

AGENDA
WESTCLIFFE PLANNING COMMISSION
TOWN OF WESTCLIFFE
WEDNESDAY, SEPTEMBER 4, 2024
PATTERSON HALL-1000 MAIN
REGULAR MEETING
3:00 p.m.
[ZOOM](#)

Meeting ID: 852 1102 3982

Passcode: 590904

By phone: 1 719 359 4580

1. Call to Order
 2. Pledge of Allegiance
 3. Roll Call
 4. Recognition of Visitors
 5. Approval of minutes
 6. Old Business
 - a. **Bianca Trenker presents signatures in support of affordable workforce housing and photos for perspective.**
 - b. **Consideration of recommending to the Board of Trustees the possible rezoning of blocks; Discussion on 19&20, 33&34, and Town owned lots to Multi-family District (MFD).**
 - c. **Consideration of recommending to the Board of Trustees the ADU Ordinance.**
 7. New Business
 - a. **Consideration of recommending to the Board of Trustees the Affordable Housing Ordinance.**
 - b. **Christy Patterson requests the Planning Commission recommend to the Board of Trustees that Heavy Industrial zoned properties have the same option as Commercial zoned properties to have a dwelling above, below or behind the business.**
 8. Public Comment
- Adjourn
- NOTE: The Mayor and another Trustee may vote on matters before the Planning Commission and the Board of Trustees.

Bring by Aug 26, 2024

TOWN OF WESTCLIFFE
REQUEST TO BE PLACED ON AGENDA

Office of the Town Clerk
P.O. Box 406
Westcliffe, CO. 81252
townclerk@townofwestcliffe.com
719-783-2282

_____ Westcliffe Town Board _____ Board of Adjustments

X _____ Westcliffe Planning Commission

Here are things you need to know:

- You must contact the Town staff prior to coming to the Board. Quite often the issue can be resolved by staff action.
- Please plan on attending the meeting. The Board of Trustees will be unable to take action without a representative in attendance.

Please complete the following information and return this form no later than ten (10) days prior to the Board meeting to the above address or bring it to the Town Hall at 1000 Main Street our office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. (Regular Board meetings are scheduled for the third Tuesday of each month.)

Name of person making presentation: Bianca Treunker

Organization, if speaking on behalf of a group: _____

Is this a request for Board action? Yes No

Please provide a summary of your comments:

Presenting 140 Signatures ~~for~~ in support of affordable workforce housing, photos of existing building heights + photos with drone level at 35ft. at proposed site for visual perspective.

What staff member have you spoken to about this? Please summarize your discussion:

Melony

Contact information:

Name: Bianca Treunker
Mailing Address: 414 Main Street
W.C.

email: coloradoearthscents@gmail.com
Daytime Phone: 719-210-1515



Old Business Item A

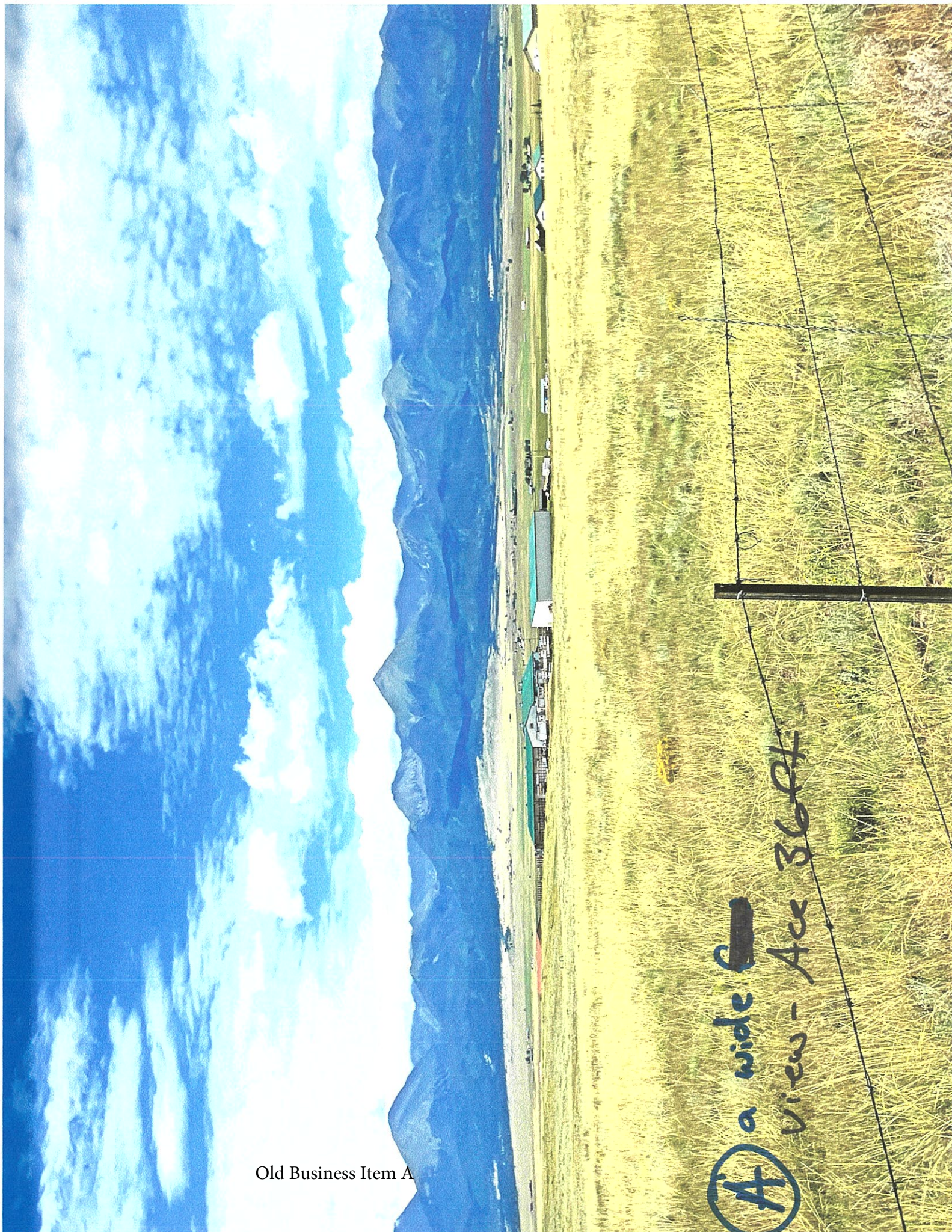
In the conversations leading to signatures presented Main street workforce, managers and employees are included.

Cook, waitresses, baristas, retail workers, grocery store employees, gas station attendants and mechanics, tradesmen and skilled labor, business owners, business managers.... Etc.

Zero unemployed persons living for free/"on welfare" were approached by me or participated in this list.

A small percentage of signatures are included from the retired community which lives in the area but support the concept as they rely on town workforce and services.

