



BOARD OF TRUSTEES
September 27, 2022
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

Regular Meeting Agenda

Individuals wishing to make public comments must attend the meeting in person or may submit comments by sending an email to garciapa@wellingtoncolorado.gov. The email must be received by 4:00 p.m. on the day of the meeting. The comments will be provided to the Trustees and added as an addendum to the packet. Emailed comments will not be read during the meeting.

The Zoom information below is for online viewing and listening only.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85394126816?pwd=bkxBaXlzb1hTMVl3U0lEdmpjNVJ1UT09>

Passcode: 030562

Or One tap mobile :

US: +17193594580,,85394126816# or +17207072699,,85394126816#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 719 359 4580 or +1 720 707 2699 or +1 346 248 7799 or +1 669 444 9171 or +1 253 215 8782 or
+1 312 626 6799 or +1 386 347 5053 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 301
715 8592 or +1 309 205 3325

Webinar ID: 853 9412 6816

International numbers available: <https://us06web.zoom.us/j/85394126816>

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Amendments to Agenda
4. Conflict of Interest

B. COMMUNITY PARTICIPATION

1. Public Comment

C. PRESENTATION

1. Larimer County Sheriff's Office - 2023 Budget Presentation

- Presentation - Lieutenant Troy Badberg and Sergeant Matt Cherry

D. CONSENT AGENDA

1. Minutes from September 13, 2022 Board of Trustees Meeting

E. ACTION ITEMS

1. Public Hearing: Rezone Request from LI - Light Industrial District to C-2 - Downtown Core Commercial District on Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision (8141 First Street)
 - Presentation: Cody Bird, Planning Director
2. Ordinance No. 15-2022: An Ordinance Concerning a Rezone Request from LI - Light Industrial District to C-2 - Downtown Core Commercial District on Lot 1 and the North 15 Feet of Lot 2, Block 9, Wellington Place 1st Subdivision (8141 First Street)
 - Presentation: Cody Bird, Planning Director

F. REPORTS

1. Town Attorney
2. Town Administrator
3. Staff Communications
 - a. Larimer County Sheriff's Office Monthly Report - August 2022
 - b. Utility Monthly Report through 9/1/2022
 - c. Fee Schedule report
4. Board Reports

G. ADJOURN

The Town of Wellington will make reasonable accommodations for access to Town services, programs, and activities and special communication arrangements. Individuals needing special accommodation may request assistance by contacting at Town Hall or at 970-568-3380 ext. 110 at least 24 hours in advance.



Board of Trustees Meeting

Date: September 27, 2022

Submitted By:

Subject: Larimer County Sheriff's Office - 2023 Budget Presentation

- Presentation - Lieutenant Troy Badberg and Sergeant Matt Cherry

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. 2023 Wellington Statement of Work and Budget

ATTACHMENT A

2023 STATEMENT OF WORK AND BUDGET AGREEMENT BY AND BETWEEN COUNTY OF LARIMER AND TOWN OF WELLINGTON

This 2023 Statement of Work and Budget Agreement, Pursuant to the Municipal Law Enforcement Services Agreement between the Town of Wellington and Larimer County (currently in effect through 2025), will be in effect from January 1, 2023 through December 31, 2023, unless superseded by a new agreement.

1.0 SCOPE OF WORK

The County, through the Sheriff's Office, will provide the services of one (1) full-time sworn sergeant, one (1) full-time sworn corporal, six (6) full-time sworn deputies, one (1) half-time sworn investigator, one (1) full-time sworn desk deputy and one (1) full-time sworn School Resource Officer to assist the Town with law enforcement activities as more specifically described below.

2.0 SUPERVISORS

The Sergeant will be responsible for the supervision of law enforcement and public safety operations for the Town. The Sergeant will work closely with the Town Administrator to exchange information, ensure the Sheriff is meeting expectations and is in compliance with this agreement, and to determine the needs of the Town and define priorities and goals for the Town's law enforcement activities. The Sergeant will also ensure the Town receives timely monthly reports as required under Section 1.8 of the Municipal Law Enforcement Services Agreement.

The Corporal will assist the Sergeant with the supervision of the deputies working in Wellington, and will assume the duties of the Sergeant when the Sergeant is unavailable.

Further, the supervisors will supplement Town patrol coverage by performing general law enforcement duties and will cover for vacancies when practical and appropriate.

3.0 PATROL DEPUTIES

Six (6) sworn deputies will work a combined average of thirty hours per day, which will provide 24-hour coverage for the town. The actual time periods during each day spent in providing patrol services shall be dependent upon several factors including, but not limited to, the day of the week, the time of the month, school day versus non-school day, holiday, etc. These times will not include travel time to and from Wellington. The County is allowed to use flexible scheduling to prevent the development of patrol hour patterns. The supervisors will supplement this coverage and will fill in for vacancies, when practical. When vacancies are not able to be covered with contract deputies or a supervisor, and during the hours outside of this agreement, calls for service will be handled by regular on-duty Sheriff's deputies in the same manner and level as they cover unincorporated areas of the County.

Contracted patrol services shall include, but not be limited to, the following: enforcement of Colorado state statutes and county and municipal ordinances; general traffic enforcement; business checks by foot patrol or by vehicle; vacation checks of private residences (as requested); development and maintenance of crime prevention programs for commercial and residential use; investigation of traffic accidents; and, investigation of criminal offenses.

4.0 DESK DEPUTY

The Desk Deputy is expected to work normal business hours and be in the office most of the time. Duties include being available in the office to answer citizen and town employee questions, take walk-in and phone reports, VIN checks, and other duties as appropriate for the position. The Desk Deputy may be required to work outside normal business hours and days in order to meet the needs of the Town and the Sheriff's Office.

5.0 INVESTIGATOR

The Sheriff will assign an Investigator to work half-time (approximately 85 hours per month on average) on Town cases. The Investigator will be expected to spend time in the town and assist with crime prevention efforts as needed.

6.0 SCHOOL RESOURCE OFFICER

The School Resource Officer's primary function, during the school year, will be working in the Wellington Schools to provide law enforcement services and security within the schools. During the summer and non-school days, the School Resource Officer(s) will supplement Town patrol coverage by performing general law enforcement duties and will cover for vacancies when practical and appropriate.

7.0 CONTRACT WORK HOURS

In general, full-time sworn positions provide 171 hours of service and half-time positions provide 85 hours of service per month. Patrol training, court, and benefit time are included in the monthly hours.

From January 1, 2023, through December 31, 2023, the Larimer County Sheriff's Office will provide 342 hours of supervisor time, 1026 hours of general patrol service, 85 hours of investigative services, 171 hours of Desk Deputy time, and 171 hours of School Resource services per month within the corporate limits of the Town.

Extra hours worked in any month will be applied to any month where the number of hours worked does not total the contract requirement.

8.0 CHANGES TO LEVEL OF SERVICE

Changes to the level of services requested, including temporary or emergency staffing needs will be provided as set forth in Section 2 of the Municipal Law Enforcement Services Agreement.

9.0 BUDGET/COSTS FOR SERVICES PROVIDED (*For 2023 Calendar year*)

COSTS FOR WELLINGTON 2023

POSITION	SGT	CPL	PATROL DEPUTIES (6)	DESK DEPUTY	SRO ***	INVEST (.50)	OTHER	TOTAL	ADD'L CID	ADD'L CPL	TOTAL WITH NEW POSITIONS
Salary (Wages + Full Benefits)	151,890	136,716	764,598	117,286	76,422	68,358	-	1,315,270	127,433	136,716	1,579,419
Overtime	5,000	5,000	30,000	500	5,000	2,000	-	47,500	5,000	5,000	57,500
Vehicle - fully equipped w/o radio	-	-	-	-	-	-	-	0	59,930	59,930	119,860
Vehicle Lease (fuel, maintenance, etc.)	10,731	10,766	64,681	-	5,517	5,383	-	97,079	10,780	10,766	118,625
Equipment / Clothing	-	-	-	-	-	-	-	0	11,562	11,562	23,124
Equipment Replacement Costs**	4,406	4,406	26,437	4,406	2,203	1,959	-	43,818	4,406	3,918	52,143
Administrative Costs (Computer, Network Cell Phone, etc.)	3,973	3,973	23,838	2,799	1,987	1,908	744	39,222	3,973	3,973	47,168
LCSO Overhead Costs	4,983	4,983	29,897	4,983	2,491	2,491		49,828	4,983	4,983	59,794
LCSO Insurance Costs	4,659	4,659	27,951	4,659	2,329	2,329		46,585	4,659	4,659	55,902
Office Space	-	-	-	-	-	-	480	480			480
Copy Machine Rental	-	-	-	-	-	-	2,480	2,480			2,480
Bicycle Maintenance	-	-	-	-	-	-	300	300			300
Plus factor of 3% to cover unknown	-	-	-	-	-	-	-	0	6,982	7,245	14,227
TOTALS LCSO	185,643	170,503	967,402	134,633	95,949	84,428	4,004	1,642,562	239,708	248,752	2,131,022
*Larimer County Indirect Cost (10.84% of salary and benefits)	16,465	14,820	82,882	12,714	8,284	7,410	0	142,575	13,814	14,820	171,209
TOTAL with Larimer County Indirect Costs	202,106	185,323	1,050,285	147,346	104,234	91,839	4,004	1,785,138	253,521	263,572	2,302,231

CID = Community Impact Deputy

*Larimer County 2023 indirect costs are currently 10.84% of salary and benefits. All indirect costs go back to Larimer County.

**Equipment replacement costs include cost of AXON (body worn cameras).

***This cost is Wellington's share of the SRO position. Poudre School District covers 50% of the costs for the SRO for the school year. Wellington covers the other half, plus the costs for the summer months.

Quarterly Payments	
Jan – Mar	\$446,284.41
Apr – Jun	\$446,284.41
Jul – Sept	\$446,284.41
Oct - Dec	\$446,284.41

Quarterly Payments	
Jan – Mar	\$575,557.79
Apr – Jun	\$575,557.79
Jul – Sept	\$575,557.79
Oct - Dec	\$575,557.79

IN WITNESS WHEREOF, the Town of Wellington, by resolution duly adopted by its governing body, caused this Agreement to be signed by its Mayor and attested by its Town Clerk, and the County of Larimer, by the Board of County Commissioners, has caused these presents to be subscribed by the Larimer County Sheriff and the Chairperson of said Board and the seal of said Board to be affixed thereto and attested by the Deputy Clerk of said Board, all on the day and year first above written.



Board of Trustees Meeting

Date: September 27, 2022

Subject: Minutes from September 13, 2022 Board of Trustees Meeting

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. 9.13.22 BOT Minutes DRAFT



BOARD OF TRUSTEES
September 13, 2022
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

MINUTES

A video recording of this meeting is available on the Town of Wellington's YouTube page at <https://www.youtube.com/channel/UCPgBI-EYjaSam4hF3mkoFNA>

A. CALL TO ORDER

Mayor Chaussee called the meeting to order at 6:30 p.m.

1. Pledge of Allegiance
Mayor Chaussee asked that all rise for the pledge of allegiance.
2. Roll Call
Mayor Calar Chaussee
Mayor Pro Tem Ashley Macdonald
Trustee Jon Gaiter
Trustee Brian Mason
Trustee Rebekka Kinney
Trustee Shirrell Tietz
Trustee David Wiegand
3. Amendments to Agenda
Mayor Chaussee asked if there were any amendments to the agenda; there were no amendments.
4. Conflict of Interest
Mayor Chaussee asked if there were any conflicts of interest on the agenda; there were no conflicts of interest.

B. COMMUNITY PARTICIPATION

1. Public Comment
The meeting was opened for public comment. The following individuals provided public comment on items that were not on the agenda: Lowrey Moyer, Karen Eifert, Phyllis Mortenson, Lisa Chollet, Christine Gaiter, Tim Whitehouse, Teresa Wakefield and Pam Reagan.

C. CONSENT AGENDA

1. Minutes from the August 23, 2022 Board of Trustees Meeting
2. Resolution No. 32-2022 - A Resolution of the Board of Trustees Making Appointments to the Community Activities Commission

3. Resolution No. 33-2022 - A Resolution of the Board of Trustees Making Appointments to the Wellington Housing Authority
Trustee Wiegand moved to approve the consent agenda; Mayor Pro Tem Macdonald seconded the motion.
Yays – Gaiter, Dailey, Mason, Tietz, Wiegand, Macdonald, Chaussee
Nays – None

D. ACTION ITEMS

1. Contract Award: 2023 Fireworks Display, Bee Lake Productions
Hallie Sheldon, Senior Management Analyst, presented this item to the Board of Trustees. It was noted that it was important to consider the contract now in order to lock in the prices for the fireworks. The contract included the cost for the fireworks of \$39,907 and the audio/visual production at \$11,500 for a total of \$51,407. Bryan Ehrlich, owner, provided comments regarding the fireworks contract and future options for the display to the Board of Trustees.

The meeting was opened for public comment to which there was none.

Trustee Gaiter moved to approve the 2023 Fireworks Display Contract with Bee Lake Productions; Trustee Tietz seconded the motion.

Yays – Gaiter, Dailey, Mason, Tietz, Wiegand, Macdonald, Chaussee
Nays – None

2. Resolution 34-2022: A Resolution Supporting the Mission of Wellington Public Library
Trustee Rebekka Dailey presented the resolution to the Board of Trustees.

Members of the public provided public comment both in support and in opposition of the resolution: Dawn Peacock, Lowrey Moyer, Estelle McCabe, Heather Zadina, Clayton Graves, Jonnie Genova, Kass Kohrman, Dylan Delehoy, John Hunter, Cassandra Hadley, Phyllis Mortenson, Aaron Denolo, Lisa Chollet, Anna Zadina, Karen Eifert, Cam Tietz, Stephanie Olsteiner, Kathy Wydallis, Belal Sayar, Christine Gaiter, Jesy Andreen, Nichole Reisfeld, Lisa Christopherson, Rick Freeman

Mayor Pro Tem Macdonald moved to approve Resolution No. 32-2022; Trustee Dailey seconded the motion.

The Board of Trustees discussed the merits of the resolution. It was noted that all Trustees support the mission and vision of the library and the library staff. There was discussion regarding age-appropriate books and their availability at the library as well as discussion regarding allowing parents to make the decision on what books their family members have access to.

Yays – Dailey, Mason, Tietz, Macdonald, Chaussee
Nays – Gaiter, Wiegand

3. Resolution 35-2022: A Resolution Adding Current Staff to the Points West Bank Account
Charity Campfield, Finance Director, presented this item to the Board of Trustees noting that the resolution was required to add current staff to the Points West Bank Account.

The meeting was opened for public comment to which there was none.

Mayor Pro Tem Macdonald moved to approve Resolution No. 35-2022; Trustee Gaiter seconded the motion.

Yays – Gaiter, Dailey, Mason, Tietz, Wiegand, Macdonald, Chaussee
Nays – None

4. Resolution 36-2022: A Resolution Authorizing and Directing Application to the Colorado Department of Local Affairs (DOLA) for Grant Funding for Innovative Housing Opportunities Programs and Affordable Housing Incentives

Cody Bird, Planning Director, presented this item to the Board of Trustees. It was reported that this is the last round of funding for this grant source which, if received, would be beneficial to the Town and the Housing Authority. Pursuing grant funds for programs related to affordable housing supports the Town's comprehensive plan and strategic plan.

The meeting was opened for public comment to which there was none.

The Trustees discussed the agenda item noting the project cost is \$70,000 with a 25% match by the Town and that having the study done would help set policy for the future as affordable housing is a priority for Wellington. It was also noted that there is concern with the direction of the economy and that we need to be aware of the cost and the time involved on these types of projects.

8:48 pm - Mayor Pro Tem Macdonald left the meeting.

Trustee Wiegand moved to approve Resolution No. 36-2022; Trustee Tietz seconded the motion.

Yays – Gaiter, Dailey, Mason, Tietz, Wiegand, Chaussee
Nays – None

5. Provide Guidance Related to Harvest Village HOA Non-Potable Irrigation System Request

Cody Bird, Planning Director, presented this item and noted that there was no actual action but staff was looking for direction to continue conversations with the HOA needs related to their irrigation. The HOA is needing to make repairs to the non-potable irrigation system that serves the HOA and have requested the town to consider participating in making some of the needed improvements. Mr. Bird stated that the options included in the staff memo were not exhaustive but ideas for discussion.

Joe Rozner, representing Harvest Village HOA, addressed the Trustees. It was noted that their HOA dues are \$42 per month.

Trustees discussed the item and staff acknowledged that the cost of the improvements would be \$47,000.

The meeting was opened for public comment; Rick Freeman, Lisa Chollet and Tim Whitehouse provided public comment.

Trustees supported having staff look into the following options and continue to work with the HOA:

- Allow the HOA to draw down funds from the pump maintenance escrow balance (the development agreement requires Town approval to reduce the escrow balance below \$30,000). The escrow balance would need to be replenished.
- Allow additional time for escrow balance to be replenished. Allowing additional time for the HOA to replenish the balance could ease the burden on HOA member fee increases.
- Reduce enforcement of street tree replacement – A number of required street trees have died and are required to be replaced in accordance with the Town's street tree standards. The Town can choose to extend the period of time the HOA has to replace the street trees to

reduce the number of maintenance projects and costs that the HOA has to address all at the same time.

E. LIQUOR LICENSE AUTHORITY

1. CONSENT AGENDA

- a. Beer and Wine License Renewal - Hong Lu Investments LLC dba Papa's Table
- b. Hotel and Restaurant Liquor License Renewal - El Mezcal, Inc. dba Sol de Jalisco Mexican Restaurant

Trustee Mason moved to approve the Liquor License Consent Agenda; Trustee Wiegand seconded the motion.

