



City of Woodland Park City Council Agenda October 1, 2020 7:00 PM

The Woodland Park City Council is pleased to have residents of the community take time to attend City Council Meetings. Attendance and participation is encouraged. Individuals wishing to be heard during Public Hearing proceedings are encouraged to be prepared and will generally be limited to five (5) minutes in order to allow everyone the opportunity to be heard. **PUBLIC COMMENTS ARE EXPECTED TO BE CONSTRUCTIVE.** Questions raised on non-agenda items may be answered at a later date by letter in order to facilitate proper research.

**PLEASE SIGN IN TO SPEAK ON A PARTICULAR AGENDA
ITEM**

Written comments are welcome and should be given to the City Clerk prior to the start of the meeting. Written materials will not be accepted during regular agenda items in the interest of time.

Due to COVID -19 practices the City will be practicing social distancing and limiting the public to the first 17 people in attendance to include staff and Council in the City Council Chambers. We will have an over-flow room set-up in the Parks and Recreation Classroom where the Council Meeting will be broadcasted and another 17 individuals may attend, also practicing social distancing. Please wear a face covering.

1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

A. Presentation of Years of Service awards to Mark Mackel and Larry Watters.

Presenters: Public Works Director, Kip Wiley and City Engineer, Robyn Brown

B. Appointment of Jeff Smith from an Alternate Member of the Board of Review to a Permanent Member.

Presenter: City Clerk, Suzanne Leclercq

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

5. CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine business by the Council and will be enacted with a single motion and a single vote by roll call. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Calendar and considered separately.

A. Approval of the September 3, Special Meeting, September 10, Special Meeting and September 17, 2020 (not included in packet yet) Regular Council Meeting Minutes.

Presenter: City Clerk, Suzanne Leclercq

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

7. UNFINISHED BUSINESS

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

A. Consider first reading of Ordinance No. 1384, Series 2020, a request to extend the deadline for completion of the improvements to the existing U-Haul parking lot to June 30, 2021 located at 19251 E.

Highway 24 with a legal description of Lot 1, Aspen Acres as requested by Pete LaBarre, High Country Real Estate Holdings, LLC in the Community Commercial (CC) zone district, and schedule the public hearing for October 15, 2020. **(QJ)**

Presenter: Planning Director, Sally Riley

B. Consider Ordinance No.1383, Series 2020 amending portions of the Municipal Code to include Title 16 Mobile Homes; Title 18 Zoning, and Title 20 Flood Damage Prevention Regulations. The proposed code amendments are generally related to single-family dwelling units in the MFU and MFS zones and set the Public Hearing for November 5, 2020. **(L)**

Presenter: Planning Director, Sally Riley

9. PUBLIC HEARINGS

(Public comment may be heard)

A. Approval of a new Tavern Liquor License for 110 Reserve LLC, dba 110 Reserve LLC, located at 110 Midland Avenue, Woodland Park, Colorado 80866. **(QJ)**

Presenter: City Clerk, Suzanne Leclercq

10. NEW BUSINESS

(Public comment may be heard)

A. None

11. REPORTS

(Public comment not necessary)

- A.** Mayor's Report
- B.** Council Reports
- C.** City Attorney's Report
- D.** City Manager's Report

12. EXECUTIVE SESSION- None

ADJOURNMENT

****Per Ordinance No. 1363, Series 2020 posted on the City Website 09/24/2020**

Council Budget Work Session immediately following the Council Meeting.

(Public Comment will not be taken, comments may be submitted in advance to the City Clerk's Office)

- A.** 2021 Budget Discussion
 - 1. 25% Unrestricted Fund Balance
 - 2. Water tap fees & usage rates freeze for 2021
 - 3. Capital Projects
 - 4. WAC
 - 5. Staff Budget Impact Memos
 - 6. Other

**Woodland Park City Council
Council Chambers – City Hall
Special Meeting – Work Session
September 3, 2020**

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video.

1. ROLL CALL: Mayor Carr called the meeting to order at 7:00 PM.

- A.** The following members of Council were present: Mayor Carr, Mayor Pro-tem LaBarre, Kellie Case, Rusty Neal, Jim Pfaff, and Robert Zuluaga (via zoom).

The following Staff Members were also in attendance for this meeting:

City Manager Darrin Tangeman
Assist. City Manager/City Clerk Suzanne Leclercq
City Attorney Jason Meyers
Public Works Director Kip Wiley
Management Analyst Rob Felts
City Engineer Robyn Brown (via zoom)

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- B.** Report from CDOT Traffic Operations Manager – Pepper Whittlef

Pepper Whittlef from CDOT shared with the Council and staff their plans for new traffic signal timing, new traffic signals and new signs and road markings.

4. CONSENT CALENDAR

City Clerk Leclercq introduced the following items on the Consent Calendar.

- A.** Approval of the August 6, 2020 Regular City Council Meeting Minutes, August 13, 2020 Special City Council Meeting Minutes and the August 20, 2020 Regular City Council Meeting Minutes.
- B.** Approval of the City-wide Concrete Replacement Program Contract between the City of Woodland Park and First General Services in the amount of \$166,871.41.
- C.** Approval of the City-wide Asphalt Replacement Program Contract between the City of Woodland Park and Divide Asphalt, LLC in the amount of \$125,853.00.
- D.** Request for approval for construction services with Ross Electric-Enterprise, Inc. in the amount of \$407,400.00 to provide construction services for the Sunnywood Booster Pump Station Upgrade.

A correction was made to the Ross Electric-Enterprise Contract. The amount should have read (\$500) in text and in numbers. Correction noted.

MOTION: To approve the Consent Calendar as presented. Case/Carr. Motion carried 6-0.

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Elijah Murphy, local business owner shared his opposition to the City's Vendor Fee.

6. REPORTS

Mayor Carr and Councilmembers reviewed the upcoming events.

The time being 9:23 PM the following motions was made:

MOTION: To move into Executive Session for pursuant to C.R.S. Section 24-6-402(4) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; all regarding the Woodland Park Visitor's center. Case/Neal. Motion carried 6-0.

The Executive Session began at 9:32 PM with the following individuals in attendance. Mayor Val Carr, Mayor Pro-tem Hilary LaBarre, Councilmembers Kellie Case, Rusty Neal, Jim Pfaff, Robert Zuluaga (via Zoom), City Manager Darrin Tangeman, City Attorney Jason Meyers, City Clerk Suzanne Leclercq and Chamber of Commerce President Debbie Miller (via zoom).

Mayor Carr had the two participants appearing via zoom state that no-one else was in the room with them.

The Executive Session concluded at 10:45 PM.

The Public Meeting was opened and the following motion was made:

MOTION: To have the Staff bring more information to the Council regarding the Visitor Center. Carr/Pfaff. Motion carried 6-0.

ADJOURNMENT: The meeting adjourned at 10:48 PM.

Suzanne Leclercq MMC, City Clerk

APPROVED THIS _____ DAY OF _____, 2020

Val Carr, Mayor

**Woodland Park City Council
Council Chambers – City Hall
Special Meeting – Work Session
September 10, 2020**

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video.

1. ROLL CALL: Mayor Carr called the meeting to order at 6:00 PM.

A. The following members of Council were present: Mayor Carr, Mayor Pro-tem LaBarre, Kellie Case, Rusty Neal (via zoom), Jim Pfaff, and Robert Zuluaga.

The following Staff Members were also in attendance for this meeting:

City Manager Darrin Tangeman
Assist. City Manager/City Clerk Suzanne Leclercq
City Attorney Jason Meyers
Public Works Director Kip Wiley
Management Analyst Rob Felts

B. Council work-session held – moving forward 2021 budget.

The time being 7:59 PM the following motion was made:

MOTION: To move into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving; any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; and the following additional details are provided for identification purposes: Check-in with the City Manager including discussion of the ACM position Case/LaBarre. Motion carried 6-0.

The Executive Session began at 8:10 PM with the following individuals in attendance. Mayor Val Carr, Mayor Pro-tem Hilary LaBarre, Councilmembers Kellie Case, Rusty Neal (via zoom), Jim Pfaff, Robert Zuluaga, City Manager Darrin Tangeman and City Attorney Jason Meyers.

The Executive Session concluded at 10:12 PM.

The Public Meeting was opened.

ADJOURNMENT: The meeting adjourned at 10:13 PM.

Suzanne Leclercq MMC, City Clerk

APPROVED THIS _____ DAY OF _____, 2020

Val Carr, Mayor

**Woodland Park City Council
Council Chambers – City Hall
September 17, 2020 Council Meeting Minutes
7:00 PM**

If interested in viewing the corresponding video / discussion related to the subject below you can go to the City's YouTube page to view the video.

1. ROLL CALL

The following members of Council present were: Mayor Val Carr, Mayor Pro-Tem Hilary LaBarre, Councilmembers Kellie Case, Hilary LaBarre, Rusty Neal, Jim Pfaff and Robert Zuluaga.

The following Staff Members were also in attendance for this meeting were:

City Manager Darrin Tangeman	City Attorney Jason Meyers
Assistant City Manager/City Clerk Suzanne Leclercq	Police Chief Miles DeYoung
Management Analyst Rob Felts	
Finance Director Emily Katsimpalis	
Planning Director Sally Riley	
Public Works Director Kip Wiley	

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

A. Arts Month Proclamation and video.

City Clerk Leclercq introduced this proclamation on behalf of Andy Vick, Executive Director of the Cultural Office of the Pikes Peak region declaring October Arts Month. Leclercq shared a video presentation from Andy Vick and Mayor Carr read the proclamation into the record.

B. Creek Week Proclamation and video.

City Clerk Leclercq introduced Alli Schuch, Watershed Outreach Coordinator, Fountain Creek who appeared via zoom. Alli shared a video with the Council on Creek Week and Mayor Carr read the proclamation into the record.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:

5. CONSENT CALENDAR:

A. Approve August 2020 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof.

Finance Director Katsimpalis shared the August 2020 Expenditures with the Council and answered Council's questions.

MOTION: To approve August 2020 Statement of Expenditures and authorize the Mayor to sign Warrants in payment thereof. Zuluaga/Case. Motion carried 6-0.

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

David Buttery, former City Manager of Woodland Park, shared with Council that they should make sure that they review the Staff Report regarding the findings of the original VURC report.