My focus was the business and workforce corridor



Old Business Item A

A a wide view - Ace 36 ft

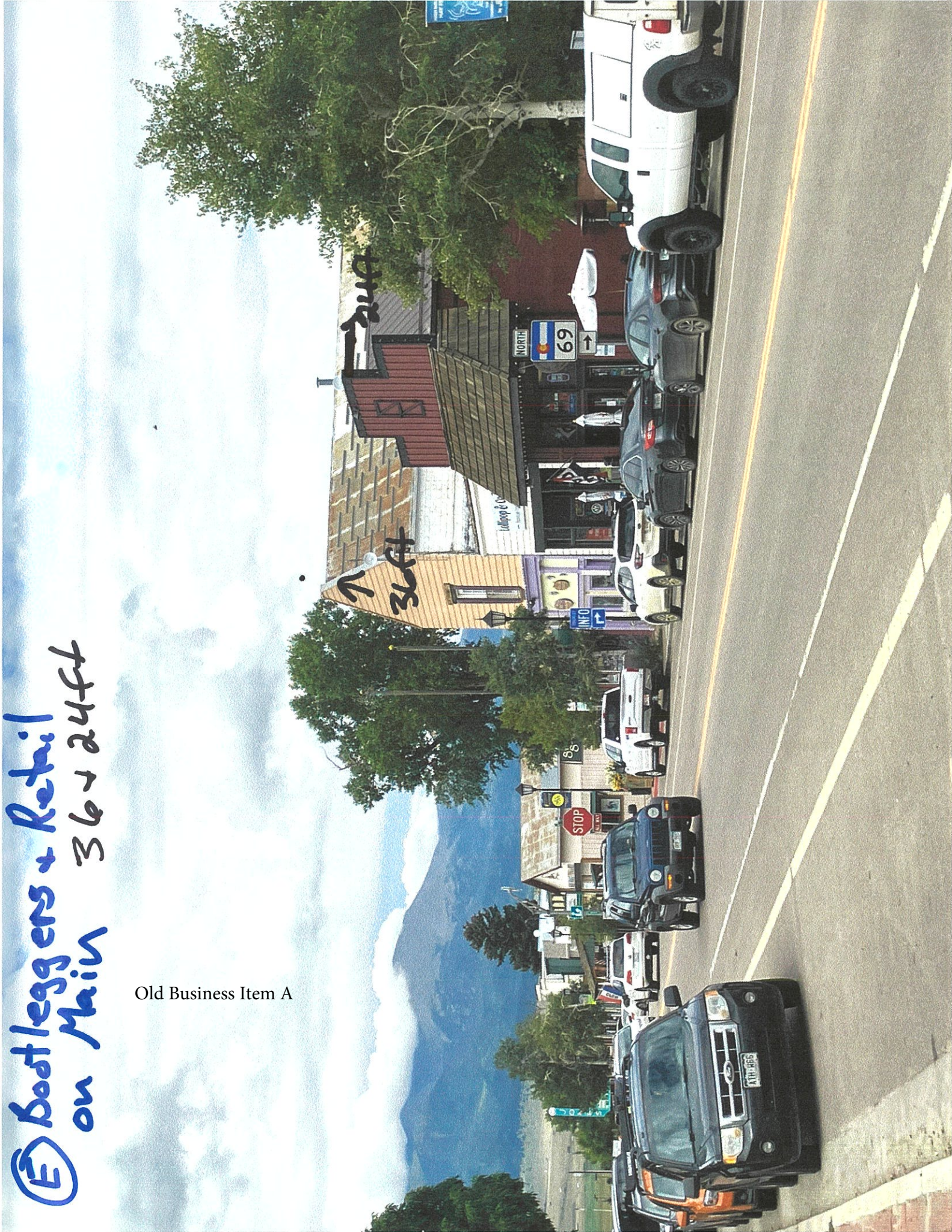
Old Business Item A



A closer view - 36 ft

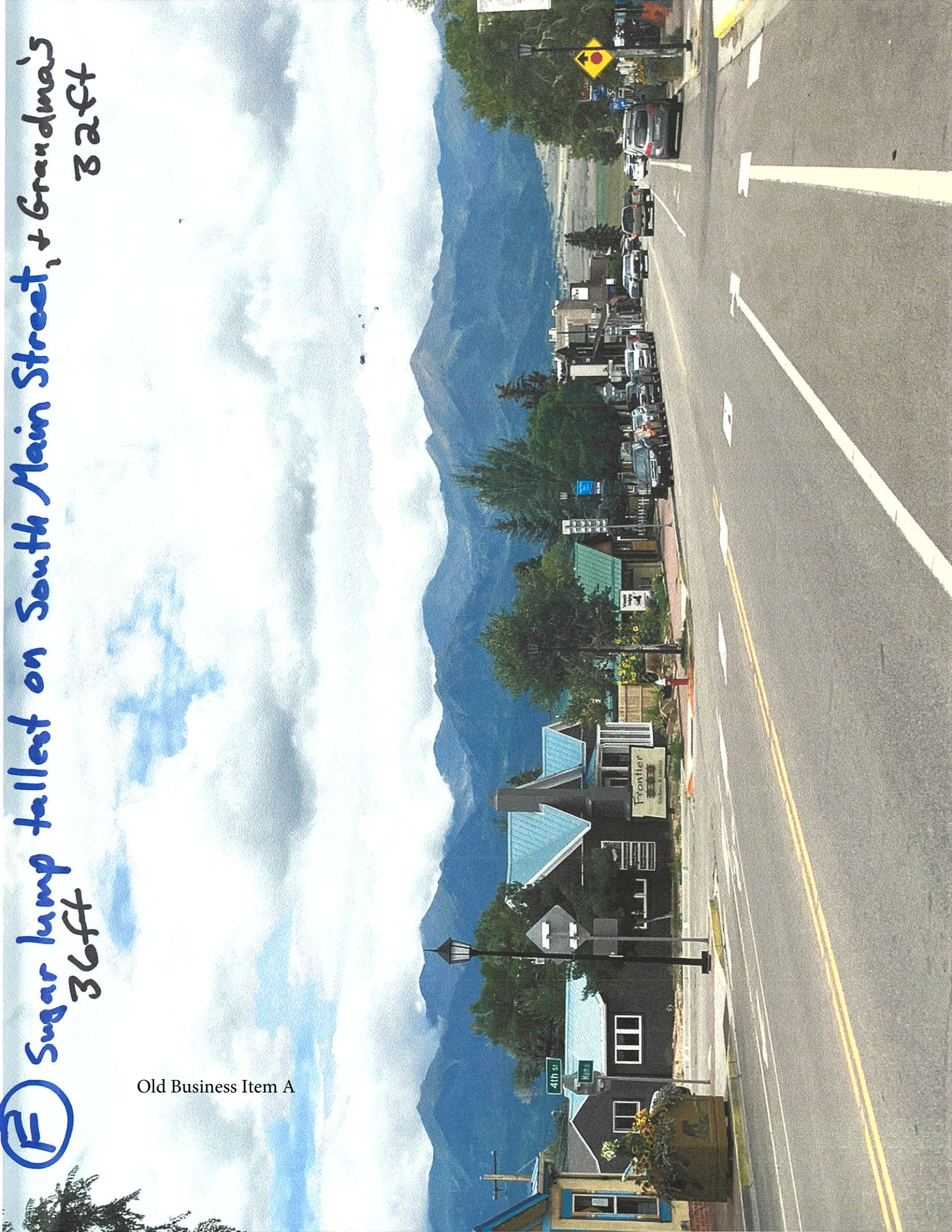
⑤ Bootleggers + Retail
on Main 36 + 24ft

Old Business Item A



(F) Sugar lump tallest on South Main Street, + Grandma's
36ft
32ft

Old Business Item A



① Granada Court
Condos - 24ft

Old Business Item A



① Church 26ft.

