WHEREAS, in 2014 the Town's Parks & Open Space Manager lead a group of staff and citizen's to examine the Town's trail system and update information from the 2009 plan; and

WHEREAS, the Parks, Recreation and Culture Advisory Board having considered the attached master plan and recommendation of staff, finds that adopting the plan is essential for appropriate planning and budgeting for improving the Town's trail system.

NOW, THEREFORE, BE IT RESOLVED BY THE PARKS, RECREATION & CULTURE ADVISORY BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

The attached Trails Master Plan 2014, is hereby recommended for acceptance by the Town of Windsor Town Board as a planning document.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 6th day of May, 2014.

TOWN OF WINDSOR, COLORADO

By: Ken Bennett

Ken Bennet, Chairman

ATTEST:

Charlie Pepin
Charlie Pepin, Secretary

Trails Master Plan
Update
2014

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A6. Grade Separation Desired	
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A8. Existing on Street Lane Condition	

Windsor Trails Master Plan
Update
2014

ACKNOWLEDGEMENTS

TRAILS COMMITTEE

Myles Baker, Town Board District 1
Ken Bennett, Parks, Recreation & Culture Advisory Board
Bill Sortino, Citizen
David Roberts, Town Resident and Owner of Spokes Bike Shop
Michele Ukleja, Citizen
Town Staff:
Brett Walker, Associate Planner
Josh Olhava, Associate Planner
John Effinger, Civil Engineer
Ken Kawamura, Town Forester
Wade Willis, Manager of Parks and Open Space

BOARD OF TRUSTEES

John Vasquez, Mayor
Myles Baker, District 1
Chris Morgan, District 2
Jeremy Rose, District 3
Kristie Melendez, District 4
Robert Bishop-Cotner, District 5
Ivan Adams, District 6

PARKS, RECREATION AND CULTURE ADVISORY BOARD

Ken Bennett
Shannan de Jesus
Rebecca Holder-Otte, Chair
Carlene Irion, School Rep
Charlie Pepin
Regan Price
Debbi Waltman

PARKS, RECREATION AND CULTURE STAFF

Melissa M. Chew, Director of Parks, Recreation & Culture
Tara Fotsch, Manager of Recreation
Carrie Knight, Manager of Art & Heritage
Wade Willis, Manager of Parks and Open Space

Town of Windsor Trails Master Plan

Update

5/2014

Introduction:

The Town of Windsor Trails Master Plan document is intended to serve as a supporting document for implementation of goals and visions identified in various Town adopted documents.

Department Mission Statement:

The mission of the Town of Windsor Parks, Recreation & Culture Department is to provide recreation and cultural opportunities for the entire community through quality programs, facilities, service and management of natural resources.

Town of Windsor Parks, Recreation, Trails and Open Lands Master Plan – 2007 Update:

Goal #4: Provide a trails plan for the Town of Windsor that accommodates a variety of trail users, requires participation by private developers for the development of the trails necessary to serve the development, takes advantage of Town-owned rights-of-way and easements, places a high priority on the Poudre River Trail, and respects the history of the area.

Strategic Plan:

Provide guidance for implementation of 2012-2014 Strategic Plan Vision, Goals and Priorities

Goals and Priorities:

1. Build Community Spirit and Pride
 - A. Increase the safe and secure feelings of Windsor residents
 - D. Encourage healthy, family-friendly neighborhoods
 - E. Promote a “One Windsor – One Community” philosophy
 - F. Provide for diverse and healthy lifestyle choices in leisure, cultural activities and recreation
4. Promote, Manage, and Facilitate an Effective Infrastructure System in Town and the Northern Colorado Region
 - A. Identify and address barriers to traffic flow
 - B. Support multiple forms of transportation

Other Guiding Documents:

NFRMPO Regional Bicycle Plan

Town of Timnath Trails Plan

History:

Windsor completed a trails master plan document in 2008. The development committee consisted of one Town Resident, one Parks and Recreation Board Member, two staff: Civil Engineer John Effinger and Parks and Opens Space Manager Wade Willis. The completed plan consisted of a matrix which created a priority ranking for development of infrastructure improvements to the trail system. The priority was then further refined to differentiate components that could be built by development through the development process versus components that would require funding. Along with the funding prioritization, a master plan map was generated as a communication tool for the development community.

Purpose of the Windsor Trails Master Plan Update committee:

Provide a connecting system of corridors that is safe and accessible for a variety of active transportation and recreational uses.

Goals:

- Safety
- Healthy
- Leisure
- Socialization
- Recreation
- Transportation

Means:

- Identifying missing links
- Evaluating system
- Envisioning future demands
- Proposing infrastructure standards

Process:

Pre-Meeting – November 1, 2013

Members attended Northern Colorado Trails Conference in Erie

Meeting 1 - December 17, 2013

Kick off meeting – common terminology and share individual goals

Meeting 2 - January 29, 2014

Generate mission statement and goals, establish work program

Meeting 3 - February 5, 2014

Tour of existing infrastructure, orientation meeting in the field

Meeting 4 - February 19, 2014

Matrix Development – Grading Standards for matrix

Meeting 5

Completed Matrix

Definitions:

The committee broke the system in to 6 different categories:

CL: Classification is a designation utilized to identify recommended section changes on the trail map. It could be changing a section of on-street trail to either reclassifying or adding a detached trail.

CR: Crossing is an area in the system where the committee has identified necessary improvements to a crossing. Improvements had included improving existing pedestrian crossing infrastructure or establishing a pedestrian crossing which may not currently exist.

EA: Easement is used to identify areas where an easement is necessary to complete a link in the trail system. It is important to note that EA may not always require action by Town Staff, but may identify an important link which may be established through the development process. In cases where development will not establish the link, Town Staff will need to work with existing property owners to affect the acquisition of the easement.

GS: Grade Separation identifies areas where a grade separated crossing is desired.

BW: Bridge Width recognizes bridge locations identified as a part of the existing trails system which do not have adequate shoulder for both pedestrian/ bike and vehicular travel.

EOSL: Existing On Street Lanes has been added in this process to evaluate the existing system as established on the Windsor Trail Map.

Criteria:

Each committee member completed a Matrix for each of the categories listed above. Each category was rated based on 10 different criteria:

- Traffic Safety
- Aesthetics
- Inter-Connecting
- Intra-Connecting
- Amount of Perceived or Current Use
- Transportation Uses
- Recreation Uses
- Visibility
- Conservation/Wildlife Value
- Urgency