Yays – Gaiter, Dailey, Mason, Tietz, Wiegand, Chaussee

Nays – None

F. REPORTS

1. Town Attorney
No report.
2. Town Administrator
No report.
3. Staff Communications
 - a. Larimer County Sheriff's Office Monthly Report - July, 2022
4. Board Reports
 - Trustee Dailey – Reported on the Budget Boonanza being held October 18 at 3 pm, her work on looking at options for recreational facilities for Wellington, the Eagle Scout project at Wellington Library, her activities related the Wellington Main Street Exploratory Committee and the Solid Waste Policy Council and reported on the new park equipment being installed at Centennial Park.
 - Trustee Gaiter – Reported on the transportation pilot program that will starting on Wednesday morning, requested the Trustees to support a year end bonus for staff using grant funds that were designated for salaries and not used and support of hosting a luncheon for staff during Customer Service Week.
 - Trustee Wiegand – Reported on the work on the Main Street Exploratory Committee.
 - Trustee Mason – Reported on his role on the Regional Opiod Abatement Committee and noted that they are needing a member from Larimer County who has lived experience with opiods.

G. ADJOURN

Upon a motion duly made, the meeting was adjourned at 10:02 p.m.

DRAFT

Board of Trustees Meeting

Date: September 27, 2022
Subject: **Public Hearing: Rezone Request from LI - Light Industrial District to C-2 - Downtown Core Commercial District on Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision (8141 First Street)**

- **Presentation: Cody Bird, Planning Director**

BACKGROUND / DISCUSSION

- Wellington Rentals and Storage, LLC, the owner of Lots 1-7, Block 9, Wellington Place 1st Subdivision, is requesting to rezone the north portion of the property from LI – Light Industrial District to C-2 – Downtown Core Commercial District.
 - The property is located at 8141 First Street and has existing buildings on the property as well as a fenced outdoor storage yard.
 - The north portion of the property to be rezoned is one platted lot (Lot-1) and a portion of a second platted lot (the north 15-ft of Lot-2) and is approximately 0.12 acres in size (location map attached).
 - The property proposed for this rezone request (Lot 1, and the north 15-ft of Lot 2, Block 9, Wellington Place 1st Subdivision) was part of the Wellington Place 1st Subdivision recorded in 1903. Adjacent to the Colorado & Southern Rail line and depot area, the property was zoned LI – Light Industrial and has historically been a lumber yard and subsequently an equipment rental business with a single residential dwelling included.
- A notice of condemnation was issued for the subject property in June of 2022 based on reports to town staff and observation of the property that determined the existing north structure to be an unsafe structure, an unlawful structure and a dangerous structure.
 - The property was found to be out of compliance with life, health, property or safety of the public or occupants requirements of the adopted 2018 International Existing Building Code. Notice was provided and posted on the property siting the correction order and including the requirement to obtain building permits in accordance with Town Planning and Zoning regulations.
 - The applicant has complied with the condemnation correction order to-date, and has informed Town staff of the intent to seek zoning approval for a zone district to allow multi-family residential within the northern-most building on the property. Subsequent to zoning approval, the applicant would also be required to obtain appropriate building permits to make the necessary improvements to the existing structure to support approved uses.
- The owner desires to rezone the north portion of the property to C-2- Downtown Core Commercial District to allow a broader range of uses including multi-family residential development and to bring the property into compliance with zoning.
- The existing LI – Light Industrial zoning is proposed to remain on the south portion of the property (south portion of Lot 2 and Lots 3-7, Block 9, Wellington Place 1st Subdivision).
- Rezoning a specific tract of land is a quasi-judicial proceeding and requires a public hearing. The procedure for conducting a public hearing is attached.

- If any conflicts of interest exist, Board Members will need to recuse themselves from the meeting during the agenda item.
- Quasi-judicial proceedings require disclosure of any *ex parte* communications. *Ex parte* communications are any communications or information obtained outside of the public hearing that could influence how Board members vote on the agenda item. Disclosure of any *ex parte* communications is required so all Board members have access to the same information in making their decisions.
- Zone change requests require public hearings by the Planning Commission and Board of Trustees:
 - Notice of the public hearings was published in the Fort Collins Coloradoan as prescribed by State law and Town Municipal Code.
 - Signs advertising the public hearings have been continuously displayed on the property.
 - Notices were mailed to surrounding property owners as prescribed by State law and Town Municipal Code.
- The Planning Commission held a public hearing on September 12, 2022 to consider the rezone request. The staff report presented to the Planning Commission is included with this report and contains factors the Planning Commission and Board of Trustees consider when evaluating a zone change request.
 - Among the findings, the Planning Commission found it important to include a commercial component for the property to satisfy the mixed-use commercial allowed within the C-2 Downtown Core Commercial District.
 - The applicant stated at the Planning Commission meeting concurrence with including a commercial tenant space within the building plans to satisfy the zoning district requirements.
- Following the public hearing, the Planning Commission voted unanimously to forward a recommendation to the Board of Trustees to approve a rezone to C-2 – Downtown Core Commercial District for Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision.
- The findings of fact used by the Planning Commission as a basis for its recommendation are included with this report.
- The action for this agenda item is to conduct a public hearing to receive information describing the request, hear from the applicant and Town staff, receive the recommendation of the Planning Commission, and hear public testimony.
- Following the close of the public hearing, the Board of Trustees has a separate item on the agenda to take action on the rezone request.

STAFF RECOMMENDATION

- Conduct a public hearing to consider the rezone request from LI – Light Industrial District to C-2 – Downtown Core Commercial District for Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision.

ATTACHMENTS

1. Public Hearing Procedures
2. Location Map
3. Zoning Map
4. Planning Commission Findings for Approval - 9/12/2022
5. Staff Report to Planning Commission - 9/12/2022

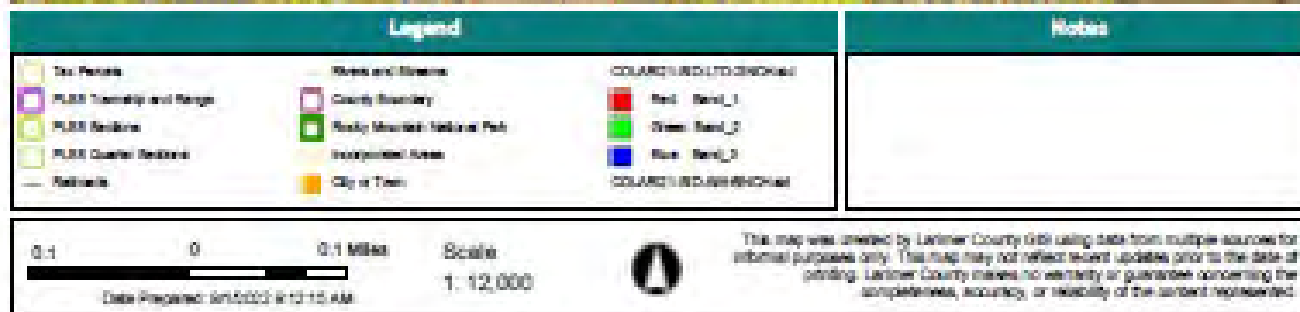
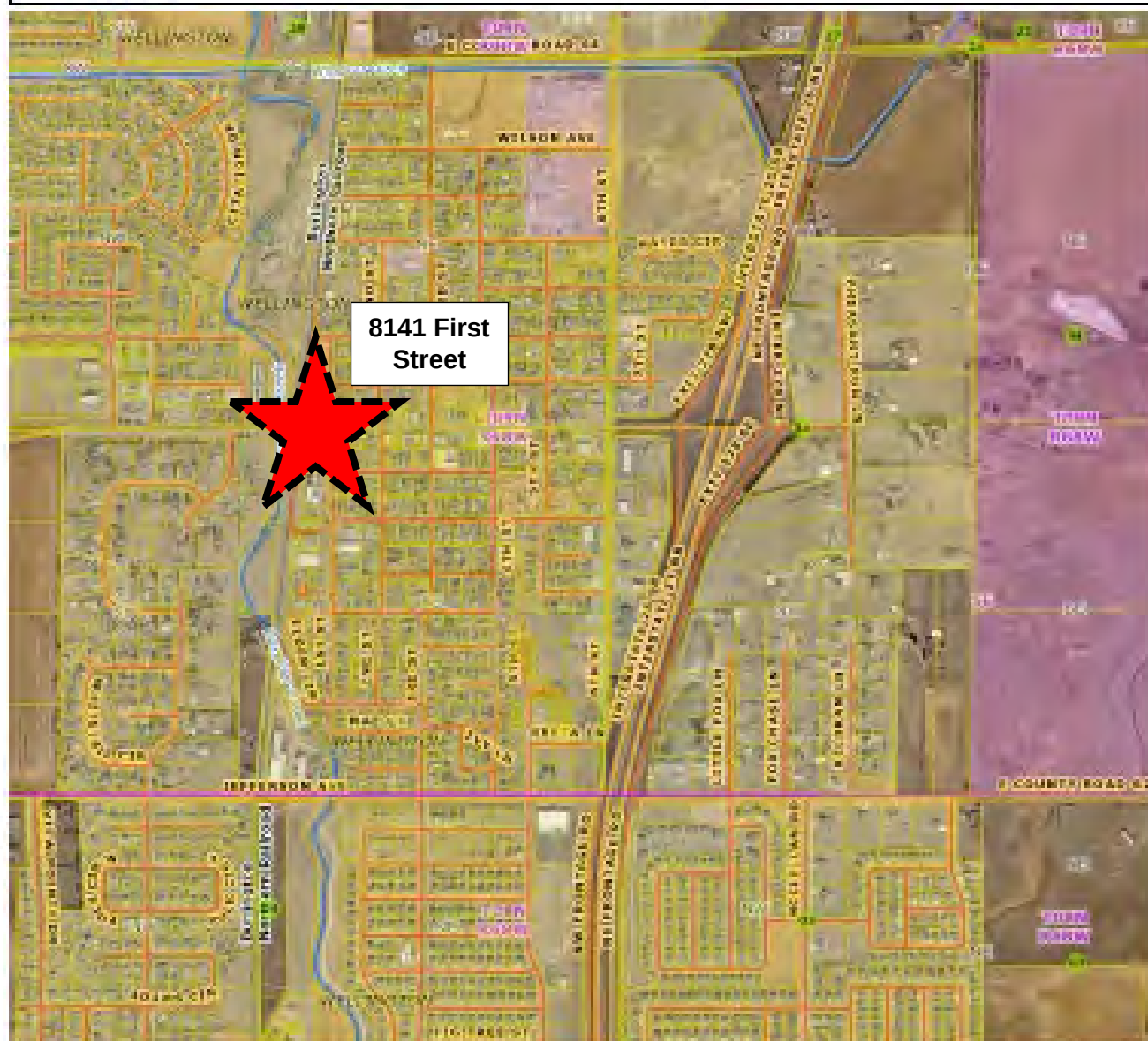
Public Hearing Procedures

1. Conflicts of Interest (if any)
2. Disclose *Ex Parte* Communications (if any)
3. Town Staff introduction/presentation
4. Applicant presentation
5. Board may ask general questions (i.e. to help understand the request or the regulations)
6. Public Hearing
 - a. Open Public Hearing
 - b. Public Testimony
 - c. Close Public Hearing
7. Applicant closing comments
8. Staff closing comments
9. Board Deliberates
10. Action by the Board

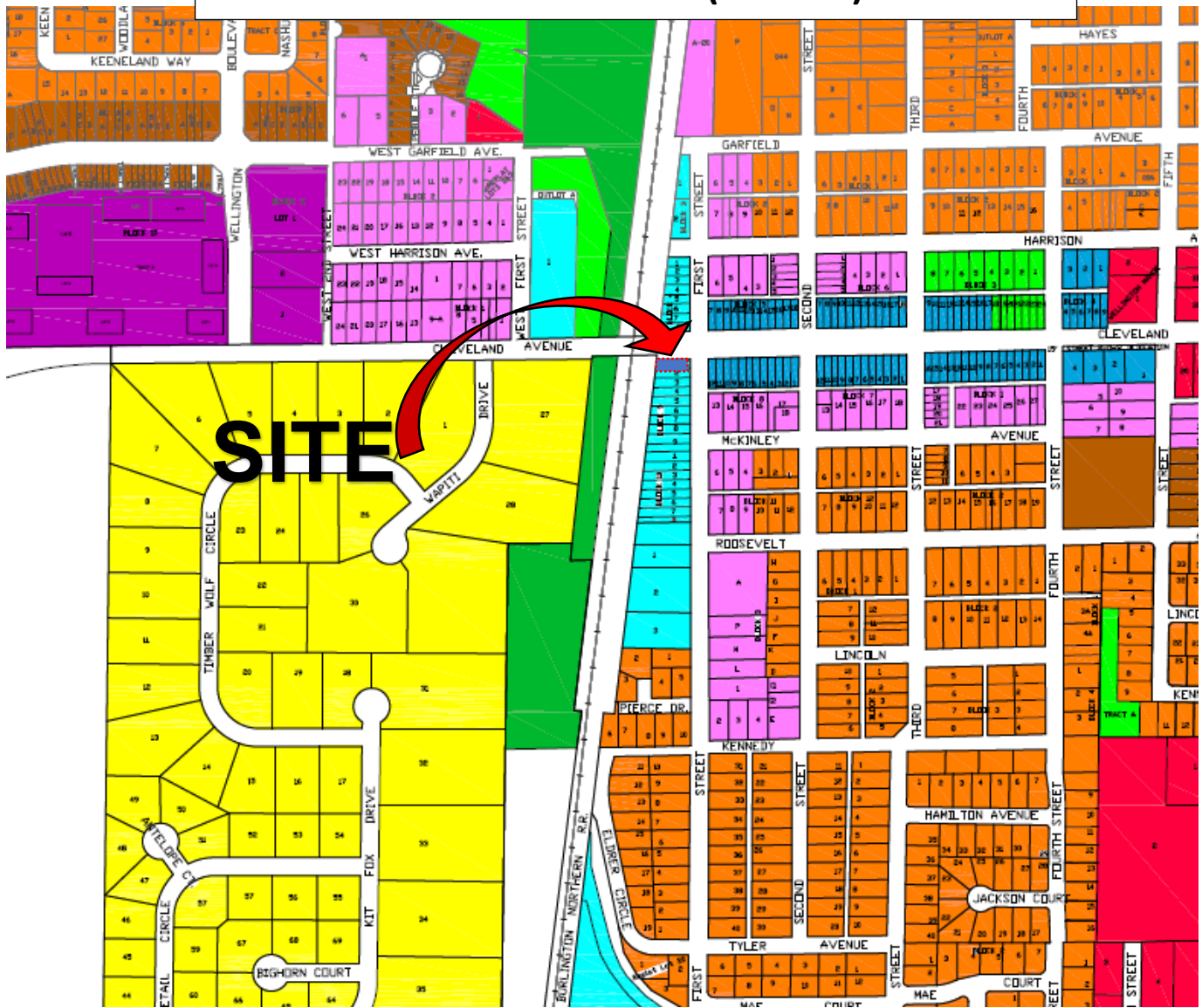
SITE LOCATION MAP



LARIMER COUNTY GIS MAP: 8141 First Street



ZONING MAP (Current)



TOWN OF WELLINGTON ZONING MAP AMENDED SEPTEMBER 24, 2013

	A	AGRICULTURE
	R-1	RESIDENTIAL RURAL
	R-2	RESIDENTIAL , MEDIUM
	R-4	RESIDENTIAL MULTIFAMILY
	C-1	COMMUNITY COMMERCIAL
	C-2	DOWNTOWN COMMERCIAL
	C-3	HIGHWAY COMMERCIAL
	LI	LIGHT INDUSTRIAL
	TR	TRANSITIONAL (R-3)
	I	INDUSTRIAL
	P	PUBLIC

Planning Commission Recommendation

Public Hearing: Rezone
Date: September 12, 2022
Time: 6:30pm
Place: Wilson Leeper Center
3800 Wilson Avenue, Wellington, CO, 80549

Applicant: Wellington Rental and Storage, LLC (owner)
Robert Lujan

Current Zoning: LI – Light Industrial District
Proposed Zoning: C-2 – Downtown Core Commercial District

Property Location: 8141 First Street,
Wellington, CO, 80549

Legal Description: Lot 1 and the north 15 ft. of Lot 2, Block 9, Wellington Place 1st
Subdivision, Town of Wellington, County of Larimer, State of Colorado

Planning Commission Recommendation:

- Forward a recommendation to the Board of Trustees to approve the rezone to C-2 – Downtown Core Commercial District zoning for Lot 1 and the north 15 ft. of Lot 2, Block 9, Wellington Place 1st Subdivision, based on the findings of fact.

Planning Commission's Findings of Fact:

- The rezone is consistent with the Comprehensive Plan and the Land Use Code for the C-2 Downtown Core Commercial District.
- The rezone to C-2 Downtown Core Commercial District is supported based on compatibility of surrounding properties and surrounding zone districts.
- Incorporating commercial tenant space into the existing building satisfies the mixed-use commercial designation allowed within the C-2 Downtown Core Commercial District.
- Rezoning the property to C-2 Downtown Core Commercial District will result in fewer negative impacts to surrounding properties as a result of the removal of uses currently allowed within the existing LI – Light Industrial District.
- The rezone to C-2 Downtown Core Commercial District provides more flexible zoning requirements for an area that was platted and developed at a time that current development standards were not needed or required – Flexibility of the C-2 Downtown Core Commercial District requirements allows redevelopment of an existing site within the historic downtown.



Planning Commission Meeting

Date: September 12, 2022
Submitted By: Cody Bird, Planning Director
Subject: Public Hearing: Rezone Lot 1 and the North 15-ft. of Lot 2, Block 9, Wellington Place
1st Subdivision from LI - Light Industrial District to C-2 - Downtown Core
Commercial District

EXECUTIVE SUMMARY

Please see the attached staff report.