Old Business Item A





Search & Rescue Barn

Old Business Item A





Old Business Item A



Custer County High School

Valley Bible Fellowship

Custer County EMS

Memorial Park

Hermit Park

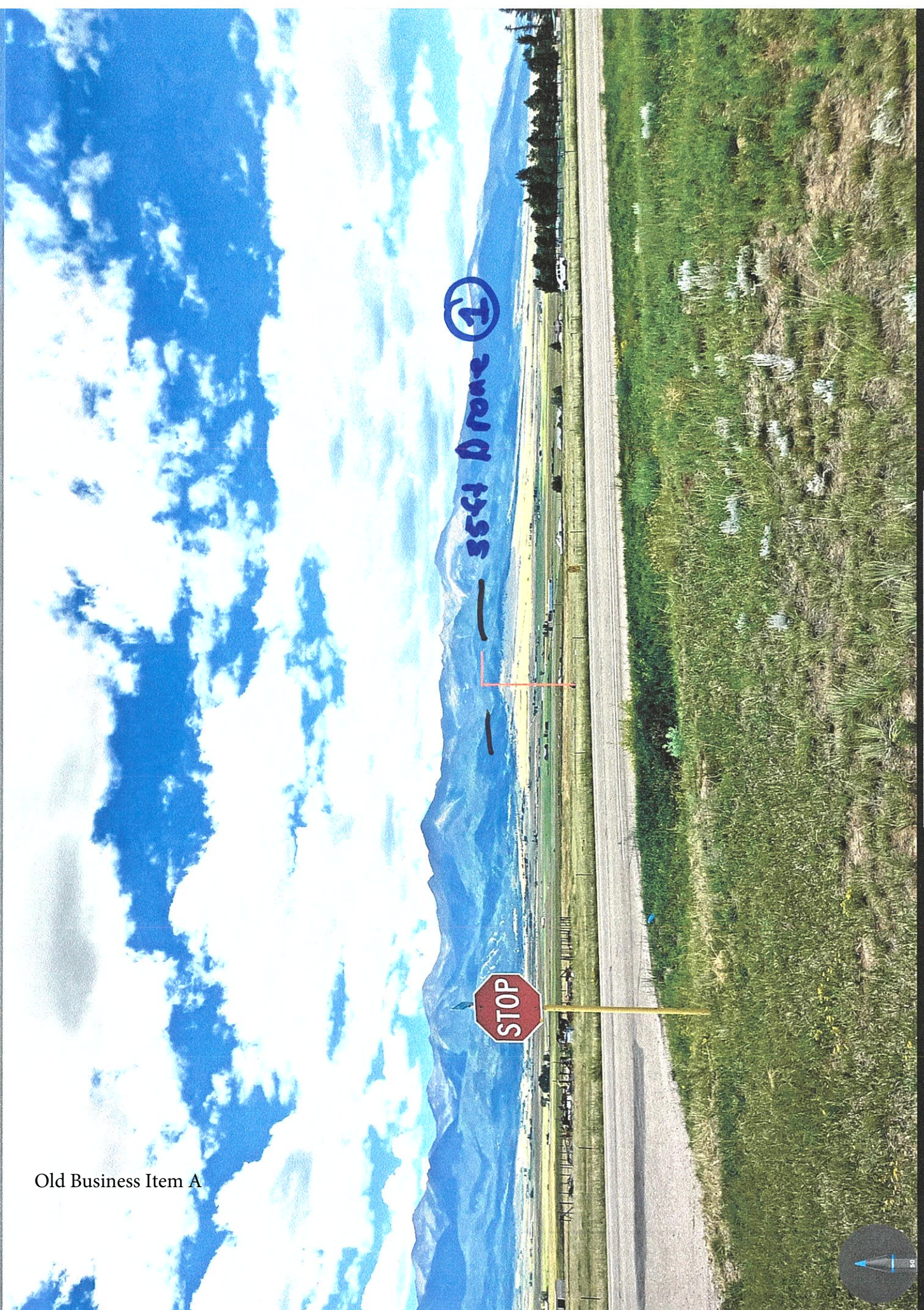
33ft
drop in elevation from upper point
to lower point,
purposed max height of structure
35ft

Elevation difference Proposed buildings (lowest ground level) to
:

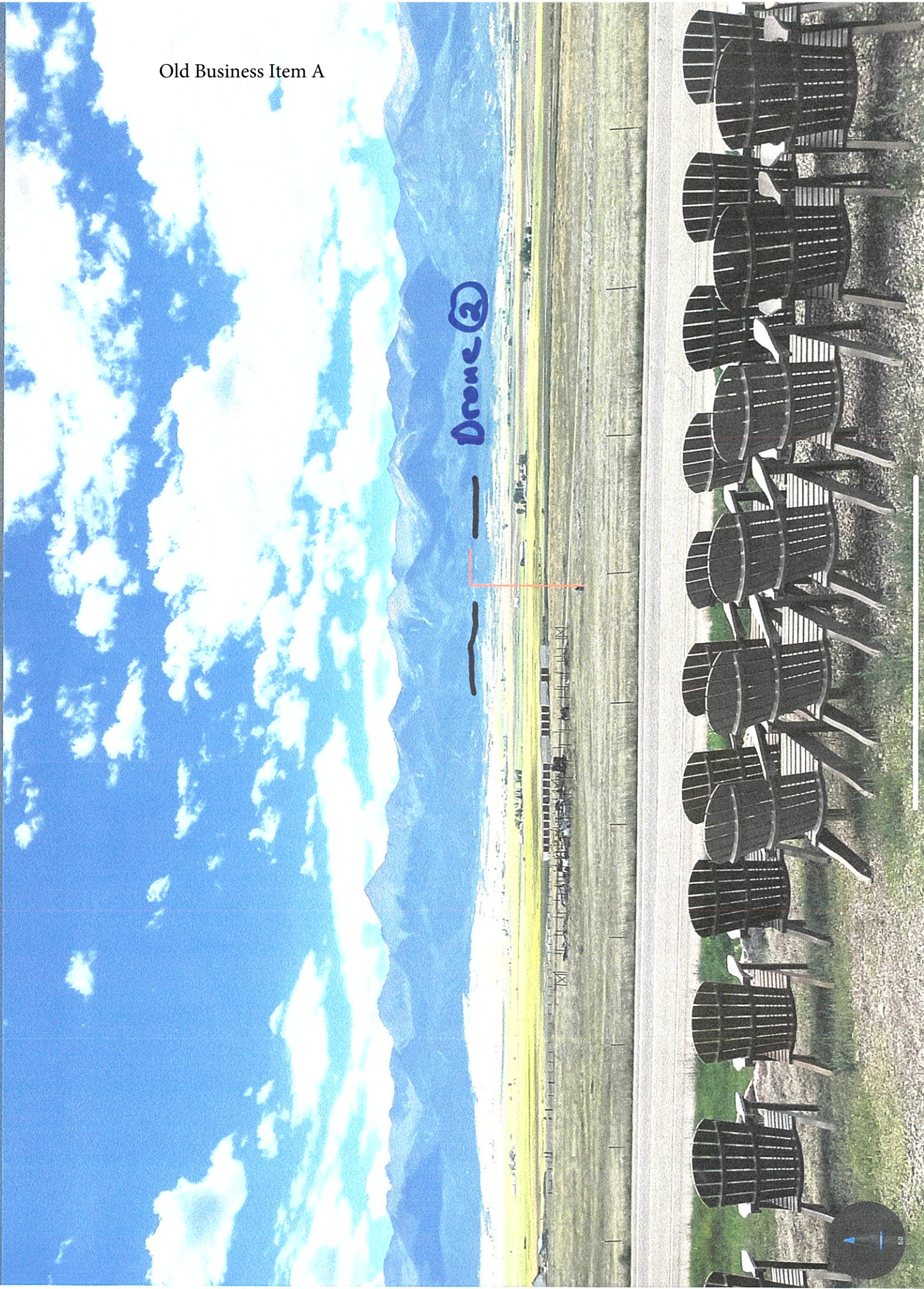
1. Hardware store 24 feet higher1244 feet away
2. Yoders furniture 20 feet higher ...463 feet away
3. Alta Gas station 13 feet higher ... 822 feet away
4. Hermit Road above church 36 feet higher ...1715 feet
away
5. Hermit Park 1 foot lower ...878 feet away

All elevation measurements taken off Google Maps
Approximate only

Old Business Item A



Old Business Item A



Drone 2



Old Business Item A



Affordable housing is defined by US Department of Housing and Urban Development as “housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities.

2022 statistics for Custer County include

Salary for Teachers average	\$42,350	Affordable 30% housing	\$1058
Salary for Law Enforcement	\$45,760	Affordable 30% housing	\$1144
Medical Semi professional	\$50,658	Affordable 30% housing	\$1266
Minimum Wage Staff	\$30,160	Affordable 30% housing	\$754

Custer county as of 2022 is 45%,

Source: 2018-2022 5-Year American Community Survey, US Census Bureau

EXHIBIT A

USE	A	R-SF	R-MF	MH	CC
0.01 Single family one up to two attached or detached Dwellings	R	R	P	P	S
0.02 Three up to six family Dwellings	P	S	R	P	S
0.03 Dwellings for six or more families	P	P	R	P	S
0.04 Mobile homes	P	P	P	R	P
0.05 Mobile home parks	P	P	P	R	P
0.06 Accessory Structures and Uses	R	R	R	R	R
0.07 Home Occupations	R	R	R	R	S
0.08 Churches	S	R	R	S	S
0.09 Public Schools	S	R	R	P	P
0.1 Golf courses	S	P	P	P	P
0.11 Public parks	S	R	R	R	R
0.12 Animal grazing	R	P	P	P	P
0.13 Mining	S	P	P	P	P
0.14 RV Park	P	P	P	P	P
0.15 Farming and ranching	R	P	P	P	P
0.16 Feed yards and fur farms	R	P	P	P	P
0.17 Veterinary hospitals and kennels	R	P	P	P	S
0.18 Riding stables	R	P	P	P	P
0.19 Airports	S	P	P	P	P
0.2 Cemeteries	S	P	P	P	P
0.21 Radio broadcasting stations	S	P	P	P	S
0.22 Sanitary landfill operations	S	P	P	P	P
0.23 Sewage disposal plants	S	P	P	P	P
0.24 Lumber mills	S	P	P	P	P
0.25 Quarries, sand and gravel operations and concrete batch plants	S	P	P	P	P
0.26 Retail establishments entirely enclosed within a structure	S	P	P	P	R
0.27 Personal service businesses entirely enclosed within a structure	S	P	P	P	R
0.28 Banks and Credit Union	P	P	P	P	R
0.29 General offices	P	P	P	P	R
0.3 Government buildings	P	S	S	P	R
0.31 Lodging	P	P	P	P	R

Old Business Item B

0.32 STR1	R	R	R	R	R
0.33 STR2	S	S	S	S	R
0.34 Eating and drinking places	P	P	P	P	R
0.35 Drive-in eating and drinking places	P	P	P	P	S
0.36 Theaters and auditoriums	P	P	P	P	R
0.37 Parking lots	S	S	S	S	S
0.38 Museums	S	S	S	S	S
0.39 Dwelling units above, below, or behind the business	P	P	P	P	R
0.4 Rental of goods with a weight of no more than 200 pounds	P	P	P	P	R
0.41 Light equipment repair and service stations	P	P	P	P	P
0.42 Automobile sales, rental or service	P	P	P	P	P
0.43 Agricultural/heavy equipment sales or service	S	P	P	P	P
0.44 Building material and lumber sales	P	P	P	P	P
0.45 Public utility stations	S	S	S	S	S
0.46 Bowling alleys	P	P	P	P	S
0.47 Trucking	P	P	P	P	P
0.48 Equipment rental establishments	S	P	P	P	S
0.49 Wholesale and distribution	R	P	P	P	S
0.5 Storage units	P	P	P	P	P
0.51 Bed & Breakfast	S	S	S	S	S
0.52 Marijuana cultivation facility	P	P	P	P	P
0.53 Marijuana Product Manufacturing Facility	P	P	P	P	P
0.54 Marijuana Testing Facility	P	P	P	P	P
0.55 Medical Marijuana Center	P	P	P	P	P
0.56 Retail Marijuana Store	P	P	P	P	P
0.57 ADU	R	R	R	R	R
0.58 Planned Unit Development	P	S	S	S	S