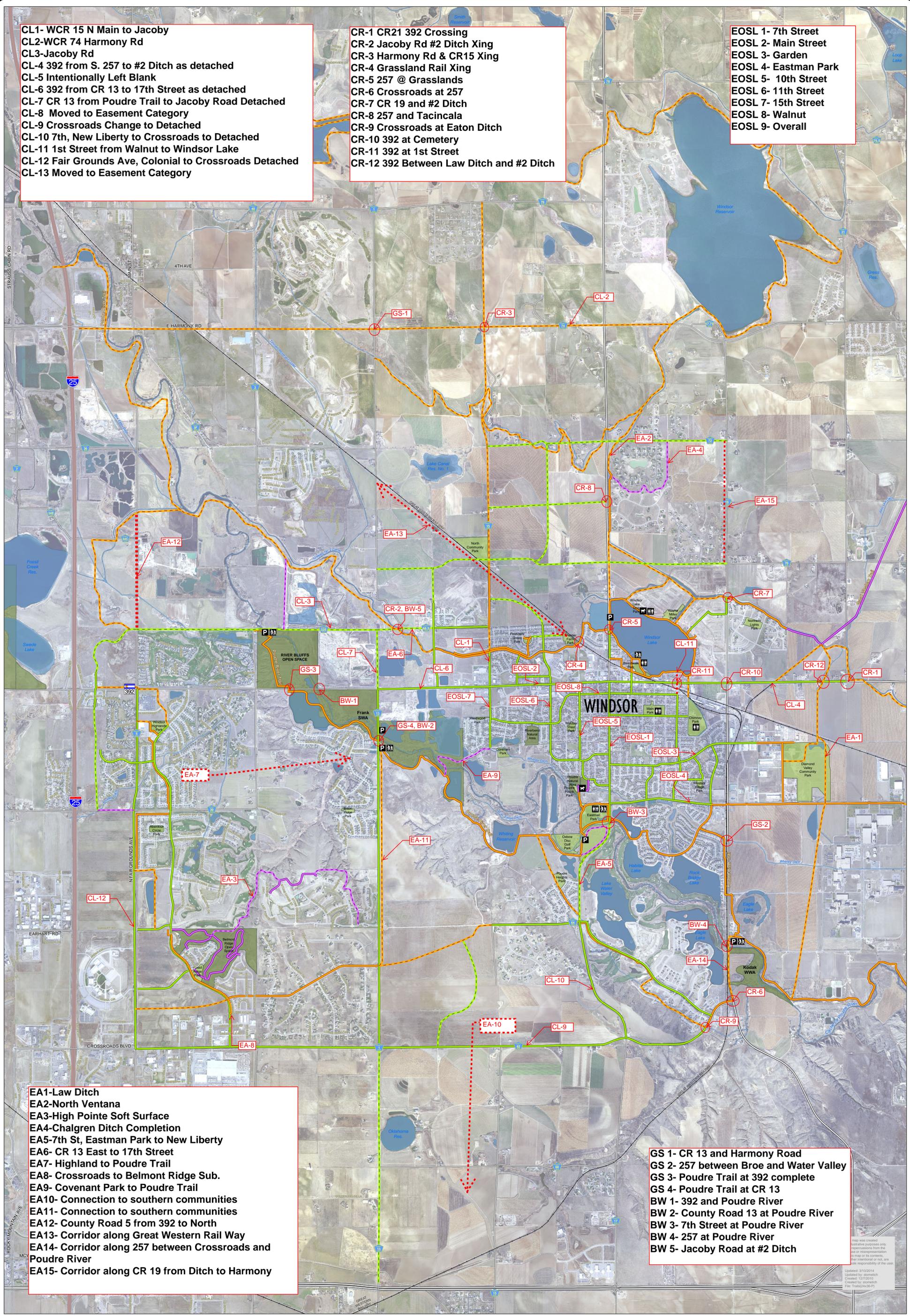
Summary:

Similar to the 2008 Trails Plan Update the committee has developed a recommendation for system improvements. Each committee member completed a Matrix evaluating the existing system. The matrix results were then combined and averaged to establish priorities for each category. Staff will use this prioritization for future budget and resource allocation. The intent of this Master Plan is to assist with guiding development of Town trail and pedestrian facilities into the future. While some improvements may be addressed by the Town, others will be addressed through the development review process and subsequent agreements. Though all of the members of this committee have identified themselves as active recreationists and trail enthusiasts which are interested in improving pedestrian access for the entire community, no member is a transportation planning expert. This committee recommends that any future updates to this plan should be completed as a part of a transportation plan which includes all modes of transportation.

CL1- WCR 15 N Main to Jacoby
 CL2-WCR 74 Harmony Rd
 CL3-Jacoby Rd
 CL4 392 from S. 257 to #2 Ditch as detached
 CL5 Intentionally Left Blank
 CL6 392 from CR 13 to 17th Street as detached
 CL7 CR 13 from Poudre Trail to Jacoby Road Detached
 CL8 Moved to Easement Category
 CL9 Crossroads Change to Detached
 CL10 7th, New Liberty to Crossroads to Detached
 CL11 1st Street from Walnut to Windsor Lake
 CL12 Fair Grounds Ave, Colonial to Crossroads Detached
 CL13 Moved to Easement Category

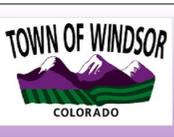
CR-1 CR21 392 Crossing
 CR-2 Jacoby Rd #2 Ditch Xing
 CR-3 Harmony Rd & CR15 Xing
 CR-4 Grassland Rail Xing
 CR-5 257 @ Grasslands
 CR-6 Crossroads at 257
 CR-7 CR 19 and #2 Ditch
 CR-8 257 and Tacinca
 CR-9 Crossroads at Eaton Ditch
 CR-10 392 at Cemetery
 CR-11 392 at 1st Street
 CR-12 392 Between Law Ditch and #2 Ditch

EOSL 1- 7th Street
 EOSL 2- Main Street
 EOSL 3- Garden
 EOSL 4- Eastman Park
 EOSL 5- 10th Street
 EOSL 6- 11th Street
 EOSL 7- 15th Street
 EOSL 8- Walnut
 EOSL 9- Overall



EA1-Law Ditch
 EA2-North Ventana
 EA3-High Pointe Soft Surface
 EA4-Chalgren Ditch Completion
 EA5-7th St, Eastman Park to New Liberty
 EA6- CR 13 East to 17th Street
 EA7- Highland to Poudre Trail
 EA8- Crossroads to Belmont Ridge Sub.
 EA9- Covenant Park to Poudre Trail
 EA10- Connection to southern communities
 EA11- Connection to southern communities
 EA12- County Road 5 from 392 to North
 EA13- Corridor along Great Western Rail Way
 EA14- Corridor along 257 between Crossroads and Poudre River
 EA15- Corridor along CR 19 from Ditch to Harmony

GS 1- CR 13 and Harmony Road
 GS 2- 257 between Broe and Water Valley
 GS 3- Poudre Trail at 392 complete
 GS 4- Poudre Trail at CR 13
 BW 1- 392 and Poudre River
 BW 2- County Road 13 at Poudre River
 BW 3- 7th Street at Poudre River
 BW 4- 257 at Poudre River
 BW 5- Jacoby Road at #2 Ditch



Trail System Master Plan

Trailhead	Parks	On-Street	Proposed On-Street
Parking	Open Spaces & Wildlife Areas	Off-Street Paved	Proposed Off-Street Paved
Restrooms*		Soft Surface	Proposed Soft Surface

*Subject to seasonal closure

0 0.25 0.5 1 Miles

1 inch = 1,750 feet
1:21,000

Map was created using geospatial data only. No responsibility for the use or misuse of the map or its contents is assumed by the Town of Windsor. All rights reserved. File: TrailsMap2014.mxd
 Updated: 3/10/2014
 Created by: geospatial
 Created on: 12/7/2010
 File: TrailsMap2010.mxd

Trail Master Planning Committee
Selection Criteria/Rating

5/1/14

Myles Baker
Ken Bennett
John Effinger
Ken Kawamura
Josh Ohava
David Roberts
Bill Sorring
Michele Ujheis
Brett Walker
Wade Willis
Average all weighted scores
Top Priority Each Category

