



BOARD OF TRUSTEES  
March 28, 2023  
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 [muhse@wellingtoncolorado.gov](mailto:muhse@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/84871162393?pwd=UkVaaDE4RmhJaERnalleK1hvNHJ5Zz09>

Passcode: 726078 Or One tap mobile : US: +17207072699,,84871162393# or  
+17193594580,,84871162393# Or Telephone: Dial(for higher quality, dial a number based on your current  
location): US: +1 720 707 2699 or +1 719 359 4580 or +1 669 444 9171 or +1 253 205 0468 or +1 253  
215 8782 or +1 346 248 7799 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558  
8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325  
or +1 312 626 6799 or +1 360 209 5623 Webinar ID: 848 7116 2393

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 Behavioral Health Presentation
  - Presenter: Lori Stolen

D. CONSENT AGENDA

1. March 21, 2023 Board of Trustees Special Meeting Minutes
  - Presenter: Ethan Muhs (Town Clerk)

2. March 14, 2023 Board of Trustees Meeting Minutes
  - Presenter: Ethan Muhs (Town Clerk)
3. Resolution No. 13-2023: A Resolution of the Board of Trustees Appointing Members of the Town of Wellington Parks, Recreation, Outdoor Space, and Trails
  - Presenter: Patti Garcia (Town Administrator)

#### E. ACTION ITEMS

1. Town of Wellington Financial Policies
  - Presenter: Charity Campfield (Finance Director)
2. Public Hearing: Amendments to the Official Zoning Map of the Town
  - Presenter: Cody Bird (Planning Director)
3. Ordinance No. 03-2023: An Ordinance of the Town of Wellington, Colorado, Amending the Official Zoning Map of the Town
  - Presenter: Cody Bird (Planning Director)

#### F. LIQUOR LICENSING AUTHORITY

1. KLC2, LLC dba Wellington Manor - Modification of Premises
  - Presenter: Ethan Muhs (Town Clerk)
2. KUM & GO LC dba KUM & GO #934 - Modification of Premises
  - Presenter: Ethan Muhs (Town Clerk)

#### G. REPORTS

1. Town Attorney
2. Town Administrator
3. Staff Communications
  - a. LCSO - Wellington Monthly Report - Feb. 23
  - b. Town of Wellington Water Quality Report (CCR)
    - Presenter: Meagan Smith (Public Works Deputy Director)
4. Board Reports

## H. 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:** March 28, 2023  
**Subject:** Larimer County Behavioral Health Presentation

- **Presenter:** Lori Stolen

### **BACKGROUND / DISCUSSION**

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At the Board of Trustee meeting on January 10, 2023, Trustee David Wiegand reported to the Board on efforts related to Larimer County behavioral health initiatives. It was requested that a presentation from Larimer County Behavioral Health be provided; Lori Stolen, Director of Larimer County Behavioral Health submitted the attached presentation and will be presenting to the Trustees.

### **STAFF RECOMMENDATION**

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### **ATTACHMENTS**

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1. LCBHS presentation



# Larimer County Behavioral Health Services



# About BHS



2018: Larimer County voters passed a **20-year ballot initiative** that dedicates a 0.25% sales-and-use tax (\$.25 on \$100) for behavioral health purposes.

BHS utilizes three funding pathways to invest back into the community.

- 1 Behavioral Health Services at Longview Campus**
- 2 Impact Fund Grant Program**
- 3 Bridge Fund (Future Initiative)**



LARIMER  
COUNTY

Behavioral Health Services at  
**LONGVIEW**  
CAMPUS

# The Longview Campus



- 40-acre county owned, behavioral health campus
- Situated on the northwest corner of Taft Hill and Trilby Roads
- Acute Care, the first building, will address a critical gap in crisis services including withdrawal management and crisis stabilization.
- The next building planned is Adolescent Care - anticipated completion in 2025





# Behavioral Health Services at **LONGVIEW** ACUTE CARE



*Operated by SummitStone Health Partners*

# Acute Care



**Upon opening, SummitStone Health Partners will provide the following services:**

- Behavioral Health Urgent Care: Available 24/7
- Care Coordination
- Substance Use Treatment with Medications
- Withdrawal Management
- Crisis Stabilization Unit (CSU)
- Onsite pharmacy and lab



**Future Phases: Based on community need.**

- Short-term intensive residential treatment (IRT) - Short-term residential program for clients focused on recovery.
- Opioid Treatment Program (OTP)
- Behavioral Health Institute / Center of Excellence for Training and Professional Development
- Expansion of existing services

# Acute Care





# Acute Care







# Behavioral Health Services at **LONGVIEW** ADOLESCENT CARE



# Adolescent Care

- **Blended Funding**
  - BHS Funding & ARPA Funding
- **Adolescent Care**
  - Anticipated Opening: 2025
  - Outpatient and Respite Services
  - Contracted Provider TBD



# IMPACT FUND GRANT PROGRAM



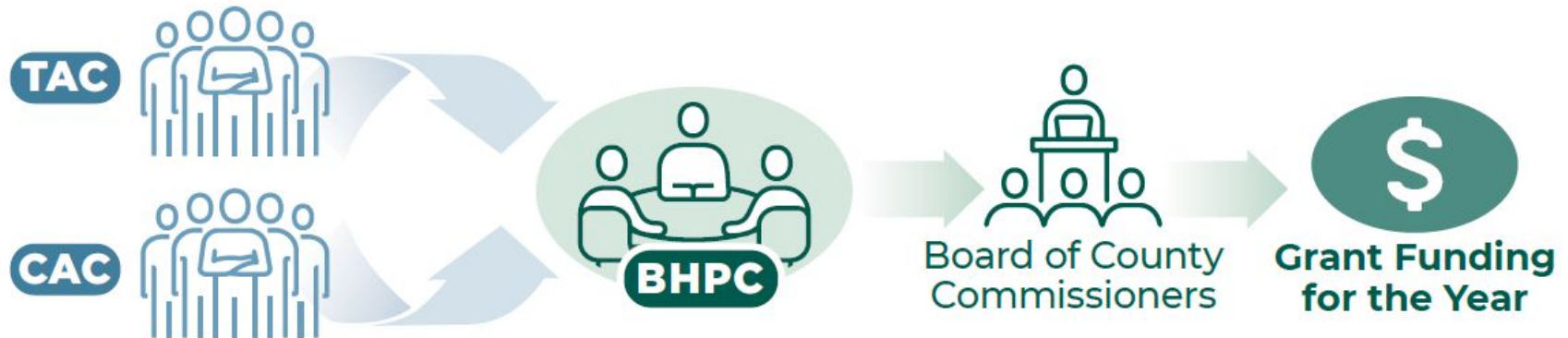
*Investing in programs that serve the behavioral health needs of our community*