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. Staff Report
2. Location Map
3. Zoning Map
4. Plat Map
5. Future Land Use Map

Planning Commission Meeting

Date September 12, 2022
Submitted By: Cody Bird, Planning Director
Subject: Public Hearing: Rezone Lot 1 & North 15-ft. of Lot 2, Block 9, Wellington Place 1st
Subdivision from LI- Light Industrial District to C-2- Downtown Core Commercial
District

EXECUTIVE SUMMARY

General Location:

- Southwest Corner of Cleveland Avenue and First Street (8141 First Street)
- **Applicant/Agent:**
 - Applicant: Wellington Rental & Storage, LLC.
- **Reason for request:**
 - Rezoning to the C-2 Downtown Core Commercial zone district allows for residential living facilities in the Downtown Core Commercial area.
- **Background Information:**
 - Town staff initiated a notice of condemnation on the subject property in June of 2022 based on reports to town staff and observation of the property that determined the existing structure to be an unsafe structure, an unlawful structure and a dangerous structure. The property was found to be out of compliance with life, health, property or safety of the public or occupants requirements of the adopted 2018 International Existing Building Code. Notice was provided and posted on the property siting the correction order and including the requirement to obtain building permits in accordance with Town Planning and Zoning regulations.
 - The applicant has complied with the condemnation correction order to-date, and has informed Town staff of the intent to seek zoning approval for a zone district to allow multi-family residential within the northern-most building on the property. Subsequent to zoning approval, the applicant would also be required to obtain appropriate building permits to make the necessary improvements to the existing structure to support approved uses.
 - The applicant is seeking to change the zoning district classification from LI – Light Industrial District to C-2 – Downtown Core Commercial District for a portion of the property located at 8141 First Street to allow for residential uses.
 - The property proposed for the rezone is one platted lot (Lot-1) and a portion of a second platted lot (the north 15-ft of Lot-2) and is approximately 0.12 acres in size (location map attached).
 - The owner desires to rezone the property to C-2- Downtown Core Commercial to allow a broader range of uses including multi-family residential development.
 - The property proposed for this rezone request (Lot 1, and the north 15-ft of Lot 2, Block 9, Wellington Place 1st Subdivision) was part of the Wellington Place 1st Subdivision recorded in 1903. Adjacent to the Colorado & Southern Rail line and depot area, the property was zoned LI – Light Industrial and has historically been a lumber yard and subsequently an equipment rental business with a single residential dwelling included.
 - The existing LI – Light Industrial zoning is proposed to remain on the remainder (south portion) of Lot 2 and Lots 3-7, Block 9, Wellington Place 1st Subdivision. The request to rezone to C-2 is proposing residential land uses only for the northern portion of the property adjacent to Cleveland Avenue.
 - Zone change requests require public hearings before the Planning Commission and Board of Trustees:

- Notice of the public hearings was published in the Coloradoan as prescribed by State law and the Town's Land Use Code.
- Two signs advertising the public hearings have been continuously displayed on the property.
- Notices were mailed to surrounding property owners as prescribed by State law and the Town's Land Use Code.
- The subject site is an existing developed site that has existing constraints. If the requested C-2 zoning is approved, it is possible that not all site requirements of the C-2 zoning district can be satisfied (parking, landscaping, etc.). It is Town staff's understanding that the owner of the property desires to continue to use the existing structures on the property and make improvements necessary to support permitted uses within the C-2 zoning district and to meet other zoning requirements as much as feasibly possible without changing the building footprints, vehicle access and basic existing conditions on the site.
- If the requested C-2 Downtown Core Commercial zoning is approved, Town staff is of the opinion that basic site elements required for the C-2 zone district can be evaluated as conditions of a building permit and an administrative staff review. If more significant re-development changes are proposed for the site, a site plan review by the Planning Commission may be a required approval.
- At the time of this writing, Town staff has not received any written or verbal comments concerning this rezone request.

BACKGROUND / DISCUSSION

The below findings for approval are intended to provide a guideline for matters which may be considered when approving or disapproving a rezoning request. The Planning Commission may find that not all factors will be relevant to this rezone request. Matters that are determined by the Planning Commission to be important will be the basis for the Planning Commission's recommendation to the Board of Trustees. In order to properly make a recommendation to the Town Board of Trustees, the Planning Commission should make specific and substantiated findings supporting its recommendation.

FINDINGS FOR APPROVAL:

Below are the findings the Planning Commission should consider when contemplating a rezone and staff's opinion of each finding follows (in *italics*).

- A. The rezone is consistent with the Comprehensive Plan and the intent stated in the Land Use Code.
 - *The Future Land Use Map component of the Comprehensive Plan identifies Lots 1 and 2, Wellington Place 1st Subdivision as "Downtown Core Commercial", (exhibit attached).*
 - *This rezone request is consistent with the Wellington Comprehensive Plan 2021 Future Land Use Map.*
 - *The "Downtown Core " designation extends west on SH 1/Cleveland Avenue from I-25 to the railroad crossing, it is the Town's primary activity center. This area is intended to include a mix of land uses and businesses that provide employment opportunities and support the retail and service needs of the community.*
 - *Potential uses identified in the "Downtown Core Commercial" areas include multi-family residential, various retail and services ranging from shopping areas, to gyms, hospitality, lodging, entertainment, medical and social services.*
 - *Rezoning the property to C-2 – "Downtown Core Commercial" is consistent with the Wellington Comprehensive Plan 2021 and would permit a broader range of retail, service and residential uses common for a vibrant downtown core.*
 - *The following Goals and Strategies identified in the Comprehensive Plan support the approval of the rezone to C-2 Downtown Core Commercial:*
 - *Community Cohesion Goal #2: Ensure that existing & future residential developments contribute to enhancing quality of life.*

- o CC 2.1. Update Land Use Code to allow a greater mix of housing types in Wellington.
 - Thriving Economy Goal #4: Develop a Supportive Business Environment that Aids in Creating a Thriving Economy.
 - o TE 4.1. Balance residential with commercial land uses to promote local job opportunities and needed services for residents.
- B. The rezone is consistent with the stated intent of the proposed zoning district.
 - The intent of the Downtown Core Commercial Zone District is as follows:
 - o The Downtown Core Commercial District is intended to be the primary activity center of the town, a setting for a wide range of community, cultural and residential functions and events, including retail sales, restaurants, specialty retail, offices, and personal and business services, etc... The C-2 zone district preserves the character of the original downtown and provides for a mixture of uses that will strengthen and expand the core community. The intent of downtown core commercial use areas is to support and provide for a vibrant downtown core, with residential and non-residential uses in a compact, walkable setting. These areas provide ease of movement for both motorized and non-motorized transportation offering convenient access for locals and visitors alike.
 - o The SH-1/Cleveland Avenue corridor that makes up the Downtown Core Commercial District is a highly visible commercial area of the community. The intent of a rezone as stated in the Land Use Code is to make adjustments to the official zoning map that are necessary as a result of a change in conditions or public policy, or to advance the general health, safety, welfare and morals of the Town. A rezone is not intended to relieve particular hardships, nor confer special privileges or rights to any person or party.
 - The property is adjacent to SH 1/Cleveland Avenue, a State-maintained arterial roadway. First Street provides adequate vehicular access to the site.
 - Properties immediately surrounding the subject property are zoned C-2 Downtown Core Commercial, Transitional, Light Industrial, and Agricultural. The site is adjacent to and abutting the railroad.
 - The C-2- Downtown Core Commercial District provides a transition from the highway to the lower density R-1 Rural Residential subdivision to the west.
 - Modifications to the property may require site plan review or may be considered administrative conditions on a building permit. Architecture, pedestrian and vehicular access, landscape standards and other standards will need to be evaluated.
 - Alternatives may need to be considered for an existing developed site where existing site constraints prevent meeting typical code requirements.
- C. The rezone will not result in adverse impacts to the natural environment (including air, water, noise, stormwater management, wildlife, and vegetation) or such impacts will be mitigated.
 - The requested rezone is not anticipated to result in adverse impacts to the natural environment that cannot be appropriately mitigated.
 - Uses allowed in the requested C-2 – Downtown Core Commercial District are not generally uses that generate a high degree of noise, dust, odors, pollution or other factors that impact the environment.
 - The site is developed, however redevelopment of the site to convert the former lumber/equipment rental yard into a multi-family residential use will require review to evaluate factors including vehicle and pedestrian access, stormwater and drainage, landscaping requirements, light and photometric plans and other criteria. Any adverse impacts anticipated from development must be mitigated and demonstrated on the site plans before granting building permits.
 - Impacts to wildlife is not anticipated to be a significant concern at this location.
- D. The rezone of the subject property will not result in material adverse impacts to the surrounding properties.
 - Existing zoning and land uses adjacent to the proposed rezoning area are as follows:

Surrounding Zoning and Land Uses

Direction	Zoning	Land Use
North	LI- Light Industrial	Self-Storage Facility
East	TR- Transitional C-2- Downtown Core Commercial	Utility Infrastructure (Century Link building) Automotive Repair Shop
South	LI- Light Industrial	Grain Mill
West	Railroad (not zoned); A- Agricultural tract (beyond);	Active BNSF Rail Line Boxelder Creek Drainage

- *The requested rezone to C-2 – Downtown Core Commercial would be consistent with existing adjacent commercial uses.*
- *The requested C-2 – Downtown Core Commercial District allows business uses intended to attract and serve the local community, and the I-25 commuter. The property is located on the western-most edge of the downtown core area.*
- *The LI – Light Industrial zoning allows for some uses that are incompatible with the intent or vision for the Downtown Core Commercial District.*
- *Motor vehicle and RV storage, auction, dry cleaning facility, contractor and contractor storage, light industrial and manufacturing, mini-storage facility, and wholesale distribution/warehousing and storage are allowed or conditional uses in the LI- Light Industrial District.*
- *Residential uses are not allowed in the LI – Light Industrial zoning.*

E. Facilities and services (roads, transportation, water, gas, electricity, police, fire protection, and sewage and waste disposal) are available to serve the subject property while maintaining adequate levels of service to existing development.

- *The site has an existing commercial building.*
- *The applicant proposes converting the existing building for residential uses.*
- *The facilities and services (roads, transportation, water, gas, electricity, police, fire protection, and sewage and waste disposal) currently serve the subject property.*
- *Municipal water and sewer infrastructure currently serve the site (adequacy for residential uses and number of units will be determined and upgraded as deemed necessary based on approved uses).*
- *Police and fire protection are already provided to serve the site. Rezoning to C-2 – Downtown Core Commercial for the residential uses is not anticipated to create any additional burden that cannot be accommodated with the existing resources.*
- *Parks, library and senior services are not expected to experience a significant increase in use as a result of the rezoning (impact fees may be required for additional residential or commercial units, as approved).*
- *The proposed zone district change to allow for land uses compatible with the C-2 – Downtown Core Commercial District supports the Wellington Comprehensive Plan 2021 vision and could also increase opportunities for expanding the Town's property tax base which can in turn support overall town fiscal health.*

F. The rezone is consistent with the recently amended Comprehensive Plan and Land Use Code for the Downtown Core area.

- *Town land use standards and guidelines have historically supported Light Industrial and Industrial land uses adjacent to the railroad. However, the Town recognizes flexibility and mixed land uses are critical to the vibrancy of the downtown and identified the subject site as part of the Downtown Core Commercial District during the recent Comprehensive Plan update. The*

property owner has requested a zone change to be consistent with the Downtown Core Commercial District designation.

- o *Public access to 8141 First Street is limited to First Street—a north-south local road.*
- o *The proposed rezone to C-2- Downtown Core Commercial is consistent with the Future Land Map, (see exhibit).*
- o *The proposed C-2 zoning is consistent with the future land use component of the Comprehensive Plan and goals and strategies of the Community Cohesion Goal #2 and the Thriving Economy recommendations of the Comprehensive Plan more closely identified in Finding A.*

STAFF RECOMMENDATION

- o Town staff suggests that the C-2- Downtown Core Commercial District is an appropriate zoning for Lot 1, and the north 15-ft of Lot 2, Block 9, Wellington Place 1st Subdivision based on the preceding findings.

Below are possible motion options for the Planning Commission to consider:

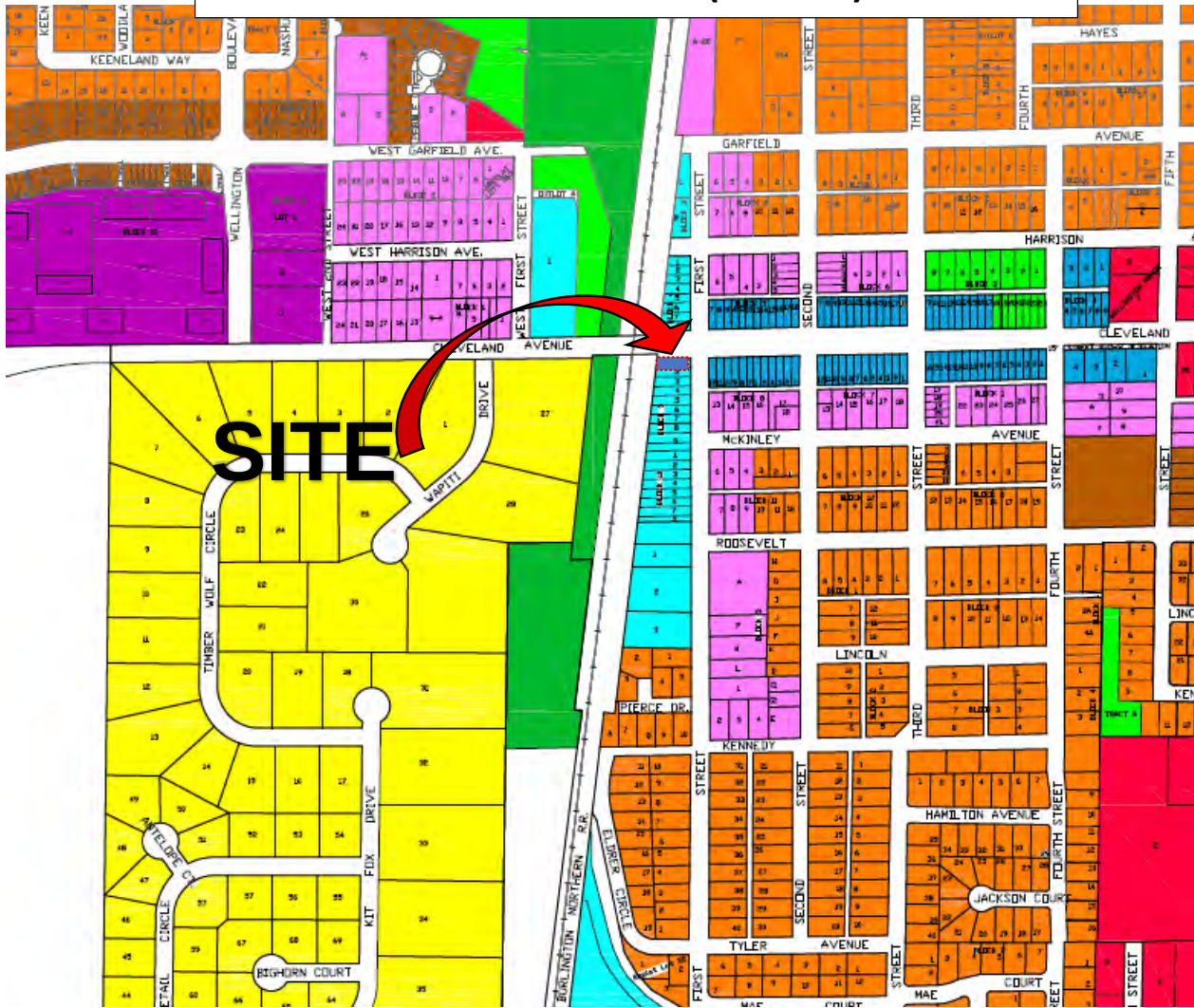
- I. Move to forward a recommendation to the Board of Trustees to approve the change of zoning district classification for Lot 1, and the north 15-ft. of Lot 2, Block 9, Wellington Place 1st Subdivision from LI – Light Industrial District to C-2 – Downtown Core Commercial District based on the findings for approval.
2. Move to forward a recommendation to the Board of Trustees to retain the LI – Light Industrial District for Lot 1, and the north 15-ft. of Lot 2, Block 9, Wellington Place 1st Subdivision based on the findings for approval.
3. Move to continue the public hearing for the request to change the zoning district classification for Lot 1, and the north 15-ft. of Lot 2, Block 9, Wellington Place 1st Subdivision from LI – Light Industrial District to C-2 – Downtown Core Commercial District to the next regular meeting of the Planning Commission to be held October 3, 2022 at 6:30pm at the Wilson Leeper Center, 3800 Wilson Ave., Wellington, Colorado.

ATTACHMENTS

1. Location Map
2. Zoning Map
3. Original Plat
4. Comprehensive Plan Future Land Use Map



ZONING MAP (Current)



TOWN OF WELLINGTON ZONING MAP
AMENDED SEPTEMBER 24, 2013

	A	AGRICULTURE
	R-1	RESIDENTIAL RURAL
	R-2	RESIDENTIAL , MEDIUM
	R-4	RESIDENTIAL MULTIFAMILY
	C-1	COMMUNITY COMMERCIAL
	C-2	DOWNTOWN COMMERCIAL
	C-3	HIGHWAY COMMERCIAL
	LI	LIGHT INDUSTRIAL
	TR	TRANSITIONAL (R-3)
	I	INDUSTRIAL
	P	PUBLIC

LAWYER CO 0000



The analysis was on a small fraction of the sample. It was a chemical analysis of the sample, and it was found that the sample was a mixture of two different substances. The first substance was a solid, and the second substance was a liquid. The solid substance was found to be a mixture of two different compounds, and the liquid substance was found to be a mixture of two different compounds. The analysis was done by a chemist, and the results were as follows:

Substance 1: A solid, white, crystalline substance. It was found to be a mixture of two different compounds, one of which was a salt of a metal and the other was a salt of a non-metal. The metal was found to be a mixture of two different metals, and the non-metal was found to be a mixture of two different non-metals. The analysis was done by a chemist, and the results were as follows:

Substance 2: A liquid, colorless, and odorless substance. It was found to be a mixture of two different compounds, one of which was a salt of a metal and the other was a salt of a non-metal. The metal was found to be a mixture of two different metals, and the non-metal was found to be a mixture of two different non-metals. The analysis was done by a chemist, and the results were as follows:

Source: *Quarterly Journal of Economics*, 1990, 105, 2, 319-342.

With love

[illegible]

My commission will expire,
January 26th 1904

Geo. D. Smith
Notary Public

COMP PLAN FUTURE LAND USE MAP

DOWNTOWN CORE

Potential Uses: Primarily restaurants, specialty retail, offices, housing, urban lodging, and cultural activities, no taller than 3 stories.

Secondary uses may include limited multi-family residential that enhance safety, vibrancy, and retail activity.