Comments were made from Mayor Carr, Councilmember Neal and Councilmember Pfaff regarding the VURC report and the need to take it under advisement.

7. UNFINISHED BUSINESS:

- A.** Visitor Center discussion and guidance for the 2021 year.

Mayor Carr advised the Council that a 30 day notice needs to be given to the Chamber of Commerce regarding any changes or amendments that may be made to the current contract for the upcoming year.

At this time City Clerk Leclercq handed out ballots to the Council to vote on whether or not they wanted staff to do a RFP for the Visitor Center for the 2021 year.

Leclercq read the ballots into the record with all of the Council except Councilmember Case voting yes. 5-1.

8. ORDINANCE ON INITIAL POSTING:

- A.** Consider Ordinance No. 1383, Series 2020 amending portions of the Municipal Code to include Title 16 Mobile Homes; Title 18 Zoning, and Title 20 Flood Damage Prevention Regulations. The proposed code amendments are generally related to single-family dwelling units in the MFU and MFS zones and set the Public Hearing for October 1, 2020.

Planning Director Riley gave a brief overview of this Ordinance. It was decided that Council needed some further education on this Ordinance and that it be tabled to the October 1, 2020 Council Meeting with the Public Hearing set for November 5, 2020. Director Riley will sit down with Councilmembers that needed more detail on this Ordinance to help them understand the changes requested. Council will schedule individual appointments to meet with Riley for more detail.

MOTION: To table Ordinance No. 1382 on initial posting until the October 1, 2020 City Council Meeting. Carr/Pfaff. 6-0. Motion carried.

9. PUBLIC HEARINGS

Mayor Carr read the QJ announcement into the record.

- A.** Consider a 5-year extension of the Top of Paradise Amended Master Plan to August 4, 2025 for remaining area of 137.92 acres and generally located northeast of Thunder Ridge Drive and southeast of Majestic Parkway in the Suburban Residential (SR) zone as requested by Craig Nelson, Thunder Ridge Haven, LLC and Andrea Rodriguez, Paradise Estates, Inc. Representative.

Planning Director Riley reviewed this extension with the City Council. There being no comment from Council Mayor Carr opened up the Public Hearing for Public Comment.

Tom Johnston shared his concerns regarding fire safety for this area. Director Riley commented that fire mitigation has been considered for this property and is part of the extension plan.

MOTION: Consider a 5-year extension of the Top of Paradise Amended Master Plan to August 4, 2025 for remaining area of 137.92 acres and generally located northeast of Thunder Ridge Drive and southeast of Majestic Parkway in the Suburban Residential (SR) zone as requested by Craig Nelson, Thunder Ridge Haven, LLC and Andrea Rodriquez, Paradise Estates, Inc. Representative. Case/Neal. Motion carried 6-0.

9. NEW BUSINESS

A. None

10. REPORTS:

A. Mayor's Report:

Mayor Carr reviewed the upcoming events for the next two weeks. Mayor Carr also gave updates for the Historical Preservation Committee and PPACG.

Mayor Pro-tem LaBarre shared that there should be some kind of class for the public on property rights. LaBarre shared that there seems to be a lack of knowledge by the community as a whole.

B. Council Reports:

Councilmember Case shared that the City's Safety Committee and Keller Williams partnered in an electronics recycling day this past Saturday. Case reported that it was a very successful event and that 32,000 pounds of electronics were recycled.

Councilmember Neal gave an update of Main Street and Keep Woodland Park Beautiful.

Councilmember Pfaff shared his thoughts on Constitution Day.

Councilmember Zuluaga shared his thoughts on Constitution Day. Zuluaga also wanted to clarify an article in the Courier regarding COVID and the City. Zuluaga shared that the City of Woodland Park is made whole through the COVID process but the businesses are not. The businesses have been harmed and have suffered during COVID.

C. City Attorney Reports: None

D. City Managers Reports:

City Manager Tangeman reported that CVRF has received 16 applications to date and the first review of the application will be September 30.

Public Works Director Wiley reported that they have received one bid for the roof repair of City Hall in the amount of \$9,500.

11. EXECUTIVE SESSION: None

12. COMMENTS ON WRITTEN CORRESPONDENCE: None

13. ADJOURNMENT: 9:04 PM.

Suzanne Leclercq MMC, City Clerk

APPROVED THIS ____ DAY OF _____, 2020

Val Carr, Mayor



City of Woodland Park City Council Memo

Initial Posting: October 1, 2020, 7pm

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
8.A.	Planning	Sally Riley, AICP Planning Director

AGENDA ITEM

8.A. Consider first reading of Ordinance 1384, Series 2020, a request to extend the deadline for completion of the improvements to the existing U-Haul parking lot to June 30, 2021 located at 19251 E. Highway 24 with a legal description of Lot 1, Aspen Acres as requested by Pete LaBarre, High Country Real Estate Holdings, LLC in the Community Commercial (CC) zone district, and schedule the public hearing for October 15, 2020.

BACKGROUND

On September 9, 2020, the City of Woodland Park received a request from the property owner, Mr. Pete LaBarre to extend the deadline to complete improvements to the existing parking lot to June 30, 2021.

On May 16, 2019 the City Council approved Ordinance No. 1345, Series 2019 and granted a Conditional Use Permit for "18.09.090.F.6 Truck and Trailer Rental" use at 19251 E Hwy 24 in the Community Commercial (CC) zone with the following condition:

Improvements. *The property owner shall install all the following improvements within the specified time frame as follows:*

- a. *Existing Parking Lot Area. Prior to **December 31, 2019.***
 - i. *Repair existing asphalt surface (including repair broken edges, potholes, etc.);*
 - ii. *Restripe all parking spaces;*
 - iii. *Add handicap parking signage, 8' wide van-accessible aisle adjacent, and ramp to building; and*
 - iv. *Spaces 1 and 2 are not viable parking spaces and shall not be striped*

In Mr. LaBarre's application he states that, "The parking lot repair and striping delay is the result of the originally intended plan to bore through the parking lot, under highway 24, and through to the other side to accommodate the already city council approved plan for the storage complex directly across the street from the U-Haul property. The delay in this project is due to various COVID related activities, mainly in obtaining funding to begin construction of the storage business site."

Mr. LaBarre is anticipating to obtain funding within the next 90 days, however, asphalt is not available during the winter months. Therefore, paving and striping of the U-Haul parking lot should be completed by June 30, 2021. If the repairs are not completed within

this timeframe, then a condition has been added to Ordinance No. 1384 that voids and nullifies original Conditional Use Permit for truck and trailer rental use.

Pursuant to §18.39.050 all parking lots and vehicle accommodation areas are required to be properly maintained, in all respects, specifically, they shall be free of potholes, trash and parking space lines kept clearly visible and distinct.

PUBLIC NOTICES

Pursuant to Municipal Code Sections 18.57.050 and 18.72.060 and Charter Sections 7.6 and 15.7.b.1., a notice of the public hearing was published, a sign was posted, and letters were mailed to adjacent property owners; and

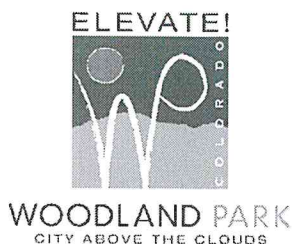
RECOMMENDATION

Move to approve Ordinance No. 1383 on initial posting and set the public hearing for October 15, 2020.

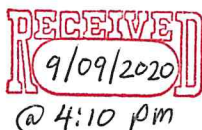
ATTACHMENTS

- Mr. LaBarre's application, narrative, map and property information
- Original CUP Ordinance No.1345 granted on May 17, 2019
- Comments from neighboring residents
- Ordinance No. 1384, Series 2020 regarding the extension to June 30, 2021

Please contact the Planning Department (687-5283) if you have any questions.



2020 GENERAL APPLICATION
(Revised 1/1/2020)



Project # 202009237
Case # CUP 2020-01
Fee(s): See City of Woodland Park
Fees Sheet (Plus publication/recording
fees, as applicable)

Type of Application (Check one or more as applicable)

- | | | |
|---|---|---|
| ☐ Site Plan Review Permitted Use | ☐ Special Use Permit | ☐ Preliminary Plat |
| ☐ Site Plan Review Conditional Use | ☐ Planned Unit Development (PUD) | ☐ Exemption Plat |
| ☐ Conditional Use Permit | ☐ PUD Amendment | ☐ Final Plat |
| ☐ Zoning Change | ☐ Appeal | ☐ Townhouse Plat |
| ☒ Extension of CUP or PUD | ☐ Variance | ☐ Condominium Plat |

1. Applicant Information

- a. Applicant Name Pete LaBarre
- b. Project Coordinator ☐ Property Owner ☒
- c. Mailing Address PO Box 771 Woodland Park, CO 80863
- d. E-mail Address c3pete0@aol.com
- e. Phone Numbers Home _____ Work _____ Mobile 719.502.7431

2. Property Owner Information (if different from above)

- a. Name Same Project Contact? Yes ☒ No ☐
- b. Mailing Address _____
- c. E-mail Address _____
- d. Phone Numbers Home _____ Work _____ Mobile _____

3. Site Information

- a. Site Address 19251 E Highway 24 Woodland Park, CO 80863
- b. Lot 1 Block _____ Subdivision Aspen Acres
- c. Property Zoning WPCC Lot Size 1.79 Acres ☒ Square Feet ☐

4. Project Information

- a. Project Name Woodland Park U-Haul
- b. Brief Description of Project/Request See Attached
- _____
- _____
- _____
- c. Project Narrative (On a separate sheet provide additional project details and how the proposal complies with the applicable code requirements, which can be found in Section 8 of this application.)

We are requesting an amend/extend deadline date as set forth in the Conditional Use Permit Approval, dated May 16, 2019, in reference to Section 1. Improvements - b. Existing Parking Lot Area, to June 30, 2021.

The parking lot repair and striping delay is a result of the originally intended plan to bore through the parking lot, under highway 24, and through to the other side to accommodate the already city council approved plan for the storage complex directly across the street from the U-Haul property. The delay in this project is due to various COVID related activities, mainly in obtaining funding to begin construction for the storage business site.

We are anticipating funding to occur within the next 90 days, however, asphalt is not available during the winter season. Therefore, paving and striping of the U- Haul parking lot should be completed by June 30, 2020.