# Advisory Groups

**Behavioral Health Policy Council (BHPC)** - Elected officials, At-Large Members, and a Commissioner Liaison

**Technical Advisory Committee (TAC)** - Professional in the field of behavioral health

**Consumer Advisory Committee (CAC)** - Individuals with lived experience navigating behavioral health systems



# Funding Priorities



**Access & Affordability**



**Care Coordination & System Integration**



**Early Identification & Intervention**



**Stigma Reduction & Public Awareness**



**Quality Care**



**Prevention**



# Impact Fund



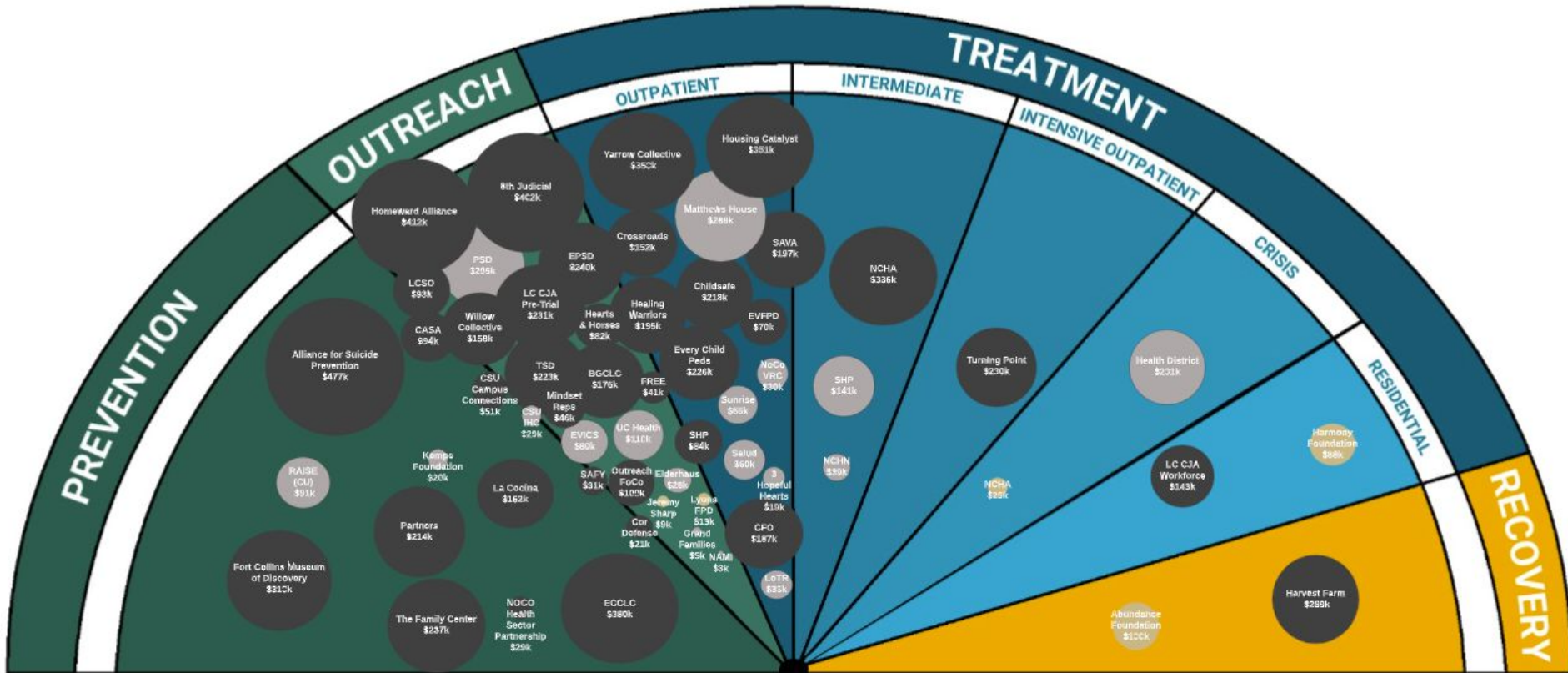
## TOTAL GRANTS

- 152 Grant Awards
- 60+ Organizations
- Total Funding \$8,902,243

## ANNUAL GRANT FUNDING

- 2019: \$1 million = 29 grants
- 2020: \$2.5 million = 43 grants
- 2021: \$2.525 million = 38 grants
- 2022: \$2.876 million = 42 grants

# 2022



The Impact Fund grant funding investment portfolio is diversified across different types of organizations in order to address the various behavioral health programming needed throughout the County.

# Bridge Fund



Future initiative designed to help address barriers to care.  
Programming may include:

- Client Financial Aid
- Transportation
- Rural Behavioral Health
- School Based Behavioral Health
- Mobile Behavioral Health

# Stay



[Larimer.gov/behavioralhealth](https://larimer.gov/behavioralhealth)



[bhs@larimer.org](mailto:bhs@larimer.org)



## **Board of Trustees Meeting**

**Date:** March 28, 2023  
**Subject:** March 21, 2023 Board of Trustees Special Meeting Minutes

- **Presenter:** Ethan Muhs (Town Clerk)

### **BACKGROUND / DISCUSSION**

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### **STAFF RECOMMENDATION**

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### **ATTACHMENTS**

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1. 03.21.2023 Minutes





BOARD OF TRUSTEES  
March 21, 2023  
Immediately Following Work Session

Leeper Center, 3800 Wilson Avenue, Wellington, CO

Special Meeting and Executive Session Agenda

A. CALL TO ORDER

Mayor Chaussee called the meeting to order at 9:07 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 Dailey

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

Mayor Chaussee opened the meeting for public comment on non-agenda items. Dawn Peacock and Christine Gaiter provided public comment.

C. ACTION ITEMS

1. Advisory Board Appreciation Dinner

Trustee Tietz presented this item to the Board. The Board discussed various topics relating to this issue including the target audience and budget before Mayor Chaussee called for a motion to approve the budget for this item from the Board of Trustees' discretionary fund.

**Mayor Pro Tem Macdonald motioned to approve the budget for this item from the Board of Trustees' discretionary fund for up to \$5,000. Trustee Gaiter seconded the motion.**

**Yeas: Gaiter, Dailey, Mason, Tietz, Wiegand, Macdonald, Chaussee**

**Nays: None**

D. EXECUTIVE SESSION

Mayor Chaussee called for a motion to enter the executive session at 9:16 p.m.

**Trustee Gaiter motioned to enter the executive session for this meeting. Mayor Pro Tem Macdonald seconded the motion.**

**Yeas: Gaiter, Dailey, Mason, Tietz, Wiegand, Macdonald, Chaussee**

**Nays: None**

1. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to Section 24-6-402(4)(e), C.R.S. – regarding negotiations with North Poudre Irrigation Company. As required by C.R.S. §24-6-402(2)(d.5)(II)(A) and (II) (E) the executive session proceedings will be electronically recorded and the record will be preserved for 90 days through June 19, 2023.

Mayor Chaussee called for a motion to exit the executive session at 10:19 p.m.

**Trustee Weigand motioned to exit the executive session for this meeting. Trustee Gaiter seconded the motion.**

**Yeas: Gaiter, Dailey, Mason, Tietz, Wiegand, Macdonald, Chaussee**

**Nays: None**

E. ADJOURN

Upon the motion being duly noted, the meeting adjourned at 10:19 p.m.



Ethan Muhs

Town Clerk

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:** March 28, 2023  
**Subject:** March 14, 2023 Board of Trustees Meeting Minutes

- **Presenter:** Ethan Muhs (Town Clerk)

### **BACKGROUND / DISCUSSION**

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### **STAFF RECOMMENDATION**

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### **ATTACHMENTS**

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1. 03.14.23 Board of Trustee Regular Meeting Minutes DRAFT



BOARD OF TRUSTEES  
March 14, 2023  
6:30 PM

Leeper Center, 3800 Wilson Avenue, Wellington, CO

REGULAR MEETING AND LIQUOR LICENSING AUTHORITY BOARD

MINUTES

A. CALL TO ORDER

Mayor Chaussee called the meeting to order at 6:31 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 - absent

Trustee Jon Gaiter

Trustee Brian Mason

Trustee Rebekka Dailey

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

Mayor Chaussee opened the meeting for public comment on non-agenda items. Christine Gaiter and Fred Condis provided public comment.

C. PRESENTATION

1. Larimer County Sheriff's Office - Investigation Division Presentation

Lieutenant Donald Robbins and Sergeant Kevin Maul from the Larimer County Sheriff's office presented the services and capabilities of the Investigative Division to the Board. Mayor Chaussee offered each of the Trustees an opportunity to ask Lieutenant Robbins and Sergeant Maul questions. Each Trustee asked questions to Lieutenant Robbins and Sergeant Maul, and Mayor Chaussee thanked them.

## D. CONSENT AGENDA

1. Minutes from February 28, 2023 Board of Trustee Meeting
2. Resolution No. 12-2023 - A Resolution of the Town of Wellington Approving the Settlement by the Colorado Attorney General of Additional Opioid Claims

**Trustee Gaiter moved to approve the consent agenda. Trustee Mason seconded the motion.**

**Yeas: Gaiter, Dailey, Mason, Tietz, Weigand, Chaussee**

**Nays: None**

## E. ACTION ITEMS

### 1. Community Survey Custom Questions

The Deputy Town Administrator, Kelly Houghteling, presented this item to the Trustees. Ms. Houghteling's presentation included a discussion of the baseline and custom questions proposed by town staff to the Board of Trustees. Mayor Chaussee asked for questions from the Board. The Trustees discussed issues related to the wording, timing, and purpose of this survey. Mayor Chaussee, though discussion with the Trustees, determined that baseline questions in this survey should be retained in their current form as staff proceeds in developing this survey. The Board further discussed and provided direction on custom questions. Mayor Chaussee opened this item for public comment. Lowry Moyer and Christine Gaiter provided public comment on this item.

### 2. Resolution No. 10-2023 - A Resolution of the Board of Trustees of the Town of Wellington, Colorado Authorizing the Submittal of a Grant Application to Colorado State Outdoor Recreation Grant

The Deputy Town Administrator, Kelly Houghteling, presented this item to the Trustees. Ms. Houghteling's presentation included a discussion of the process, budget, and purpose for applying to the Grant indicated in this item. Mayor Chaussee asked the Board for their questions. Mayor Chaussee then opened this item for public comment. There was no public comment.

**Trustee Daily moved to approve Item No. 2, Resolution 10-2023. Trustee Gaiter seconded the motion.**

**Yeas: Gaiter, Dailey, Mason, Tietz, Weigand, Chaussee**

**Nays: None**

### 3. Resolution No. 11-2023 - A Resolution of the Board of Trustees Appointing a Town Clerk

The Town Administrator, Patti Garcia, presented this item to the Trustees. The Town Clerk Candidate, Ethan Muhs, introduced himself to the Board. Mayor Chaussee asked the Board for their questions. Mayor Chaussee then opened this item for public comment. There was no public comment.

**Trustee Gaiter moved to approve Item No. 3, Resolution 11-2023. Trustee Teitz seconded the motion.**

**Yeas: Gaiter, Dailey, Mason, Tietz, Weigand, Chaussee**

**Nays: None**

F. LIQUOR LICENSING AUTHORITY

Mayor Chaussee closed the Regular Meeting called to open the Liquor Licensing Authority Board at 8:06 p.m.

1. **Ridley's Family Markets, Inc. dba Ridley's Family Markets - Liquor Store License Renewal**  
The Town Administrator, Patti Garcia, presented this item to the Trustees. Mayor Chaussee asked the Board for their questions. Mayor Chaussee then opened this item for public comment. There was no public comment.