CLASSIFICATION CHANGE	Myles Baker	Ken Bennett	John Effinger	Ken Kawamura	Josh Ohava	David Roberts	Bill Sorring	Michele Ujheis	Brett Walker	Wade Willis	Average all weighted scores	Top Priority Each Category
CL1- WCR 15 N Main to Jacoby	48	55	61	49	43	46	47	52	20	48	47	6
CL2-WCR 74 Harmony Rd	0	42	52	49	49	14	29	52	32	45	36	10
CL3-Jacoby Rd	57	42	60	66	53	43	57	60	38	64	54	1
CL-4 392 from S. 257 to #2 Ditch as detached	50	54	38	45	35	27	50	30	40	38	40	9
CL-5 Intentionally Left Blank											0	
CL-6 392 from CR 13 to 17th Street as detached	55	57	64	52	57	51	55	55	61	38	54	2
CL-7 CR 13 from Poudre Trail to Jacoby Road Detached	0	43	65	53	46	40	55	67	36	51	45	7
CL-8 Moved to Easement Category											0	
CL-9 Crossroads Change to Detached	55	48	63	59	55	47	55	34	49	64	53	3
CL-10 7th, New Liberty to Crossroads to Detached	49	45	55	49	43	51	48	52	44	55	49	5
CL-11 1st Street from Walnut to Windsor Lake	44	46	63	15	17	33	47	57	35	50	41	8
CL-12 Fair Grounds Ave, Colonial to Crossrds Detached	53	45	57	61	54	50	48	36	51	48	50	4
CROSSING IMPROVEMENTS												
CR-1 CR21 392 Crossing	38	57	52	26	27	28	50	48	40	57	42	5
CR-2 Jacoby Rd #2 Ditch Xing	0	50	63	43	41	34	53	40	44	42	41	6
CR-3 Harmony Rd & CR15 Xing	40	44	54	38	33	26	47	53	40	34	41	7
CR-4 Grassland Rail Xing											0	
CR-5 257 @ Grasslands	52	62	69	61	65	0	66	70	59	57	56	1
CR-6 Cross Roads at 257	59	57	53	42	40	34	59	37	34	41	45	4
CR-7 CR 19 and #2 Ditch	44	55	61	51	45	30	53	44	42	35	46	2
CR-8 257 and Tacinca	32	41	53	44	43	37	54	48	31	20	40	8
CR-9 Crossroads at Eaton Ditch	44	46	40	29	31	43	54	31	45	32	39	9
CR-10 392 at Cemetery	53	45	58	54	49	15	46	50	42	48	46	3
CR-11 392 at 1st Street	0	49	49	22	30	31	48	57	44	50	38	10
CR-12 392 Between Law Ditch and #2 Ditch	0	50	50	29	33	17	50	31	39	34	33	11
EASEMENT NEEDED												
EA1-Law Ditch	45	35	52	22	30	3	43	32	29	50	34	10
EA2-North Ventanna	37	37	41	28	35	2	45	48	26	41	34	11
EA3-High Pointe Soft Surface	36	0	54	43	40	5	46	44	30	26	32	13
EA4-Chalgren Ditch Completion	22	25	40	28	27	2	42	35	13	36	27	14
EA5-7th St, Eastman Park to New Liberty												
EA6- CR 13 East to 17th Street	57	45	64	65	54	4	55	63	40	60	50	3
EA7- Highland to Poudre Trail	62	70	62	36	43	6	66	75	46	69	53	2
EA8- Crossroads to Belmont Ridge Sub.	33	33	50	33	37	1	34	49	43	52	36	9
EA9- Covenant Park to Poudre Trail	52	50	68	63	65	7	46	72	41	65	53	1
EA10- Connection to southern communities	36	36	45	44	39	1	19	59	32	25	33	12
EA11- Connection to southern communities	60	52	60	60	54	0	19	56	61	25	45	5
EA12- County Road 5 from 392 to North	43	49	57	56	45	2	48	61	43	52	45	6
EA13- Corridor along Great Western Rail Way	52	46	52	36	47	3	53	37	34	35	39	7
EA14- Corridor along 257 between Crossroads and Poudre River	57	49	56	59	53	5	37	56	53	52	47	4
EA15- Corridor along CR 19 from Ditch to Harmony	0	48	54	54	59	4	44	41	39	43	38	8
GRADE SEPERATION DESIRED												
GS 1- CR 13 and Harmony Road	39	39	53	47	57	4	40	46	42	44	41	3
GS 2- 257 between Broe and Water Valley	14	57	63	49	49	1	38	54	53	56	43	2
GS 3- Poudre Trail at 392 complete											0	
GS 4- Poudre Trail at CR 13	0	57	70	68	67	3	61	64	48	62	50	1
BRIDGE WIDTH RIDER CONSTRAINT												
BW 1- 392 and Poudre River	0	47	64	63	64	51	52	36	42	59	48	3
BW 2- County Road 13 at Poudre River	0	50	62	66	66	48	57	62	42	60	51	2
BW 3- 7th Street at Poudre River	0	64	63	66	65	50	57	64	54	52	53	1
BW 4- 257 at Poudre River	0	52	60	66	65	24	46	63	42	49	47	5
BW 5- Jacoby Road at #2 Ditch	0	50	56	71	59	37	47	51	40	71	48	4
EXISTING ON STREET LANE FACILITIES												
EOSL 1- 7th Street	0	46	51	70	63	60	17	25	60	55	44	1
EOSL 2- Main Street	0	47	46	71	67	29	17	25	60	48	41	2
EOSL 3- Garden	0	35	51	65	49	50	17	20	46	53	38	4
EOSL 4- Eastman Park	0	33	48	69	62	49	17	23	52	53	40	3
EOSL 5- 10th Street	0	39	0	52	47	38	15	21	32	53	30	9
EOSL 6- 11th Street	0	39	51	61	55	48	15	25	39	53	38	5
EOSL 7- 15th Street	0	39	48	56	49	44	16	23	41	53	37	7
EOSL 8- Walnut	0	44	47	56	41	47	16	25	31	57	36	8
EOSL 9- Overall	0	47	47	46	45	46	26	25	47	57	38	6

CL: Reclassification is necessary to update map such as changing from off street to on street or adding a trail in an undeveloped area.
CR: Crossing is needed or improvements seem necessary
EA: An easement is needed
GS: Grade separation desired
BW: Bridge Width inadequate for both auto and pedestrian or bike users
EOSL: Existing On Street Lane, does it feel adequate as a user?

- "Accessibility" and "Practicality" have been changed to secondary classifications which will be evaluated at a later date.
- It was agreed the general category of "Safety" will be treated as a design criteria rather than an evaluation category.
- "Multi-use" was deleted as a category.
- Apply a rating of 0-7 for each category. 0=N/A or not important. 7=highly desirable or important.
- The spreadsheet has weighting factors built-in to the total score column. The factors are:
Traffic Safety = 2.0, Aesthetic = .5, Inter connecting = 1.5, Intra connecting = 1.25, Multi-surface = .75.
- Definitions: Within next 5 years
Traffic Safety-Does it decrease potential traffic-pedestrian conflicts
Aesthetic- Of the trail being evaluated
Interconnecting- Regional
Intra connecting- Community
Amount of usage-perceived demand
Transportation-used for commuting
Recreation-enjoyment
Visibility in regard to feeling safe
Multi-surface to be rated 1 or 5
Conservation-wildlife limited access without impact
Urgency (New) how quickly does it need to be accomplished

**Trail Master Planning Committee
Selection Criteria/Rating**

5/1/14

CLASSIFICATION CHANGE	<i>Myles Baker</i>	<i>Ken Bennett</i>	<i>John Effinger</i>	<i>Ken Kawamura</i>	<i>Josh Olhava</i>	<i>David Roberts</i>	<i>Bill Sortino</i>	<i>Michele Ukleja</i>	<i>Brett Walker</i>	<i>Wade Willis</i>	<i>Average all weighted scores</i>	<i>Top Priority Each Category</i>
CL1- WCR 15 N Main to Jacoby	48	55	61	49	43	46	47	52	20	48	47	6
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CL-4 392 from S. 257 to #2 Ditch as detached	50	54	38	45	35	27	50	30	40	38	40	9
CL-5 Intentionally Left Blank											0	
CL-6 392 from CR 13 to 17th Street as detached	55	57	64	52	57	51	55	55	61	38	54	2
CL-7 CR 13 from Poudre Trail to Jacoby Road Detached	0	43	65	53	46	40	55	67	36	51	45	7
CL-8 Moved to Easement Category											0	
CL-9 Crossroads Change to Detached	55	48	63	59	55	47	55	34	49	64	53	3
CL-10 7th, New Liberty to Crossroads to Detached	49	45	55	49	43	51	48	52	44	55	49	5
CL-11 1st Street from Walnut to Windsor Lake	44	46	63	15	17	33	47	57	35	50	41	8
CL-12 Fair Grounds Ave, Colonial to Crossrds Detached	53	45	57	61	54	50	48	36	51	48	50	4

CL: Reclassification is necessary to update map such as changing from off street to on street or adding a trail in an undeveloped area.