Old Business Item B

HC	HI	PUD	PUD B-1 B-1	PUD B-2 B-2	TN	MFD
P	P	A	P	P	R	R
P	P	A	P	P	R	R
P	P	A	P	P	P	R
P	P	P	P	P	P	P
P	P	A	P	P	P	P
R	R	A	P	P	R	S
P	P	A	P	P	R	P
S	P	A	P	P	R	P
P	P	A	P	P	P	P
P	P	A	P	P	P	P
P	P	A	P	P	R	S
P	P	A	P	P	P	P
P	S	A	P	P	P	P
S	P	A	P	P	P	P
P	P	A	P	P	P	P
P	P	A	P	P	P	P
R	P	A	P	P	P	P
P	P	A	P	P	P	P
P	P	A	P	P	P	P
S	S	A	P	P	R	P
P	P	A	P	P	P	P
P	S	A	P	P	P	P
P	S	A	P	P	P	P
R	S	A	R	P	R	P
R	P	A	R	P	R	P
R	P	A	R	P	R	P
R	S	A	P	P	R	P
R	S	A	R	P	R	P
R	P	A	R	P	R	P

R	P	R	R	R	R	P
R	P	R	R	R	R	P
R	P	A	R	P	R	P
R	P	A	P	R	P	P
R	P	A	R	P	R	P
S	R	A	R	P	R	S
S	S	A	R	P	R	P
R	S	A	R	R	R	P
R	R	A	R	P	R	P
R	R	A	P	R	P	P
S	R	A	P	R	P	P
S	R	A	P	R	P	P
S	R	A	P	R	R	P
R	P	A	P	R	P	P
P	R	A	P	R	P	P
R	R	A	P	R	P	P
R	R	A	P	R	P	P
S	R	A	R	R	P	P
S	P	A	R	R	R	P
P	P	P	P	P	P	P
P	P	P	P	P	P	P
P	P	P	P	P	P	P
P	P	P	P	P	P	P
P	P	P	P	P	P	P
R	P	A	R	R	R	R
S	S	R	R	R	S	R

Old Business Item B

EXHIBIT B

M. - Multi-Family Housing District

1. Description of District. This District is designed to accommodate work force housing, affordable housing, senior housing, and veteran housing. The Town of Westcliffe recognizes its small footprint and is designing this district to allow for more housing and growth in the Town. This zoning designation covers four blocks south of Hafford Avenue and East of Fourth Street.

2. Designation of lots.

The Town owned lots: Half of block 33 and the lots close to the highway shall be apartments and condos with a building footprint of not more than 7,500 square feet and 35 feet tall.

The privately owned lots: Blocks 33, 34, 20, and 19 shall be:

Minimum requirements: The minimum lot shall be a Dwelling-Two-Family of two options.

- (1) A duplex. (2) A Single-Family home with a required ADU (as defined in 3-7-1).
- Both options must be built on a minimum of 2 lots.

Maximum requirements: The maximum building size allowed shall have four units on a minimum of four lots, including ADU's.

OR

Minimum requirements shall be two dwelling units on a minimum of two lots and a maximum of four dwelling units on four lots

3. Building Review. All building plans and architectural designs must be submitted to the Planning Commission for review and consideration in order to allow for higher density and proper planning, and aesthetically pleasing building practices (as defined in 10-1-17).

4. Area height and standards:

**Height shall be measured from the lowest grade point adjacent to the building.*

Town owned lots: Structure shall be limited to a building footprint of 7,500 square feet and no taller than 35 feet in height. Developers may vacate current roads that run in between the current lots in order to plan for higher density. The Town is open to unique solutions for parking, but shall be no less that 1.75 per dwelling.

Building height: 35 feet

Minimum lot area: 12,500 square feet

Minimum setbacks:

Front yard: 5 feet

Side yard: 0 feet, if fire proof rated

Rear yard: 5 feet

Privately owned lots (blocks 33, 34, 20 and 19): Multi-family dwellings that may have a 1-bed ADU adjacent to the alley.

Minimum requirements: The minimum lot shall be a Dwelling-Two-Family of two options. (1) A duplex.
(2) A Single-Family home with a required ADU (as defined in 3-7-1).

Maximum requirements: The maximum building allowed shall have four units on a minimum of three lots.

Building height: 25 feet

Minimum lot area: 12,500 square feet

Minimum setbacks:

Front yard: 5 feet

Side yard: 3 feet

Rear yard: 5 feet

ORDINANCE #7-2019

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, CUSTER COUNTY, COLORADO, RENAMING AND REPLATTING MULTIPLE BLOCKS AND REZONING THE TOWN'S LOTS 19, 20, 33, 34, AND THE TOWN OWNED LOTS ADJACENT AND AMENDING THE OFFICIAL TOWN ZONING MAP REFLECTING SUCH REPLATTING.

Commented [CP1]: Clay let me know if this is the wording you would like

WHEREAS, C.R.S 31-23-202 authorizes the Town of Westcliffe to amend the Town's Platting of public and private lands as recommended by the Town's Planning Commission; and,

WHEREAS, the Town Planning Commission recommends that the Board of Trustees rezones block 20, 19, 33, 34 and the Town owned lots adjacent, to Multi- Family District. All Lots and zones above shall be consistent with the Town Master Plan and with the Town and Custer County official zoning maps; and,

WHEREAS, the Board of Trustees, upon recommendation of the Town's Planning Commission, has determined that it is in the best interest of the property owners and Town of Westcliffe in the Town blocks of 20, 19, 33, 34 and the Town owned lots adjacent to officially rezone and plat the parcels to fit the Town's Master Plan and,

WHEREAS, the Board of Trustees has determined that the rezoning is reasonable and not adverse to the interests of the Town or other adjacent land owners; and,

WHEREAS, such newly rezoned lots traverse the Town Line next to Custer County; and,

WHEREAS, the rezoning of these blocks and rezoning requires the official Town Zoning Map to be amended, redrawn and published to reflect the changes within the Town.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE THAT TOWN BLOCKS 20, 19, 33, 34 and the Town owned lots adjacent shall be rezoned from Residential Single Family to Multi Family District. THE TOWN'S OFFICIAL ZONING MAP AND MUNICIPAL CODE SHALL BE AMENDED, REDRAWN AND PUBLISHED TO REFLECT SUCH MODIFICATIONS AS FOLLOWS:

1. Rezone blocks 20, 19, 33, 34 and the Town owned lots adjacent to Multi Family District.
2. Attached Exhibit A, shall reflect the changes to lots in items 1 above.
3. The Town of Westcliffe Municipal Code shall reflect the following changes in Exhibit A
4. The Town's official Zoning Map shall be amended, redrawn and published to reflect the changes contained herein.

Commented [CP2]: Should we have an exhibit? What should it look like?

This Ordinance was introduced and adopted by the Board of Trustees of The Town of Westcliffe, Colorado, upon a motion duly made, seconded and passed at a duly called board meeting held at The Town of Westcliffe on the ____ day of _____, 2024 and **shall** become effective thirty days after adoption.