**Trustee Tietz moved to approve Item No. 1, Ridley's Family Markets, Inc. – Liquor Licensing Renewal. Trustee Weigand seconded the motion.**

**Yeas: Gaiter, Dailey, Mason, Tietz, Weigand, Chaussee**

**Nays: None**

G. REPORTS

1. Town Attorney  
Mr. Sapienza reported on tracking Colorado-state bills related to municipal court procedures and other issues.
2. Town Administrator  
Mrs. Garcia reported on the Town's acquisition of recent grants for the Town for the viewpoint lift station, affordable housing, and revitalizing main street.
3. Staff Communications
  - a. List of Bills - January-February 2023
  - b. Monthly Water and Wastewater Utility Report
4. Board Reports  
Mayor Chaussee called for reports from the Trustees. Trustee Daily reported on the Solid Waste Policy Council, discussing its recent experience and future direction. She further discussed an upcoming Colorado State Legislature town hall to be hosted in Wellington. Trustee Tietz reported on an opportunity to proceed with a Volunteer Appreciation Dinner and discussed budget options for that event.

H. ADJOURN

On a motion duly made, Mayor adjourned the meeting at 8:21 p.m.

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Ethan Muhs

Town Clerk

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:** March 28, 2023  
**Subject:** Resolution No. 13-2023: A Resolution of the Board of Trustees Appointing Members of the Town of Wellington Parks, Recreation, Outdoor Space, and Trails

- **Presenter: Patti Garcia (Town Administrator)**

### **BACKGROUND / DISCUSSION**

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The Parks, Recreation, Open Space and Trails Advisory Board (PROST) consists of seven at-large voting members. The PROST Advisory Board advises the Board of Trustees related to development and operation of the Town's park and trails systems and recreation programs. On March 22, 2023 members of the Board of Trustees and PROST staff liaison, Billy Cooksey, conducted interviews for a current vacancy. Pursuant to that interview, it is being recommended that the following individual be appointed:

- Appointment of Teresa Wakefield to the Wellington Parks, Recreation, Open Space and Trails Advisory Board to a term ending January, 2027.

### **STAFF RECOMMENDATION**

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Motion to approve the consent agenda as presented.

If the item is removed from the consent agenda, the following motions are provided for Board of Trustee review:

1. Approve Resolution No. 13-2023 - A Resolution of the Board of Trustees of the Town of Wellington Making Appointments to the Wellington Parks, Recreation, Open Space and Trails Advisory Board
2. Approve Resolution No. 13-2023 with amendments as the Board of Trustees deems appropriate.
3. Postpone consideration of Resolution No. 13-2023 to a specific date and time and provide staff direction regarding additional information or amendments
4. Vote to deny Resolution No. 13-2023

### **ATTACHMENTS**

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1. Reso 13-2023\_PROST Appt
2. Teresa Wakefield\_Redacted

TOWN OF WELLINGTON

RESOLUTION NO. 13-2023

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF WELLINGTON  
MAKING APPOINTMENTS TO THE WELLINGTON PARKS, RECREATION, OPEN  
SPACE AND TRAILS ADVISORY BOARD

WHEREAS, the Board of Trustees of the Town of Wellington, Colorado (the "Board") has adopted and reenacted the Wellington Municipal Code (the "Code"); and

WHEREAS, the Code provides for appointment of a Wellington Parks, Recreation, Open Space and Trails Advisory Board Member as called for by Chapter 2, Article 13; and

WHEREAS, Section 2-13-20 of the Code provides that membership terms of members of the Wellington Parks, Recreation, Open Space and Trails Advisory Board shall be four (4) year staggered terms; and

WHEREAS, the Wellington Parks, Recreation, Open Space and Trails Advisory Board currently has one (1) vacant seat with a term expiring January of 2026; and

WHEREAS, The Town accepted applications for candidates to fill the vacancies; and

WHEREAS, candidates were interviewed on March 22, 2023, and recommendations were made to fill a vacant seat.

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

1. Appointment of Teresa Wakefield to the Wellington Parks, Recreation, Open Space and Trails Advisory Board to a term ending in January, 2026.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 28<sup>th</sup> day of March, 2023.

TOWN OF WELLINGTON

By: \_\_\_\_\_  
Calar Chaussee, Mayor

ATTEST:

\_\_\_\_\_  
Ethan Muhs, Town Clerk

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Ethan Muhs](#); [Patti Garcia](#); [Hallie Sheldon](#)  
**Subject:** Online Form Submittal: Application for Board or Commission Vacancy  
**Date:** Thursday, March 9, 2023 4:43:00 PM

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## Application for Board or Commission Vacancy

### Eligibility Requirements

*- Board/Commissions that require 1-year residency*

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|                                                              |                                                 |
|--------------------------------------------------------------|-------------------------------------------------|
| Which board or commission would you like to be appointed to? | Parks Recreation Open Spaces and Trails (PROST) |
|--------------------------------------------------------------|-------------------------------------------------|

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|      |                    |
|------|--------------------|
| Name | Teresa N Wakefield |
|------|--------------------|

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|         |                       |
|---------|-----------------------|
| Address | 8912 SMOKE SIGNAL WAY |
|---------|-----------------------|

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|      |            |
|------|------------|
| City | WELLINGTON |
|------|------------|

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|       |    |
|-------|----|
| State | CO |
|-------|----|

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|          |       |
|----------|-------|
| Zip Code | 80549 |
|----------|-------|

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|                   |              |
|-------------------|--------------|
| Home Phone Number | [REDACTED] 1 |
|-------------------|--------------|

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|                   |     |
|-------------------|-----|
| Work Phone Number | N/A |
|-------------------|-----|

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|                   |            |
|-------------------|------------|
| Cell Phone Number | [REDACTED] |
|-------------------|------------|

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|               |            |
|---------------|------------|
| Email Address | [REDACTED] |
|---------------|------------|

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|                                        |          |
|----------------------------------------|----------|
| [REDACTED]<br>(Number of Years/Months) | 10 years |
|----------------------------------------|----------|

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|                    |         |
|--------------------|---------|
| Current Occupation | Retired |
|--------------------|---------|

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|                                                                                   |                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Please list any relevant education, employment, or volunteer experience you have. | I worked as a Supervisor for years at Miramont Lifestyle Fitness which is currently Genesis Health Clubs along with their youth camps. I also was a member of the Capital Campaign building board of directors for our church. I have been a volunteer in the Fort Collins community for years helping with runs, Habitat fundraising events, Horsetooth swim, and others. |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Over the years I have worked closely with the community at large under different roles. I feel this could be an asset to the board of Parks and Rec.

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|                   |    |
|-------------------|----|
| Are you currently | No |
|-------------------|----|

serving on any other  
board or commission?

Have you attended a  
meeting of the board or  
commission you are  
applying to?

Yes

Why do you want to  
become a member of  
this particular board or  
commission?

A passion for fitness, a voice for the young and older community  
members and a desire to see opportunities such as a rec center  
coming to the Wellington community.

What do you believe  
are the 3 most  
important issues that  
this board or  
commission have now  
or will have in the next  
few years?

1. To promote health and fitness in our community  
2. To keep kids, adults, seniors all engaged in community events  
and bring revenue to the city of Wellington  
3. Wellington is currently a bedroom community. I feel it is vital to  
bring the community together through activities, fitness  
opportunities, and developing a community center that would  
provide all residents a place to go.

Please specify any  
activities you are  
involved in that may  
create a conflict of  
interest should you be  
appointed to this board  
or commission.

I do not see that I would have any conflicts of interest.

Signature

*Upon application for and acceptance of appointment, board and/or commission  
members demonstrate their intention and ability to attend meetings. If appointed,  
frequent non-attendance may result in termination of appointment.*

*I hereby declare, that if appointed, I will accept the appointment assigned to me  
by the Town of Wellington Board of Trustees.*

*By signing below, I swear and/or affirm that to the best of my knowledge, the  
information I have provided in this application is true and correct.*

Signature of Applicant

teresa n wakefield

Date

3/9/2023

Email not displaying correctly? [View it in your browser.](#)

## **Board of Trustees Meeting**

**Date:** March 28, 2023  
**Subject:** Town of Wellington Financial Policies

- **Presenter: Charity Campfield (Finance Director)**

### **BACKGROUND / DISCUSSION**

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The Government Finance Officer's Association's best practice standards recommends governmental entities to formally adopt financial policies. The design criteria for financial policies should include:

1. Policies must exist in written form.
2. Policies should be expressed in a manner that is understandable to the intended audiences.
3. Policies should be made available to all stakeholders, and be published in more than one medium with multiple means of access.
4. Policies should address all relevant issues and risks for that specific policy in a concise fashion.

Best practice standards also include that the financial policies are most successful when they are reviewed after being enacted and consider public comment on the policies prior to being formally adopted. The finance committee has been working on financial policies since September of 2022. The policies in the packet have been approved by the committee and recommended for approval by the Board. The first review of the Financial Policies will be January of 2024, with full analysis of adherence to the policies. The Government Finance Officer's Association has recognized financial policies as an essential part of public financial management.

### **STAFF RECOMMENDATION**

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Motion to approve the consent agenda as presented.

If the item is removed from the consent agenda, the following motions are provided for Board of Trustee review:

1. Approve the 2023 Town of Wellington Financial Policies.
2. Approve the 2023 Town of Wellington Financial Policies with amendments as the Board of Trustees deems appropriate.
3. Postpone consideration of the 2023 Town of Wellington Financial Policies to a specific date and time and provide staff direction regarding additional information or amendments.
4. Vote to deny the 2023 Town of Wellington Financial Policies.

### **ATTACHMENTS**

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1. 2022 Town of Wellington Financial Policies Final Draft



**TOWN OF**  
**WELLINGTON**

**FINANCIAL POLICIES**

**2023**



## **BALANCED BUDGET**

The Town of Wellington defines a balanced budget as one in which expenditures do not exceed available resources. Available resources are defined as annual projected revenues and beginning fund balances. Ongoing operational expenses must be funded by ongoing sources of revenue. As a matter of policy, the Town of Wellington does not use one-time revenues, such as impact fees or grants, to fund ongoing operations.