**Trail Master Planning Committee
Selection Criteria/Rating**

5/1/14

CROSSING IMPROVEMENTS	<i>Myles Baker</i>	<i>Ken Bennett</i>	<i>John Effinger</i>	<i>Ken Kawamura</i>	<i>Josh Olhava</i>	<i>David Roberts</i>	<i>Bill Sortino</i>	<i>Michele Ukleja</i>	<i>Brett Walker</i>	<i>Wade Willis</i>	<i>Average all weighted scores</i>	<i>Top Priority Each Category</i>
CR-1 CR21 392 Crossing	38	57	52	26	27	28	50	48	40	57	42	5
CR-2 Jacoby Rd #2 Ditch Xing	0	50	63	43	41	34	53	40	44	42	41	6
CR-3 Harmony Rd & CR15 Xing	40	44	54	38	33	26	47	53	40	34	41	7
CR-4 Grassland Rail Xing	0	0	51	0	0	38	60	0	34	0	18	12
CR-5 257 @ Grasslands	52	62	69	61	65	0	66	70	59	57	56	1
CR-6 Cross Roads at 257	59	57	53	42	40	34	59	37	34	41	45	4
CR-7 CR 19 and #2 Ditch	44	55	61	51	45	30	53	44	42	35	46	2
CR-8 257 and Tacincala	32	41	53	44	43	37	54	48	31	20	40	8
CR-9 Crossroads at Eaton Ditch	44	46	40	29	31	43	54	31	45	32	39	9
CR-10 392 at Cemetery	53	45	58	54	49	15	46	50	42	48	46	3
CR-11 392 at 1st Street	0	49	49	22	30	31	48	57	44	50	38	10
CR-12 392 Between Law Ditch and #2 Ditch	0	50	50	29	33	17	50	31	39	34	33	11

CR: Crossing is needed or improvements seem necessary

**Trail Master Planning Committee
Selection Criteria/Rating**

5/1/14

EASEMENT NEEDED	<i>Myles Baker</i>	<i>Ken Bennett</i>	<i>John Effinger</i>	<i>Ken Kawamura</i>	<i>Josh Olhava</i>	<i>David Roberts</i>	<i>Bill Sortino</i>	<i>Michele Ukleja</i>	<i>Brett Walker</i>	<i>Wade Willis</i>	<i>Average all weighted scores</i>	<i>Top Priority Each Category</i>
EA1-Law Ditch	45	35	52	22	30	3	43	32	29	50	34	10
EA2-North Ventanna	37	37	41	28	35	2	45	48	26	41	34	11
EA3-High Pointe Soft Surface	36	0	54	43	40	5	46	44	30	26	32	13
EA4-Chalgren Ditch Completion	22	25	40	28	27	2	42	35	13	36	27	14
EA5-7th St, Eastman Park to New Liberty- In Progress												
EA6- CR 13 East to 17th Street	57	45	64	65	54	4	55	63	40	60	50	3
EA7- Highland to Poudre Trail	62	70	62	36	43	6	66	75	46	69	53	2
EA8- Crossroads to Belmont Ridge Sub.	33	33	50	33	37	1	34	49	43	52	36	9
EA9- Covenant Park to Poudre Trail	52	50	68	63	65	7	46	72	41	65	53	1
EA10- Connection to southern communities	36	36	45	44	39	1	19	59	32	25	33	12
EA11- Connection to southern communities	60	52	60	60	54	0	19	56	61	25	45	5
EA12- County Road 5 from 392 to North	43	49	57	56	45	2	48	61	43	52	45	6
EA13- Corridor along Great Western Rail Way	52	46	52	36	47	3	53	37	34	35	39	7
EA14- Corridor along 257 between Crossroads and Poudre River	57	49	56	59	53	5	37	56	53	52	47	4
EA15- Corridor along CR 19 from Ditch to Harmony	0	48	54	54	59	4	44	41	39	43	38	8

EA: An easement is needed

**Trail Master Planning Committee
Selection Criteria/Rating**

5/1/14

GRADE SEPERATION DESIRED	<i>Myles Baker</i>	<i>Ken Bennett</i>	<i>John Effinger</i>	<i>Ken Kawamura</i>	<i>Josh Oihava</i>	<i>David Roberts</i>	<i>Bill Sortino</i>	<i>Michele UKleja</i>	<i>Brett Walker</i>	<i>Wade Willis</i>	<i>Average all weighted scores</i>	<i>Top Priority Each Category</i>
GS 1- CR 13 and Harmony Road	39	39	53	47	57	4	40	46	42	44	41	3
GS 2- 257 between Broe and Water Valley	14	57	63	49	49	1	38	54	53	56	43	2
GS 3- Poudre Trail at 392 complete											0	
GS 4- Poudre Trail at CR 13	0	57	70	68	67	3	61	64	48	62	50	1

GS: Grade separation desired

**Trail Master Planning Committee
Selection Criteria/Rating**

5/1/14

Myles Baker
Ken Bennett
John Effinger
Ken Kawamura
Josh Olhava
David Roberts
Bill Sortino
Michele Ukleja
Brett Walker
Wade Willis
Average all
weighted scores
Top Priority Each
Category

BRIDGE WIDTH RIDER CONSTRAINT												
BW 1- 392 and Poudre River	0	47	64	63	64	51	52	36	42	59	48	3
BW 2- County Road 13 at Poudre River	0	50	62	66	66	48	57	62	42	60	51	2
BW 3- 7th Street at Poudre River	0	64	63	66	65	50	57	64	54	52	53	1
BW 4- 257 at Poudre River	0	52	60	66	65	24	46	63	42	49	47	5
BW 5- Jacoby Road at #2 Ditch	0	50	56	71	59	37	47	51	40	71	48	4

BW: Bridge Width inadequate for both auto and pedestrian or bike users

**Trail Master Planning Committee
Selection Criteria/Rating**

5/1/14

	<i>Myles Baker</i>	<i>Ken Bennett</i>	<i>John Effinger</i>	<i>Ken Kawamura</i>	<i>Josh Olhava</i>	<i>David Roberts</i>	<i>Bill Sortino</i>	<i>Michele Ukleja</i>	<i>Brett Walker</i>	<i>Wade Willis</i>	<i>Average all</i>	<i>weighted s</i>	<i>Top</i>
EXISTING ON STREET LANE FACILITIES													
EOSL 1- 7th Street	0	46	51	70	63	60	17	25	60	55	44	1	
EOSL 2- Main Street	0	47	46	71	67	29	17	25	60	48	41	2	
EOSL 3- Garden	0	35	51	65	49	50	17	20	46	53	38	4	
EOSL 4- Eastman Park	0	33	48	69	62	49	17	23	52	53	40	3	
EOSL 5- 10th Street	0	39	0	52	47	38	15	21	32	53	30	9	
EOSL 6- 11th Street	0	39	51	61	55	48	15	25	39	53	38	5	
EOSL 7- 15th Street	0	39	48	56	49	44	16	23	41	53	37	7	
EOSL 8- Walnut	0	44	47	56	41	47	16	25	31	57	36	8	
EOSL 9- Overall	0	47	47	46	45	46	26	25	47	57	38	6	

EOSL: Existing On Street Lane, does it feel adequate as a user?