ATTEST:

**Erin Christie, Town
Clerk**

TOWN OF WESTCLIFFE

By:

Paul Wenke, Mayor

Old Business Item B

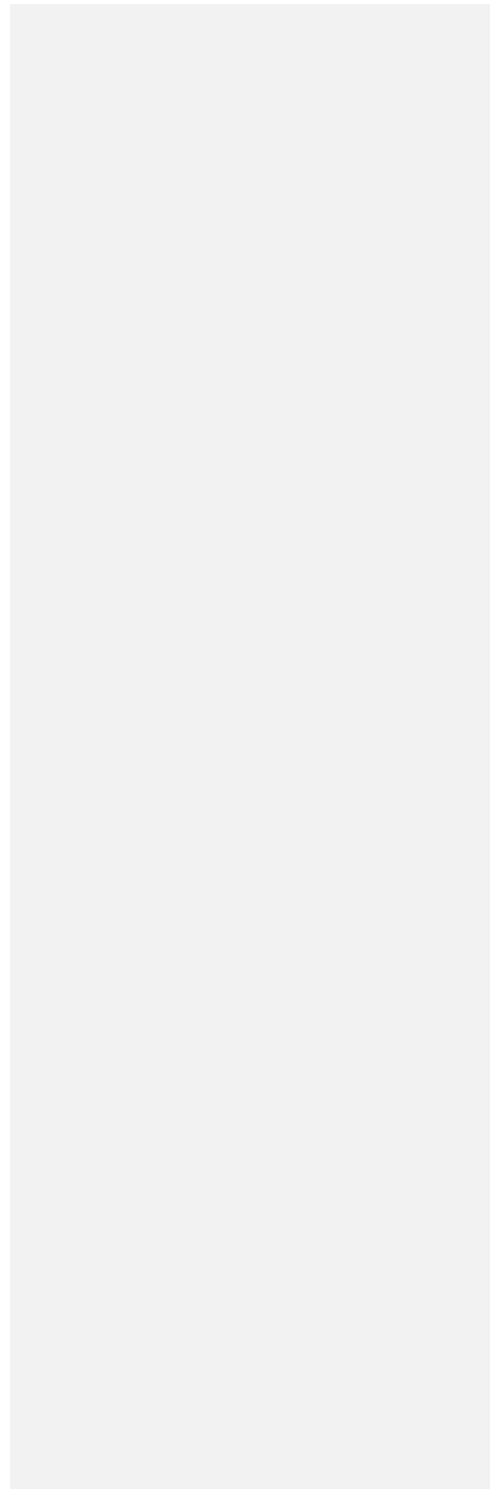


EXHIBIT A-ADU

USE	A	R-SF	R-MF	MH	CC
0.57 ADU	R	R	R	R	R

Old Business Item C

HC	HI	PUD	PUD B-1	PUD B-2	TN
R	P	A	B-1 R	B-2 R	R

Old Business Item C

**TOWN OF WESTCLIFFE, COLORADO
ORDINANCE # -2024**

**AN ORDINANCE OF THE TOWN OF WESTCLIFFE ADDING TITLE 10, ADDING CHAPTER 1,
SECTION 17 – ADU’s, OF THE MUNICIPAL CODE**

WHEREAS, the Town of Westcliffe acting by and through its Town Board of Trustees has the power to regulate land use matters pursuant to Colorado Revised Statutes (C.R.S.) Section 31, Article 23 et seq.; and

WHEREAS, the Board of Trustees of the Town of Westcliffe has determined that it is in the best interests of the Town to adopt and add Title 10, Chapter 1, SECTION 17 – ADU’s, as a supplement to the Town Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTCLIFFE, COLORADO, as follows:

1. **Adoption of Title 3, Chapter 7, of the Municipal Code.** Title 10, Chapter 1, Section 17 – ADU’s, of the Municipal Code is hereby adopted and added to read in substantially the same form and substance as follows:

CHAPTER 1, SECTION 17

10-1-17: Scope

This section shall be applicable to Accessory Dwelling units in the Residential Single-Family District, Core Commercial District, and the Multi Family District.

3-7-2: Definitions

As used in this Chapter, the following terms shall have the meanings indicated, unless the context otherwise requires:

“Accessory Dwelling Unit (ADU)” A smaller dwelling on the same grounds as the primary home; attached to the main dwelling or detached from the main dwelling. The Dwelling shall be no more than 550 square feet and no less than 300 square feet.

3-7-3: Supplementary Regulations

- A. Accessory Dwelling units must be on a fixed foundation and not on a chassis. Accessory Dwelling units may not be built until the primary Residence/Business has a certificate of occupancy.
- B. All ADU’s must follow current setbacks relevant to the current zone to which they are in.
- C. An ADU above, below, or behind a business or dwelling, must provide parking and be on the alley.
- D. Any ADU less than 500 square feet shall comply with 3-6-1 of the Municipal Code

2. **Revision of Title 10, Section 2, Chapter 2, of the Municipal Code.** Title 10, Chapter 2, Section 3, of the Municipal Code is hereby adopted and added to read in substantially the same form and substance as follows:

Town of Westcliffe
Ordinance No. 3 (Series 2024)

Refer to Exhibit A.

3. **Severability**. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
4. **Effective Date and Time**. This Ordinance shall become effective 30 days after publication in accordance with law.

THIS ORDINANCE WAS INTRODUCED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED BY MAJORITY VOTE AT ITS REGULAR MEETING HELD AT THE TOWN OF WESTCLIFFE ON THE 21ST DAY OF MAY, 2024.

TOWN OF WESTCLIFFE

By: _____
Paul Wenke, Mayor

ATTEST:

Kathy Reis, Town Clerk

10-1-17 Multi Family district

- A. **Purpose and intent.** The and intent of this Chapter is to facilitate and guide the future development of the Multi Family District (as Defined in 10-2-3 M.) The development of the area shall be streamlined to provide an expedient process to develop, while ensuring development review, building architecture, and the infrastructure shall be well planned out.
- B. **Definitions**
 - 1. Architectural Control Committee (Clay to give definition)
 - 2. ???
 - 3. ???
 - 4. ??
- C. **Architectural Control Committee (ACA).** The Board of Trustees are hereby granting the Planning Commission the duty to act as an Architectural Control committee defined in 10-1-17 B. The purpose of the Architectural Control Committee is to ensure the health and wellbeing of Westcliffe is protected. The Town wants to keep its rural character, while providing tasteful housing options for its residents. Each dwelling (as defined in 10-1-6 15. & 16.) shall be reviewed under the same process as Municipal Code 10-1-10.
 - 1. the

1-1-18 Affordable housing

- A. **Purpose and intent.** The purpose and intent of this chapter is to provide clear and articulable direction for the Town of Westcliffe and its citizens and interested developers and partners on the Town’s policies, stance, and outline to provide affordable housing for its citizens.
- B. **Definitions**
 - 1. Emergency services: organizations that ensure public safety, security, and health by addressing and resolving different emergencies.
 - 2. Workforce/Affordable Housing: Housing that attracts and retains “essential workers” for the Town and the surrounding community, Housing for young family, looking to put down roots, Housing for single professionals looking for an outdoor oriented lifestyle, and Housing for retired individuals.
 - 3. Affordable: Affordability shall be defined as an individual paying no more than 30% of their income (including utilities) toward housing.