## **FINANCIAL POLICIES**

The over-riding financial goal of the Town of Wellington is to keep intact Wellington's fiscal stability. There are a number of components, principles, procedures, and sub-policies used to achieve this goal, but the main focus is still on this one basic goal- fiscal stability

### **Components of Fiscal Stability**

The Town of Wellington's definition of fiscal stability has several interrelated components:

- Cash Solvency – The ability to pay for current municipal operations.
- Budgetary Solvency – The ability to annually balance the budget.
- Long Term Solvency – The ability to pay for future municipal operations.
- Service Level Solvency – The ability to provide municipal services.
- Flexibility – The ability to react and respond to changes in the economy and new service challenges without measurable financial stress.

### **Principles and Procedures**

1. The Town shall conform to generally-accepted accounting procedures (GAAP) as applied to governmental units in the United States of America. The Town shall also conform to standards of the Governmental Accounting Standards Board (GASB) and Government Finance Officers Association (GFOA).
2. A balanced budget will be prepared annually by the Town Administrator and Director of Finance and will be presented to the Finance Committee and then Town Board for consideration.
3. The Director of Finance will present the Town Board with a monthly financial report of both revenues and expenditures for all of the Town's funds.
4. The Director of Finance shall annually prepare a Comprehensive Annual Financial Report. The report shall be audited by an independent certified public accountant. The audit shall be conducted in accordance with state statutes establishing the local government audit laws.
5. A five-year capital improvement plan shall be updated each year prior to submission of the budget.

## **INVESTMENT POLICIES**

Colorado Statutes specify investment instruments meeting defined rating and risk criteria in which local government entities may invest. Permissible investments include:

- Obligations of the United States and certain U.S. government agency securities.
- Certain international agency securities.
- General obligation and revenue bonds of U.S. local government entities.
- Banker's acceptances of certain banks.
- Commercial paper.
- Local government investment pools.
- Written repurchase agreements collateralized by certain authorized securities.
- Certain money market funds.
- Guaranteed investment contracts.

The majority of the Town of Wellington's investment lies in local government investment pools, which reinvest in U.S government obligations and collateralized repurchase agreements.

## EXPENDITURE POLICIES

Annual budget priorities are established by the Town Board through their Strategic Plan. Usually, the considerations taking precedence include: Debt Payments, Police Services, Water / Sewer / Drainage Services, Street Maintenance, and PROST (Parks, Recreation, Open Spaces, & Trails).

In addition, the Town observes the following restrictive provisions on all expenditures:

- Budget Expenditures are limited to projected revenues and fund surpluses. This ensures both Cash and Budgetary Solvency.
- Ongoing operating costs shall be funded by ongoing revenue sources. This protects the Town when one-time or unpredictable revenues are reduced or removed, thus ensuring Cash, Long Term, and Service Level Solvency.
- Capital projects, vehicles, and new equipment shall initially be funded through the Capital Improvement Fund or capital funds appropriately designated as such in another fund. This ensures Cash Solvency.
- Recurring operation and maintenance costs will be funded through the General Fund or Operations and Maintenance funds appropriately designated as such in another fund. This ensures both Long Term and Service Level Solvency.
- The Town Board shall set total appropriations at the fund level. Any additional appropriations or adjustments between funds shall be approved by budget amendments, ensuring Budgetary Solvency.
- Department Heads are responsible for managing Departmental budgets with the total appropriated budget, ensuring Cash, Budgetary, and Service Level Solvency.

## DEBT POLICY

The Town borrows money and issues short-term notes, general obligation bonds, revenue bonds, special or local improvement bonds, or any securities not in contravention of the Code of the Town of Wellington. The Town borrows money and issues the following securities to evidence such indebtedness:

Short-term notes

Special or Local Improvement District Bonds

General Obligation Securities

A sound debt policy ensures the components of Service Level Solvency and Flexibility. It is a high priority for the Town of Wellington to maintain good communications with bond rating companies and to earn good bond ratings. The Town has developed the following policies to ensure that debt is soundly financed:

- The Town shall maintain an underlying bond rating (without the issuance of bond insurance) of no less than “A-” from Standard & Poor’s Rating Services or “A1” from Moody’s Investors Services Inc. Bond insurance may be attached to any bond issue to enhance the bond rating over the underlying rating;
- Revenue sources to be used to finance debt are conservatively estimated.

In addition, the Town observes the following restrictive provisions in all issues of bonds by the municipality:

- The interest rate shall not exceed the market rate, with the most favorable bond pricing being obtained through either competitive bids or negotiated placement.
- All bonds issued by the Town shall contain a provision for redemption prior to maturity.
- Annual budgets include debt service payments and reserve requirements for all debt currently outstanding for all proposed debt issues. Debt service shall be limited to 10-15% of operating expenditures exclusive of capital improvements and debt service expenditures.

## FINANCIAL PLANNING POLICY

Sound Financial Planning Policy most directly ensures Long Term, Budgetary, and Service Level Solvency, as well as Flexibility.

The Town adheres to the following guidelines related to Financial Planning:

- A three-year financial plan shall be developed annually to react to economic changes and to accommodate for regulatory and legislative mandates.
- Revenues shall be conservatively estimated, and expenditures shall be budgeted at or below 100% to ensure budgetary solvency.
- The Town shall accept new requirements for services only when adequate funding is available.
- Enterprise Funds shall be self-sustaining. They shall be charged for indirect administrative services performed by other Town departments. Operational revenue shall be sufficient to

fund capital costs and replacement.

- Prior to undertaking a capital project, all future ongoing operational and maintenance costs associated with the capital project shall be identified and included as part of the policy discussion.
- The Town shall inventory and assess the condition of all major capital assets. This information will be used to plan for the ongoing financial commitments required for major repairs or replacement to be funded through the Capital Improvement Fund or Capital funds appropriately designated as such in another fund.

## REVENUE POLICY

A sound revenue policy affects all of the components of fiscal stability. Ongoing provision of services cannot be achieved without sufficient funding.

- User fees for all operations shall be reviewed annually to ensure rates defray operating costs and are market competitive.
- Utility rates shall be reviewed annually and adjusted, if necessary, to reflect inflation, construction goals, maintain bond covenants, and avoid major periodic increases.
- The cost of utility contractual services over which the Town has no control shall be passed through to rate payers in a manner consistent with Town Board direction.
- Excess fund balances may be used to off-set rate increases when possible and fiscally responsible.
- The Town shall maximize state and federal grants, loan interest programs, and other intergovernmental sources for capital needs.
- The Town shall maintain a diversified revenue system to protect it from short-run fluctuations in any one revenue source.



## **Board of Trustees Meeting**

**Date:** March 28, 2023  
**Subject:** Public Hearing: Amendments to the Official Zoning Map of the Town

- **Presenter: Cody Bird (Planning Director)**

### **BACKGROUND / DISCUSSION**

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The Town is in the process of considering updates to the Official Zoning Map of the Town. The Town's Official Zoning Map is the legal document that identifies which zoning district standards are applicable to properties within the Town limits. Updates to the Official Zoning Map are needed to align with updates made to the Town's Comprehensive Plan and Land Use Codes.

The Planning Commission adopted the Wellington Comprehensive Plan on August 2, 2021. The Comprehensive Plan provides the long-range vision and recommendations for the growth and development of the Town and is the basis for zoning, subdivision regulations, and other land use codes.

The Town Board of Trustees, following recommendations from the Planning Commission, passed Ordinance No. 07-2022 adopting updates to the Town's Land Use Code to bring the codes and development standards into alignment with the recommendations of the Comprehensive Plan and to bring codes into compliance with changes to regulatory requirements, emerging technologies, changes in development practices, water conservation and more.

Public hearings are required by the Planning Commission and the Board of Trustees before making any amendments to the Official Zoning Map. The Board of Trustees has the authority to adopt an ordinance making amendments to the Official Zoning Map following receipt of the Planning Commission recommendation and conducting a public hearing.

The Planning Commission has made a recommendation to amend the Official Zoning Map as presented on the attached draft zoning map. The current zoning map is also attached for reference. Additional supporting information that was evaluated or created in the process of reviewing the zoning map is also attached for reference.

The Public Hearing for the Official Zoning Map consideration is presented as a separate agenda item from the official action the Board may take. A second and corresponding agenda item will immediately follow the public hearing and includes a draft ordinance that the Board may consider for adoption if the Board desires to adopt amendments to the Zoning Map.

The Planning Commission conducted a series of work sessions and public meetings and public hearings between May 2022 and March 2023 to consider possible updates to the Official Zoning Map. On December 5, 2022, the Planning Commission voted to forward a recommendation to the Board of Trustees to adopt amendments to the zoning map.