Suggested Net Density Range: 8-12 DU/Acre

Suggested Intensity Range: 0.5 – 2.0 FAR

Desired Intent & Character

As the Town's primary activity center, Downtown Wellington is intended to be highly connected to an efficient network of motorized and non-motorized connections. Its character is based on historic and civic buildings, ample and landscaped sidewalks, groomed and activated alleys, public art, and gathering spaces—all designed with a pedestrian scale perspective that gives the Downtown a unique sense of place and contributes to community pride.

As property owners choose to reinvest in the Downtown, Main St. uses should encourage 'select' infill of vacant residential and commercial areas and slightly increase the height of existing buildings (3 stories) to support upper level residential uses. Changes to Harrison Ave. and McKinley Ave. should allow neighborhood-oriented business uses that support and maintain the area's character and do not drastically alter the look of existing buildings.

These changes will result in more foot traffic for Downtown businesses, allowing them to stay open longer hours and, overall, contributing to a thriving and vibrant Downtown economy.

COMMUNITY VOICES:

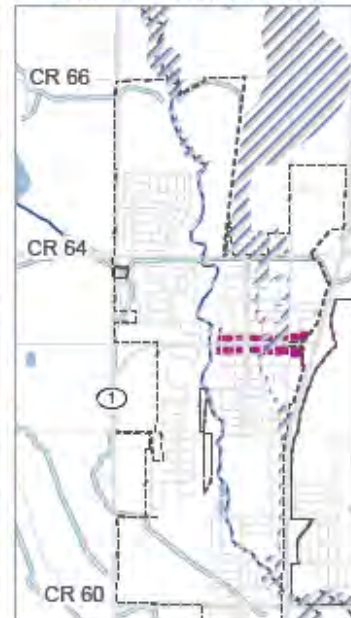
"Promote 2-3 story multi-use buildings in Downtown".

"Address walkability (sidewalks, crosswalks), parking, and streetlights".

REPRESENTATION OF SUGGESTED DENSITY, USES, AND AMENITIES:



LOCATION FOR THIS LAND USE



Board of Trustees Meeting

Date: September 27, 2022
Subject: Ordinance No. 15-2022: An Ordinance Concerning a Rezone Request from LI - Light Industrial District to C-2 - Downtown Core Commercial District on Lot 1 and the North 15 Feet of Lot 2, Block 9, Wellington Place 1st Subdivision (8141 First Street)

- **Presentation:** Cody Bird, Planning Director

BACKGROUND / DISCUSSION

- This agenda item is for the official action of the Board of Trustees on a rezone request from LI – Light Industrial District to C-2 – Downtown Core Commercial District for Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision. Please refer to background materials, attachments and staff report included with the public hearing agenda item.
- When considering a rezone request, the Board of Trustees should make specific and substantiated findings to support its decision to either approve or disapprove the rezone request. Findings are factors or matters that are considered by the Board in evaluating the rezone request, and findings determined by the Board to be important will be the basis for the Board’s approval or disapproval.
- The following are rezoning findings for approval evaluated by Town staff and the Planning Commission:
 - A. **The rezone is consistent with the Comprehensive Plan and the intent stated in the Land Use Code.**
 - B. **The rezone is consistent with the stated intent of the proposed zoning district.**
 - C. **The rezone will not result in adverse impacts to the natural environment (including air, water, noise, stormwater management, wildlife, and vegetation) or such impacts will be mitigated.**
 - D. **The rezone of the subject property will not result in material adverse impacts to the surrounding properties.**
 - E. **Facilities and services (roads, transportation, water, gas, electricity, police, fire protection, and sewage and waste disposal) are available to serve the subject property while maintaining adequate levels of service to existing development.**
 - F. **The rezone is consistent with any other prior approvals and official plans and policies created under the guidance of that plan for those areas (e.g., the Comprehensive Plan, specific area plans like a Downtown Corridor Study, etc.).**
- The Planning Commission conducted a public hearing on the requested rezone on September 12, 2022. Following the public hearing, the Planning Commission forwarded a recommendation to the Board of Trustees to approve the C-2 – Downtown Core Commercial District zoning for Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision. The Planning Commission’s recommendation and findings for approval are attached.
- The Board of Trustees may choose to adopt the Planning Commission’s findings, may modify the Planning Commission’s findings, or may adopt its own findings.

- Approval of a rezone requires adoption of an ordinance. The Board of Trustees may choose to adopt an ordinance granting the requested C-2 – Downtown Core Commercial District zoning. An ordinance approving the requested C-2 – Downtown Core Commercial District zoning is included with this report.
- To appropriately take action on a rezone request, the Board of Trustees should move to:
 1. Adopt findings for approval/disapproval;
 2. Approve or deny the rezone request; and
 3. Take action or postpone Ordinance No. ##-2022.

STAFF RECOMMENDATION

- Staff has identified the following motion options for Trustee consideration:
 1. Move to adopt Ordinance No. 15-2022 approving C-2 – Downtown Core Commercial District zoning for Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision based upon the Board’s findings for approval and updating the official maps of the Town.
 2. Move to remand the rezone case to the Planning Commission for further consideration of (insert specific topics for the Planning Commission to consider and provide a recommendation) .
 3. Move to continue consideration of Ordinance No. 15-2022 to a regular/special meeting of the Board of Trustees to be held _____ (month) _____ (day), 2022 at _____ (time) at the Wilson Leeper Center, 3800 Wilson Ave., Wellington, Colorado.
 4. Move to deny Ordinance No. 15-2022 approving C-2 – Downtown Core Commercial District zoning for Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision based upon the Board’s findings.

ATTACHMENTS

1. Planning Commission Findings for Approval - 9/12/2022
2. Ordinance No. 15-2022 - Rezone from LI to C2

Planning Commission Recommendation

Public Hearing: Rezone
Date: September 12, 2022
Time: 6:30pm
Place: Wilson Leeper Center
3800 Wilson Avenue, Wellington, CO, 80549

Applicant: Wellington Rental and Storage, LLC (owner)
Robert Lujan

Current Zoning: LI – Light Industrial District
Proposed Zoning: C-2 – Downtown Core Commercial District

Property Location: 8141 First Street,
Wellington, CO, 80549

Legal Description: Lot 1 and the north 15 ft. of Lot 2, Block 9, Wellington Place 1st
Subdivision, Town of Wellington, County of Larimer, State of Colorado

Planning Commission Recommendation:

- Forward a recommendation to the Board of Trustees to approve the rezone to C-2 – Downtown Core Commercial District zoning for Lot 1 and the north 15 ft. of Lot 2, Block 9, Wellington Place 1st Subdivision, based on the findings of fact.

Planning Commission's Findings of Fact:

- The rezone is consistent with the Comprehensive Plan and the Land Use Code for the C-2 Downtown Core Commercial District.
- The rezone to C-2 Downtown Core Commercial District is supported based on compatibility of surrounding properties and surrounding zone districts.
- Incorporating commercial tenant space into the existing building satisfies the mixed-use commercial designation allowed within the C-2 Downtown Core Commercial District.
- Rezoning the property to C-2 Downtown Core Commercial District will result in fewer negative impacts to surrounding properties as a result of the removal of uses currently allowed within the existing LI – Light Industrial District.
- The rezone to C-2 Downtown Core Commercial District provides more flexible zoning requirements for an area that was platted and developed at a time that current development standards were not needed or required – Flexibility of the C-2 Downtown Core Commercial District requirements allows redevelopment of an existing site within the historic downtown.

TOWN OF WELLINGTON

ORDINANCE NO. 15-2022

AN ORDINANCE REZONING REAL PROPERTY LOCATED WITHIN THE TOWN OF WELLINGTON, COUNTY OF LARIMER, STATE OF COLORADO FROM LI – LIGHT INDUSTRIAL DISTRICT TO C-2 DOWNTOWN CORE COMMERCIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OR MAPS OF THE TOWN TO REFLECT SUCH AMENDMENT.

WHEREAS, Owner, Wellington Rentals and Storage, LLC, 612 Gregory Road, Fort Collins, CO 80524, has requested to rezone Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision, Town of Wellington, County of Larimer, State of Colorado from LI – Light Industrial District to C-2 Downtown Core Commercial District; and

WHEREAS, the notices have been given and the public hearings required by the Wellington Municipal Code have been held; and

WHEREAS, the Planning Commission by motion and vote on September 12, 2022 recommended approval of the rezone to C-2 Downtown Core Commercial District based on specific findings of fact; and

WHEREAS, the Board of Trustees of the Town of Wellington has found the application to be in substantial compliance with the requirements of the Wellington Municipal Code; and

WHEREAS, it has been determined by the Board of Trustees of the Town of Wellington, following a public hearing on the matter, that the request to rezone the described property to C-2 Downtown Core Commercial District should be granted.

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

1. Having received the recommendation of the Town Planning Commission and the Town Board of Trustees having acted, following notice and hearing thereon as provided by law and pursuant to the Municipal Code of the Town of Wellington, Colorado, the zoning of the following described real property is hereby amended from LI – Light Industrial District to C-2 – Downtown Core Commercial District:

Lot 1 and the north 15 feet of Lot 2, Block 9, Wellington Place 1st Subdivision,
Town of Wellington, County of Larimer, State of Colorado.

2. The official zoning map of the Town of Wellington, Colorado is hereby amended in accordance with Section 1 of this Ordinance.

3. Necessity. In the opinion of the Board of Trustees of the Town of Wellington, this ordinance is necessary for the preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Wellington.
4. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than three (3) copies of the adopted ordinance available for inspection by the public during regular business hours and shall record at least one certified copy of the ordinance with the Clerk and Recorder of Larimer County.

PASSED AND ADOPTED by the Board of Trustees of the Town of Wellington, Colorado and ordered published this 27th day of September, 2022 and ordered to become effective 30 days from the date of publication.

TOWN OF WELLINGTON, COLORADO

By: _____
Calar Chaussee, Mayor

ATTEST:

Patti Garcia, Town Administrator/Interim Town Clerk



Board of Trustees Meeting

Date: September 27, 2022

Submitted By:

Subject: Larimer County Sheriff's Office Monthly Report - August 2022

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. 08-2022 Wellington Monthly Report - FINAL



LARIMER COUNTY SHERIFF'S OFFICE

Justin E. Smith, Sheriff

One Agency

One Mission

Public Safety

September 19, 2022

Town of Wellington
Attn: Patti Garcia, Town Administrator
PO Box 127
Wellington, Colorado 80549

Dear Ms. Garcia:

The Law Enforcement Services Agreement for the Town of Wellington obligates the Larimer County Sheriff's Office to provide monthly reporting.

In meeting the contract, for the month of **August 2022**, the Larimer County Sheriff's Office maintained six deputies, one corporal, and one sergeant providing full-time law enforcement for the Town. In addition, one half-time investigator, one full-time desk deputy, and one full-time School Resource Officer assisted the town with law enforcement activities.

During the month of **August 2022**, non-assigned deputies spent a total of **96.52** hours in Wellington responding to calls, patrolling, and making contacts in the town.

During the month of **August 2022** there were **0.0** hours worked by Northern Colorado Drug Task Force.

Investigations – ongoing and active cases include:

Sex Crime – 1

Theft - 1

DHS Referral – 1

Fraud/Forgery – 2

Administration
2501 Midpoint Dr.
Fort Collins, CO 80525
970 498-5100

County Jail
2405 Midpoint Dr.
Fort Collins, CO 80525
970 498-5200

Emergency Services
1303 N. Shields
Fort Collins, CO 80524
970 498-5300

Of Note:

- Wellington Deputies, Deputies from the LCSO Traffic Unit, and Troopers from the Colorado State Patrol made a concerted effort to monitor and control traffic around the new Middle/High School, as well as increasing patrols around Rice and Eyestone for this first week of school. Overall, things ran smoothly, and many residents were reminded, either directly or indirectly, of the new speed zone on County Road 9.
- Deputies responded to a report of gun shots from a vehicle on County Road 70 near County Road 3. Occupants of the car were contacted at the skatepark, the firearms were located in the car, and the driver was arrested for felony offenses.
- Deputies investigated a report of aggravated animal abuse near the intersection of 6th Street and Roosevelt Avenue. An investigator has been assigned to the case and after countless hours conducting interviews and reviewing security videos, a suspect has been identified and leads are being followed to locate that person.
- Throughout the month of August, Deputy Sazama attended a week-long Patrol Officer Response to Street Drugs course; Deputy Torrey attended a Tactical Combat Casualty Care Training course and a Single Officer Response to Active Shooter course; Deputy Piper attended training at the Rocky Mountain Tactical Teams Association Conference, and Deputy Schultz attended a week-long leadership course sponsored by the FBI.

Pursuant to the Law Enforcement Agreement between the Town of Wellington and Larimer County, applicable documenting monthly forms are attached.

Thank you,



Captain Joe Shellhammer
(970) 498-5103
Attachments



LARIMER COUNTY SHERIFF'S OFFICE

Wellington Calls for Service and Patrol Time
(For Non-Wellington Officers)

Dispatch Dates between 08/01/2022 and 08/31/2022

Excluded from this report -

Squads: Civilian, Parks, and Investigations

Units: 9ME, 9S27;9Z89;9E13;9E43;9E75;9E39;9E66;9E65;9E49;9E7;9X106*

Call Times by Month

	Call/Contact Time (Minutes/Hours)	Patrol Time (Minutes/Hours)	Totals
2022-08	4,782.5 79.71	1,008.93 16.82	5,791.43 96.52
Totals	4,782.5 79.71	1,008.93 16.82	5,791.43 96.52

Wellington Monthly Report

August 2022

Larimer County Sheriff's Office

Christine Harpel
Administrative Coordinator

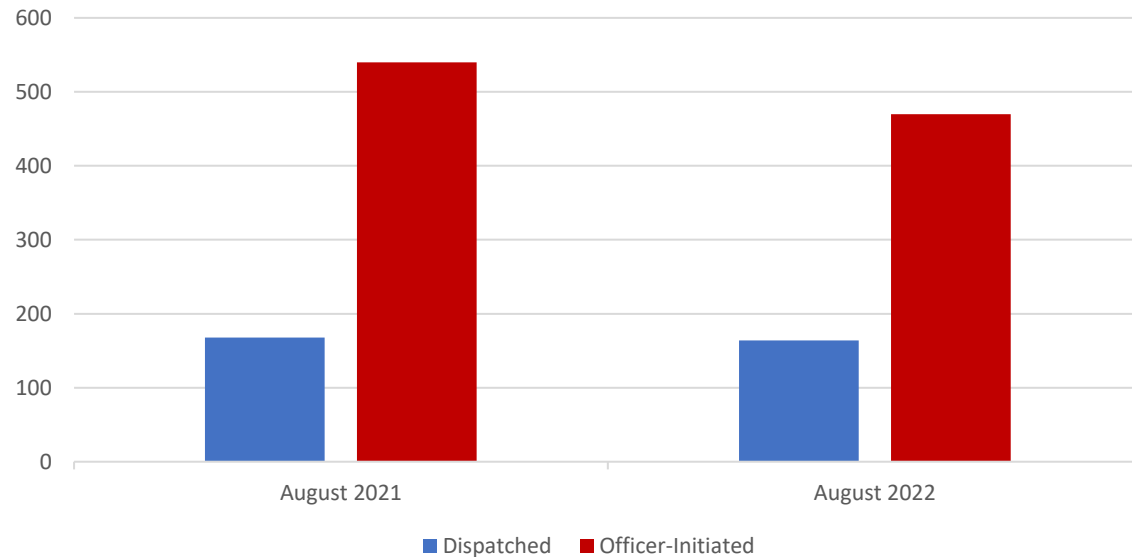
9/6/2022

August 2022 Totals

Dispatched / Officer-Initiated Activity

Dispatched Calls	164
Officer Initiated	470
August 2022 Total	634

Dispatched vs Officer-Initiated Activity



- Dispatched calls were Down 4 or 2% from August 2021
- Officer-Initiated Activity was Down 70 or 13% from August 2021

	Aug 2021	Aug 2022
Dispatched Calls	168	164
	24%	26%
Officer Initiated	540	470
	76%	74%
Total	708	634

- 26% were Dispatched Calls
- 74% was Officer-Initiated Activity

August 2022 Calls for Service

Calls for Service Comparison

Call Types A-M

Call Type	2019	2020	2021	Avg 19-21	2022	% Change 3-Yr Avg to 2022
9-1-1 Hangup	3	2	0	1.67	1	-40%
Alarm Calls	8	4	7	6.33	4	-37%
Alcohol Calls	0	1	0	0.33	1	200%
Animal Calls	8	8	5	7.00	9	29%
Assault	0	1	1	0.67	5	650%
Assist Other Agency (Fire/Med)	7	6	7	6.67	9	35%
Bar Checks	1	0	0	0.33	1	200%
Child abuse	0	1	0	0.33	0	-100%
Citizen Assist	21	14	15	16.67	18	8%
Civil	12	19	10	13.67	13	-5%
Criminal Mischief	3	3	6	4.00	8	100%
Disturbance	2	11	6	6.33	2	-68%
Drug case	1	2	2	1.67	3	80%
DUI Arrest	1	2	0	1.00	1	0%
Extra Checks & Business Check	129	117	343	196.33	203	3%
Family Problems	15	18	13	15.33	6	-61%
Fire Ban Violation	0	1	0	0.33	0	-100%
Fireworks Complaint	0	0	0	0.00	1	NC
Follow up	31	37	35	34.33	35	2%
Found property	2	4	4	3.33	4	20%
Fraud	5	10	10	8.33	10	20%
Harassment	3	7	7	5.67	5	-12%
Juvenile Problem	4	5	12	7.00	9	29%
Littering	0	0	1	0.33	0	-100%
Lost Property	2	3	1	2.00	1	-50%
Mental Health Call	1	2	6	3.00	2	-33%
Missing Person (Child/Adult)	4	4	4	4.00	2	-50%
Motor Vehicle Accident	8	0	7	5.00	9	80%
Municipal Code Violation	3	3	1	2.33	0	-100%

Call Types N-Z

Call Type	2019	2020	2021	Avg 19-21	2022	% Change 3-Yr Avg to 2022
Neighbor Problems	0	3	3	2.00	5	150%
Noise\Party Complaint	5	6	1	4.00	1	-75%
Pedestrian Contact/Subject St	12	7	5	8.00	16	100%
Private Tow	4	4	5	4.33	2	-54%
REDDI Report	2	3	5	3.33	3	-10%
Restraining Order Violation	1	4	3	2.67	2	-25%
Safe 2 Tell	0	1	3	1.33	0	-100%
School Check	10	0	17	9.00	19	111%
Sex Offense	2	3	0	1.67	1	-40%
Sex Offender Check	4	6	0	3.33	9	170%
Solicitor	0	2	0	0.67	0	-100%
Suicide Attempt	0	1	0	0.33	1	NC
Suicide Threat	3	5	2	3.33	5	50%
Suspicious Circumstances	32	30	25	29.00	23	-21%
Theft	5	10	5	6.67	6	-10%
Traffic Problem	23	15	28	22.00	16	-27%
Traffic Stop	76	15	61	50.67	115	127%
Trespass	0	0	2	0.67	3	350%
Vehicle Theft	1	1	4	2.00	2	0%
Vehicle Trespass	4	4	0	2.67	3	13%
VIN Check	17	7	12	12.00	16	33%
Warrant Attempt/Arrest	7	4	4	5.00	5	0%
Welfare Check	12	12	15	13.00	12	-8%
Unspecified	0	1	5	2.00	7	250%
TOTALS	494	429	708	543.67	634	17%

NC = Not Calculable. Cannot divide by 0.