M E M O R A N D U M

Date: June 23, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
Re: Park Improvement Fund/ Park Impact Fees
Item #: 2.a.

Background / Discussion:

Ordinance 1997-977 first established both neighborhood and community park impact fees for the Town of Windsor.

Ordinance 2004-1190 updated fees for neighborhood as well as community parks, tied an annual increase to the CPI, and required developers to build neighborhood parks and then qualify for reimbursement. Neighborhood park impact fees were split, with 50% being set aside for development and the other 50% for reimbursements. No developers ever were in the correct timing of the cycle to build or be reimbursed for a park under this scenario.

Ordinance 2011–1415 removed the requirement for developers to build parks, thus allowing reserve funds to be utilized for completion of several neighborhood park projects. Four parks – Brunner Farm, Bison Ridge, Northern Lights and Poudre Heights were designed and completed in the following two years. Additionally, Coyote Gulch has been designed in 2014.

In examining similar impact fees in other communities nearby, Windsor’s costs are relatively comparable. However, the fee portion allocated to community parks is very low, thus it takes many years to accumulate funds to build these parks, which have more expensive, and extensive, amenities. Some communities do not separate community vs neighborhood, but utilize the funds through a priority system for all types of parks. Others incorporate trail impact fees and recreation impact fees.

At this time, the remaining projects are not time sensitive. Below is a summary in order of priority (priority determined by percent build out) for the Park Improvement Fund (PIF).

Neighborhood Parks	Community Parks
Coyote Gulch Park – anticipated 2015	Diamond Valley
Windshire Park – will be developer built under separate agreement	Eastman (south of river)
Wayne Miller Park – currently limited access; neighborhood can access Northern Lights Park and Boardwalk Park	North Windsor (linked to Tacincala development)
Jacoby Farm Park – private life estate; currently rented	Water Valley West/Raindance (unconfirmed - discussions with developer)

Financial Impact:

See attached three year history of the Park Improvement Fund and projects. As a “placeholder” for potential development, we have utilized \$170,000 per acre, updated once design and projected construction costs are completed. This has proven to be fairly accurate as an average.

Relationship to Strategic Plan:

Goal 1: Build Community Spirit and Pride

Recommendation:

For discussion only.

Attachments:

- b. PIF Three Year History
- c. Park Impact Fees recent history
- d. Ordinance 2011-1415

Park Improvement Fund			Neighborhood	Community	LCOS	Cash in Lieu	Interest	Fund Bal
Actual Fund Balance 12/31/2011			1,750,395	370,282	217,899	146,800	9,000	2,494,376
2012 Revenue			1,335,365	488,428	106,929		604	1,931,326
2012 Expense								
	Eastman Pk signs			(11,182)				
	Brunner Farm Pk		(419,533)					
	Stonehenge		(30,000)					
	Bison Ridge		(411,015)		(50,000)			
	Poudre Heights		(952,804)					
	Northern Lights Pk		(23,271)					
	Diamond Vly			(288,498)				
	Three Bells moved to 2013				-			
	Regional Stewardship Study				(500)			
	Poudre Tr \$10K & Admin Transfer		(76,914)		(9,000)			(2,272,717)
Audited Fund Balance 12/31/2012			1,172,223	559,029	265,328	146,800	9,605	2,152,985
2013 Revenue			1,025,200	456,727	122,170		353	1,604,450
2013 Expense								
	Northern Lights Pk Development		(894,832)					
	Eastman Pk Multipurpose Court			(49,093)				
	Stonehenge payment		(30,000)					Maybe LCOS
	Windsor Highland Connection				(2,585)			
	Windsor Trail at PVREA				(121,148)			
	Three Bells Trail							
	OLOF Regional Study				(5,000)			
	BROE Trail Easement							
	Poudre Tr \$10K & Admin Transfer		(24,246)		(9,000)			(1,135,904)
Estimated Fund Balance 12/31/2013			1,248,345	966,664	249,765	146,800	9,958	2,621,531
2014 Revenue			372,328	239,560	124,825		265	736,978
2014 Expense								
	Stonehenge payment (final)		(20,000)					
	Three Bells Trail							
	BROE Trail Easement					(5,000)		
	Kyger Pit transfer (75% NP, 25% CP)		(468,750)	(156,250)				
	Windsor West Connection				(50,000)			
	Fossil Belmont Pk Design		(40,000)					
	Poudre Tr \$10K & Admin Transfer		(25,601)		(9,000)			(774,601)
Estimated Fund Balance 2014			1,066,322	1,049,974	315,591	141,800	10,223	2,583,909

Parks and Recreation

2014 Park Impact Fees and Park Development Costs

FEES IN LIEU FOR LAND

Year*	Cash Fee In Lieu Amount
2005	\$40,000
2006	\$40,000
2007	\$41,360
2008	\$42,601
2009	\$43,879
2010	\$44,146
2011	\$44,588
2012	\$46,282
2013	\$47,069
2014	\$48,434

PARK IMPACT FEES (FROM BLDG. PERMITS)

Year*	Community Park Impact Fee	Neighborhood Park Impact Fee
2005	\$994	\$2,942
2006	\$994	\$2,942
2007	\$1,028	\$3,042
2008	\$1,059	\$3,133
2009	\$1,090	\$3,227
2010	\$1,097	\$3,247
2011	\$1,108	\$3,279
2012	\$1,150	\$3,404
2013	\$1,170	\$3,462
2014	\$1,204	\$3,562

TOWN OF WINDSOR

ORDINANCE NO. 2011-1415

AN ORDINANCE REPEALING, AMENDING, AND RE-ADOPTING CHAPTER 18, ARTICLE I OF THE WINDSOR MUNICIPAL CODE WITH RESPECT TO THE IMPOSITION, COLLECTION AND DISPOSITION OF PARK IMPROVEMENT FEES PAID IN CONJUNCTION WITH THE DEVELOPMENT OF LAND WITHIN THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town of Windsor is a Colorado home rule municipality, with all powers and authority provided by Colorado law; and

WHEREAS, the Town's neighborhood and community parks are valuable community assets, the demand for which is driven largely by the development of land for residential uses; and

WHEREAS, the Town Board adopted Ordinance No. 2004-1190 in August, 2004, under which a system of fees was established to assure that residential development paid a portion of the cost of acquiring land and building parks within the Town; and

WHEREAS, the provisions of Ordinance No. 2004-1190 have been codified in Chapter 18, Article I of the Windsor Municipal Code ("Park Improvement Fee Ordinance"); and

WHEREAS, the Park Improvement Fee Ordinance requires land developers to dedicate land or pay fees in lieu of land dedication for the location of neighborhood parks; and

WHEREAS, the Park Improvement Fee Ordinance also requires that developers construct neighborhood parks or pay to the Town a fee in lieu of neighborhood park construction; and

WHEREAS, the Park Improvement Fee Ordinance further requires the payment of a Neighborhood Park Development Fee by each person who receives a residential building permit, fifty percent (50%) of which is set aside to reimburse developers for neighborhood parks built by such developers or to reimburse developers for fees paid in lieu of neighborhood parks construction; and

WHEREAS, the Neighborhood Park Development Fee Fund has accumulated a balance over time, but has not been used to reimburse any developer, for the reason that no developer has either built a neighborhood park or paid a fee in lieu of neighborhood park construction; and

WHEREAS, the Neighborhood Park Development Fee was clearly intended for the construction of neighborhood parks, with the assumption that developers would build neighborhood parks (or pay fees in lieu of neighborhood park construction), thus entitling them to reimbursements from the Neighborhood Park Development Fee Fund; and