The Planning Commission recommendations from the December 5, 2022 meeting reflect changes including the following:

- Properties currently zoned TR - Transitional Zone District are proposed to have different zoning district designations as a result of eliminating the TR - Transitional Zone District in the updated Land Use Code. Properties currently zoned TR - Transitional have new proposed zoning district classifications based on the suitability of existing uses and compatibility of surrounding zoning districts. A goal and desire for consistency of adjacent zoning and along commercial corridors was a discussion topic for the Planning Commission.
- A newly created R-4 - Downtown Neighborhoods zone district was created after significant public input during the Comprehensive Plan update and Land Use Code update processes. Residential properties generally between Washington Ave. and Kennedy Ave. and First St. to Sixth St. that are currently zoned R-2 - Single-Family Residential are proposed to be changed to the newly created R-4 - Downtown Neighborhoods zone district.
- Residential Properties along Harrison Ave. and McKinley Ave. that are currently zoned TR - Transitional are proposed to be zoned the newly created R-4 - Downtown Neighborhoods zone district. The R-4 Downtown Neighborhoods zoning was established specifically based on comments and feedback during the Comprehensive Plan update process and Land Use Code updates to reflect desires to preserve the historic residential characteristics of the downtown.
- A limited number of properties along Harrison Ave. and McKinley Ave. that are already commercial or non-residential uses are proposed to be zoned C-2 Downtown Core Commercial.
- Updates to the titles of some zoning districts (for example: C-3 - Highway Commercial is now titled C-3 - Mixed-Use Commercial).
- Properties previously identified as R-4 - Residential Multi-family District on the current zoning map are now identified as R-3 - Residential Medium Density (Uses of the district previously titled R-4 are most compatible with the district now titled R-3).
- A limited number of properties were also identified that have existing zoning districts that are not generally consistent with other existing uses or zone districts in the same neighborhood. These properties are typically commercial-zoned properties and are proposed to be changed to a different commercial zone district for consistency with adjacent properties and corridors.
- At the December 5, 2022 Planning Commission public hearing, two property owners on Sixth Street attended and requested their properties with existing residential dwellings be considered for R-4 zoning instead of the C-1 zoning that the Commission had originally considered. The Commission agreed that the R-4 zoning requested was appropriate and those changes are reflected on the draft Zoning Map (keynote “A”). The Planning Commission also suggested that the third residential property also in this same block could be considered for R-4 instead of the C-1 for consistency. The property owner was contacted by Town staff and the owner requested the R-4 residential zoning designation. The R-4 requested is reflected on the draft zoning map.
- Also at the December 5, 2022 Planning Commission public hearing, the owner of a property on Harrison Ave. and Second St. requested his property (previously Transitional zoning) retain a commercial zoning designation. The Planning Commission had originally considered the properties along Harrison for R-4 zoning and upon the request of the owner, agreed the requested C-2 Downtown Commercial zoning was appropriate. That change is also reflected on the draft zoning map (keynote “B”).

The Board of Trustees was provided an update presentation of the Planning Commission’s draft zoning map considerations December 13, 2022. The Board requested and conducted a work session to consider the draft zoning map January 24, 2022.



Subsequent to the Board's work session, the Planning Commission raised questions about how the P - Public zoning districts were assigned to properties throughout town. The Commission agreed that additional research and consideration on the topic was needed and directed staff to prepare additional research.

- On February 6, 2023, the Planning Commission met in a work session and evaluated the intent of the P – Public Zoning District as described in the Land Use Code as well as existing definitions in the code that relate to the purpose and application of the P – Public District (attached for reference).
- Staff also presented an inventory of the properties that are or may be considered for the P – Public Zoning District and identified criteria relating to ownership, use, current zoning, and draft zoning recommendations. Properties identified were assigned a number to correspond between the table and the maps (Map A" shows properties currently identified as P - Public, and "Map B" shows properties that are not zoned P - Public but which may have similar considerations for open space, drainage, or other characteristics). The numbers for each of the properties correspond to the included tables with the property inventory (A1, B2, etc.).
- The property inventory also includes columns identifying each property for if it is intended to be accessible to the public for public use, and if the property meets the definition of "Park" as defined in the Land Use Code (areas open to the general public and reserved for recreational, education or scenic purposes). The last column in the table identifies the zoning district designation that the Planning Commission identified at the February 6, 2023 work session as being the most appropriate zoning for each property.
- Based on the discussion and considerations, the Planning Commission recommended changing some properties that are currently zoned P – Public District to be zoned the same as the zoning of the adjacent subdivision (example, a drainage facility not accessible to the public that is located adjacent to R-2 was recommended to be zoned R-2). Properties that were previously considered for P – Public District zoning and are now recommended to be a new zoning district are identified with keynote "C".
- It was also identified at the February 6, 2023 work session that there were some properties that were shown on the draft map as being owned by the Town that did not reflect the accurate parcel ownership. The draft zoning map was corrected to show the correct parcel ownership and one of the properties was recommended to be zoned A – Agriculture to be consistent with the adjacent parcels owned by the same owner (keynote "D").

The attached Draft Zoning Map includes all of the recommendations made by the Planning Commission at the December 5, 2022 public hearing, and also includes updates discussed by the Planning Commission at the February 6, 2023 work session and recommended by the Planning Commission at the March 6, 2023 regular Planning Commission meeting.

Public notices were provided to affected property owners and residents of the Town for both the Planning Commission public hearing and the Board of Trustees public hearing. Town staff has notified affected property owners of the proposed Zoning Map updates in the following ways:

- Notice of public hearing was published in the Fort Collins Coloradoan (public notice attached).
- 816 individually addressed letters were sent to owners of properties (example letters attached). Some letters were returned as undeliverable.
- The draft zoning map has been available on the Town's website with updates reflecting the different considerations that changed throughout the process (keynotes identify the changes).





- Town staff has been receiving correspondence and phone calls from property owners and responding to questions about the process, the recommendations and discussing individual property needs.

As a result of notices and conversations with individual property owners, Town staff became aware of two individual property requests subsequent to the Planning Commission's recommendations. These requests were not able to be evaluated by the Planning Commission, and therefore are not reflected on the draft zoning map. The properties and circumstances are identified below for reference. The Board of Trustees may make recommendations for updating the map to address these property requests prior to taking action on the zoning map amendments.

- 3143 E County Road 64 (Cannonball Storage) – The owner of this property spoke at a Board of Trustees public forum and also contacted Town staff. The property is currently zoned TR – Transitional and is recommended by the Planning Commission to be zoned C-1 – Community Commercial. The owner has requested consideration for the property to be zoned C-3 – Mixed-use Commercial. Town staff also researched this property and the storage units and office was previously granted Conditional Use approval establishing the storage and office uses. Because A Conditional Use runs with the land, the Conditional Use approval protects the existing uses on the site. If the owner desires to change the uses or re-develop the site in the future, an application for a rezone or a different conditional use can be submitted for consideration. The Board may also consider changing the zoning of this property with the Zoning Map amendments.
- 3530 Garfield Ave. (northwest corner of Garfield Ave. and W First Street) – The property (1/4 acre triangle parcel south of keynote "D"), is currently zoned C-1 – Community Commercial and was recommended by the Planning Commission to be zoned A – Agriculture to be consistent with the adjacent property owned by the same owner (keynote "D"). The property owner contacted Town staff after receiving notice in the mail. The owner identified that although much of the property he owns should be zoned A – Agriculture, the parcel at 3530 Garfield Ave. has been used for commercial purposes in the past (sign shop, etc.) and the owner desires to keep the existing C-1 – Community Commercial zoning to preserve the option of selling/leasing the property for commercial purposes. The Board of Trustees can consider if the existing C-1 – Community Commercial should be updated on the zoning map to honor this request. There is adjacent C-1 – Community Commercial along Garfield Ave. and would seem to be reasonably compatible with the neighborhood if the Board desires to make this change.

Based upon the recommendation of the Planning Commission, the above staff report and attached supporting materials, the Planning Commission and Town staff recommend adoption of amendments to the Official Zoning Map. The Board of Trustees should hear and weigh any additional testimony provided at the March 28, 2023 public hearing.

#### **STAFF RECOMMENDATION**

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Conduct a public hearing to consider amendments to the Official Zoning Map of the Town.

#### **ATTACHMENTS**

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1. Public Hearing Procedures
2. Proposed Zoning Map Draft
3. Zoning Map - Current
4. Newspaper Notice
5. Notice Letters to Owners



6. Zoning District Descriptions
7. Zoning Table of Allowable Uses
8. P - Public District Intent and Definitions
9. Map A and Map B (for P - Public District Properties)
10. P - Public District Inventory Table

## 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

Town of Wellington Zoning Map 2023  
Update Draft

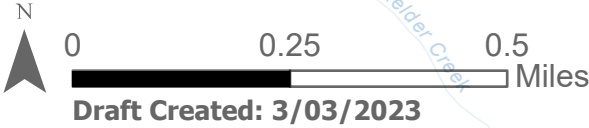
- A - Agriculture
- R-1 - Residential Rural
- R-2 - Residential Low Density
- R-4 - Downtown Neighborhoods
- C-1 - Community Commercial
- C-2 - Downtown Commercial
- C-3 - Mixed-use Commercial
- LI - Light Industrial
- R-3 - Residential Medium Density
- I - Industrial
- P - Public
- PUD - PUD

Wellington  
Highland  
Cemetery

DRAFT

KEY NOTES:

- THE PROPERTIES ADDRESSED AS 8311, 8317 & 8321 6TH STREET TO BE ZONED R-4.
- THE PROPERTY ADDRESSED AS 3731 HARRISON AVENUE TO BE ZONED C-2.
- PROPERTIES ZONED P- PUBLIC TO BE ZONED SAME AS ADJACENT SUBDIVISION.
- CLARIFYING PROPERTY BOUNDARY LINES.