Calls for Service DOWN 74 or 11% from August 2021
August 2022 calls UP 17% from August 2019-2021 Average

August 2022 Call Categories

Crime Type Averages / Trends

Property Crimes					
Call Type	2019	2020	2021	Avg 19-21	2022
Burglary	0	0	0	0.00	0
Theft	5	10	5	6.67	6
Vehicle Theft	1	1	4	2.00	2
Vehicle Trespass	4	4	0	2.67	3
Property Crimes Totals	10	15	9	11.33	11

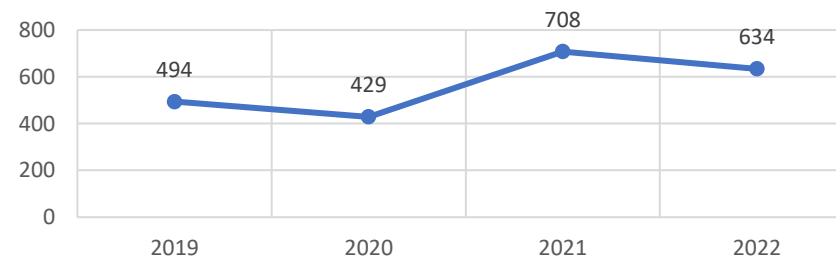
Persons Crimes					
Call Type	2019	2020	2021	Avg 19-21	2022
Assault	0	1	1	0.67	5
Missing Person (Child/Adult)	4	4	4	4.00	2
Robbery	0	0	0	0.00	0
Sex Offense	2	3	0	1.67	1
Weapon Related (menacing,	0	0	0	0.00	0
Persons Crimes Totals	6	8	5	6.33	8

Disorder/Other Crimes					
Call Type	2019	2020	2021	Avg 19-21	2022
Alcohol Calls	0	1	0	0.33	1
Animal Calls	8	8	5	7.00	9
Criminal Mischief	3	3	6	4.00	8
Disturbance	2	11	6	6.33	2
Drug case	1	2	2	1.67	3
Family Problems	15	18	13	15.33	6
Harassment	3	7	7	5.67	5
Juvenile Problem	4	5	12	7.00	9
Noise\Party Complaint	5	6	1	4.00	1
Suspicious Circumstances	32	30	25	29.00	23
Trespass	0	0	2	0.67	3
Disorder Crimes Totals	73	91	79	81.00	70

Red numbers indicate a DECREASE in crime from August 2021

Yellow backgrounds indicate an INCREASE in crime from August 2019-2021 Average

August 2019-2022 Totals



August 2022 Traffic

Traffic Citations	8/21	8/22
Traffic Citations Issued	3	18
Traffic Warnings	58	81

➤ Citations Issued Up 15

➤ Warnings Up 23

Call Type	8/21	8/22
Traffic Stop	61	115
Motor Vehicle Accident	7	9
DUI Arrest	0	1
Traffic Problem	28	16
REDDI Report	5	3

➤ Traffic Stops Up 54 or 89%

➤ MV Accidents Up 2

➤ DUI Arrests Up 1

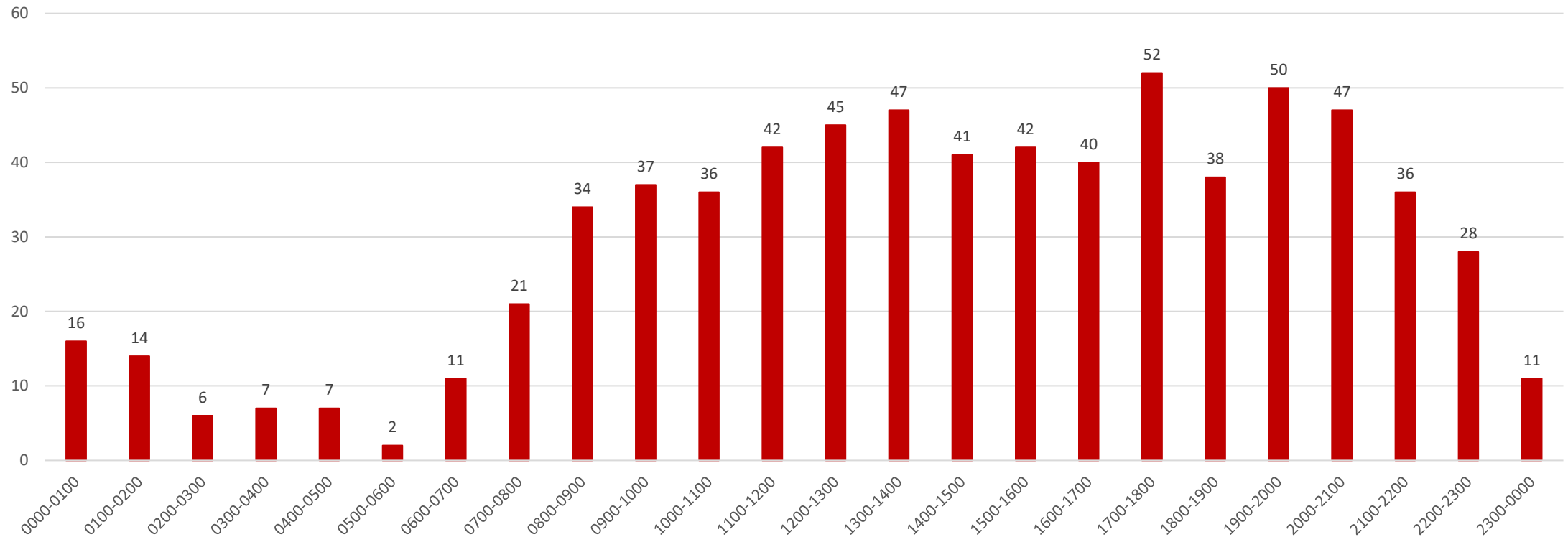
➤ Traffic Problems Down 12

➤ REDDI Reports Down 2

August 2022

Call Totals by Hour

Busiest Hours
1700-1800 (52)
1900-2000 (50)

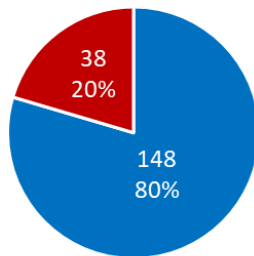


←→ 33 Calls between 0200-0700

August 2022

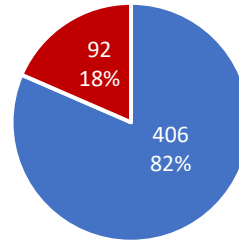
Wellington/Non-Wellington Units

Dispatched



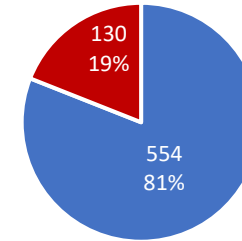
Wellington Non-Wellington

Officer-Initiated



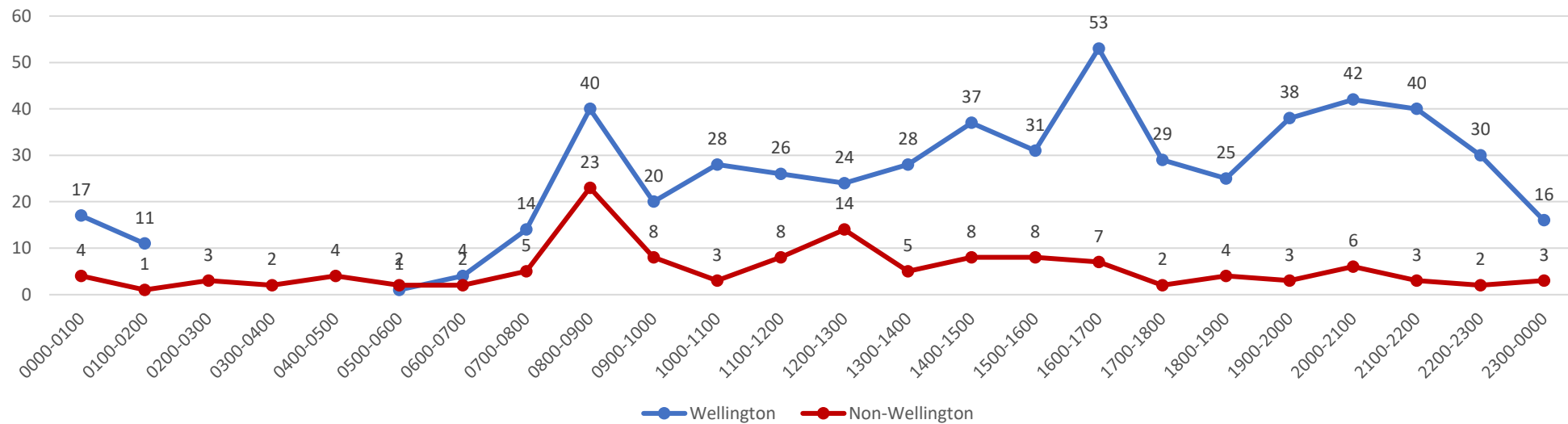
Wellington Non-Wellington

Total Calls



Wellington Non-Wellington

Wellington/Non-Wellington Calls by Hour



August 2022

Response Times / Time on Calls
Dispatched Calls Only
[All Times in Minutes](#)

<u>Average Response Time (All Units)</u>		
High		5.19
Medium		16.85
Low		40.05
Avg. Response Time		20.70

<u>Average Time on Calls (All Wellington Calls)</u>			
High			34.23
Medium			39.29
Low			36.50
Avg. Time			36.67



Board of Trustees Meeting

Date: September 27, 2022
Submitted By:
Subject: Utility Monthly Report through 9/1/2022

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

STAFF RECOMMENDATION

ATTACHMENTS

1. 2022-09-01 Utility Production and Operational Summary Report - Combined



Wellington Water and Wastewater Utilities Monthly Production and Operational Summary Report As of September 1, 2022

Production Summary

- Water
 - Please see the attached charts for various data related to drinking water production
 - Total monthly volumetric production to meet demand was 47 million gallons (MG), which is a bit less than the average for the last 5 years.
 - The Conventional Plant produced 36 MG
 - The Nanofiltration Plant produced 11 MG
- Wastewater
 - Please see the attached charts for various data related to water reclamation production
 - The total influent volume for the month was 21 MG, which higher than average
 - Hydraulic loading rose to 0.69 million gallons per day (MGD), which is also higher than average. This hydraulic loading represents 74% of maximum permitted hydraulic capacity.
 - Organic loading was 2102 pounds of BOD, which is higher than average. This represents 80% of maximum permitted organic capacity

Operational Summary

- Water Treatment Plants
 - Conventional Plant
 - Operators continue to coordinate with the expansion project contractor daily. Numerous challenges and coordination issues are resolved on a daily or hourly basis.
 - Nanofiltration and Reverse Osmosis Plants
 - The plant continued to run successfully at 60% of maximum production
 - Microfiltration Plant
 - Although operational, the Microfiltration Plant remains inactive due to poor taste and odor treatment performance
- Water Reclamation Plant
 - Operators continue to coordinate with the expansion project contractor daily. Numerous challenges and coordination issues are resolved on a daily or hourly basis. See attached Plant Expansion Project summary reports for additional information.



Water Treatment Plant Expansion Project Project Status Summary Report

Schedule Update

- Project is currently on schedule for Final Completion of July 29, 2024. There has been one (1) rain/weather day to date. Material and equipment procurement continues to be the biggest threat to project schedule. Milestone dates are as follows:
 - Notice to Proceed May 11, 2022
 - Substantial Completion May 6, 2024
 - Final Completion July 29, 2024
 - Days remaining to Final Completion 472 Days

Construction Update

- Work completed or in progress listed under each structure
 - Site Work
 - Maintained SWMP BMPs
 - Excavated for new sanitary sewer manholes for the septic system
 - Treatment Building
 - Excavated within the flow fill area under the Rapid Mix to install pipe encasement and under-slab piping
 - Installed under-slab drains and other piping either in-slab or under-slab
 - Installed pipe encasement and placed flow fill for level foundation pad
 - Ozone Building
 - No work
 - Chemical Building
 - No work
 - Construction team continues to work through design and material submittals requiring approval from the design engineer and Town Project Managers prior to construction. Backfill and compaction testing by EEC as needed.
 - Construction team continued the permitting effort through Safebuilt and the Town Building Department. The team is also working through the County Health Department permitting process for the new septic system.
- Issues
 - The project team is monitoring the availability of materials and equipment. Supply chain issues and material availability continue to impact the project schedule and adjustments are being made to maintain the final completion date.
 - Long lead times for manhole rings and bases required the contractor to pour their own manhole bases on site rather than wait on pre-cast materials.

Contingency Update

- Contractor Contingency Actions
 - None as of Pay Application 2 (August 1, 2022)
- Town Contingency Actions
 - No new items added this reporting period



Wellington Water Reclamation Facility Expansion Project Project Status Summary Report

Schedule Update

- Project is currently on schedule for Final Completion of October 30, 2024. There has been one (1) rain/weather day to date. Material and equipment procurement continues to be the biggest threat to project schedule. Milestone dates are as follows:
 - Notice to Proceed April 19, 2022
 - Substantial Completion August 1, 2024
 - Final Completion October 30, 2024
 - Days remaining to Final Completion 536 Days

Construction Update

- Work completed or in progress listed under each structure
 - Site Work
 - Operated de-watering wells as needed.
 - Dust control with water truck used as needed.
 - Step Feed Aeration Basin
 - Placed wall re-bar and forms
 - Poured wall section 1 (out of 7)
 - Placed forms and rebar for wall section 7
 - Pre-tied wall rebar for additional wall sections
 - Influent Pump Station
 - Completed water tightness test with no leaks found.
 - Started backfill around the IPS structure base.
 - Secondary Clarifiers
 - Completed center column concrete work
 - Completed pipe encasement and backfill.
 - Step Feed Process Building
 - Completed form and rebar placement for wall sections 1, 2, 3.
 - Poured wall sections 1, 2, 3.
 - Started form and rebar placement for wall section 4.
 - Orbal Reactor
 - No work – waiting on forms
 - UV Digester 5 & 6
 - No work
 - UV Digester Blower Building
 - No work
 - Administration Building
 - No work
 - Headworks Building
 - No work
 - Construction team continues to work through design and material submittals requiring approval from the design engineer prior to construction. Materials Testing by CTL Thompson as needed.

- **Issues**

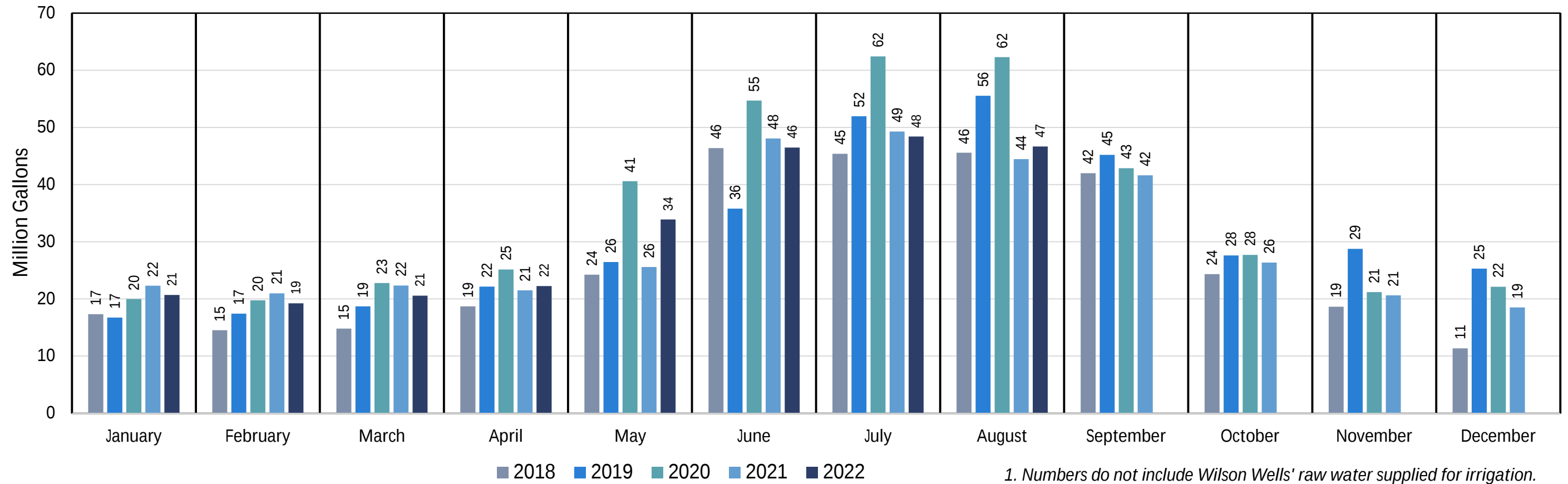
- The project team was notified in early August that the selected supplier for the course and fine bubble diffusers had abruptly gone out of business. The team quickly reacted by reaching out to the companies that provided bids during the GMP phase to solicit new bids for the equipment. The project team reviewed the bids and selected a new diffuser supplier that met the project specifications. Although the second supplier is more expensive than the previous supplier there was no net change to the GMP due to additional VE efforts.
- The project team is monitoring the availability of materials and equipment. Supply chain issues and material availability continue to impact the project schedule and adjustments are being made to maintain the final completion date.
 - As an example – Glass lined DI pipe proposed to be used in the Scum system has a current lead time of approximately 8 months; as a result Jacobs reviewed the specifications and provided an alternate coating that can be more readily procured.
- Escalations due to increased fuel cost and materials shortages for items such as concrete have already occurred in addition to scheduling restrictions based on availability of cement and trucks.
- Equipment price escalations have been threatened requiring accelerated review and approvals of submittals by the team to avoid pricing increases.