6. Submittal Requirements

The following items must be included at time of submittal (in addition to items on the submittal checklists) or the application will not be processed (additional copies may be requested).

Type of Application	24" x 36" Plan Set	11" x 17" Plan Set	Adobe Acrobat Portable Document Format (.pdf) electronic Plan Set on a flash drive	Warranty Deed or Title Policy	List of adjoining property owners within 150'	Copies of reports (narrative, traffic study, drainage, etc.)
All Types	1	1	1	1	1	1

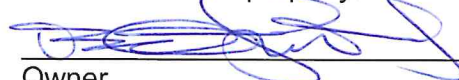
7. Applicable Code Sections

The following are the applicable code sections by type of application and are for assisting applicants in completing the required project narrative. The City of Woodland Park's Municipal Code can be found at www.city-woodlandpark.org/Charter&Code. Subdivision requirements are in Title 17 and Zoning is in Title 18 of the Municipal Code.

Type of Application	Applicable Code Sections
Site Plan Review Permitted Use	Chapters 18.34, 18.33 and 18.39
Site Plan Review Conditional Use	Chapters 18.34, 18.57, 18.33 and 18.39
Conditional Use Permit	Chapter 18.57 plus applicable site plan regulations
Zoning Change	There are no specific standards, but the applicant should provide supporting argument for a zoning change, including how it complies with the Comprehensive Plan
Special Use Permit	Chapter 18.61 plus applicable site plan regulations
Planned Unit Development	Chapters 18.30, 18.33, 18.39, Sections 17.20.070, and 17.20.080
Appeal	Chapter 18.54
Variance	Chapter 18.60
Preliminary Plat	Chapter 17.20 plus applicable subdivision sections
Exemption Plat	Section 17.52.030 plus applicable subdivision sections
Final Plat	Chapter 17.24 plus applicable subdivision sections
Townhouse Plat	Chapter 17.32 plus applicable subdivision sections
Condominium Plat	Chapter 17.32 plus applicable subdivision sections

8. Certification of Ownership

I (We) do hereby declare and affirm that I (we) am (are) the exclusive owner(s) and title holder(s) of the above described property.

➡  _____ 9 Sep 2020
Owner Date

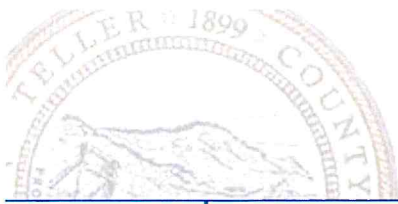
➡ _____
Owner Date

9. Certification:

The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

I certify that I understand that the proposed development is in accordance with all provisions of the City of Woodland Park's Municipal Code and other applicable regulations.

➡  _____ 9 Sep 2020
Applicant Date



Teller County Government

The Official Site For Teller County, Colorado

Property Records Database



Teller Home	County Offices	Contributing Offices	New Search	Mapping Application	Foreclosures
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Account Information (provided by Assessor)

Account No R0000860

Parcel Id 6031.302010010

2019 Values [Click for 2019 Notice of Value](#)

Actual \$215,742

Assessed \$62,570

Tax Dist 60

Acct Type Commercial

School Dist RE-2

Acres 1.7900

Map No. 3031-30

Owner HIGH COUNTRY REAL ESTATE

Name HOLDINGS LLC

Mailing 617 COUNTY RD 281

Address WOODLAND PARK, CO 80863

Physical 19251 E US 24

Address

Area ASPEN ACRES

Legal Description L1 + PT L2 AS DESC AT 274065 ASPEN ACRES INCL 30-12-69 PT NW4 AS DESC AT 342336



[Show Map](#) [Commercial Sales List](#)

Zoning Information (provided by Community Development Services Division for Questions call 719-687-3048)

Zoning WPCC

Land Information (provided by Assessor)

Land Type	Abst Code	Acres
Commercial	2130	1.7900
	TOTAL	1.7900

Building Information (provided by Assessor)

Building ID 1

Occupancy Restaurant

Style Restaurant

SQFT 2,422

Bed Rooms

Rooms 5

Abst code 2230

% Occ 100%

Baths

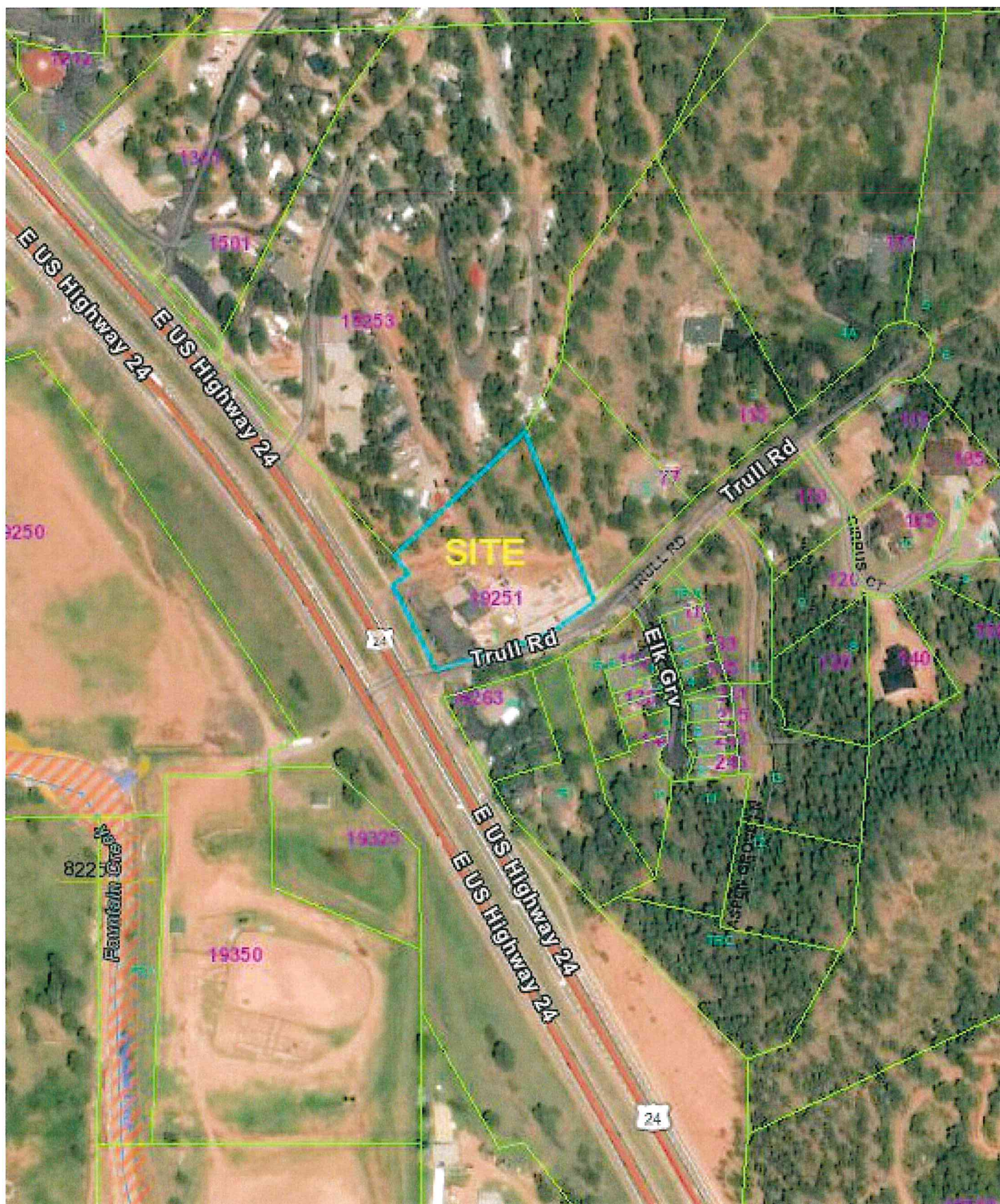
Stories 1

Year build 1953

Adj Yr Blt 1958

Remodeled 1999

% Remodeled 0%



CITY OF WOODLAND PARK ORDINANCE NO. 1345, SERIES 2019

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR "18.09.090.F.6 TRUCK AND TRAILER RENTAL" USE AT 19251 E HWY 24 (LOT 1, ASPEN ACRES)

WHEREAS, the City of Woodland Park has received a request for a Conditional Use Permit for "18.09.090.F.6 Truck and Trailer Rental" use at 19251 E Hwy 24 (Lot 1, Aspen Acres) (the Property) in the Community Commercial (CC) zone; and

WHEREAS, an application to establish said conditional use has been accepted and considered pursuant to Municipal Code Chapter 18.57; and

WHEREAS, pursuant to Municipal Code Sections 18.57.050 and 18.72.060 and Charter Sections 7.6 and 15.7.b.1., a notice of the public hearing was published, a sign was posted, and letters were mailed to adjacent property owners; and

WHEREAS, the Woodland Park Planning Commission considered the request on April 25 and May 7, 2019 and recommended approval based on evidence contained in the staff report and presented at public hearing; and

WHEREAS, City Council considered the request, the Planning Commission recommendation, the staff recommendation, and after holding a public hearing on May 16, 2019, hereby finds that based on evidence contained in the staff report and presented at the public hearing, the request meets the standards for granting a Conditional Use Permit; and

NOW, THEREFORE, THE CITY OF WOODLAND PARK ORDAINS:

Section 1. Approval. The Conditional Use Permit for "18.09.090.F.6 Truck and Trailer Rental" use is hereby approved on the Property subject to the following conditions:

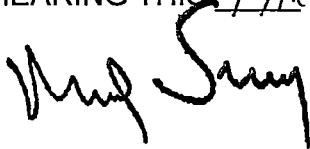
1. Improvements. The property owner shall install all the following improvements within the specified time frame as follows:
 - a. Lighting. Prior to opening the Uhaul business, all proposed wall lights shall be installed and shall be fully shielded, downcast and shall not exceed 3,000 K in temperature.
 - b. Existing Parking Lot Area. Prior to December 31, 2019:
 - i. Repair existing asphalt surface (including repair broken edges, potholes, etc.);
 - ii. Restripe all parking spaces;
 - iii. Add handicap parking signage, 8' wide van-accessible aisle adjacent, and ramp to building; and
 - iv. Spaces 1 and 2 are not viable parking spaces and shall not be striped.
 - c. New Parking Lot Area. Prior to using the new parking area:
 - i. Applicant shall receive Planning Department approval of a Zoning Development Permit (ZDP) for the new parking lot area which ZDP shall include full design and specifications of the parking subsurface/surface,

curb/gutter, etc. and shall include a Drainage Letter by a qualified professional addressing the drainage for the new area and how it ties into the existing parking lot drainage and the surrounding drainage system.