# CURRENT

## Zoning Map

**TOWN OF WELLINGTON ZONING MAP**  
**AMENDED SEPTEMBER 24, 2013**

|                                                                                                    |     |                         |
|----------------------------------------------------------------------------------------------------|-----|-------------------------|
| <span style="display:inline-block; width:15px; height:15px; background-color:blue;"></span>        | A   | AGRICULTURE             |
| <span style="display:inline-block; width:15px; height:15px; background-color:yellow;"></span>      | R-1 | RESIDENTIAL RURAL       |
| <span style="display:inline-block; width:15px; height:15px; background-color:orange;"></span>      | R-2 | RESIDENTIAL , MEDIUM    |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightblue;"></span>   | R-4 | RESIDENTIAL MULTIFAMILY |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightgreen;"></span>  | C-1 | COMMUNITY COMMERCIAL    |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightyellow;"></span> | C-2 | DOWNTOWN COMMERCIAL     |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightblue;"></span>   | C-3 | HIGHWAY COMMERCIAL      |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightgreen;"></span>  | LI  | LIGHT INDUSTRIAL        |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightyellow;"></span> | TR  | TRANSITIONAL            |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightblue;"></span>   | I   | INDUSTRIAL              |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightgreen;"></span>  | P   | PUBLIC                  |

Map details include: County Road 66, County Road 9, County Road 60, Interstate 25, Patterson Annexation, Meadows Village, and various residential streets like Adams Circle, Mount Baker Street, and Mount Edwards Street.



## Public Notice

Originally published at coloradoan.com on 03/13/2023

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TOWN OF WELLINGTON, COLORADO NOTICE OF PUBLIC HEARING Notice is hereby given that the Town of Wellington Board of Trustees will hold a public hearing at 6:30 p.m. on Tuesday March 28, 2023 at the Wilson Leeper Center, 3800 Wilson Ave., Wellington, Colorado, 80549. The purpose of the hearing will be to consider updates to the Official Zoning Map of the Town of Wellington. Changes to the Official Zoning Map are proposed to reflect changes in the Town Land Use Code, including removing the previous TR Transitional zone district and re-assigning new zoning districts to properties previously zoned TR Transitional district; creation of a new R-4 Downtown Neighborhood zone district; renaming previous titles of some zone districts, re-assigning zoning for some properties previously zoned P Public District for consistency with current practices for P Public Districts, and reformatting graphics and appearance. Updates to the Official Zoning Map are being initiated by the Town of Wellington, CO. 0005624356 Coloradoan March 13, 2023

## CONFIRMATION

# FORT COLLINS COLORADOAN

1300 Riverside Ave.  
Fort Collins, CO 80524

WELLINGTON, TOWN OF/LEGAL  
3735 CLEVELAND AVE  
WELLINGTON CO 80549-

| <u>Account</u> | <u>AD#</u> | <u>Ordered by:</u> | <u>PO#</u> | <u>Total Amount</u> | <u>Payment Method</u> | <u>Payment Amount</u> | <u>Amount Due</u> |
|----------------|------------|--------------------|------------|---------------------|-----------------------|-----------------------|-------------------|
| FTC-009580     | 0005624356 | Cody Bird          | Zone Map   | \$24.32             | Credit Card           | \$0.00                | \$24.32           |

Sales Rep: KTheodore

Order Taker: KTheodore

Order Created 03/08/2023

| Product            | # Ins | Start Date | End Date   |
|--------------------|-------|------------|------------|
| FTC-Coloradoan.com | 1     | 03/13/2023 | 03/13/2023 |
| FTC-The Coloradoan | 1     | 03/13/2023 | 03/13/2023 |

\* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 03/08/2023

#### TOWN OF WELLINGTON, COLORADO NOTICE OF PUBLIC HEARING

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0005624356  
Coloradoan  
March 13, 2023





March 9, 2023

## Other Zone Districts 28 Letters Sent

«Property\_Owner\_Name»  
«Name\_2»  
«Mailing\_Address»  
«Mailing\_City», «Mailing\_State», «Mailing\_Zip»

RE: Wellington Official Zoning Map Updates

Dear Property Owner;

The Town of Wellington is in the process of updating its official zoning map of the town. Following recent updates to the Town's Comprehensive Plan and Land Use Code, the Town's Zoning Map will also be updated for consistency. Considerations of updates to the Zoning Map identified properties that are eligible for a new zoning district designation. Based on the location of properties, surrounding existing uses, and zoning district changes in the Land Use Code, property that you own has been identified as eligible for a change to a different zoning designation.

The Larimer County Assessor's Office records indicate you are the owner of the below described property. Also below is your property's existing zoning designation and the new zone district designation recommended for your property:

|                    |                    |
|--------------------|--------------------|
| Property Location: | «Property_Address» |
| Existing Zoning:   | «Existing_Zoning»  |
| Proposed Zoning:   | «Proposed_Zoning»  |

The Town Planning Commission has considered the Draft Zoning Map and forwarded recommendations to the Town Board of Trustees. The Planning Commission's recommended Draft Zoning Map is available for review on the Town's website at:

<https://www.wellingtoncolorado.gov/535/Planning>.

Additional information about the «Proposed\_Zoning» Zone District and the Town's Land Use Code is available on the Town's website at <http://www.wellingtoncolorado.gov/497/Land-Use-Code>. Zone Districts are described in Article 3 and allowed uses are identified in Article 4.

Planning Department staff is available to answer questions or discuss your specific property needs. You may contact Town Planning Staff at the below information:

Cody Bird  
Planning Director  
970-568-3381

Paul Whalen  
Senior Planner  
970-568-3554

Patty Lundy  
Planning Analyst  
970-568-3554

| Notice of Public Hearing |                                                                  |
|--------------------------|------------------------------------------------------------------|
| <u>Board of Trustees</u> |                                                                  |
| Date:                    | Tuesday March 28, 2023                                           |
| Time:                    | 6:30 p.m.                                                        |
| Place:                   | Wilson Leeper Center<br>3800 Wilson Ave.<br>Wellington, CO 80549 |
| Public Hearing:          | Update Official Zoning Map of the Town                           |
| Applicant:               | Town of Wellington                                               |

A Public Hearing to consider updates to the Official Zoning Map is scheduled before the Board of Trustees. This letter is formal notice of the Public Hearing and notice of your opportunity to attend and offer comments regarding updates to the Zoning Map. Any person may appear at such hearing and present testimony. If you are unable to attend the public hearing, you may also submit written comments to:

Town of Wellington  
PO Box 127  
Wellington, CO 80549

Sincerely,

Cody Bird  
Planning Director



March 9, 2023

**R-2 to R-4  
(Downtown Neighborhoods)  
355 Letters Sent**

«Property\_Owner\_Name»

«Name\_2»

«Mailing\_Address»

«Mailing\_City», «Mailing\_State», «Mailing\_Zip»

RE: Wellington Official Zoning Map Updates

Dear Property Owner;

The Town of Wellington is in the process of updating its official zoning map of the town. Following recent updates to the Town's Comprehensive Plan and Land Use Code, the Town's Zoning Map will also be updated for consistency. Changes to the Land Use Code included creation of a new zoning district that is unique to residential properties typically referred to as "Old Town." The new zone district is titled "R-4 – Downtown Neighborhoods" and has specific provisions to decrease setback distances from property lines and between structures to allow more flexibility for existing residential uses. Additional provisions were included to preserve and protect the residential and architectural character of the neighborhoods around the Downtown. Yours and other properties within the areas around Downtown are identified as being compatible with the "R-4 – Downtown Neighborhoods" zone district.

The Town Planning Commission has considered the Draft Zoning Map and forwarded recommendations to the Town Board of Trustees. The Planning Commission's recommended Draft Zoning Map is available for review on the Town's website at:  
<https://www.wellingtoncolorado.gov/535/Planning>.

Additional information about the «Proposed\_Zoning» Zone District and the Town's Land Use Code is available on the Town's website at <http://www.wellingtoncolorado.gov/497/Land-Use-Code>. Zone Districts are described in Article 3 and allowed uses are identified in Article 4.

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| Notice of Public Hearing |                                                                  |
|--------------------------|------------------------------------------------------------------|
| <u>Board of Trustees</u> |                                                                  |
| Date:                    | Tuesday March 28, 2023                                           |
| Time:                    | 6:30 p.m.                                                        |
| Place:                   | Wilson Leeper Center<br>3800 Wilson Ave.<br>Wellington, CO 80549 |
| Public Hearing:          | Update Official Zoning Map of the Town                           |
| Applicant:               | Town of Wellington                                               |

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Town of Wellington  
PO Box 127  
Wellington, CO 80549

Sincerely,

Cody Bird  
Planning Director



March 9, 2023

## R-4 to R-3 331 Letters Sent

«Property\_Owner\_Name»

«Name\_2»

«Mailing\_Address»

«Mailing\_City», «Mailing\_State», «Mailing\_Zip»

RE: Wellington Official Zoning Map Updates

Dear Property Owner;

The Town of Wellington is in the process of updating its official zoning map of the town. Following recent updates to the Town's Comprehensive Plan and Land Use Code, the Town's Zoning Map will also be updated for consistency. One of the changes in the Land Use Code included renaming the title of some of the existing zoning districts. The district previously titled "R-4 – Residential Multifamily District" has been re-titled to "R-3 – Residential Medium Density District."

You are receiving this notice because the property you own at «Property\_Address» is shown on the current zoning map as the previously titled "R-4 – Residential Multifamily District." The Zoning Map is recommended to be updated to show your property zoning as "R-3 – Residential Medium Density District." Uses allowed within the "R-3 – Residential Medium Density District" are compatible with the uses that have been allowed on the property previously.