Contingency Update

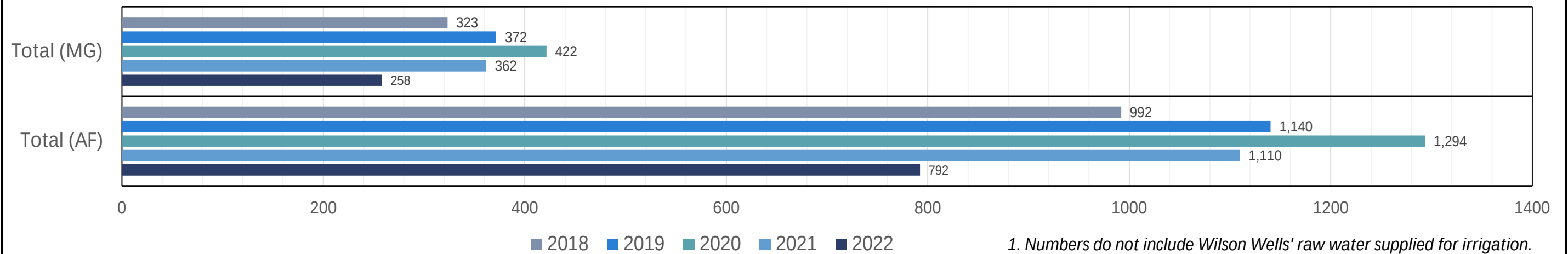
- Contractor Contingency
 - No new items added this reporting period
- Town Contingency
 - No new items added this reporting period

Town of Wellington Water Treatment

Total Monthly Production: Main WTP (Conventional & Microfiltration), Nano Plant₁ and RO
(Through August 2022)

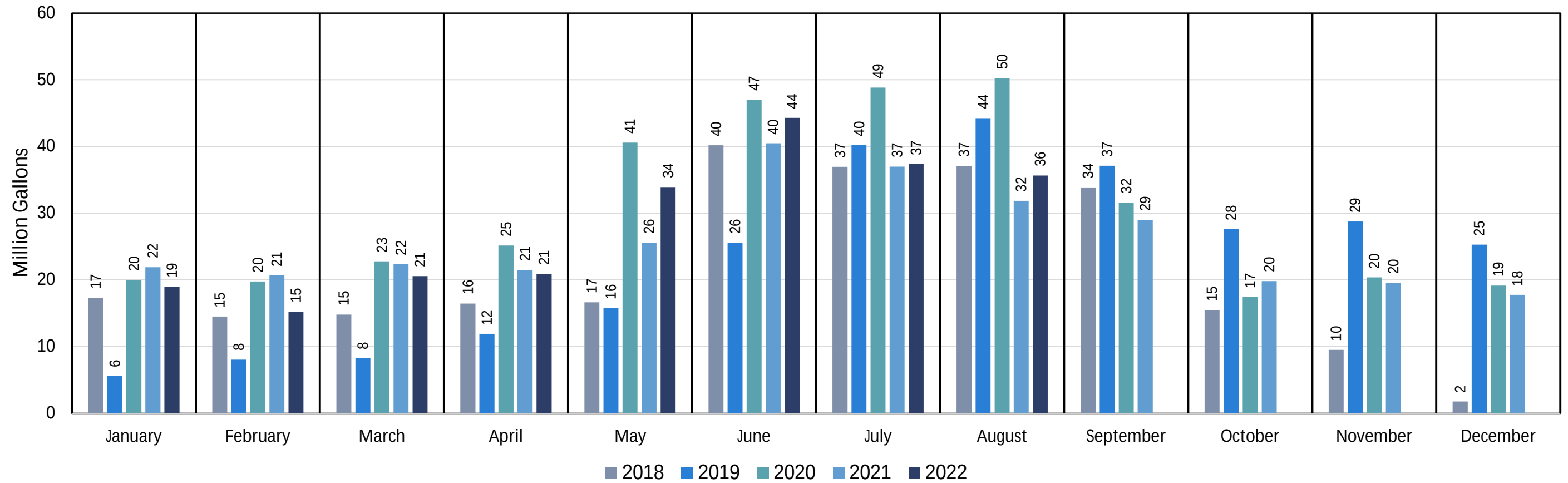


Annual Production Volumes₁
(Through August 2022)

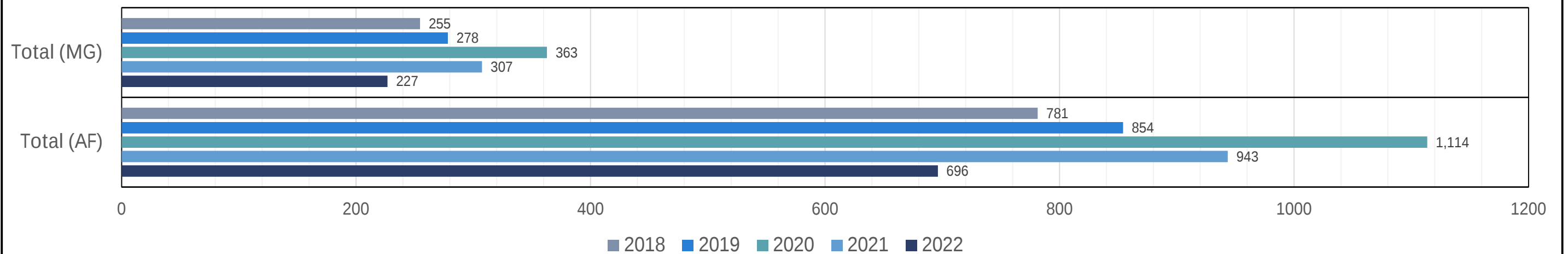


Town of Wellington Water Treatment

Monthly Production: Main WTP (Conventional & Microfiltration) (Through August 2022)

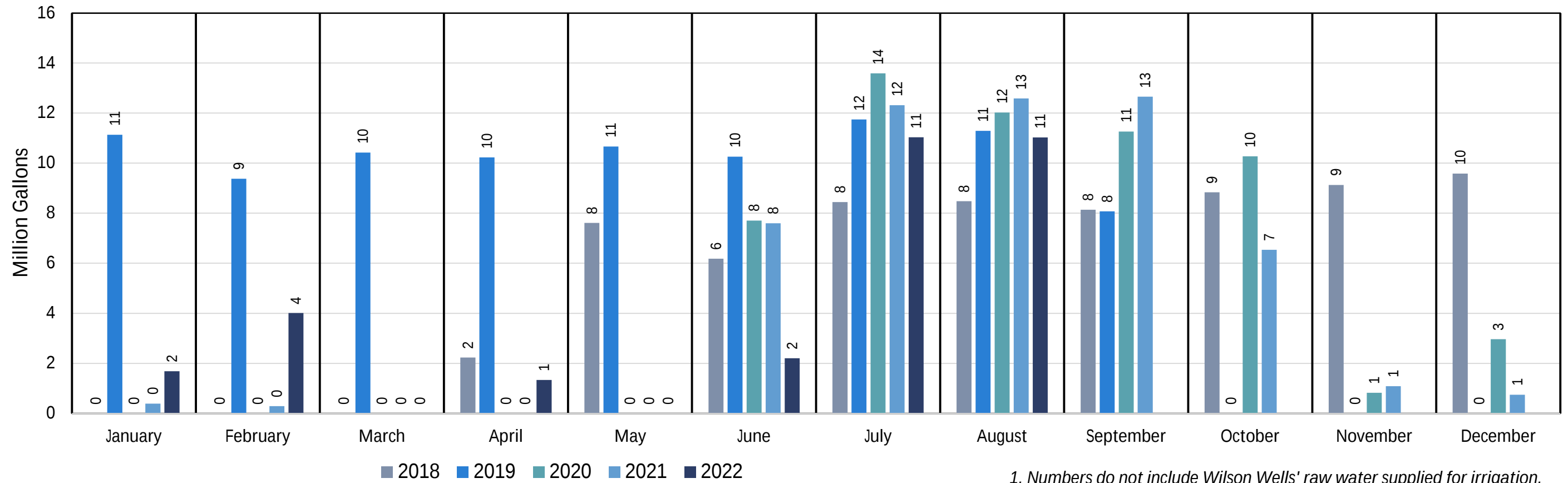


Annual Production Volumes (Through August 2022)

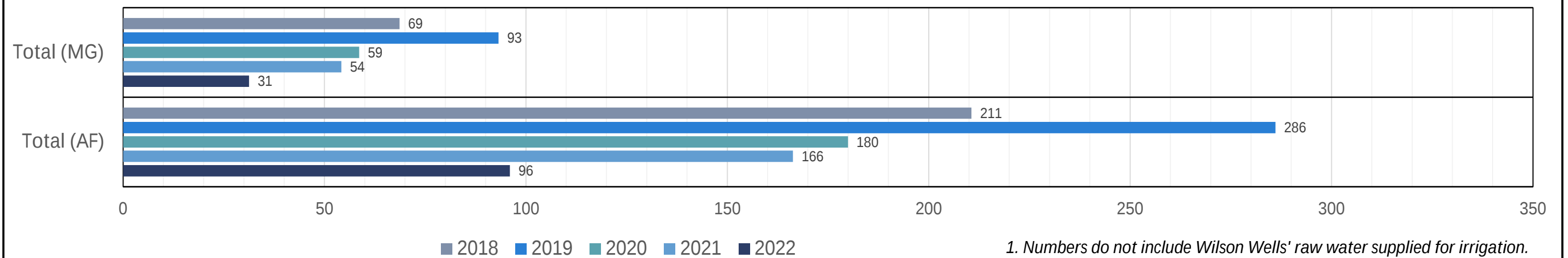


Town of Wellington Water Treatment

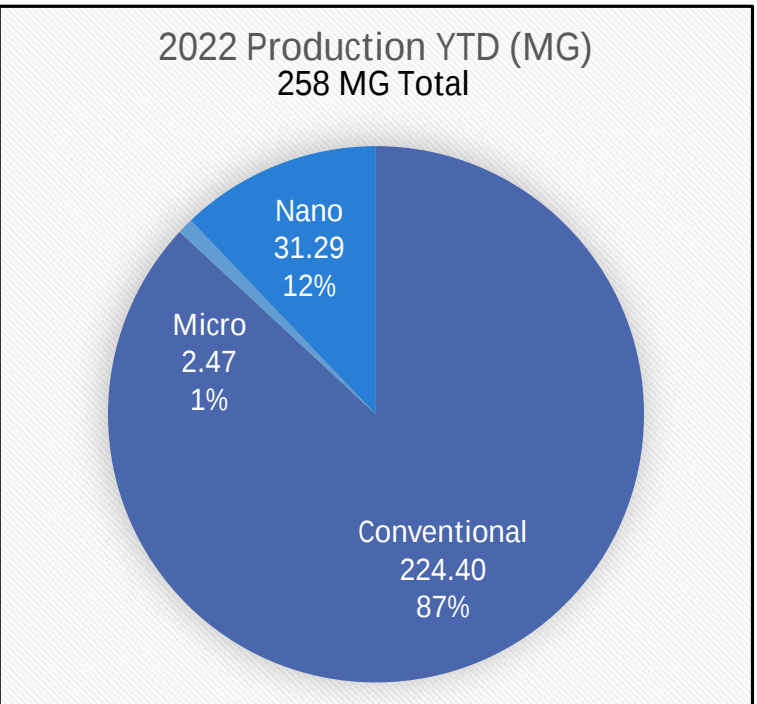
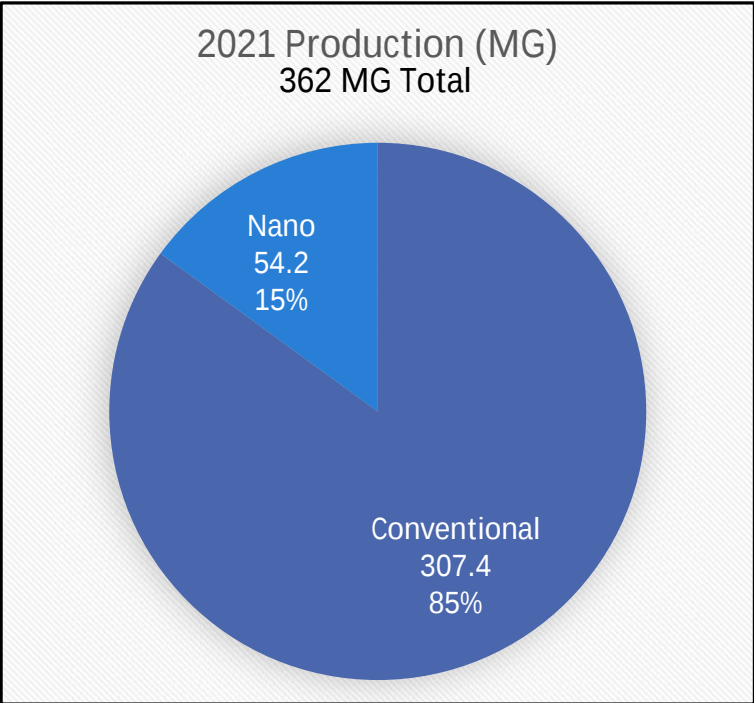
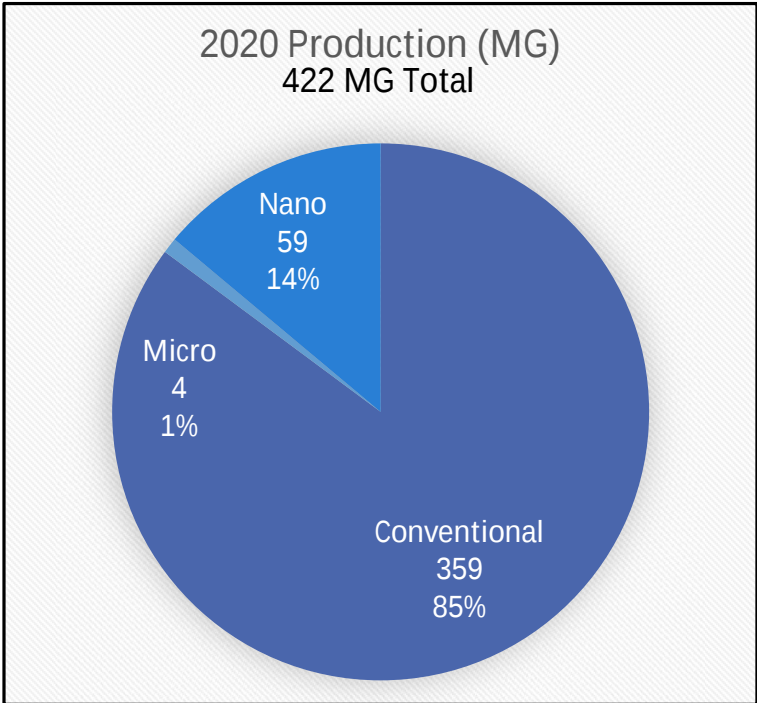
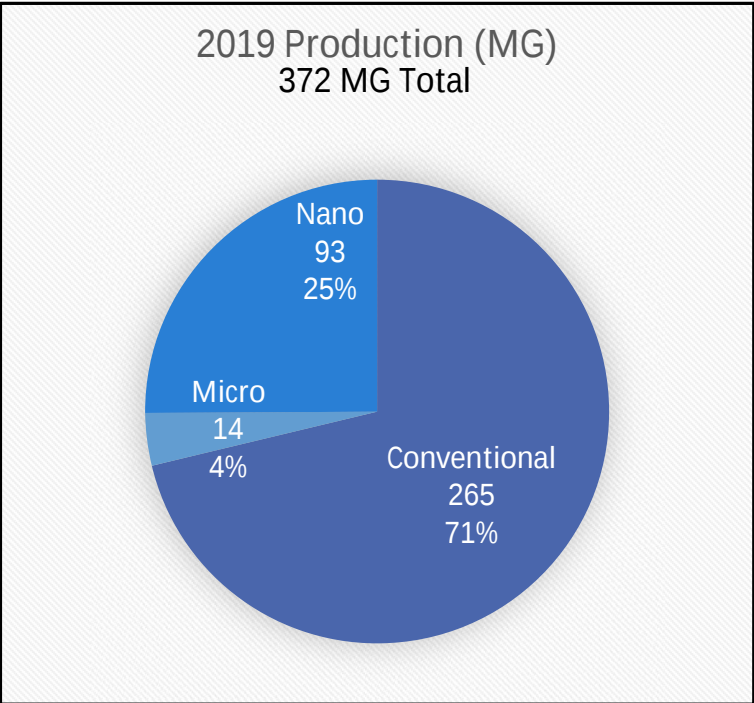
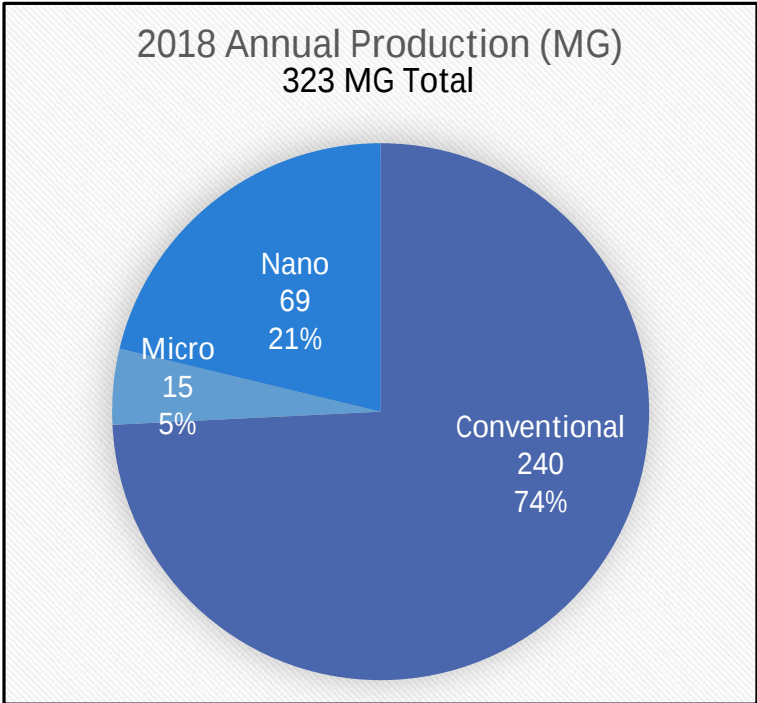
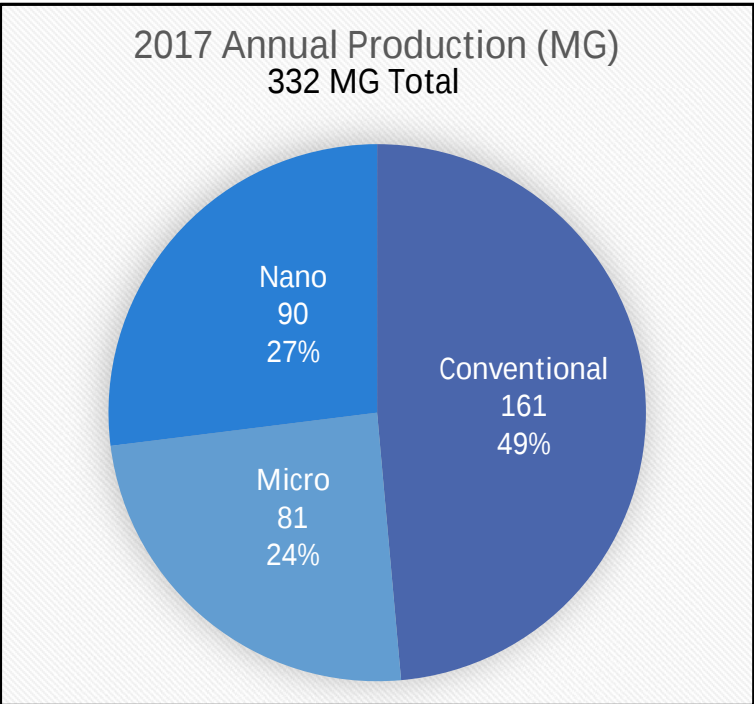
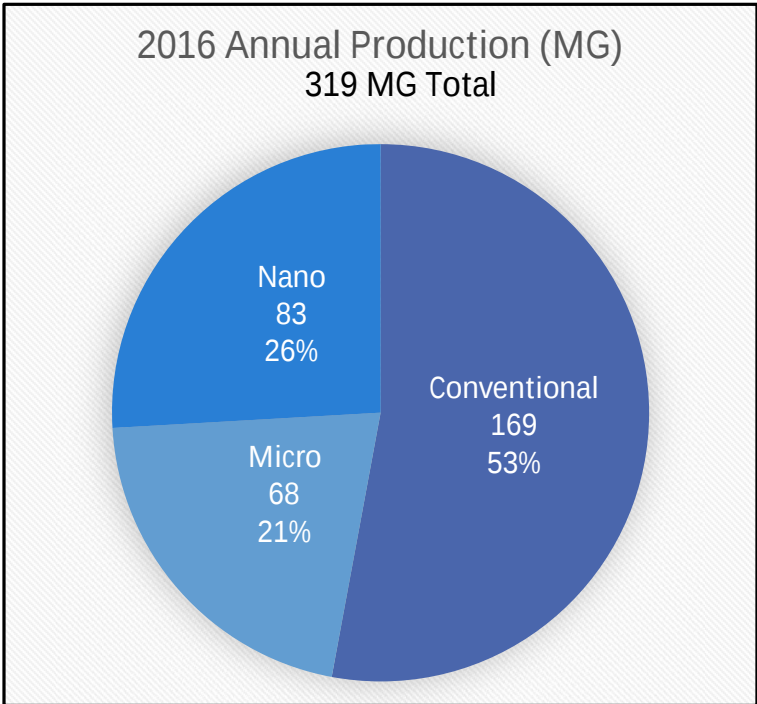
Monthly Production: Nano Plant₁ (Through August 2022)