2. Erosion. The property owner shall monitor erosion from the cut bank on the north side of the property and shall address and be responsible for any bank instability or degradation that may arise due to sloughing or other forms of erosion. Erosion from this cut bank or any other area of Lot 1 shall not impact adjacent properties or rights-of-ways. Any impacts shall be corrected or mitigated by the property owner.
3. Existing on-site trees to remain if possible. If removed, each tree shall be replaced with two trees meeting City standards and located anywhere on the lot.
4. The Applicant shall install "No Overnight Parking" signs within the parking lot.

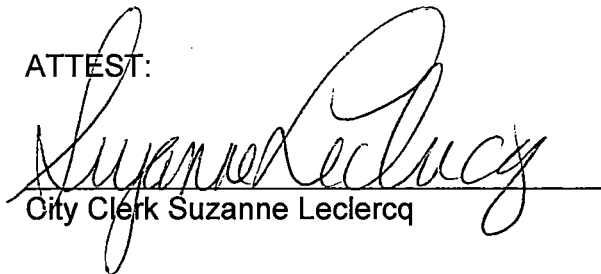
Section 2. Recitals. The recitals contained in this Ordinance constitute the findings of City Council and are incorporated herein by reference.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING
PUBLIC HEARING THIS 17th DAY OF Friday, 2019.



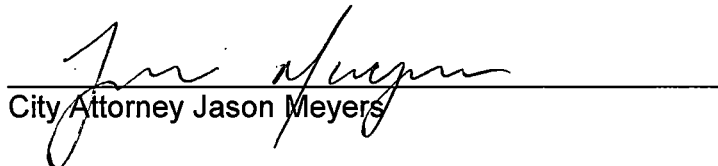
Mayor Neil Levy

ATTEST:



City Clerk Suzanne Leclercq

APPROVED AS TO FORM:



City Attorney Jason Meyers

EMAIL RECEIVED From Mr. Bill Burton, and residents on Elk Grove Lane and Cirrus Court on Sept. 23, 2020

From: Bill Burton [mailto:wiburton1@gmail.com]
Sent: Wednesday, September 23, 2020 1:25 PM
To: Sally Riley <sriley@city-woodlandpark.org>
Subject: FW: U-Haul Conditional Use Permit

[EXTERNAL]

We would be against renewing the U-Haul Conditional Use Permit. See picture below.

From: Chuck and Joby Reigel <cjreigel@gmail.com>
Sent: Tuesday, September 22, 2020 6:57 PM
To: Bill Burton <wiburton1@gmail.com>
Cc: Carole Molden <carole@mountaingoods.biz>; Cathy Johnson <cathyjohnson@elkspringranch.com>; Ed Beebe <nyrs1994@yahoo.com>; Ed LeBlanc <edleblanc@elkspringranch.com>; Elk Grove Village HOA <elkgrovetillagehoa@gmail.com>; Janet Gould <jballet@msn.com>; Marc Murphy <marcmurphymail@yahoo.com>; Mary and Al Hocevar <mary.hocevar@yahoo.com>; Robbie Hays <robbielhays@gmail.com>; Terry & Dian Taylor <drdtaylor1950@yahoo.com>; Tracy Carole <tracy@winerymsprings.com>
Subject: Re: U-Haul Conditional Use Permit

Prior to receiving the above email, we contacted Sally Riley, the Woodland Park City Planning Commissioner via email (sriley@city-woodland park.org) regarding the above named issue, which affects all of us who reside on Elk Grove Lane and Cirrus Ct. We **strongly encourage** all above named residents to also contact Sally Riley to express your concerns over extending the Conditional Use Permit for Pete LaBarr, owner of the property at the base of Trull Road, which houses U Haul rentals, a storage “ junk yard “, and “slingshot” vehicle rentals.

The original Conditional Use Permit was granted to the owner with certain stipulations, one of which stated that NO storage items were to be outside of the fenced in area. However, a huge dumpster and a semi truck flatbed have been parked outside of the fence at the base of Elk Grove Lane, right at the edge of Trull Rd. for over a month, creating a very unsafe situation. This abuses the limited 72 hour stipulation for such parking. Business vehicles and trailers are often parked along the fence. The gates to the enclosed area are being left open, exposing the “ junk yard eyesore “ for all to see; an offensive sight for those of us living nearby; an unwelcome sight for travelers entering Woodland Park via Hwy. 24; dining patrons of The Swiss Chalet who often park on Trull Rd.

If the owner of this property, Pete LaBarre, hasn't abided by the stipulations of his first Conditional Use Permit, why should he be granted another one to abuse?



CITY OF WOODLAND PARK ORDINANCE NO. 1384, SERIES 2020

AN ORDINANCE GRANTING AN EXTENSION TO COMPLETE THE EXISTING PARKING LOT IMPROVEMENTS AS REQUIRED BY THE CONDITIONAL USE PERMIT (ORDINANCE NO.1345, SERIES 2019) APPROVED ON MAY 16, 2019 FOR “18.09.090.F.6 TRUCK AND TRAILER RENTAL” USE AT 19251 E HWY 24 WITH A LEGAL DESCRIPTION OF LOT 1, ASPEN ACRES

WHEREAS, the City of Woodland Park has received a request from the property owner, Mr. Pete LaBarre to extend the deadline to be completed improvements to the existing parking lot by June 30, 2021.

WHEREAS, said improvements are required by Ordinance No. 1345, Series 2019 granting a Conditional Use Permit for “18.09.090.F.6 Truck and Trailer Rental” use at 19251 E Hwy 24 (Lot 1, Aspen Acres) (the Property) in the Community Commercial (CC) zone; and

WHEREAS, an application to extend the deadline for improvements to the existing parking has been accepted and considered pursuant to Municipal Code Section 18.57.090; and

WHEREAS, pursuant to Municipal Code Sections 18.57.050 and 18.72.060 and Charter Sections 7.6 and 15.7.b.1., a notice of the public hearing was published, a sign was posted, and letters were mailed to adjacent property owners; and

WHEREAS, the Woodland Park City Council considered the request on October 15, 2020 and granted the extension based on evidence contained in the staff report and presented at public hearing; and

WHEREAS, City Council considered the request and after holding a public hearing on October 15, 2020, hereby finds that the request to extend the deadline for existing parking lot improvements to June 30, 2021 is reasonable and acceptable.

NOW, THEREFORE, THE CITY OF WOODLAND PARK ORDAINS:

Section 1. Extension. The Conditional Use Permit for “18.09.090.F.6 Truck and Trailer Rental” use is hereby modified on the Property subject to the following condition and deadline extension:

1. **Improvements.** The property owner shall install all the following improvements within the specified time frame as follows:
 - a. Existing Parking Lot Area. Prior to ~~December 31, 2019~~ **June 30, 2021**:
 - i. Repair existing asphalt surface (including repair broken edges, potholes, etc.);
 - ii. Restripe all parking spaces;
 - iii. Add handicap parking signage, 8’ wide van-accessible aisle adjacent, and ramp to building; and
 - iv. Spaces 1 and 2 are not viable parking spaces and shall not be striped.

Section 2. Final Extension. If the June 30, 2021 deadline is not met then Ordinance No. 1345, Series 2019 granting the original Conditional Use Permit for “18.09.090.F.6 Truck and Trailer Rental” shall be null and void.

Section 2. Recitals. The recitals contained in this Ordinance constitute the findings of City Council and are incorporated herein by reference.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING
PUBLIC HEARING THIS ____ DAY OF _____, 2020.

Mayor Neil Levy

ATTEST:

City Clerk Suzanne Leclercq

APPROVED AS TO FORM:

City Attorney Jason Meyers



City of Woodland Park City Council Memo

Initial Posting: October 1, 2020, 7pm

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
8.B.	Planning	Sally Riley, AICP Planning Director

AGENDA ITEM

8.B. MUNICIPAL CODE AMENDMENT: Consider Ordinance No. 1383 on initial posting to amend portions of the Municipal Code including: Title 16 Mobile Homes; Title 18 Zoning; and Title 20 Flood Damage Prevention Regulations. The proposed code amendments are generally related to single-family dwelling units in the MFU and MFS zones and set the public hearing for November 5, 2020. (L) TABLED FROM SEPTEMBER 17, 2020.

BACKGROUND

The legislative process began with identifying the land use problem.

1. Land use Section 18.09.090.N.1. classifies single-family uses as a "Permitted Use" with Administrative Review in MFS and MFU zones.
2. As a "Permitted Use" public input is limited with no public hearings before Planning Commission and City Council.
3. High density developments create neighborhood impacts that are appropriately mitigated through a Conditional Use Permit (CUP) process.
4. Definitions needed updating to be consistent with State and building code definitions that include: Manufactured (HUD) Homes; Mobile Homes (prior to June 1976); Modular Factory Built Residential Structures; Recreation Vehicles; and Recreational Park Trailers.
5. A majority of City Council believes that high density single-family development in MFS and MFU zones is not appropriate in Woodland Park. Multi-family zones are intended for attached units such as duplexes, condominiums, and apartment buildings.

The legislative duties of the Planning Commission and City Council is to thoroughly evaluate the applicable sections of the zoning regulations, remove ambiguities, clarify definitions, and assess the review processes.

The code amendment process began in September 2019 with Planning Commission studying the options and drafting new language. A joint work session with City Council and Planning Commission took place in June 2020. Council provided specific direction at their July 9, 2020 work session to eliminate more than one single-family residential units in the MFS and MFU zones.

The final step in this legislative process is to conduct public hearings with Planning Commission and City Council. The Planning Commission hearing took place on August 27, 2020 and City Council hearing is now anticipated for November 5, 2020.