The Town Planning Commission has considered the Draft Zoning Map and forwarded recommendations to the Town Board of Trustees. The Planning Commission's recommended Draft Zoning Map is available for review on the Town's website at:  
<https://www.wellingtoncolorado.gov/535/Planning>.

Additional information about the «Proposed\_Zoning» Zone District and the Town's Land Use Code is available on the Town's website at <http://www.wellingtoncolorado.gov/497/Land-Use-Code>. Zone Districts are described in Article 3 and allowed uses are identified in Article 4.

Planning Department staff is available to answer questions or discuss your specific property needs. You may contact Town Planning Staff at the below information:

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Paul Whalen  
Senior Planner  
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Patty Lundy  
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970-568-3554



| Notice of Public Hearing |                                                                  |
|--------------------------|------------------------------------------------------------------|
| <u>Board of Trustees</u> |                                                                  |
| Date:                    | Tuesday March 28, 2023                                           |
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| Public Hearing:          | Update Official Zoning Map of the Town                           |
| Applicant:               | Town of Wellington                                               |

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Town of Wellington  
PO Box 127  
Wellington, CO 80549

Sincerely,

Cody Bird  
Planning Director



March 9, 2023

## TR - Transitional Properties 102 Letters Sent

«Property\_Owner\_Name»  
«Name\_2»  
«Mailing\_Address»  
«Mailing\_City», «Mailing\_State», «Mailing\_Zip»

RE: Wellington Official Zoning Map Updates

Dear Property Owner;

The Town of Wellington is in the process of updating its official zoning map of the town. Following recent updates to the Town's Comprehensive Plan and Land Use Code, the Town's Zoning Map will also be updated for consistency. Changes to the Land Use Code included removing a zone district previously identified as "TR – Transitional District." Yours and other properties previously zoned "TR – Transitional" are now in need of a new zoning district designation.

The Larimer County Assessor's Office records indicate you are the owner of the below described property. Also below is your property's existing zoning designation and the new zone district designation recommended for your property:

|                    |                    |
|--------------------|--------------------|
| Property Location: | «Property_Address» |
| Existing Zoning:   | «Existing_Zoning»  |
| Proposed Zoning:   | «Proposed_Zoning»  |

The Town Planning Commission has considered the Draft Zoning Map and forwarded recommendations to the Town Board of Trustees. The Planning Commission's recommended Draft Zoning Map is available for review on the Town's website at:

<https://www.wellingtoncolorado.gov/535/Planning>.

Additional information about the «Proposed\_Zoning» Zone District and the Town's Land Use Code is available on the Town's website at <http://www.wellingtoncolorado.gov/497/Land-Use-Code>. Zone Districts are described in Article 3 and allowed uses are identified in Article 4.

Planning Department staff is available to answer questions or discuss your specific property needs. You may contact Town Planning Staff at the below information:

Cody Bird  
Planning Director  
970-568-3381

Paul Whalen  
Senior Planner  
970-568-3554

Patty Lundy  
Planning Analyst  
970-568-3554

| Notice of Public Hearing |                                                                  |
|--------------------------|------------------------------------------------------------------|
| <u>Board of Trustees</u> |                                                                  |
| Date:                    | Tuesday March 28, 2023                                           |
| Time:                    | 6:30 p.m.                                                        |
| Place:                   | Wilson Leeper Center<br>3800 Wilson Ave.<br>Wellington, CO 80549 |
| Public Hearing:          | Update Official Zoning Map of the Town                           |
| Applicant:               | Town of Wellington                                               |

A Public Hearing to consider updates to the Official Zoning Map is scheduled before the Board of Trustees. This letter is formal notice of the Public Hearing and notice of your opportunity to attend and offer comments regarding updates to the Zoning Map. Any person may appear at such hearing and present testimony. If you are unable to attend the public hearing, you may also submit written comments to:

Town of Wellington  
PO Box 127  
Wellington, CO 80549

Sincerely,

Cody Bird  
Planning Director

### 3.01.3 Zoning Districts.

In order to carry out the provisions of this Code, the Town is divided into the following zoning districts:

| Abbreviation                            | Title                                   |
|-----------------------------------------|-----------------------------------------|
| Residential Zone Districts              |                                         |
| A                                       | Agricultural District                   |
| R-1                                     | Residential Rural Density District      |
| R-2                                     | Residential Low Density District        |
| R-3                                     | Residential Medium Density District     |
| R-4                                     | Downtown Neighborhood District          |
| MH                                      | Manufactured Home Park District         |
| Commercial and Mixed-Use Zone Districts |                                         |
| C-1                                     | Community Commercial District           |
| C-2                                     | Downtown Core Commercial District       |
| C-3                                     | Mixed-Use Commercial District           |
| Other Non-Residential Zone Districts    |                                         |
| LI                                      | Light Industrial District               |
| I                                       | Industrial District                     |
| P                                       | Public District                         |
| PUD                                     | Planned Unit Development (PUD) District |

### 3.01.4 Zoning District Map.

The boundaries and classifications of districts established are as depicted on the adopted Zoning District Map bearing the most recent date of publication which has been signed by the Chair of the Planning Commission and the Mayor.

- A. *Interpretation of boundary lines.* If uncertainty exists, district boundaries shall be on section lines; lot lines; the center lines of highways, streets, alleys, railroad rights-of-way, rivers, streams, or such lines extended; or municipal corporation lines; Where a lot is divided by a zoning district boundary line either zone requirements may be extended within the lot for a distance of not more than twenty-five (25) feet as approved by the Planning Director.
- B. *Amendment upon zoning or modification.* Upon approval of any ordinance annexing and establishing zoning or modifying existing zoning for any property, the Town shall amend the prior existing Zone District Map to include the annexed area with the proper zoning classification or show the amended classification, as the case may be. Such updated, Zone District Map shall contain, in table form, the date and number of the ordinance amending it, the date the map was amended to

reflect each amendment and the initials of the person who checked and approved the change to the map.

- C. *Cost for amending zoning.* Any person who proposes zoning for property being annexed or proposes modifying existing zoning shall bear the entire cost of amending the Zone District Map, including all notification costs. The Town shall provide applicants with a copy of the current fee schedule and fee agreement form.
- D. *Public inspection; storage of original.* The Zoning District Map shall be available and on display at the office of the Town Clerk during normal business hours.

## **3.02 Residential Zone Districts**

### **3.02.1 A – Agricultural District.**

- A. *Intent.* The Agricultural District is an ultra low-density district intended for the pursuit of farm activities or for a transitional status. This zone is characterized by the growing of crops and related functions as well as large lot, rural, single-family detached residential dwellings and agritourism.
- B. *Principal uses.* Permitted principal uses in the A District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Conditional uses.* Permitted conditional uses in the A District shall be as listed in *Section 4.02 Table of Allowable Uses*.

### **3.02.2 R-1 – Residential Rural Density District.**

- A. *Intent.* The Residential Rural Density District is a very low-density residential district intended to provide for large-lot, detached single-family development in areas more characteristically rural and on the outskirts of the planning area that are supported by neighborhood amenities and public facilities.
- B. *Principal uses.* Permitted principal uses in the R-1 District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Conditional uses.* Permitted conditional uses in the R-1 District shall be as listed in *Section 4.02 Table of Allowable Uses*.

### **3.02.3 R-2 – Residential Low Density District.**

- A. *Intent.* The Residential Low Density District is intended primarily for detached and limited attached single-family uses on individual lots that are supported by neighborhood amenities and public facilities, with up to four attached units allowed per building. This zone is characterized by tree-lined local streets, an interconnected pedestrian circulation system, and proximity to schools and parks.
- B. *Principal uses.* Permitted principal uses in the R-2 District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Conditional uses.* Permitted conditional uses in the R-2 District shall be as listed in *Section 4.02 Table of Allowable Uses*.

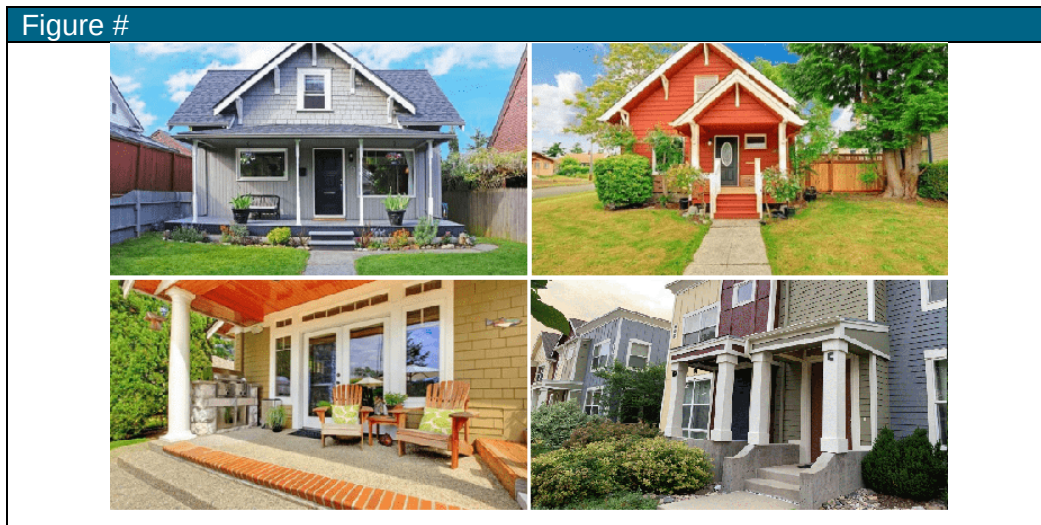
### 3.02.4 R-3 – Residential Medium Density District.