4. Architectural Control Committee (ACC): A committee that oversees building development in the Multi Family District. The ACC shall oversee architectural requests and compliance lined out in 10-1-18 F.
5. Individual income levels: The individual income levels shall be defined as a person's yearly income reported to the IRS. The income levels shall be set upon by the most recent housing needs assessment.
6. Deed Restriction: specific rules and regulations regarding the use of the property or land, that shall accompany and bind an affordable home for a period of no less than 30 years.
7. Housing Authority:

C. Affordable shall be defined as:

1. No more than 100% AMI based off of the current housing needs assessment for the area.
2. No more than 30% of the individual income or combined income going toward housing, including utilities.
3. A deed restricted property/dwelling that must be restricted for a minimum of 30 years for private homes, and perpetuity for Town owned lots meant for affordable housing.

D. Housing Authority

1. Before the Town partners with a developer for affordable homes an IGA must be signed and attested between the Town and Upper Area Arkansas Council of Governments (UAACOG) to manage the affordable units in the Town, through a housing authority. The Town is not in the business of being a property manager.
2. The agreement shall and must outlay priority to the citizens of Westcliffe and the surrounding area (Custer County).
3. The agreement shall serve the following point system in order to ensure Town residents and the surrounding community, that rely on the local economy, get priority:
 - a. Working in Westcliffe- 5 points
 - b. Working in Silver Cliff- 4 points
 - c. Working in Custer County- 4 points
 - d. Specific job fields served:
 - (1) Government, Westcliffe- 5 points
 - (2) Emergency services- 5 points
 - (3) Teachers- 4 points
 - (4) Retail/restaurant- 3 points
 - (5) Misc- 2 points
 - e. Income- Different waiting lists for different AMI's shall be established below per individual income (subject to change by resolution for new Housing Needs Assessments).
 - (1) Low-income bracket (\$35,000 per year) 40% of units
 - (2) Middle income bracket (\$45,000 per year) 40% of units
 - (3) Upper income bracket (\$55,000 per year) 20% of units
4. In order to ensure the units are being provided to all residents who need it, a cap for rent shall be established. Each lease must serve each individual or household for no

more than 5 years. The goal is to provide starter homes for those looking to get started, not lifelong government assistance.

5. It shall be the intent of the housing Authority to safely and appropriately divide the dwelling units fairly to ensure a equitable amount of units are spread out amongst all job fields within the Town of Westcliffe.
6. The agreement shall also have a clause giving the Town approval to audit the housing Authority once every two years, if needed, to ensure housing is prioritized and following section D. in its entirety.
7. The housing authority shall have a board that the Town can place a member on, to ensure it is following the original intent of this chapter.

D. Incentives for Developers

1. The Town should create incentives for any developer, partner, or housing authority it deems necessary to keep overall costs and rent down. The following shall be a guide for the Town to adopt incentives:
 - a. No Density limit. The Units built by a developer on Town owned lots shall have no density limit
 - b. Building height. A building height of 35' shall be allowed for the Town owned lots.
 - c. Reduced utility fees. The Town should work with Black Hills Energy and Round Mountain Water and Sanitation District to reduce fees and initial infrastructure cost.
 - d. Reduced property taxes. The Town shall have the right to give land over to a non-profit/ governmental group, such as UAACOG, to provide property tax relief.
 - e. Reduced local government costs. The Town shall have the right to create resolutions to its Feed Schedule in order to lower costs.
 - f. Reduced land development costs. The Town, if it chooses, may work with a developer, partner, or housing authority to give the land over, if the other party can serve the following:
 - (1) Provide housing in perpetuity to the following categories:
 - (a) Low-income bracket (\$35,000 per year) 40% of units
 - (b) Middle income bracket (\$45,000 per year) 40% of units
 - (c) Upper income bracket (\$55,000 per year) 20% of units
 - (2) Provide in return a daycare center
 - (3) Provide in return an indoor recreation center
 - (4) Parks
 - (5) Community gardens

E. Development Review Process for the Town owned lots.

1. All site development within the Town owned lots shall be required to follow the procedures and satisfy the requirements set out in 10-1-9 prior to development. Site development is defined at Section 10-1-6. C.59. The developer is required to attend in person or by authorized representative, all meetings at which the project is considered, unless otherwise notified by the Town. With the exception of the erection of signs which must comply with the sign ordinance, no site development of property may be initiated, the use of property may not be substantially changed, substantial clearing, grading, filling or excavation may not be commenced, and buildings or other substantial

structures may not be constructed, erected, moved or substantially altered except in accordance with **and pursuant to all of the following approvals:**

- a. A site plan approval pursuant to Section **10-1-10 and 10-1-18 E. 2.**,
- b. A subdivision approval pursuant to Chapter 3,
- c. A use permitted by special review pursuant to Section 10-1-12,
- d. An agreement between the Town, Developer, and UAACOG (housing authority).

2. Site plan approval. A site plan approval pursuant to Section 10-1-10 must be complied with before additionally adding a description of the proposed affordability.

- a. What AMI the developer is seeking to serve
- b. Unit breakdown. Number of beds per unit
- c. Number of affordable units (no more than 30% of income at 100% AMI and below) and unaffordable units (110% AMI and above), based on the most current housing needs assessment/market study.
- d. The developer shall provide units to serve the following individual income levels laid out in 10-1-17 D, 1, f, (1)

F. Architectural Control Committee (ACC). The Board of Trustees are hereby granting the Planning Commission the duty to act as an Architectural Control committee defined in 10-1-17 B. The ACC shall inspect and approve all buildings within the Multi Family District, including the Town owned lots. The purpose of the Architectural Control Committee is to ensure the health and wellbeing of Westcliffe is protected. The Town wants to keep its rural character, while providing tasteful housing options for its residents. Each dwelling (as defined in 10-1-6 15. & 16.) shall be reviewed under the same process as Municipal Code 10-1-10.

1. The ACA shall not inspect the structural components of the building
2. The ACA shall only review the exterior “façade” and architectural concepts. Those who submit plans to the ACC, and are accepted, shall be expected to build what they present.
3. No Dwelling shall be erected, placed, or built on any lot until the construction plans showing the location of the structure within the lots have been approved by the ACA, as to the sufficient quality of workmanship and materials, harmony of external design with the existing structures, and the topography of the lots as to finished grade elevations. In addition, all sidewalk, landscaping and the signage plans shall be submitted and approved by the committee.
4. The Architectural Control Committee has the authority to establish and maintain harmonious lot grades and the right to establish grades prior to the construction of any building. The grades designated and all improvements shall be maintained continuously by the owner of the lot and no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the established slope ratios, create erosion or sliding problems or which may change the direction of flow of drainage channels or obstruct the flow of water through drainage channels.
 1. Design Standards
 - a. Approved exterior siding shall be stucco, vinyl, metal, engineered wood siding, bevel, board and batten, and split logs, all to be of earth tones.
 - b. Different siding colors may be allowed by the ACC to give the owners more diverse options.