ZONING AMENDMENT CONTENT

The proposed language is intended to:

1. Provide consistent **definitions** for mobile home (built prior to June 15, 1976), manufactured home (HUD Certified and built after June 15, 1976), and factory built residential structures on permanent foundations (a.k.a. modular home). Also added are definitions for HUD Code, recreational park trailers, the term attached, and dwelling or residence, single-family.
2. Modify the **table of permitted uses** so that more than one single-family home in MFS and MFU on a platted lot is no longer allowed. Also, the table has changed all multi-family developments from a "Permitted Use" to a Conditional Use (CUP). Therefore, multi-family projects will require public hearings before the Planning Commission and City Council. Various residential use categories and descriptions have been updated and clarified.
3. Include minor amendments to the **MFS and MFU standards** (18.14 and 18.15).

PLANNING COMMISSION

On August 27, 2020 the Planning Commission held a public hearing to finalize the proposed code amendment. After conducting a proper public hearing, the Commissioners voted 8 to 1 to recommend approval of Ordinance No. 1383 with minor edits. Draft minutes are attached.

RECOMMENDATION

Move to approve Ordinance No. 1383 on initial posting and set the public hearing for October 1, 2020.

ATTACHMENTS

- Draft v10 Code Amendment Ordinance No. 1383 (Redlined).
- Clean copy of Code Amendment Ordinance No. 1383
- Minutes (draft) from the August 27, 2020 Planning Commission public hearing

Please contact the Planning Department (687-5283) if you have any questions.

**CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1382, SERIES 2020**

**AN ORDINANCE AMENDING RELATED PORTIONS OF THE WOODLAND PARK
MUNICIPAL CODE INCLUDING TITLE 16 MOBILE HOMES, TITLE 18 ZONING, AND
TITLE 20 FLOOD DAMAGE PREVENTION REGULATIONS**

WHEREAS, the City of Woodland Park has become aware of several potential inconsistencies and incongruences in the Woodland Park Municipal Code in regards to allowing multiple detached single-family residential dwelling units in the Multi-Family Residential-Suburban District (MFS) and the Multi-Family Residential-Urban District (MFU) on a single property without subdivision; and

WHEREAS, the City Council finds, determines and declares that it is necessary to make amendments to Titles 16, 18 and 20 to the City of Woodland Park Municipal Code to provide for the orderly development of property within the City of Woodland Park; and

WHEREAS, the 2010 Comprehensive Plan Land Use and Growth Objective 1.2 encourages the City to evaluate regulations and requirements so that they are easy to use and understand, enforceable through prompt and fair procedures, and consistent with the Comprehensive Plan; and

WHEREAS, in order to effectuate an adequate public comment timeframe and process for the necessary Municipal Code amendments, the City Council enacted a nine month moratorium in effect until July 23, 2020 and extended the moratorium for another six months to January 2, 2021 for accepting applications to develop more than one detached single-family residential dwelling unit in the MFS and MFU zones (Ordinance No. 1354, Series 2019 and Ordinance No. 1379. Series 2020, and

WHEREAS, the Planning Commission and City Council held public hearings on August 27, 2020 and October 1, 2020 respectively and deems it to be in the City's best interest to proceed with code amendments while the moratorium is in effect; and

WHEREAS, the City Council finds, determines and declares that it is in the best interests of the citizens of Woodland Park to update Titles 16, 18 and 20 of the Municipal Code.

NOW, THEREFORE, THE CITY OF WOODLAND PARK, COLORADO, ORDAINS:

Section 1. The following sections of the Municipal Code in Title 16 Mobile Homes are amended to read as follows (red = new language and strikethrough = deletion):

16.04.020.B. "HUD Code" means the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC Section 5401, et seq., as amended.

16.04.020.B.C. "Manufactured mobile (HUD) home" means a preconstructed building unit or combination of preconstructed building units that:

- a. Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- b. Is designed for residential occupancy in either temporary or permanent locations;
- c. Is constructed in compliance with the HUD Code (i.e., HUD homes with a red label constructed on or after June 15, 1976);
- d. Does not have motor power; and
- e. Is not licensed as a recreational vehicle.

~~without motor power designed and commonly used for residential occupancy by persons in either temporary or permanent locations, which unit or units are manufactured in a factory or at a location other than the residential site of the completed home.~~

16.04.020.C.D. "Manufactured home" "Modular factory-built residential structure or modular" means a manufactured home constructed to the building codes adopted by the State Housing Board and City of Woodland Park Municipal Codes Title 15. Modular factory built structures are designed to be installed on a permanent foundation, and does not include any home constructed in compliance with the HUD Code or designed as a mobile home. A factory built residential structure is also known as a modular home. ~~a single-family dwelling which is partially or entirely manufactured in a factory; is not less than twenty-four feet in width and thirty-six feet in length; is installed on an engineered permanent foundation; has brick, wood or cosmetically equivalent exterior siding and a pitched roof; and is certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. 5401 et seq.; as amended.~~

16.04.020.D.E. "Mobile home" means a manufactured home built prior to the implementation of the HUD Code on June 15, 1976. ~~a single-family dwelling built on a permanent chassis designed for a long-term residential occupancy and containing complete electrical, plumbing and sanitary facilities and complete electrical, water and sanitary facilities and designed to be installed in a permanent or semi-permanent manner with or without a permanent foundation which is capable of being drawn over public highways as a unit, or in sections special permits.~~

16.04.020.E.F. "Mobile home park" or "Manufactured (HUD) home park" means any lot or a parcel of land for the location and habitation of mobile homes used for the continuous accommodation of two or more mobile homes and manufactured HUD homes regardless of whether or not a charge is made for each or any mobile home upon the parcel. Mobile home park does not include mobile home subdivisions or property zoned for manufactured home use. Zoning Section 18.09.090.N.8. limits mobile homes and/or manufactured (HUD) homes to the Mobile Home Park (MHP) zone.

[Re-numerate the remaining definitions in 16.04.020.]

Section 2. The following sections of the Municipal Code in Title 18 Zoning are amended to read as follows (red = new language and strikethrough = deletion):

18.06.038.a. "Attached" means, when used to describe dwelling units, dwelling units that are within the same building; e.g., duplex, tri-plex, four-plex, townhouses or apartment buildings. Dwelling units connected only by decks, porches, carports, or features not structurally integral to the dwelling units are not attached.

18.06.159. "Dwelling or residence, single-family" means a building containing only one dwelling unit and, if permitted in accordance with §18.33.135, one accessory dwelling unit.

18.06.160. "Dwelling or residence, two-family" means a building containing two attached dwelling units, commonly referred to as a duplex.

18.06.170. "Dwelling or residence, ~~multiple~~ multi-family" means a ~~dwelling or residence building~~ containing more than two attached dwelling units.

18.06.270. "HUD Code" means the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC Section 5401, et seq., as amended.

18.06.307. "Manufactured ~~mobile~~ (HUD) home" means a preconstructed building unit or combination of preconstructed building units that:

- a. Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- b. Is designed for residential occupancy in either temporary or permanent locations;
- c. Is constructed in compliance with the HUD Code (i.e., HUD homes with a red label constructed on or after June 15, 1976);
- d. Does not have motor power; and
- e. Is not licensed as a recreational vehicle.

~~without motor power designed and commonly used for residential occupancy by persons in either temporary or permanent locations, which unit or units are manufactured in a factory or at a location other than the residential site of the completed home.~~

18.06.320. "Mobile home" means a manufactured home built prior to the implementation of the HUD Code before June 15, 1976. ~~a single-family dwelling built on a permanent chassis designed for a long-term residential occupancy and containing complete electrical, plumbing and sanitary facilities and complete electrical, water and sanitary facilities and designed to be installed in a permanent or semi-permanent manner with or without a permanent foundation which is capable of being drawn over public highways as a unit, or in sections special permits.~~

18.06.330. "Mobile home park" or "Manufactured (HUD) home park" means any lot or parcel of land used for the location and habitation of mobile homes and/or manufactured (HUD) homes regardless of whether or not a charge or leasing fee is made for each or any mobile home upon the parcel. Zoning Section 18.09.090.N.8 limits mobile homes and/or manufactured (HUD) homes to the Mobile Home Park (MHP) zone.

18.06.333. "Modular factory-built residential structure" means a manufactured home constructed to the building codes adopted by the State Housing Board and City of Woodland Park Municipal Codes Title 15. Modular factory built structures are designed to be installed on a permanent foundation, and does not include homes constructed in compliance with the HUD Code or designed as a mobile home. Factory built residential structures are also known as a modular home.

18.06.405. "Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters of no more than 180 days for recreational, camping, or seasonal use that is built on a single chassis mounted on wheels. Recreational park trailers are typically constructed in compliance with applicable American National Standards Institute (ANSI) standard A 119.5. Recreational park trailers are only allowed in recreational vehicle parks and/or campgrounds. If a recreational park trailer is not located in a recreation vehicle park and/or campground then only one recreational park trailer may be parked, stored and visible from a public road right-of-way on a residentially or commercially zoned lot.

18.06.410. "Recreational vehicle" means a vehicle which is manufactured, constructed, or equipped primarily for use as a self-propelled home, house car, or mobile living quarters, capable of being legally operated on the highways, and containing permanently installed essential living facilities for intermittent or short-term occupation **of no more than 180 days**. This term shall not include any towed **utility trailer** vehicle, nor shall it include any vehicle defined in the license and registration laws as an automobile or **motor passenger** bus. ~~nor shall it include any vehicle of the camper type, which was not manufactured primarily, expressly and permanently as a mobile living unit.~~

18.06.420. "Recreational vehicle park" means a ~~zoning lot~~ **or parcel of land designated for legal use as a campground and/or recreation vehicle park** on which two or more recreational vehicles, camping trailers, **recreational park trailers** or campers, are parked, or any ~~zoning lot~~ **or parcel of land** on which unoccupied recreational vehicles, camping trailers, **recreational park trailers** or campers, whether new or used, are parked for the purposes of inspection, sale, storage or repair.

18.09.010. – Designated.