WHEREAS, the absence of any reimbursable claims for Neighborhood Park Development Fee Funds, coupled with the corollary fact that neighborhood parks are not being built as expected through the land development process, leaves the Town with both an unused financial resource and a need for neighborhood park construction; and

WHEREAS, the Director of Parks and Recreation has recommended that the existing funds in the Neighborhood Park Development Fee Fund be released from the constraints of the Park Improvement Fee Ordinance, and dedicated to defraying the Town’s costs for construction of neighborhood parks; and

WHEREAS, the Town Board has reviewed the matter and concluded that an amendment of the Park Improvement Fee Ordinance is necessary to release the Neighborhood Park Development Fee Fund from its existing constraints, in order that the Town may begin to construct neighborhood parks in keeping with its existing Parks Master Plan; and

WHEREAS, the Town Board finds that no person or entity will be harmed by the within amendment to the Park Improvement Fee Ordinance, as no person or entity is legally entitled to reimbursement from the Neighborhood Park Improvement Fee Fund; and

WHEREAS, the Town Board finds that, by releasing the Neighborhood Park Development Fee Fund from the constraints of the Park Improvement Fee Ordinance, the Town’s objectives for construction of neighborhood parks will be better-achieved; and

WHEREAS, the Town Board recognizes that the funds represented by the Neighborhood Park Development Fee Fund will not solve all funding issues for the construction of neighborhood parks within the Town, and resolves to continue examining the funding resources available; and

WHEREAS, the Town Board finds that fee structure set forth in the within Ordinance is supported by the studies, master plans and experience of the Town both prior to and following the adoption of the Park Improvement Fee Ordinance, which studies, master plans and experience are incorporated herein by this reference as if set forth fully; and

WHEREAS, to the extent such incorporation is necessary to support the within Ordinance, the Town Board incorporates the Recitals contained within Ordinance No. 2004-1190 herein by this reference as if set forth fully.

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

Section 1. Article I of Chapter 18 of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

ARTICLE I
Park Fees, Dedications, Reservations

Sec. 18-1-10. Purpose and intent.

(a) The provisions of this Article are intended to set forth certain land dedication requirements and development fees for the purpose of fulfilling additional capital requirements with regard to parks, reflective of the Town's projected population increases. The land dedication requirements shall be part of the approval of any new subdivision of land within the Town that results in the creation of lots for residential dwelling units.

(b) The land dedication requirements and the imposition of development fees herein are intended to regulate the use and development of land by ensuring that new growth and development in the Town bears a proportionate share of the cost of capital expenditures necessary to provide for the capital improvement of parks. Said land dedication requirements and fees shall not be used to collect more than is necessary to fund such capital improvements. The land dedication requirements and development fees provided for in this Article are based upon the following documents, together with such other evidence considered by the Town Board in the adoption of this Article:

(1) The Town of Windsor Parks, Recreation, Trails and Open Lands Master Plan, dated November 2003, and adopted by the Town Board on November 10, 2003; and

(2) The Town of Windsor Park Impact Fee Study, dated May 2004, including the analysis and projection of the costs of park construction, prepared by GreenPlay LLC and adopted by the Town Board contemporaneously with the adoption of this Article.

(c) Dedicated lands and funds collected pursuant to this Article shall not be used to remedy existing deficiencies, but only to provide new capital improvements necessitated by new development. The dedicated land and amount of revenue generated shall not exceed the cost of providing the capital improvements for which they are imposed, and the same shall be expended solely to provide the specified capital improvements. The Town Board finds that, based upon the foregoing documentation, an adequate, justifiable and reasonable basis exists upon which to require the dedication of land and to assess the fees established by this Article.

Sec. 18-1-20. Definitions.

When used in this Article, the following words and terms shall have the following meanings:

Capital facilities shall mean the purchase or long-term lease or lease purchase of real property, the construction of public facilities, or the purchase or long-term lease or lease/purchase of equipment or materials needed to facilitate the operation of such facilities or the delivery of services therefrom. Such facilities shall be directly related to services that the Town is authorized by charter or state law to provide. The useful life of such facilities shall in each instance exceed five (5) years.

Community parks shall mean parks within the benefit area, including Eastman Park, Chimney Park and Diamond Valley Sports Complex, and all other community parks identified in the Town of Windsor Parks, Recreation, Trails and Open Lands Master Plan and subsequent amendments thereto.

Complete application means an application wherein all of the required information and submittal materials in the particulars required by this Code have been submitted to and received by the Town department or official specified in this Code, and the zoning officer of the Town, or his or her designee, has certified the application as complete.

Development shall mean any construction of a new residential dwelling unit, any improvement or expansion of an existing structure that creates a new residential dwelling unit, or any change in the use of land that creates a new residential dwelling unit.

Developed neighborhood park shall mean a park constructed to by the Town to its standards, and including the infrastructure facilities, equipment and improvements as defined in the Park Impact Fee Study.

Level of service shall mean a measure of the relationship between service capacity and service demand for capital facilities.

Neighborhood parks shall mean all parks within the benefit area other than community parks, identified in the Town of Windsor Parks, Recreation, Trails and Open Lands Master Plan. *Neighborhood parks* shall include open space and conservation easements that serve the purpose of providing neighborhood recreational areas consistent with the intent of the Town of Windsor Parks, Recreation, Trails and Open Lands Master Plan.

Residential dwelling unit shall mean any housing facility in the Town, but shall not include any commercial enterprise such as a hotel, motel, inn or nursing home designed for lease as a transient residence.

Sec. 18-1-30. Benefit areas and expenditures.

(a) The Town Board finds and determines that all new development in the Town will benefit from the neighborhood parks and community parks to be developed hereunder; therefore, the boundaries of the area to be benefited by such capital facilities are hereby determined to be identical to the boundaries of the Town, as those boundaries may be expanded or modified from time to time.

(b) All fee revenue generated under this Article shall be used only to acquire, construct, improve or expand capital facilities within the Town or within the Town's urban growth boundary, as may be permitted by law.

Sec. 18-1-40. Neighborhood park land dedication.

Any new development proposal for the subdivision of land resulting in the creation of new residential dwelling units in the Town shall require the property owner to dedicate land for the purpose of a neighborhood park in accordance with the requirements of this Article.

Sec. 18-1-50. Description of land acceptable for dedication.

(a) The Town of Windsor Parks, Recreation, Trails and Open Lands Master Plan shall guide the location of neighborhood parks. The location of neighborhood parks shall generally conform to said Master Plan. The land to be dedicated and any developed neighborhood park to be constructed pursuant to this Article shall be subject to approval by the Town Board after review and recommendation by the Parks and Recreation Advisory Board.

(b) Whenever a development proposal includes any part of a trail or open lands or other recreation area as designated in the Windsor Parks, Recreation, Trails and Open Lands Master Plan, the Town may, in addition to the requirements set forth in this Article, require the conveyance of adequate land for trails, open lands or other recreation areas as may be reasonable and proportionate to the impact of the development proposal. Nothing herein shall be deemed to preclude the Town from providing credits against the land dedication or payment-in-lieu-of-land-dedication requirements set forth herein for the dedication of lands, open space, conservation easements or other recreational areas as may be appropriate.

Sec. 18-1-60. Required dedication.

Based upon the examination of relevant population, census and recreational use data referred to in this Article or otherwise compiled by the Parks and Recreation Advisory Board, the Town Board finds and determines that the dedication of neighborhood park land shall be dedicated at the ratio of .0055 acres per resident of the projected development. Based upon the foregoing, the Town Board further finds and determines that the number of residents shall be computed as 2.73 per residential dwelling unit.

Sec. 18-1-70. Payment in lieu of land dedication.