Annual Production Volumes₁ (Through August 2022)

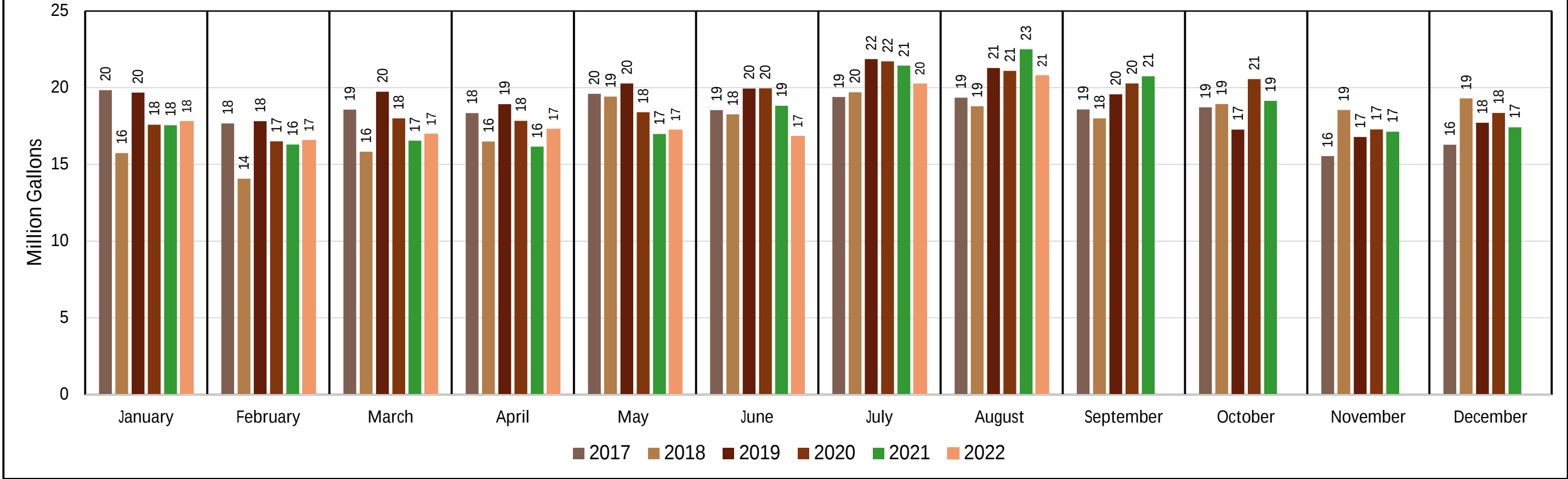


Town of Wellington
Water Treatment

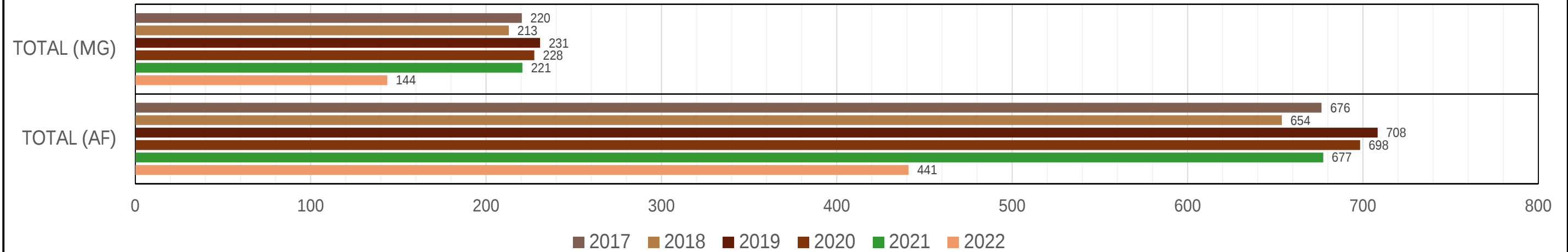


Town of Wellington
Water Reclamation Facility Treatment

Monthly Production: Monthly Volume of Influent
(Through August 2022)

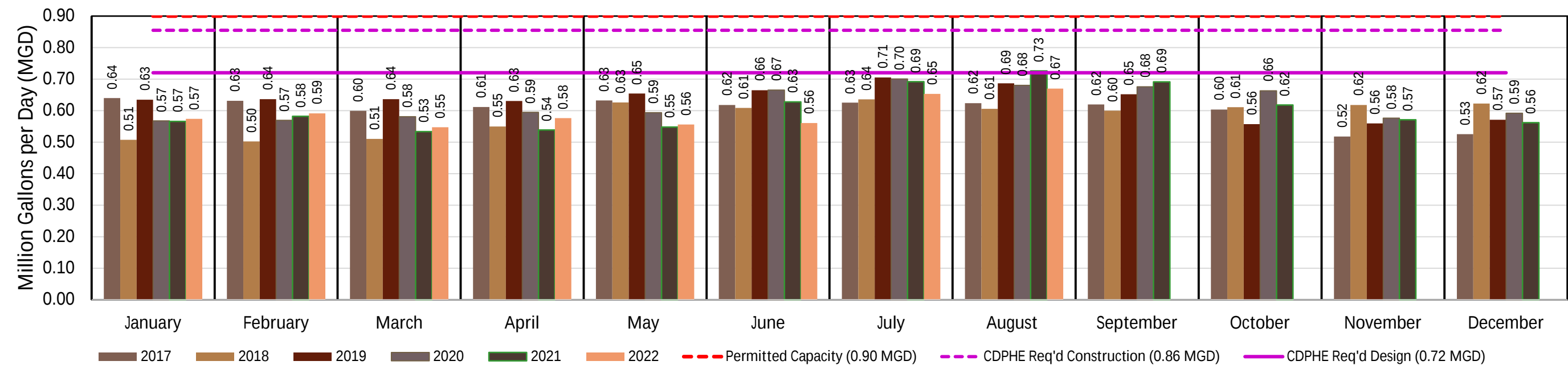


Annual Volume of Influent
(Through August 2022)

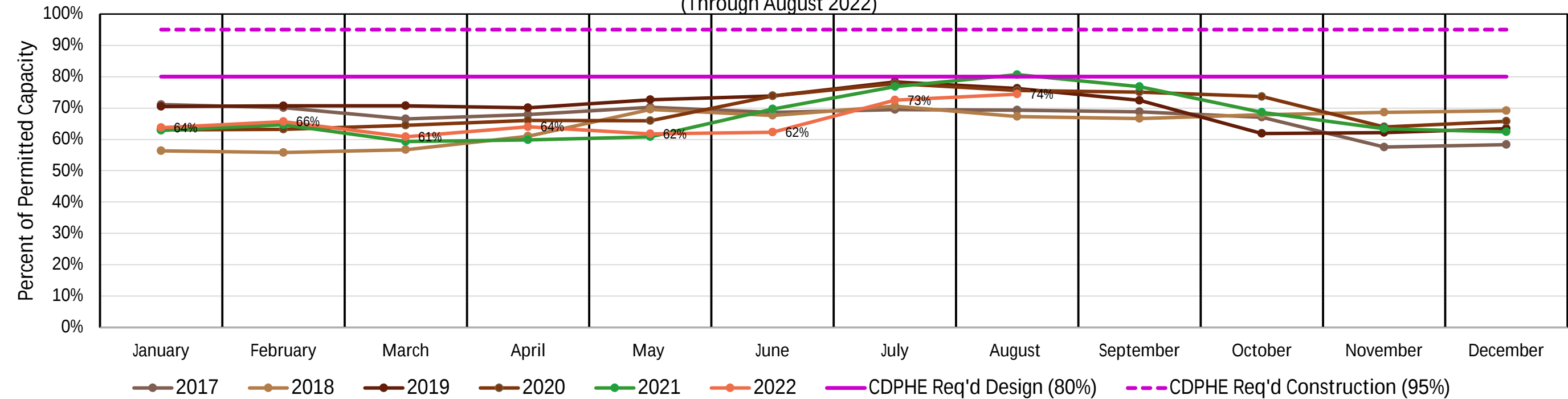


Town of Wellington
Water Reclamation Facility

Monthly Production: Hydraulic Loading
(Through August 2022)



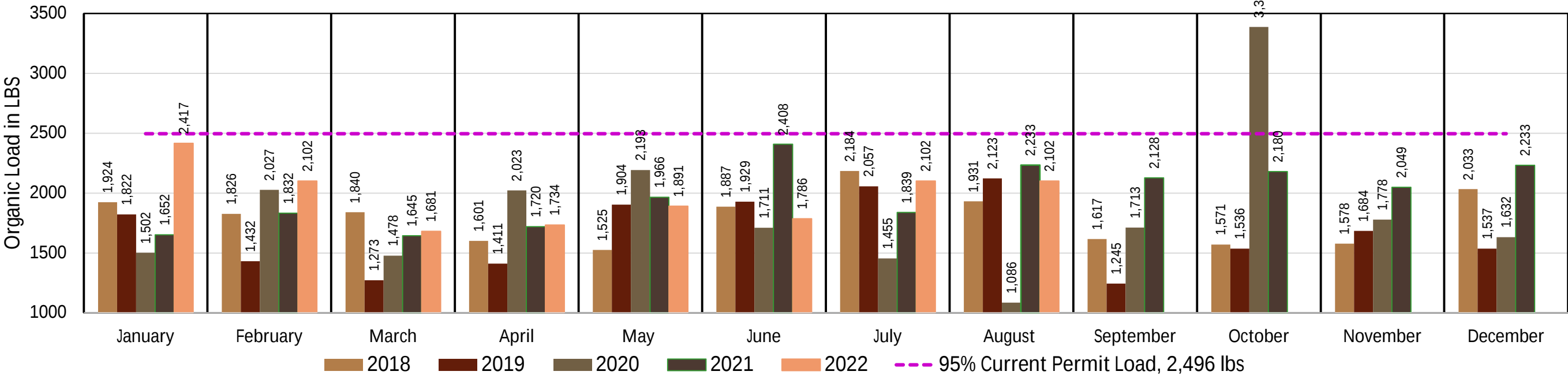
Monthly Production: Percent of Permitted Hydraulic Capacity
(Through August 2022)



Town of Wellington
Water Reclamation Facility

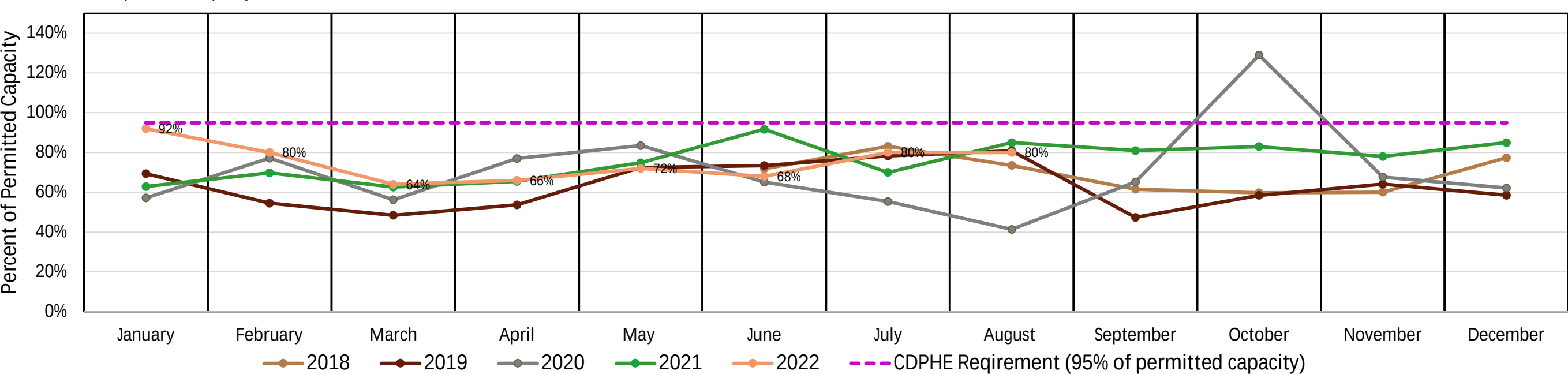
Monthly Production: Organic Loading
(Through August 2022)

Note: June 2018 permitted capacity increased from 1314lbs to current level of 2627lbs.



Monthly Production: Percent of Permitted Organic Capacity
(Through August 2022)

Note: June 2018 permitted capacity increased from 1314lbs to current level of 2627lbs.



Board of Trustees Meeting

Date: September 27, 2022
Submitted By:
Subject: Fee Schedule report

EXECUTIVE SUMMARY

BACKGROUND / DISCUSSION

The Town of Wellington will be adopting a fee schedule to coincide with the FY 2023 budget.