The city is divided into the following districts:

- A. SR—~~Single-family~~ **Suburban** residential **district** ~~with lot sizes equivalent of one dwelling unit per acre allowing a variety of lot sizes with an approved minimum lot size of fifteen thousand square feet.~~
- B. UR—~~Single-family~~ **Urban** residential **district** ~~with previously developed lot size less than seven thousand five hundred square feet per dwelling unit.~~
- C. MFS—Multi-family residential **suburban district** ~~with attached units having a density level from two to eight dwelling units per acre~~
- D. MFU—Multi-family residential **urban district** ~~with attached units having a density level from nine to twenty dwelling units per acre~~

18.09.090. TABLE OF PERMITTED USES

N. Residential Dwelling Units	SR	UR	MFS	MFU	MHP		NC	CC	SC	CBD	HSC/ LI
1. One Single-family dwelling unit on a single platted lot (For Ag district refer to Section 18.17.050)	P	P	P	P	C P						
2. Single-Family dwelling units requiring a subdivision, specifically, more than one single family dwelling unit in MFS and MFU zone requires a subdivision pursuant to Chapter 17.32 Condominiums and Townhouses.	P	P	C	C	C						
3. 2. Clustered Residential Development (subject to 18.33.125)	PC	PC									
4. 3. Two-family dwelling units (i.e., duplex) subject to Chapter 17.32 - Condominiums and Townhouses except for rental buildings (i.e., single ownership apartments).			PC	PC	C						

N. Residential Dwelling Units (continued)	SR	UR	MFS	MFU	MHP		NC	CC	SC	CBD	HSC/ LI
5. 4. Three to four multi-family attached dwelling units subject to Chapter 17.32- Condominiums and Townhouses except for rental buildings (i.e., single ownership apartments).			P C	P C	P		C	C	C	C	
6. 5. Five or more attached dwelling units Apartment building(s) on a single lot.			PC	PC			C	C	C	C	
7. 6. Up to One or two dwelling units (duplex) per existing platted lot within a single structure in a commercial zone of NC, CC and CBD commercial zone (subject to 18.33.127)							PC	PC		PC	
8. 7. Accessory Dwelling Unit as defined in Section 18.06.016 and subject to 18.33.135	PC	PC					PC	PC		PC	
8. Manufactured (HUD) homes and mobile homes (pre-1976) in an existing or approved mobile home park in accordance with Title 16.					P						

18.14.005. Purposes (MFS): ~~This land use designation is intended to accommodate attached residential dwelling units with residential density levels higher than SR and UR districts. The maximum density of these dwelling units shall be eight dwelling units per acre. This land use designation is intended to accommodate attached residential dwelling units with residential density levels higher from two to eight dwelling units per acre.~~ These areas shall be fully served by municipal water and sewer and be located in areas that can accommodate projected impacts concerning traffic, pedestrian access, parks, schools, commercial centers and places of employment.

18.14.090. Single-family use: ~~Only one dwelling unit is allowed on an existing platted lot, at the effective date of this ordinance every single-family project constructed in a multifamily MFS zoning district. that requires a subdivision or replat is considered a conditional use permit, and is subject to site plan review described in Chapter 18.34~~ If a property owner intends to further subdivide the existing lot or parcel in the MFS zoning district that would add more than one single-family to the existing lot or parcel then the property owner shall request a rezone to UR and/or SR zone districts and meet all the applicable UR or SR zone district standards and requirements.

18.15.005. Purposes (MFU). ~~This land use designation is intended to accommodate attached residential dwelling units with residential density levels higher than SR, UR and MFS districts. The maximum density of these dwelling units shall be twenty dwelling units per acre. This land use designation is intended to accommodate attached residential dwelling units with residential density levels from nine to twenty dwelling units per acre.~~ These areas shall be fully served by municipal water and sewer and be located in areas that can accommodate projected impacts concerning traffic, pedestrian access, parks, schools, commercial centers and places of employment.

18.15.090. Single-family use: ~~Only one dwelling unit is allowed on an existing platted lot, at the effective date of this ordinance every single-family project constructed in a multifamily MFU zoning district. that requires a subdivision or replat is considered a conditional use permit, and is subject to site plan review described in Chapter 18.34.~~ If a property owner intends to further subdivide the existing lot or parcel in the MFS zoning district that would add more than one single-family to the existing lot or parcel then the property owner shall request a rezone to UR and/or SR zone districts and meet all the applicable UR or SR zone district standards and requirements.

Section 3. The following sections of the Municipal Code Title 20 Flood Damage Prevention Regulations are amended to read as follows:

20.02.005. Generally. ~~All words and phrases defined in this chapter shall be deemed specific to this title, Flood Damage Prevention Regulations, and shall not be interpreted to apply to other titles found in this Code.~~ Unless specifically defined in this chapter, words or phrases used in this title shall be interpreted so as to give them the meaning they have in common usage and to give this title its most reasonable application.

Section 4. Savings Clause. Should any article, section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the balance of this Ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from after its publication as required by law.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS _____ DAY OF _____, 2020

The Honorable Val Carr, Mayor

Attested by City Clerk Suzanne Leclercq _____

Approved as to form by City Attorney Jason Meyers_____

**CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1382, SERIES 2020**

**AN ORDINANCE AMENDING RELATED PORTIONS OF THE WOODLAND PARK
MUNICIPAL CODE INCLUDING TITLE 16 MOBILE HOMES, TITLE 18 ZONING, AND
TITLE 20 FLOOD DAMAGE PREVENTION REGULATIONS**

WHEREAS, the City of Woodland Park has become aware of several potential inconsistencies and incongruences in the Woodland Park Municipal Code in regards to allowing multiple detached single-family residential dwelling units in the Multi-Family Residential-Suburban District (MFS) and the Multi-Family Residential-Urban District (MFU) on a single property without subdivision; and

WHEREAS, the City Council finds, determines and declares that it is necessary to make amendments to Titles 16, 18 and 20 to the City of Woodland Park Municipal Code to provide for the orderly development of property within the City of Woodland Park; and

WHEREAS, the 2010 Comprehensive Plan Land Use and Growth Objective 1.2 encourages the City to evaluate regulations and requirements so that they are easy to use and understand, enforceable through prompt and fair procedures, and consistent with the Comprehensive Plan; and

WHEREAS, in order to effectuate an adequate public comment timeframe and process for the necessary Municipal Code amendments, the City Council enacted a nine month moratorium in effect until July 23, 2020 and extended the moratorium for another six months to January 2, 2021 for accepting applications to develop more than one detached single-family residential dwelling unit in the MFS and MFU zones (Ordinance No. 1354, Series 2019 and Ordinance No. 1379. Series 2020, and

WHEREAS, the Planning Commission and City Council held public hearings on August 27, 2020 and October 1, 2020 respectively and deems it to be in the City's best interest to proceed with code amendments while the moratorium is in effect; and

WHEREAS, the City Council finds, determines and declares that it is in the best interests of the citizens of Woodland Park to update Titles 16, 18 and 20 of the Municipal Code.

NOW, THEREFORE, THE CITY OF WOODLAND PARK, COLORADO, ORDAINS:

Section 1. The following sections of the Municipal Code in Title 16 Mobile Homes are amended to read as follows:

16.04.020.B. "HUD Code" means the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC Section 5401, et seq., as amended.

16.04.020.C. "Manufactured (HUD) home" means a preconstructed building unit or combination of preconstructed building units that:

- a. Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- b. Is designed for residential occupancy in either temporary or permanent locations;
- c. Is constructed in compliance with the HUD Code (i.e., HUD homes with a red label constructed on or after June 15, 1976);
- d. Does not have motor power; and
- e. Is not licensed as a recreational vehicle.

16.04.020.D. "Modular factory-built residential structure or modular" means a manufactured home constructed to the building codes adopted by the State Housing Board and City of Woodland Park Municipal Codes Title 15. Modular factory built structures are designed to be installed on a permanent foundation, and does not include any home constructed in compliance with the HUD Code or designed as a mobile home. A factory built residential structure is also known as a modular home

16.04.020.E. "Mobile home" means a manufactured home built prior to the implementation of the HUD Code on June 15, 1976.

16.04.020.F. "Mobile home park" or "Manufactured (HUD) home park" means any lot or a parcel of land for the location and habitation of mobile homes and manufactured HUD homes regardless of whether or not a charge is made for each or any mobile home upon the parcel. Zoning Section 18.09.090.N.8. limits mobile homes and/or manufactured (HUD) homes to the Mobile Home Park (MHP) zone.

[Re-numerate the remaining definitions in 16.04.020.]

Section 2. The following sections of the Municipal Code in Title 18 Zoning are amended to read as follows:

18.06.038.a. "Attached" means, when used to describe dwelling units, dwelling units that are within the same building; e.g., duplex, tri-plex, four-plex, townhouses or apartment buildings. Dwelling units connected only by decks, porches, carports, or features not structurally integral to the dwelling units are not attached.

18.06.159. "Dwelling or residence, single-family" means a building containing only one dwelling unit and, if permitted in accordance with §18.33.135, one accessory dwelling unit.

18.06.160. "Dwelling or residence, two-family" means a building containing two attached dwelling units, commonly referred to as a duplex.

18.06.170. "Dwelling or residence, multi-family" means a building containing more than two attached dwelling units.

18.06.270. "HUD Code" means the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC Section 5401, et seq., as amended.

18.06.307. "Manufactured (HUD) home" means a preconstructed building unit or combination of preconstructed building units that:

- a. Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- b. Is designed for residential occupancy in either temporary or permanent locations;
- c. Is constructed in compliance with the HUD Code (i.e., HUD homes with a red label constructed on or after June 15, 1976);
- d. Does not have motor power; and
- e. Is not licensed as a recreational vehicle.

18.06.320. "Mobile home" means a manufactured home built prior to the implementation of the HUD Code before June 15, 1976.

18.06.330. "Mobile home park" or "Manufactured (HUD) home park" means any lot or parcel of land used for the location and habitation of mobile homes and/or manufactured (HUD) homes regardless of whether or not a charge or leasing fee is made for each or any mobile home upon the parcel. Zoning Section 18.09.090.N.8 limits mobile homes and/or manufactured (HUD) homes to the Mobile Home Park (MHP) zone.

18.06.333. "Modular factory-built residential structure" means a manufactured home constructed to the building codes adopted by the State Housing Board and City of Woodland Park Municipal Codes Title 15. Modular factory built structures are designed to be installed on a permanent foundation, and does not include homes constructed in compliance with the HUD Code or designed as a mobile home. Factory built residential structures are also known as a modular home.