(a) The Town may find and determine that, for reasons of topography, proximity of other recreational facilities or for other reasons unique to the property proposed to be developed, the dedication of neighborhood park land is not advisable within the subject property. Should such a determination be made, cash in lieu of dedication shall be required. In accordance with the terms of this Article, the cash-in-lieu required to be paid hereunder shall be segregated by the Town and shall be used for the exclusive purpose of acquiring land for neighborhood parks in general compliance with the Windsor Parks, Recreation, Trails and Open Lands Master Plan.

(b) Based upon the compilation of real estate sales and acquisition data and the analysis thereof by the Parks and Recreation Advisory Board, and the data set forth in the documents referenced in this Article and relied upon by the Town Board in the adoption of this Article, the Town Board finds and determines that the value of neighborhood park land is forty thousand dollars (\$40,000.00) per acre. The amount of payment as cash in lieu of land dedication shall initially be established at forty thousand dollars (\$40,000.00) per acre, times the number of acres that would otherwise be dedicated to the Town under the land dedication provisions of this Article.

Sec. 18-1-80. Neighborhood Park Development Fee.

(a) There is hereby established a Neighborhood Park Development Fee, which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital facilities related to the provision of developed neighborhood parks. All fees collected shall be expended for the construction of developed neighborhood parks. This Neighborhood Park Development Fee is designed to address the need for such capital facilities brought about by development and is separate and distinct from the impact fees otherwise addressed by this Article and other provisions of this Code. Such fee shall be payable prior to the issuance of any building permit and shall be established as three-thousand two-hundred seventy-nine dollars (3,279.00) per residential dwelling unit.

(b) No Neighborhood Park Development Fee funds shall be used for the maintenance, improvement or redevelopment of existing developed neighborhood parks. These fees shall be segregated, credited and deposited into a special fund and shall not be transferred therefrom except to pay for the expenses directly attributable to the development of neighborhood parks as addressed herein. These fees shall not be used for general or other governmental or proprietary purposes of the Town except to pay for the equitable share of the cost of accounting and management thereof.

(c) Commencing with Fiscal Year 2012, the Town Board shall annually appropriate all revenues accumulated heretofore in the Neighborhood Park Development Fee fund and in the future accumulated in the Neighborhood Park Development Fee fund for the construction of developed neighborhood parks in general compliance with the Windsor Parks, Recreation, Trails and Open Lands Master Plan.

Sec. 18-1-90. Community Park Development Fee.

(a) There is hereby established a Community Park Development Fee, which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital facilities related to the provision of community parks. All fees collected shall be expended for the construction of developed community parks. This Community Park Development Fee is designed to address the need for such capital facilities brought about by development and is separate and distinct from the impact fees otherwise addressed by this Article and other provisions of this Code. Such fee shall be payable prior to the issuance of any building permit and shall initially be established as one-thousand seventy-nine dollars (\$1079.00) per residential dwelling unit.

(b) No Community Park Development Fee funds shall be used for the maintenance, improvement or redevelopment of existing developed community parks. These fees shall be segregated, credited and deposited into a special fund and shall not be transferred therefrom except to pay for the expenses directly attributable to the development of community parks as addressed herein. These fees shall not be used for general or other governmental or proprietary purposes of the Town except to pay for the equitable share of the cost of accounting and management thereof.

Sec. 18-1-100. Unpaid charges constitute lien.

Any unpaid fee shall constitute a lien upon each lot or parcel of land within a development from the due date thereof. In the event such a fee is not paid when due, in addition to any other means provided by law, the Town Clerk shall certify

such delinquent charges to the Treasurer of the county or counties in which the development is located, and the fee shall be collected in the same manner as though it were part of the taxes on the property. The Town reserves the right to withhold or revoke any permit, certificate or other approval of an applicant or obligor of the fee, or other approvals to any applicant who is delinquent in the payment of the fee.

Sec. 18-1-110. Entitlement to refunds.

(a) All fees collected pursuant to this Article shall be expended by the Town for purposes approved herein within ten (10) years of the date of payment. Any fee not so expended shall be refunded, upon application, to the record owner of the property for which the fee was paid, or if the fee was paid by another governmental entity, to such governmental entity, together with interest calculated from the date of collection to the date of refund; provided, however, that the Town shall retain an additional two percent (2%) of the fee to offset the cost of refund.

(b) Any application for a refund under the provisions of this Article shall be made within one hundred eighty (180) days of the expiration of the ten-year period following the date of payment of such fee in accordance with the procedures hereinafter set forth. If a refund is due hereunder, the amount of such refund shall be divided proportionately among all applicants for refunds who have filed applications during said one-hundred-eighty-day period; provided, however, that in no event shall the amount of any refund exceed the amount of the fee paid on behalf of the property for which the refund is sought, plus interest at the rate of five percent (5%) per annum.

Sec. 18-1-120. Procedure to obtain refund.

(a) All applications for refund under this Article shall be submitted to the Town Manager. Each application shall be in a form established by the Town Manager and shall contain the following:

- (1) A copy of the dated receipt issued for payment of the fee;
- (2) A notarized, sworn statement that the applicant is the current owner of the real property for which the fee was paid; and
- (3) A certified copy of the current deed to such property.

(b) The Town Manager shall determine within five (5) working days whether or not the application for a refund is sufficient on its face. If the Town Manager determines that the application is not sufficient, a written notice shall be mailed to

the applicant within said period, specifying the deficiencies. No further action shall be taken on the application unless the deficiencies are remedied. Any deficiencies must be remedied within twenty (20) days of the date of mailing of the notice from the Town Manager, or prior to the expiration of the period of time for filing an application for a refund, whichever is later. If the application is determined to be sufficient, the Town Manager shall notify the applicant, in writing, that the application is ready for review pursuant to the procedures and standards of this Article

(c) Within ten (10) working days after the application is determined sufficient, the Town Manager shall determine whether the Town has expended the fee paid by the fee payer within the period required under this Article. If so, the application for refund shall be denied. If not, the applicant shall be entitled to a refund, except that the Town shall retain an additional two percent (2%) of the fee to offset the cost of administering the refund.

(d) The decision of the Town Manager with regard to any refund shall be final.

Sec. 18-1-130. Annual adjustment of fees, costs and land valuation.

The fees, costs and land valuations established by this Article shall be adjusted annually to reflect the effects of inflation. Commencing on January 1, 2012, and on January 1 of each following year, unless the fees, costs or land valuations herein established are otherwise revised or replaced, such amounts set forth in this Article shall be adjusted for inflation based upon the Denver-Boulder Consumer Price Index. Such adjustments shall become effective immediately upon calculation by the Town and shall not require additional action by the Town Board to become effective.

Sec. 18-1-140. Application of Article.

This Article shall apply to all complete applications for development and complete building permit applications received after the effective date of the ordinance codified herein. Until the within Ordinance takes effect, the provisions of Ordinance No. 2004-1190 shall remain in full force and effect.

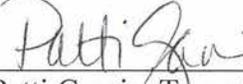
Section 2. The Town Manager shall implement the within Ordinance through such policies and practices as may give it full effect.

Introduced, passed on first reading, and ordered published this 8th day of August, 2011.

TOWN OF WINDSOR, COLORADO

By 
John S. Vazquez, Mayor

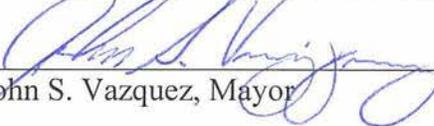
ATTEST:


Patti Garcia, Town Clerk

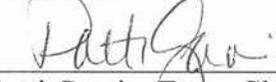


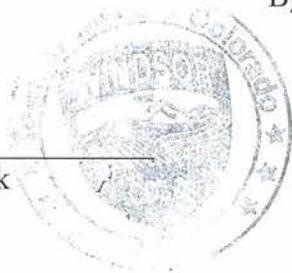
Introduced, passed on second reading, and ordered published this 22nd day of August, 2011.