STAFF RECOMMENDATION

ATTACHMENTS

1. Copy of Fee Schedule Final Draft 2023

Town of Wellington Fee Schedule

LICENSE FEES			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	LICENSES		
	Business License (New/Renewal)	\$25.00	
	Auctioneer License	\$100.00	
	Peddler's and Handbill License - Monthly - Quarterly - Yearly	\$8.00 \$50.00 \$150.00	
	Contractor License	\$25.00	
	Home Occupation License	\$30.00	
	Trash Haulers License	\$500.00	

CEMETERY FEES			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	Grave Space		
	Resident/Non-Resident (\$75.00 goes to perpetual care)	\$300.00	
	Non-Resident (\$75.00 goes to perpetual care)	\$450.00	
	Infant 2 years and under (\$75.00 goes to perpetual care)	\$200.00	
	Opening and Closing		
	Casket – regular hours	\$200.00	
	Casket – weekends	\$400.00	
	Cremains – regular hours	\$100.00	
	Cremains – weekends	\$200.00	
	Disinterment		
	Casket	\$600.00	
	Cremains	\$300.00	

EXCAVATION FEES			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	Right-of-Way Permit		
	Right-of-Way Permit	\$100.00	
	Right-of-Way Deposit	\$1,000.00	
	Encroachment Permit Fee	\$50.00	

Town of Wellington Fee Schedule

LIQUOR LICENSE FEES			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
Fees Payable to Town of Wellington (Local licensing authority)			
	New License Fees		
	New liquor license application fee (one-time fee)	\$750.00	
	Concurrent review fee (one-time fee)	\$100.00	
	Transfer application fee (one-time fee)	\$750.00	
	Temporary Transfer	\$75.00	
	Renewal License Fees		
	Annual Application-ALL Licenses	\$100/yr.	
	Annual Art Gallery fee	\$100/yr.	
	Hotel/Tavern	\$75/yr.	
	Retail Liquor	\$22.50/yr.	
	Beer & Wine	\$48.75/yr.	
	Club	\$41.25/yr.	
	Fermented Malt Beverage (On and Off Premise)	\$3.75/yr.	
	Arts	\$41.25/yr.	
	Liquor License Drugstore	\$22.50/yr.	
	Lodging & Entertainment	\$75.00/yr.	
	Brew Pub	\$75.00/yr.	
	Mini Bar with Hotel/Restaurant	\$48.75/yr.	
	Bed & Breakfast	\$3.75/yr.	
	Special Event Permit (Liquor or Fermented Malt Beverage)	\$100/App	
	Manager Registration/Hotel/Tavern/L&E/Campus Liquor only	\$75.00	
	Change of Location	\$750.00	
	Late Renewal	\$500.00	
	Corporation/LLC Changes	\$100.00	
Fees Payable to State of Colorado (State licensing authority) may be found at Liquor Enforcement Division Fee Schedule			
Payment of ALL applicable fees must be submitted with application			

MARIJUANA LICENSE FEES			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
Fees Payable to Town of Wellington (Local licensing authority)			
	Retail Marijuana Store New Application	\$2,500.00	
	Retail Marijuana Operating Fee (Annual)	\$5,000.00	
	Retail Marijuana Store Renewal	\$1,500.00	
	Medical Marijuana Store New Application	\$2,500.00	
	Medical Marijuana Operating Fee (Annual)	\$5,000.00	
	Medical Marijuana Store Renewal	\$1,500.00	

Town of Wellington Fee Schedule

	Transfer of Ownership or Change in Business Structure	\$1,000.00	
	Change of Location	\$2,500.00	
	Modification of Premise	\$2,500.00	
	Late Renewal	\$500.00	

SEWER RATES AND FEES

CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	MONTHLY SEWER RATES		Ord No. 03-2022
	Monthly Sewer Base Charge - Residential (includes first 3,000 gallons of averaged metered water use during the winter quarter; January, February, March)	\$31.00	
	Each additional residential user on a single tap	\$31.00	
	Monthly Sewer Base Charge - Non- Residential (3/4" - 2" Tap; Includes first 3,000 gallons of averaged metered water use during the winter quarter; January, February, March)	\$31.00	
	Monthly Sewer Base Charge - Non- Residential (> 2" Tap)	Negotiated	
	Each additional non-residential user on a single tap	\$31.00	
	Monthly Sewer Usage Charge - per 1,000 gallons beyond what is included in the Base Charge	\$10.00	
	Monthly Sewer Fees - Inactive (Residential and Commercial)	\$6.00	
	All taps outside the Town's Corporate Limits	1.5 multiplied by rate for in-Town tap of same size	

STORMWATER RATES AND FEES

CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	MONTHLY STORMWATER RATES		
	Residential Monthly Stormwater Fees	\$5.00	
	Commercial Monthly Stormwater Fees	\$9.25	
	BOXELDER STORMWATER AUTHORITY FEES		
	Residential Monthly Stormwater Fees	\$6.33	
	Commercial Monthly Stormwater Fees (Based on square feet of impervious area):		
	1-5,000 sq ft	\$6.33	
	5,001-10,000 sq ft	\$13.75	

**Town of Wellington
Fee Schedule**

	10,001-20,000 sq ft	\$27.50	
	20,001-30,000 sq ft	\$55.00	
	30,001-40,000 sq ft	\$87.50	
	40,001-50,000 sq ft	\$110.00	

SPECIAL EVENT FEES			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	Application Fee	\$25.00	11-2019
	Annual Vendor Fee	\$25.00	11-2019
	Daily Park Rental	\$100.00	11-2019
	Fencing (maximum 1,300 feet of fencing)	\$480.00	11-2019
	Electric Distribution Panel for Temporary Power (per day)	\$50.00	11-2019
	Refundable Deposit	\$250.00	11-2019

DRAFT

Town of Wellington

Fee Schedule

WATER FEES AND CHARGES								
CODE SECTION	DESCRIPTION						RES/ORD NUMBER	
	MONTHLY WATER CHARGES							
	Meter Size	Monthly Base Fee	1 st Tier Usage Charge	1 st Tier Threshold	2 nd Tier Usage Charge	2 nd Tier Threshold	3 rd Tier Usage Charge	3 rd Tier Threshold
			per 1,000 gal	gal / month	per 1,000 gal	gal / month	per 1,000 gal	gal / month
	Residential Single Tap	\$66.00	\$4.56	15,000	\$5.70	30,000	\$7.72	> 30,000
	Residential Single Tap – Outside limits	\$28.29	\$5.475	15,000	\$5.895	30,000	\$7.41	>30,000
	Non-Residential ¾ Tap	\$66.00	\$4.56					
	Non-Residential 1” Tap	\$103.62	\$4.56					
	Non-Residential 1.5” Tap	\$118.73	\$4.56					
	Non-Residential 2” Tap	\$126.03	\$4.56					
	Irrigation Tap	\$5.00 (Includes 2,000 gals)	\$3.65	> 9,999,999				
	Non-Potable Town Park	\$0.00	\$1.10	> 9,999,999				
	Non-Potable School District	\$0.00	\$1.10	> 9,999,999				
	Potable – Poudre School District Irrigation	\$5.00	\$3.65	> 9,999,999				
	Inactive Tap	\$5.00	\$2.50		\$3.65			
	MISCELLANEOUS WATER CHARGES							
	Reconnect following termination due to non-payment			\$25.00 for the first and \$50.00 every one after (within 12 months)			Ord 15-2020	
	Delinquent Fees			\$15.00				
	Non-sufficient Funds Fee			\$20.00			Ord 15-2020	
	Transfer Fee			\$10.00				
	Bulk Water Rates			\$15.20 / 1,000 gallons			Res 29-2020	
	Contractor Supplied Hydrant Meter Fees			\$50.00 One Time Permit Fee + \$15.20 / 1,000 gallons used				
	Town Hydrant Supplied Meter Use Fees			\$3,500.00 Meter Rental Deposit + \$10.00 Per Day Charge + \$15.20 / 1,000 gallons used				

Town of Wellington

Fee Schedule

PLANNING FEES & ZONING			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	Annexation	\$750.00 +\$10/Acre	Ord 08-2019
	Zone Change Request (Rezone)	\$350.00	Ord 08-2019
	Planned Unit Development	\$750.00 +\$10/Acre	Ord 08-2019
	Conditional Use	\$350.00	Ord 08-2019
	Preliminary Major Subdivision – Single Family and Two Family Zoning Districts	\$500.00 +\$10/Lot	Ord 08-2019
	Preliminary Major Subdivision – All other Zoning Districts	\$500.00 +\$10/Acre	Ord 08-2019
	Major Subdivision, Final	No Fee	Ord 08-2019
	Minor Subdivision	\$500.00	Ord 08-2019
	Manufactured Home Park	\$500.00 +\$10/Lot	Ord 08-2019
	Recreational Vehicle Park	\$500.00 +\$10/Vehicle	Ord 08-2019
	Vacation of ROW or Easement	\$350.00	Ord 08-2019
	Site Plan Review	\$500.00 +\$100 per acre if over an acre	Ord 08-2019
	Amend Approved Site Plans (Planning Commission)	\$250.00	Ord 08-2019
	Administrative Adjustment to Site Plan	\$100.00	Ord 08-2019
	Board of Adjustment / Appeals	\$250.00	Ord 08-2019
	Variance	\$250.00	Ord 08-2019
	Non-conforming Use Review	\$150.00	Ord 08-2019
	Extension of Final Approval	\$150.00	Ord 08-2019

ENGINEERING FEES			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	Conceptual Review	\$500.00	
	First Final	\$1,000.00	
	First Resubmittal	\$750.00	
	Second Resubmittal	\$500.00	
	Utility Inspection (per lot)	\$50.00	
	Streets Inspection (per 500 lf)	\$35.00	
	Retest Streets (per location)	\$100.00	
	Storm Drainage Review	\$500.00	
	Storm Inspection	\$1,000.00	

Town of Wellington Fee Schedule

TAP FEES					
CODE SECTION					Ordinance 06-2021
	Water Meter/ Tap Size	Capital Investment	Meter Charges	Acre Foot Raw Water Requirement	Cash-in-lieu Amount
	¾-inch residential (Indoor)	\$7,750	N/A	.32-acre feet	\$33,169
	¾-inch residential (irrigation)	\$7,750	N/A	.26-acre feet	\$26,591
	¾-inch residential (outdoor & Irrigation)	\$7,750	N/A	.58-acre feet	\$59,760
	¾-inch to 2-inch (multi-family)	\$7,750 X dwelling units	1-inch or larger refer to meter size below	.32-acre feet x dwelling units + calculated for landscape	\$33,169 x dwelling units + calculated for landscape
	¾-inch commercial	\$7,750	N/A	calculated for use	calculated for use
	1-inch	\$12,179	\$450	calculated for use	calculated for use
	1 ½-inch	\$35,429	\$750	calculated for use	calculated for use
	2-inch	\$44,286	\$2,000	calculated for use	calculated for use
	Greater than 2-inch	Calculated for peak use	Contact Town for pricing	calculated for use	calculated for use
	Irrigation meter only	Capital investment for corresponding meter size	1 inch or larger refer to meter size above	calculated for use	calculated for use
	4-inch sewer residential	\$9,700			
	4-inch multi-family	\$9,700 x dwelling units			

Town of Wellington Fee Schedule

	4-inch sewer commercial	\$9,700			
	6-inch sewer commercial	\$28,379			
	Greater than 6-inch sewer tap	Calculated based on use			

IMPACT FEES & DEVELOPMENT COSTS

CODE SECTION	DESCRIPTION		FEE		RES/ORD NUMBER
		General Commercial	Single Family Residence	Multi-Family	
	Park		\$1,000	\$1,000 X Dwelling Units	
	Road	Average Daily Traffic x \$126	\$1,700	\$1,700 x Dwelling Units	
	Library		\$250.00	\$250.00 x Dwelling Units	
	Trail		\$450.00	\$450.00 x Dwelling Units	
	Storm Drainage	\$.33 x sq. ft of Impervious Surface	\$840.00	\$840.00 x Dwelling Units	
	Fire	\$1.31 x Gross sq. ft	\$1,480.00	\$1,480.00 x Dwelling Units	

CAPITAL INVESTMENT FEES & RAW WATER CONTRIBUTION

CODE SECTION	DESCRIPTION		FEE		RES/ORD NUMBER
	Water Tap Size	Fee	Acre Foot Requirement	Cash In-Lieu Equivalent	
	¾"	\$5,500.00	0.50	\$19,285.50	
	1'	\$9,680.00	0.88	\$33,942.48	
	1.5"	\$18,095.00	1.65	\$63,642.15	
	2"	\$30,195.00	2.75	\$106,070.25	
	>2"	Per Calculations	Per Calculations	Per Calculations	

BUILDING PERMIT FEES

CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	Permit Issuance	\$25.00	Ord 08-2019
	Building Permit – Based on Valuation of Work		
	\$1.00 - \$1,000.00	\$25.00	Ord 08-2019
	\$1,001.00 - \$25,000	\$69.25 + \$14.00 or each additional \$1,000 or fraction thereof	Ord 08-2019

Town of Wellington Fee Schedule

		over \$1,000	
	\$25,001 - \$50,000	\$391.25 + \$10.10 for each additional \$1,000 or fraction thereof over \$1,000	Ord 08-2019
	\$50,001 - \$100,000	\$643.75 + 7.00 for each additional \$1,000 or fraction thereof over \$1,000	Ord 08-2019
	\$100,001 - \$500,000	\$993.75 + \$5.60 for each additional \$1,000 or fraction thereof over \$1,000	Ord 08-2019
	\$500,000 - \$1,000,000	\$3,233.75 + \$4.75 for each additional \$1,000 or fraction thereof over \$1,000	Ord 08-2019
	\$1,000,000 or greater	\$5,608.75 + \$3.15 for each additional \$1,000 or fraction thereof over \$1,000	Ord 08-2019
	Building Plan Review (Single and Two Family Residential)	30% of Building Fee	Res 08-2019
	Building Plan Review (Commercial and Multi-Family)	65% of Building Fee	Ord 08-2019
	Town Administrative Fee	10% of Building Fee	Ord 08-2019
	Electrical Review Fee	In Accordance with State Statute	Ord 08-2019
	Furnace or AC Replacement	\$75.00	Ord 08-2019
	Water Heater Replacement	\$75.00	Ord 08-2019
	Lawn Sprinkler	\$75.00	Ord 08-2019
	Roof/Re-roof	\$75.00	Ord 08-2019
	Siding Replacement	\$75.00	Ord 08-2019
	Window Replacement	\$75.00	Ord 08-2019
	Demolition	\$50.00	Ord 08-2019
	Re-inspection	\$75.00	Ord 08-2019
	Temporary Certificate of Occupancy (TCO)	\$150.00	Ord 08-2019
	Reactivation of Expired Permit	50% of Permit Fee	Ord 08-2019
	Investigation Fee	50% of Permit Fee	Ord 08-2019
	Inspection Outside Normal Business Hours	\$100.00 per hour (one hour minimum)	Ord 08-2019
	Rereview of Previously Approved Plans	\$75.00 per hour (one hour minimum)	Ord 08-2019
	Fence	\$30.00	Ord 08-2019
	Temporary Sign Permit	\$30.00	Ord 08-2019
	Zoning Permit (for accessory structures less than 120 sq. ft. or structures otherwise not requiring a building permit)	\$30.00	Ord 08-2019
	Structural Engineering Plan Review	\$150 per hour (one hour minimum)	
	Business License Inspection	\$75.00	
	Mobile/Manufacture/Factory Built	\$155 – Approved Mobile Home Park	

Town of Wellington Fee Schedule

		\$75 – Temporary or accessory	
	Stock Model / “Same As” Plan Review	\$45 – No Changes \$100 – Minor Changes	

RECREATION FEES

CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	Adult Kickball	\$300 per team	
	Adult Softball	\$400 per team	
	Adult Softball: With playoffs	\$550 per team	
	Adult Softball: Tournament	\$200 per team	
	Adult Volleyball	\$310 per team	
	Contractor Activities	70% revenue to instructor/30% to department (price set by contractor)	
	Youth Baseball: FCBC Rec	\$100 per participant	
	Youth Baseball: FCBC Intermediate	\$395 per participant	
	Youth Baseball: T-Ball	\$50 per participant	
	Youth Baseball: Modified T-Ball	\$55 per participant	
	Youth Baseball: Coach/Player Pitch	\$70 per participant	
	Start Smart – All Sports	\$55 per participant	
	Youth Basketball	\$60 per participant	
	Youth Soccer: 5U	\$50 per participant	
	Youth Soccer: 7U	\$55 per participant	
	Youth Soccer: 9U, 12U, 15U	\$60 per participant	
	Youth Volleyball	\$55 per participant	
	Bubble Soccer	\$90 per team	
	Archery Attack	\$100 per team	

PARKS FEES

CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	Ball Field Rental	\$20/hour	
	Field Lighting	\$30/hour	
	Field Lighting: Unplanned Turn on Fee	\$30	
	Deposit	\$250/rental	
	Bounced Check	\$50	
	Ballfield Prep – Full Service (Scarify, Drag, Chalk)	\$60 per field	
	Ball Field Prep – Scarify and Drag	\$25 per field	
	Ball Field Prep – Chalk	\$35 per field	
	Ball Field Prep – Cocoa Mat	\$10 per field	
	Ball Field Prep – Bases Only	\$20 per set	
	Additional Field Prep: Full (Drag, Re-Chalk)	\$50 per prep	

Town of Wellington Fee Schedule

	Additional Field Prep: Cocoa Mat	\$10 per prep	
	Additional Field Prep: Drag	\$15 per prep	
	Additional Field Prep: Re-chalk	\$15 per prep	
	Portable Pitching Mound	\$200 per mound	
	Score Booth Rental	\$150 per day per booth	
	Turf	\$20 per bag	
	Green Space Rental – Half Day (4 hours)	\$100	
	Green Space Rental – Full Day (8 hours)	\$200	
	Tennis Court Rental – Single Court	\$15/hour	
	Field Supervisor – May be required	\$20/hour	
	Tournament Rental Cancellation – 1 week in advance	\$250 (deposit kept)	
	Tournament Rental Cancellation – 2 weeks in advance	\$50	
	Portable Goals	\$20 per goal	
	Pickle Ball Nets	\$20 per day per net	
	Pickle Ball Set	\$50 per day per set	

MISCELLANEOUS FEES			
CODE SECTION	DESCRIPTION	FEE	RES/ORD NUMBER
	NSF Fee	\$25.00	
	Fee for Code Books	Actual Cost	
	Fees for Special Meetings	\$200.00	
8-2-80(d)	Public Tow Hearing Cost	\$25.00	
11-1-20 (c)(l)	Snow Removal	Abatement Procedure	
	Leeper Center Rental – Individual	\$25.00 Per Hour + \$100.00 Deposit	
	Leeper Center Rental – Non-Profit	\$15.00 Per Hour (Deposit Waived)	
	VIN Verification	\$20.00	
	Nuisance Abatement	Actual cost of abatement + 5%	