18.06.405. "Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters of no more than 180 days for recreational, camping, or seasonal use that is built on a single chassis mounted on wheels. Recreational park trailers are typically constructed in compliance with applicable American National Standards Institute (ANSI) standard A 119.5. Recreational park trailers are only allowed in recreational vehicle parks and/or campgrounds. If a recreational park trailer is not located in a recreation vehicle park and/or campground then only one recreational park trailer may be parked, stored and visible from a public road right-of-way on a residentially or commercially zoned lot.

18.06.410. "Recreational vehicle" means a vehicle which is manufactured, constructed, or equipped primarily for use as a self-propelled home, house car, or mobile living quarters, capable of being legally operated on the highways, and containing permanently installed essential living facilities for intermittent or short-term occupation of no more than 180 days. This term shall not include any towed utility trailer, nor shall it include any vehicle defined in the license and registration laws as an automobile or passenger bus.

18.06.420. "Recreational vehicle park" means a lot or parcel of land designated for legal use as a campground and/or recreation vehicle park on which two or more recreational vehicles, camping trailers, recreational park trailers or campers, are parked, or any zoning

lot or parcel of land on which unoccupied recreational vehicles, camping trailers, recreational park trailers or campers, whether new or used, are parked for the purposes of inspection, sale, storage or repair.

18.09.010. – Designated.

The city is divided into the following districts:

- A. SR - Suburban residential
- B. UR - Urban residential district
- C. MFS - Multi-family residential suburban district
- D. MFU - Multi-family residential urban district

18.09.090. TABLE OF PERMITTED USES

N. Residential Dwelling Units	SR	UR	MFS	MFU	MHP		NC	CC	SC	CBD	HSC/ LI
1. One Single-family dwelling unit on a single platted lot (For Ag district refer to Section 18.17.050)	P	P	P	P	P						
2. Clustered Residential Development (subject to 18.33.125)	PC	PC									
3. Two-family dwelling units (i.e., duplex) subject to Chapter 17.32 - Condominiums and Townhouses except for rental buildings (i.e., single ownership apartments).			C	C							

N. Residential Dwelling Units (continued)	SR	UR	MFS	MFU	MHP		NC	CC	SC	CBD	HSC/ LI
4. Multi-family-dwelling units (3+units) subject to Chapter 17.32- Condominiums and Townhouses except for rental buildings (i.e., single ownership apartments).			C	C			C	C	C	C	
5. Apartment building(s) on a single lot.			C	C			C	C	C	C	
6. One or two dwelling units (duplex) per existing platted lot within a single structure in a commercial zone of NC, CC and CBD commercial zone (subject to 18.33.127)							PC	PC		PC	
7. Accessory Dwelling Unit as defined in Section 18.06.016 and subject to 18.33.135	PC	PC					PC	PC		PC	
8. Manufactured (HUD) homes and mobile homes (pre-1976) in an existing or approved mobile home park in accordance with Title 16.					P						

18.14.005. Purposes (MFS): This land use designation is intended to accommodate attached residential dwelling units with residential density levels higher than SR and UR districts. The maximum density of these dwelling units shall be eight dwelling units per acre. These areas shall be fully served by municipal water and sewer and be located in areas that can accommodate projected impacts concerning traffic, pedestrian access, parks, schools, commercial centers and places of employment.

18.14.090. Single-family use: Only one dwelling unit is allowed on an existing platted lot or parcel, at the effective date of this ordinance, in a multifamily MFS zoning district. If a property owner intends to further subdivide the existing lot or parcel in the MFS zoning district that would add more than one single-family to the existing lot or parcel then the property owner shall request a rezone to UR and/or SR zone districts and meet all the applicable UR or SR zone district standards and requirements.

18.15.005. Purposes (MFU). This land use designation is intended to accommodate attached residential dwelling units with residential density levels higher than SR, UR and MFS districts. The maximum density of these dwelling units shall be twenty dwelling units per acre. These areas shall be fully served by municipal water and sewer and be located in areas that can accommodate projected impacts concerning traffic, pedestrian access, parks, schools, commercial centers and places of employment.

18.15.090. Single-family use: Only one dwelling unit is allowed on an existing platted lot or parcel, at the effective date of this ordinance in a multifamily MFU zoning district. If a property owner intends to further subdivide the existing lot or parcel in the MFS zoning district that would add more than one single-family to the existing lot or parcel then the property owner shall request a rezone to UR and/or SR zone district and meet all the applicable UR or SR zone district standards and requirements

Section 3. The following sections of the Municipal Code Title 20 Flood Damage Prevention Regulations are amended to read as follows:

20.02.005. Generally. All words and phrases defined in this chapter shall be deemed specific to this title, Flood Damage Prevention Regulations, and shall not be interpreted to apply to other titles found in this Code. Unless specifically defined in this chapter, words or phrases used in this title shall be interpreted so as to give them the meaning they have in common usage and to give this title its most reasonable application.

Section 4. Savings Clause. Should any article, section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the balance of this Ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from after its publication as required by law.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS _____ DAY OF _____, 2020

The Honorable Val Carr, Mayor

Attested by City Clerk Suzanne Leclercq _____

Approved as to form by City Attorney Jason Meyers_____

**WOODLAND PARK PLANNING COMMISSION
WOODLAND PARK CITY HALL COUNCIL CHAMBERS
VIRTUAL MEETING VIA ZOOM AND
IN-PERSON AT 220 W. SOUTH AVENUE, WOODLAND PARK, CO
MEETING MINUTES for AUGUST 27, 2020 – 7:00 PM**

Due to the COVID-19 pandemic, this meeting was a hybrid in-person and virtual electronic meeting. A Zoom link for participation was posted on the front-page of the City website. Public input in the form of written comment submitted in advance of the meeting was strongly encouraged and accommodation for public comment in real time at the meeting was made.

1. **ORDER AND ROLL CALL:** Chairman Jon DeVaux called the meeting to order at 7:02 p.m. Chairman DeVaux was physically present. Other Commissioners physically in attendance were Lee Brown, Ken Hartsfield, Larry Larsen, and Jerry Penland. Commissioners attending by zoom video were Ellen Carrick, Vickie Good, and Peter Scanlon. Vice-Chairman Geoff Watson joined the meeting by zoom after roll call. No Commissioners were absent. Planning Director Sally Riley and City Planner Lor Pellegrino were both present.
2. **PLEDGE OF ALLEGIANCE:** Chairman DeVaux led the recitation of the Pledge of Allegiance.
3. **APPROVAL OF MINUTES:** The July 23, 2020 minutes were approved unanimously as presented.
4. **PUBLIC HEARINGS:**
 - A. **SUB 2020-04:** Consider a 5-year extension of the Top of Paradise Amended Master Plan to August 4, 2025. The remaining area of the Master Plan is 137.92 acres and planned for a maximum of 190 single-family dwelling units developed within the entire 198.5 acres. The subject property is generally located northeast of Thunder Ridge Drive and southeast of Majestic Parkway in the Suburban Residential (SR) zone. The extension is requested by Craig Nelson, Thunder Ridge Haven, LLC and Andrea Rodriguez, Paradise Estates, Inc. representative. (QJ)

Director Riley presented the case using a PowerPoint slide show. She explained that Master Plans (MP) are valid for five years, with the subject plan originally approved in 2005, and was subsequently extended in the five-year increments. This will be the third extension. She gave a brief history and overview of the development, stating that 56 acres with 58 lots of the 198.5 acres have been final platted. She specified ownership of the unplatted areas, being Craig Nelson, who owns the northernmost area, and Andrea Rodriguez, who owns the southern portions. She concluded her presentation by stating that Staff finds this request to be reasonable, and recommends approval of this MP extension request.

Chairman DeVaux opened the hearing to Commissioner discussion. Commissioner Brown asked about the practicability of updating the MP to more accurately reflect areas that have been final and preliminary platted. Director Riley explained that a MP is not intended to be entirely accurate, but more of a conceptual representation of the feasibility for platting and development, and that a preliminary plat is the instrument used to refine lot layouts and roadway configurations.

Chairman DeVaux invited the applicants' presentations. Owner Craig Nelson explained the property he owns has the potential for 44 lots under the MP, and that he has been working with staff and various engineers for preliminary platting and development planning. Commissioner Larsen asked if he intends to develop as the MP Shows. Mr. Nelson replied he does, acknowledging minor layout changes due to topographical challenges. Owner Andrea Rodriguez introduced herself and invited questions from the Commission. No further questions were forthcoming.

Chairman DeVaux opened the hearing to public comment. Tom Cadell (1023 Kings Crown Road) asked what the compelling reasons are to approve or disapprove this extension. Director Riley responded that this will give the neighborhood a concept as to how the area would be developed. If the MP was not extended, the properties would become undeveloped land with no concept for future development, but would remain in the Suburban Residential (SR) zoning district, and could be developed without a MP. Mr. Cadell asked why development hasn't already occurred, and if it make sense to keep extending the MP when the development could have potential impacts to the neighborhood. Director Riley explained there are no time constraints on property owners to develop their property. If the MP was not extended, there would be uncertainty as to how the land would be developed. Chairman DeVaux added that the MP allows for continuity of the development.

Karen Poland (1010 Kings Crown Road) expressed concerns regarding traffic congestion, and does not see any benefit with developing this area. She stated there is "clear cutting" in the development, and that she does not want more development to occur. Director Riley replied that a Preliminary Plat has been approved for "The Haven at Paradise", and with that approval, the developer may begin installing infrastructure along with clearing and grubbing, and that is only occurring within the future roadways. The work being performed is not "clear cutting", adding that erosion control is also required while the property is being developed. Regarding growth, Director Riley explained that Woodland Park has limited water supply projected to serve a population of 13,600 residents. The city is currently at approximately two-thirds of that population. The property owners of the vacant parcels have property rights to develop their property, and that there will be continued development on private property until all available property is developed. Increased traffic will occur as a result, unless a bypass is constructed in the future.

Michelle Shaver (1121 Kings Crown Road) was not objecting to the development, but has safety concerns for pedestrian traffic along Kings Crown Road due to limited visibility on this narrow roadway. The MP shows two additional side streets that will connect to the road that will further increase traffic. She proposed that a sidewalk be constructed, and that the MP be tabled until the road is made safer. She asked what that process would be. Director Riley replied that the Public Works Department would be the authority regarding safety issues in the road right-of-way, and that the Streets Crew Chief could walk this with her. There may be an opportunity to clear trees or shrubbery for better visibility. The current zoning regulations do not require sidewalks for single-family development. She explained that Kings Crown Road was originally a dirt road. Public improvements are costly for a small population, and adding sidewalks would be cost-prohibitive at this point in time. Director Riley encouraged a neighborhood meeting with the Public Works Department to discuss safety improvements.