TOWN OF WINDSOR, COLORADO

By 
John S. Vazquez, Mayor

ATTEST:


Patti Garcia, Town Clerk





MEMORANDUM

Date: June 23, 2014
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Dean Moyer, Director of Finance and IT
Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture
Re: Larimer County Open Lands – Help Preserve Open Space Tax
Item #: 3.a.

Background / Discussion:

County staff and the Trust for Public Land (TPL) have been working on looking at the future of the HPOS tax at the direction of the Board of County Commissioners. Our current tax, from which you all benefit for the purposes of open space, parks, habitat and trails is scheduled to sunset in 2018. A copy of the HPOS tax language is attached for your reference.

Per the current language, the County can receive between 35-45% of the tax, and the cities receive no less than 55% of the tax and monies are allocated to you based on population or sales tax revenue generated - which ever benefits each city the most. Currently, the County receives 42% and the cities split 58%. See the attached most recent sales tax revenue report.

A committee made up of County Natural resources staff, members from the County Open Lands Advisory Board, County Parks Advisory Board, Legacy Land Trust, and members of a citizens committee have been meeting over several months to assess the financial needs of Larimer County for future management of existing lands, as well as acquisition and management of new lands. TPL has recently completed a public opinion survey that also helps inform future direction. The results of this survey were shared with the Board of County Commissioners and the Open Lands Advisory Board on May 22.

As the result of a committee meeting on May 16, Larimer County communicates that there is a financial scenario that is gathering momentum that involves leveling the County/Cities split of the tax to 50/50 (from 42/58 mentioned above). This is a change from the scenarios they had been running, but so far it is the only one that meets the needs of current and future lands (in the current tax Larimer County is mandated to spend at least 70% on conservation of land), and allows the County to move development costs in to our management fund per citizen advocacy group request.

Financial Impact:

Attached is information about the current revenue splits and how the proposed changes would impact Windsor. If adopted, the proposed change would result in approximately \$17,000 less net revenue to the Town annually.

Relationship to Strategic Plan:

Goal 1: Build Community Spirit and Pride, G.

Recommendation:

The following meetings have been established for review of the proposals, and are open to the public:

- 7/16 5:30pm, Lake Estes Room in the County Courthouse 200 W Oak, Fort Collins - Larimer County Open Lands Advisory Board meeting to discuss municipal feedback and other questions/information pertaining to the two options. The Open Lands Board will take action on a final recommendation to the Board of County Commissioners (BOCC).
- 7/17 9:30am - BOCC work session to hear the report on municipal feedback, review discussion and recommendation from OLAB, and ask questions or request more information from staff.
- 7/22 9:00am or later - BOCC Legal Matters - County attorney will review ballot language for both proposed options and receive feedback and questions pertaining to the legality of the documents.
- 7/29 9:00am or later - BOCC Administrative Matters - BOCC will be asked for a final recommendation on one of the options and a resolution to extend the HPOS tax according to the proposed changes to the ballot language.

Larimer County Open Lands has asked for municipal feedback by July 11, 2014 in anticipation of these meetings.

Attachments:

- b. Larimer County Open Lands Tax Report – April 2014

OPEN SPACE SALES TAX ACTIVITY
County and Municipalities at 50/50

REVENUES:

SALES TAX	\$ 9,633,040.42
Correction	\$ (40.00)
MV USE TAX	\$ 809,041.16
BUILDING USE TAX	\$ 978,041.55
INTEREST	\$ 2,599.62
TOTAL REVENUE	\$ 11,422,682.75

EXPENDITURES:

PERSONNEL & OPERATING	\$ 35,227.81	\$ 35,227.81
PRIOR MONTH RESERVE TO DISTRIBUTE		\$ 35,227.81
NET REVENUE:	\$ 11,387,454.94	
DISTRIBUTED: Final 100%	\$ 11,387,454.94	
Municipal's Portion	\$ 5,693,727.47	
County's Portion	\$ 5,693,727.47	

DISTRIBUTION BASED ON NEW MUNICIPAL AGREEMENT:

DISTRIBUTION BASED ON POPULATION

2012 State of Colorado Statistics

	<u>2011 POPULATION</u>	<u>% OF INCORP AREA</u>	<u>REVENUE</u>
FORT COLLINS	146,573	61.45	\$ 3,498,942.27
LOVELAND	68,106	28.55	\$ 1,625,803.95
ESTES PARK	5,955	2.50	\$ 142,155.79
BERTHOUD	5,140	2.16	\$ 122,700.38
WELLINGTON	6,439	2.70	\$ 153,709.68
WINDSOR	4,769	2.00	\$ 113,843.99
JOHNSTOWN	730	0.31	\$ 17,426.32
TIMNATH	802	0.34	\$ 19,145.08
TOTAL INCORP.	238,514	100.00	\$ 5,693,727.47

DISTRIBUTION BASED ON SALES TAX GENERATION

2012 Colorado Department of Revenue Statistics

	<u>2011 GENERATION</u>	<u>% OF INCORP AREA SALES TAX</u>	<u>REVENUE</u>
FORT COLLINS	\$ 59,576,186	59.79	\$ 3,404,064.52
LOVELAND	\$ 30,594,194	30.69	\$ 1,747,521.89
ESTES PARK	\$ 4,975,804	4.99	\$ 284,307.52
BERTHOUD	\$ 775,136	0.78	\$ 44,289.73
WELLINGTON	\$ 652,556	0.65	\$ 37,285.75
WINDSOR	\$ 573,766	0.58	\$ 32,783.85
JOHNSTOWN	\$ 1,190,174	1.19	\$ 68,004.17
TIMNATH	\$ 1,310,873	1.32	\$ 74,900.67
TOTAL INCORP	\$ 99,648,689	99.99	\$ 5,693,158.10

DISTRIBUTION BASED ON HIGHEST YIELD TO INCORPORATED AREAS:

FORT COLLINS	\$ 3,498,942.27	57.70
LOVELAND	\$ 1,747,521.89	28.82
ESTES PARK	\$ 284,307.52	4.69
BERTHOUD	\$ 122,700.38	2.02
WELLINGTON	\$ 153,709.68	2.53
WINDSOR	\$ 113,843.99	1.88
JOHNSTOWN	\$ 68,004.17	1.12
TIMNATH	\$ 74,900.67	1.24
TOTAL INCORP	\$ 6,063,930.58	100.00

OPEN SPACE SALES TAX ACTIVITY
County and Municipalities at 50/50
SAMPLE

NEW DISTRIBUTION FOR MUNICIPAL AGREEMENT:

				Difference for Municipalities
FORT COLLINS	\$ 3,285,331.75			\$ (528,736.83)
LOVELAND	\$ 1,640,835.64			\$ (264,073.90)
ESTES PARK	\$ 266,950.54	Municipalities	50.00%	\$ (42,962.65)
BERTHOUD	\$ 115,209.52	County	50.00%	\$ (18,541.68)
WELLINGTON	\$ 144,325.70			\$ (23,227.60)
WINDSOR	\$ 106,893.81			\$ (17,203.35)
JOHNSTOWN	\$ 63,852.51			\$ (10,276.33)
TIMNATH	\$ 70,327.98			\$ (11,318.49)
TOTAL INCORP	<u>\$ 5,693,727.47</u>	\$ (916,340.81)		<u>\$ (916,340.82)</u>
TOTAL UNINCORP	<u>\$ 5,693,727.47</u>			
TOTAL	<u><u>\$ 11,387,454.94</u></u>			Open Space distribution would be increase by the difference