- c. Alternate approved exterior finishings: Brick cladding, stone veneer, and stone siding may also be a viable option.
- d. Overall, the building must fit into the surrounding area in terms on design.

G. Development Review Process for individual lot owners.

- 1. 1. All site development within the Town owned lots shall be required to follow the procedures and satisfy the requirements set out in section F of this chapter.
- 2. Water and Sewer infrastructure
 - a. The Town shall have the right to develop and install water and sewer lines in the Multi Family District. In the event that the Town does not install these lines, the owner shall be responsible to comply with Round Mountain Water Sanitation Districts "Rules and Regulations".
- 3. Sidewalks and gutters: All properties within the MFD shall have sidewalk, curbs and gutters installed along the roadside property line before a certificate of occupancy shall be granted. All work shall comply with the Town of Westcliffe Sidewalk Specifications. This section shall comply with Title 7 of the Westcliffe Municipal Code.
- 4. Driveways: All driveways shall comply with the Town of Westcliffe Sidewalk Specifications. This section shall comply with Title 7 of the Westcliffe Municipal Code.
- 5. Roads
 - a. The Town of Westcliffe shall have the right to design, install, and maintain roads within its ROW.
- 6. Site plan
 - a. The owner of the lots shall present to the ACC a site plan laid out in 10-1-10 of the Westcliffe Municipal Code.
 - b. If the owner is trying to provide affordable housing (as defined in 10-1-18 B, 2), they shall present to the ACC a site plan laid out in 10-1-17 E. 2. The Town shall also require a deed restriction (as defined in 10-1-18 B) to accompany and bind with the land for a period of no less than 30 years.

H. Unlawful acts

- 1. It is unlawful for any person to build on the Multi Family District without first seeking approval from the ACC and the ordinance within this chapter.

I. Enforcement and Penalties

- 1. Any provision within this chapter that is violated will be to the sum of five-hundred dollars (\$500.00) per day.

**TOWN OF WESTCLIFFE
REQUEST TO BE PLACED ON AGENDA**

Office of the Town Clerk
P.O. Box 406
Westcliffe, CO. 81252
townclerk@townofwestcliffe.com
719-783-2282

_____ **Westcliffe Town Board** **X** _____ **Westcliffe Planning Commission**

Here are things you need to know:

- You must contact the Town staff prior to coming to the Board. Quite often the issue can be resolved by staff action.
- Please plan on attending the meeting. The Board of Trustees will be unable to take action without a representative in attendance.

Please complete the following information and return this form no later than ten (10) days prior to the Board meeting to the above address or bring it to the Town Hall at 1000 Main Street our office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. (Regular Board meetings are scheduled for the first Monday of each month.)

Name of person making presentation: Christy Patterson

Organization, if speaking on behalf of a group: _____

Is this a request for Board action? Yes No

Please provide a summary of your comments:

I am requesting that heavy industrial zoned properties have the same option as all other commercial zoned property of being able to have adwelling above, below, or behind the business (.39) in the graph located in the Municipal Code .

The HI zone requires the largest amount of land and furthest setbacks. Based on the zoning map on the TOWC website, there is only one HI parcel that is not located in a PUD. I am part owner of that lot. I own another HI lot in SR. .39 is allowed per the subdivision regulations. (see attached)

What staff member have you spoken to about this? Please summarize your discussion:

I have brought this up in a PC meeting before and was supposed to come back before the board, but I have not submitted another request until now.

Contact information:

Name: Christy Patterson
Mailing Address: PO Box 792
Westcliffe, CO 81252
email: christinalynnpatterson@gmail.com
Daytime Phone: 719-371-4928

AMENDMENT PLAT OF



A SUBDIVISION IN SECTIONS 17 AND 18, TOWNSHIP 22 SOUTH, RANGE 72 WEST OF 6TH P.M., TOWN OF WESTCLIFF, COUNTY OF CUSTER, STATE OF COLORADO

TABLE OF AUTHORIZED LAND USES AND SETBACKS

Table with columns for Lot Number and setbacks (Sides, Rear and Front = 20').

Table of Authorized Land Uses and Setbacks with categories like Single Family Dwelling, Multi-Family Dwelling, etc.

CURVE TABLE listing CURVE LENGTH, RADIUS, DELTA ANGLE, CHORD LENGTH, and CHORD BEARING for lots C1 to C144.

LINE TABLE listing LINE NUMBER, BEARING, and DISTANCE for lots L1 to L144.

KNOW ALL MEN BY THESE PRESENTS THAT SHADOW RIDGE HOLDINGS LLC IS THE OWNER OF THE FOLLOWING TO WIT:

A PARCEL OF LAND IN SECTIONS 17 AND 18, TOWNSHIP 22 SOUTH, RANGE 72 WEST OF THE 6TH P.M., TOWN OF WESTCLIFF, COUNTY OF CUSTER, STATE OF COLORADO...

DEDICATION THE UNDERSIGNED OWNER HAS CAUSED THIS AMENDMENT PLAT TO BE PREPARED IN ORDER TO EXECUTE THE APPROVED AMENDMENTS AS FOLLOWS AND AS FURTHER...

IN WITNESS WHEREOF THAT SHADOW RIDGE HOLDINGS LLC HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS 10th DAY OF October 2006...

STATE OF COLORADO COUNTY OF CUSTER Jerald R. Seibert MANAGER SHADOW RIDGE HOLDINGS LLC

NOTES BY HAND AND SEAL Kathy Reis WIT COMMISSION EXPIRES 7/1/2009

PLANNING COMMISSION CERTIFICATE THIS AMENDMENT PLAT IS RECOMMENDED FOR ACCEPTANCE AND APPROVAL BY THE TOWN OF WESTCLIFF, COLORADO THIS 10th DAY OF October 2006...

TOWN OF WESTCLIFF CERTIFICATE THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFF BY RESOLUTION HAS AUTHORIZED THE MAYOR OF THE TOWN OF WESTCLIFF TO AFFIX HIS SIGNATURE AND THE TOWN SEAL...

NOTES BY HAND AND SEAL Kathy Reis WIT COMMISSION EXPIRES 7/1/2009

SURVEYOR'S STATEMENT I, DO HEREBY STATE THAT THIS AMENDMENT PLAT WAS PREPARED UNDER THE SUPERVISION OF THE REQUESTER OF THE HUNGARON ZONING AND IN CONFORMANCE WITH THE ACTIONS OF THE WESTCLIFF BOARD OF TRUSTEES.

STATE OF COLORADO COUNTY OF CUSTER THIS PLAT FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF CUSTER COUNTY, COLORADO AT 2:05 P.M. ON THE 12th DAY OF October 2006...

Shy Surveyors & Assoc. 590 Hermit Road, P.O. Box 1280, Westcliffe, Colorado, 81258. Phone: (719) 783-2347 Fax: (719) 783-2310

New Business Item B