Tony Perry (330 Ponderosa Court) offered that the MP puts context and certainty on future development, and that the preliminary plat process would help to address community concerns.

Karen Thomas (751 Majestic Parkway) expressed concern regarding traffic and safety. She is also concerned over the clearing and grubbing taking place, and asked who monitors this activity. Director Riley explained that once a developer receives their entitlements when the preliminary plat is approved, the engineering drawings are reviewed and approved by the Public Works Department and the Fire Department, then the developer hires their contractor. A pre-construction meeting takes place with the City Construction Inspector, who monitors the activity to assure the work is staying within the approved scope. The public is always welcome to call City Hall with any concerns they may have with construction activity. Stop Work orders may be issued if the activity is beyond the approved scope, or if drainage and erosion control issues arise that need to be remedied.

Tim Miller (1202 Kings Crown Road) asked if the preliminary plat for “The Haven in Paradise” would remain the same. Director Riley replied it would. Mr. Miller asked if the roadways would remain as proposed. Director Riley affirmed they would, depending on preliminary and final platting, whose approval is a public hearing process. She graphically reviewed the current road system as it exists and as proposed. Director Riley clarified that each new house typically generates ten average daily vehicles trips.

With no further public comment forthcoming, Chairman DeVaux closed the public comment session, and offered rebuttal from the applicants, to which there was none. He next solicited additional deliberations from the Commissioners. Commissioner Larsen encouraged the neighborhood to become familiar with the MP so they know what to expect. Commissioner Hartsfield expressed his support for the MP which gives a good plan for future development in the area.

MOTION: Moved by Commissioner Larsen and seconded by Commissioner Hartsfield THAT the Planning Commission recommend to City Council to approve the extension of the Amended Master Plan to August 24, 2025 as described in the staff report and as presented at this public hearing.

Motion passed unanimously 9-0. Case now moves to City Council for public hearing on September 17, 2020.

B. MUNICIPAL CODE AMENDMENT: Consider an Ordinance amending portions of the Municipal Code including: Title 16 Mobile Homes; Title 18 Zoning, and Title 20 Flood Damage Prevention Regulations. The proposed code amendments are generally related to single-family dwelling units in the MFU and MFS zones. (L)

Director Riley thanked the Commissioners for their dedication, comprehension and resolve in the past year discussing this amendment through numerous work sessions while two separate moratoriums were in affect for this type of development. She reviewed the 10th draft of the Ordinance. She explained the various sections of the Municipal Code (MC) to be amended, with first reading at City Council occurring on September 17, 2020, and a public hearing on October 1, 2020.

She explained that Section 1 of the Ordinance relates to Title 16 of the MC that updates definitions of the various types of manufactured housing as they relate to the building and state codes. Section 2 of the Ordinance reflects changes to zoning regulations in Title 18 of the MC where the majority of the changes occur. Changes include additional definitions and specifics of manufactured housing, along with specifying time constraints for manufactured recreational vehicles in campgrounds and RV parks. She next reviewed the changes to MC §18.09.090, Table of Permitted Uses, which simplifies the table, removes redundancies, clarifies uses, and adds or removes permitted uses, conditional uses, and permitted conditionally uses in all zoning districts in order to mitigate impacts to the districts.

Director Riley stated that Title 20 would remain as-is since it must remain compatible with the state and FEMA regulations. She concluded her presentation stating that Staff favors the Planning Commission to recommend approval of the Ordinance to City Council.

There was discussion regarding changes to §18.15.090 Single Family Use where the amendment stated that only one dwelling unit is allowed on an existing platted lot, *at the effective date of the Ordinance*. Commissioner Good pointed out that this may be subject to misinterpretation that all currently platted properties would be exempt. Director Riley said she would refer this to the City Attorney to review prior to presentation to City Council. Chairman DeVaux opened the hearing for public comment.

Joe Fury (565 Pembroke Drive) asked if the definition of “attached” would preclude bolting two modular units together and considering them a “duplex”. Director replied it would not, since they would then have a common wall, sharing a roof structure. Bolting two independent units together would not meet the building code for fire separation. Mr. Fury stated he likes the code amendments as proposed.

Mike Nakai (225 Morning Star Court) stated that it is not clear to him that a clustered development would be “permitted conditionally” under §18.33.125 and include public hearings. Director Riley stated that it would involve public hearings since a preliminary plat would be required, along with a Site Plan Review.

Commissioner Larsen commented that this Ordinance draft allows for one single-family residential unit in the MFS and MFU zoning districts as a permitted use on an existing platted lot. He does not support this modification, and requests that the Planning Commission amend the ordinance to reinstate the provisions to allow single-family dwellings in these districts as a conditional use on an existing platted lot or subdivision, in order to create higher density neighborhoods. By not allowing for this, the City will be removing lower cost housing opportunities, which conflicts with some stated goals in the 2010 Comprehensive Plan, to encourage a balanced and diverse housing supply. He said that the MC as it exists today provides adequate protections for existing neighborhoods, and has reasonable review criteria and standards to assure quality projects and mitigate development impacts. He states it is important to recognize that the City has very few developable properties, and that most available acreage is found in the MFS and MFU zoning districts. He recommends that the Ordinance be modified to reinstate the single-family dwelling units requiring a subdivision, and make them conditional uses. Also to clarify the single-family use provisions to include one single-family unit on existing platted lots in these two districts, and that any more than one single-family dwelling unit would be required to be constructed within the district zones requiring a subdivision plat, a conditional use, and SPR. He would also like to modify the “Purposes” sections to allow to allow 4 dwelling units per acre in the MFS and MFU zones.

Commissioner Scanlon stated he has much respect for Commissioner Larsen’s knowledge and experience, and that in a perfect world, he would agree with him. However, “getting half a loaf is better than trying to get a full loaf.” The City Council rejected the original recommendation that Commissioner Larsen suggested to revert to. Part of the Planning Commission’s mission is to attempt to put into place a new Ordinance that would prevent a development similar to “The Village at Tamarac” in the future. And to the extent that they can accomplish that, maybe that’s the “half a loaf” that can be accomplished at this time. To send back a recommendation that is exactly like what was originally rejected by the CC would not be politically palatable. The City Council may not accept this current version, but at least it was carefully thought out. He is quite concerned about Commissioner Good’s comment regarding the possible loophole in the language, and that the City Attorney should be consulted so that there isn’t a loophole created with the changes. He is hesitant to approve the changes when they don’t have a final copy of it.

Chairman DeVaux suggested the approval could be subject to the City Attorney’s review. Commissioner Brown proposes that the PC subject to review by the CA recommends approval to City Council the draft of August 20 with the additional changes to

MOTION: Moved by Commissioner Brown THAT the Planning Commission recommends approval to City Council of the August 20, 2020 draft, with the following changes:

- §18.14.005 and §18.15.005; add the word “attached” after the word “accommodate”
- §18.09.090; correct the hyphenation in row 4
- §18.14.090 and §18.15.005; revised to read “only 1 dwelling unit is allowed on a lot or parcel existing at the date of this Ordinance”
- §18.15.090 and §18.15.005; accept the revisions subject to review by the City Attorney.

Seconded by Commissioner Penland.

Motion passed 8-1 with Commissioner Larsen voting against. The Ordinance now moves to City Council for public hearing on October 1, 2020.

5. REPORTS:

A. Chairman's Report: None.

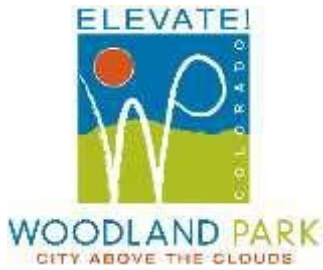
B. Commissioner's Reports: None.

C. Planning Director's Report: The Planning Director stated there are no cases to be heard for the September 10, 2020 meeting, so this meeting is officially canceled. The September 24 meeting will likely be cancelled as well. She reminded the Commission that this is budget season for the City Council where they will be setting priorities. She suggested that the Commission set their top priority, and if that is the Comprehensive Plan update, to write a letter to the City Council supporting the Comprehensive Plan as their number one budget priority.

6. ADJOURNMENT: This regular meeting adjourned at approximately 9:13 pm.

Recorded by: _____
David J. Burgess, Planning and Building Technician

Approved this _____ day of _____, 2020 by _____
Jon DeVaux, Chairman



City of Woodland Park Staff Report for City Council

Meeting Date: October 1, 2020

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
9A	City Clerk's Office	Suzanne Leclercq City Clerk

ITEM:

Approve liquor application from 110 Reserve LLC DBA 110 Reserve LLC to grant a Tavern Liquor License located at 110 Midland Avenue, Woodland Park, Colorado.

BACKGROUND:

Note: Liquor License forms contain a mixture of confidential and public information. In an effort to protect the confidentiality of items such as Social Security Numbers, Driver's License numbers, and dates of birth, liquor application forms will no longer be available to the public. This summary is intended to give Council and citizens the public content of the issue at hand.

DISCUSSION:

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Type of Action Requested: Conduct a Public Hearing for a new Tavern Liquor License.

Applicant: Jordan Colorado Gold Hill DBA Gold Hill Wine and Liquor.

Application details:

- Applicant has current sales tax license and FEIN.
- Applicant is eligible to apply for a liquor license.
- The location is eligible to be licensed.
- Owner is Pamela Mikesell DBA 110 Reserve LLC
- Possession of the property is documented by a deed. Ms. Mikesell is the owner of the building.

Factual Findings:

- The application was submitted on September 3, 2020
- Subject property was posted on September 14, 2020
- Public Notice was published on the City of Woodland Park's website.
- Character of the applicant is not an issue for this hearing.
- Operation of this business is in compliance with local zoning, building, and fire regulations.
- All applicable fees have been paid.
- A petition proving the needs and desires of the neighborhood, containing the signatures of 30 residents in support of the granting of this liquor license.

STAFF RECOMMENDATION:

Following Public Hearing, approve liquor application from 110 Reserve LLC DBA 110 Reserve LLC to grant a Tavern Liquor License located at 110 Midland Avenue, Woodland Park, Colorado.