- A. *Intent.* The Residential Medium Density District is intended for a mix of small lot single-family detached dwellings, single-family attached dwellings, and multi-family dwellings intended to provide a walkable environment supported by motorized and non-motorized transportation options, parks, and public gathering spaces that are ideal for people in all stages of life. Multi-family buildings are generally encouraged near viable business centers in order to facilitate appropriate densities. Street and open space designs in these areas shall be used to create compatibility among frontages, which encourage pedestrian interaction and discourage high automobile speeds.
- B. *Principal uses.* Permitted principal uses in the R-3 District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Conditional uses.* Permitted conditional uses in the R-3 District shall be as listed in *Section 4.02 Table of Allowable Uses*.

### 3.02.5 R-4 – Downtown Neighborhood District.

- A. *Intent.* The Downtown Neighborhood District is intended for the older neighborhoods adjacent to the downtown core that have smaller, more constrained lots than newer developments and specific architectural characteristics. These neighborhoods are intended to support a variety of housing types including detached and attached single family dwellings that complement the area's character as well as small-scale service establishments, that add vibrancy to the overall Downtown area. These areas are intended to be supported by a traditional, highly connected gridded street system with detached sidewalks, and that incorporate pocket parks and public gathering spaces.
- B. *Principal uses.* Permitted principal uses in the R-4 District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Conditional uses.* Permitted conditional uses in the R-4 District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- D. *Design Standards.* The following design standards shall apply to all new and infill development in the Downtown Neighborhood Zone District.
  - 1. Residential buildings shall include a front porch on each ground floor unit to ensure new construction blends with the existing neighborhood character. Porches shall be a minimum of six feet deep with a minimum overall dimension of forty-eight square feet and may encroach into the required front setback by up to six feet.





2. New and infill buildings shall include characteristics of the traditional architectural styles of the Downtown Neighborhood Area identified as Craftsman, Victorian and Farmhouse. Such features could include:
  - a. Gabled and cross-gabled rooflines;
  - b. Porches running the full length of the front façade
  - c. Rear loaded or detached garages that allow the front façade of the house to be the primary focus
  - d. Steeply-pitched rooflines, curlicue trims, ornate windows, and asymmetrical designs (Victorian);
  - e. Low-pitched rooflines with overhanging eaves, exposed rafters, and heavy, tapered columns (Craftsman); or
  - f. Simple design focusing on wood elements, board on batten siding and hand hewn timbers with a traditionally white color palette (Farmhouse).



### 3.02.6 MH – Manufactured Home Park District.

- A. *Intent.* This is a high-density residential district on a parcel of land under single ownership or control on which two (2) or more manufactured homes are occupied as residences.
- B. *Principal uses.* Permitted principal uses in the MH District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Application procedure*
  - 1. Standard process for a new mobile home park shall follow the standard rezone and Major Subdivision processes per Sections 2.07 and 2.17 of this Land Use Code.
  - 2. Redevelopment of an existing site with required infrastructure in place would need to follow the site plan application process per Section 2.12 of this Land Use Code.
- D. *Building design standards.*
  - 1. The manufactured home must be partially or entirely manufactured in a factory.
  - 2. The manufactured home must be not less than twenty-four (24) feet in width and thirty-six (36) feet in length.
  - 3. The manufactured home must be set on an excavated, backfilled, engineered foundation enclosed at the perimeter so that the top of the perimeter wall sits no more than twelve (12) inches above finish grade. The foundation shall be similar in appearance and durability to a masonry foundation of a site-built dwelling. The foundation shall provide an anchoring system for the manufactured home that is totally concealed under the structure.
  - 4. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings. Metal siding must be painted or anodized.
  - 5. The manufactured home must have a pitched roof with a pitch of at least a nominal three (3) in twelve (12). The roof must be covered with shingles, shakes or tile. Eaves of the roof must extend at least one (1) foot from the intersection of the roof and the exterior walls.
  - 6. The manufactured home must have windows that are wood, vinyl-coated or anodized aluminum.
  - 7. The manufactured home must have color-coordinated body and trim. Colors of both the factory components and the site-built components shall be the same.
  - 8. The main entrance to the manufactured home must face or be oriented toward an adjacent street.
  - 9. The transportation mechanisms, including the wheels, axles and hitch, must be removed.
  - 10. No manufactured home shall be occupied for dwelling purposes unless it is properly placed in a manufactured home space and connected to water, sewerage, electric and gas utilities, as appropriate.
  - 11. All manufactured homes shall be certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. § 5401 et seq., or shall be certified by the Colorado Division of Housing pursuant to Section 24-32-701 et seq., C.R.S.

12. All manufactured homes shall have an enclosed crawlspace underneath the manufactured home and shall not provide a harborage for rodents or create a fire hazard. No enclosed crawlspace shall be used for storage unless the storage area is surfaced with concrete. Adequate access and ventilation shall be provided in accordance with the Guidelines For Manufactured Housing Installation.
13. All manufactured homes shall meet or exceed equivalent engineering standards for other single-family residences.
14. Additions to increase the floor area of manufactured home shall not be permitted except for patios, porches, garages, decks or carports. Garages may be detached or attached.
15. Prior to occupancy, the Building Inspector shall inspect each manufactured home to determine compliance with this Code. No occupancy shall be permitted or certificate of occupancy issued until said inspection and all connections to public utilities have been made. The owner or home builder shall pay to the Town a building permit fee for each residential structure as may be required by this Code. Installation procedures and the building permit fee shall be in accordance with the then current Guidelines for Manufactured Housing Installation, including appendices, published by the International Conference of Building Officials for manufactured homes and as adopted by the Town.
16. All additions shall comply with minimum yard requirements, and a building permit shall be required in advance for any such addition.

*E. Site design standards.*

1. All streets in a manufactured home park shall be dedicated to the Town and shall be maintained by the park owner or an owners' association.
2. All streets shall be a minimum width of twenty-two (22) feet from back of curb to back of curb, including the width of gutter pans.
3. Primary through streets shall be thirty-four (34) feet from back of curb to back of curb with a four-foot detached sidewalk on one (1) side being located six (6) feet from the back of curb.
4. The developer shall provide for covenants or other mechanisms, which shall be approved by the Town, ensuring that streets are maintained and replaced as required.
5. All streets within the manufactured home park shall be constructed to the Town standards.
6. A minimum of eight percent (8%) of the gross site area shall be reserved for and devoted to improved recreation areas and facilities provided in locations convenient to all manufactured home spaces.
7. A minimum of three hundred (300) square feet of outdoor living area shall be provided on each space.

8. Every manufactured home space shall have two (2) off-street parking spaces adjacent to the manufactured home. There shall be one (1) additional parking space for each manufactured home space within one hundred (100) feet for use by occupants and guests.
9. Off-street vehicle parking shall be provided for recreation facilities located within a manufactured home park. At a rate of one (1) space per two hundred fifty (250) square feet of gross floor area, plus one (1) space per employee at the maximum shift, Twenty (20) spaces are to be provided for every diamond or athletic field, or one (1) space for every four (4) spectator seats, whichever is greater. (One [1] seat is equal to two [2] feet of bench seating length.)
10. All off-street parking shall meet the provisions of Section 5.05 of this Land Use Code.
11. The developer shall provide for a system of pedestrian circulation within the development. The system shall connect with existing sidewalks, if any are adjacent to the property. The system shall be designed to link residential units with recreation facilities, school bus stops and existing sidewalks in the neighborhoods. Attached and detached sidewalks within the manufactured home park shall be a minimum of five (5) feet in width.
12. All public utilities shall be installed in accordance with the applicable Town standards.
13. A manufactured home park may have multiple master meters for water service.
14. Each manufactured home space shall have its own meter for water and electrical service.

### 3.02.7 Table of Dimensional Standards for Residential Zone Districts

All primary and accessory structures are subject to the dimensional standards set forth in the table below. These general standards may be further limited or modified by other applicable sections of this Land Use Code. General rules for measurement and exceptions are in Article 9, Definitions.

| Zones                         | A             | R-1       | R-2                                             | R-3                                                      | R-4                                                      | MH            |
|-------------------------------|---------------|-----------|-------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------|---------------|
|                               | Lot Standards |           |                                                 |                                                          |                                                          |               |
| Minimum Site Area             | 5 acres       | N/A       | N/A                                             | N/A                                                      | N/A                                                      | 1 acre        |
| Minimum Lot Area Per Dwelling | 5 acres       | 0.5 acres | 6,600 sq. ft. for detached<br>3750 for attached | 3,000 sq. ft. for detached<br>2,500 sq. ft. for attached | 4,000 sq. ft. for detached<br>2,500 sq. ft. for attached | 2,400 sq. ft. |
| Maximum Net Density           | 0.2 du/acre   | 2 du/acre | 6 du/acre                                       | 12 du/acre                                               | 12 du/acre                                               | 10 du/acre    |
| Minimum Lot Width             | 120 ft.       | 120 ft.   | 60 ft for detached<br>30 ft. for attached.      | 50 ft. for detached<br>25' or attached                   | 40 ft. for detached,<br>25 ft. for attached              | 35 ft.        |

|                                                    | Principal Building Setbacks                     |             |                                       |                                       |                                       |                                              |
|----------------------------------------------------|-------------------------------------------------|-------------|---------------------------------------|---------------------------------------|---------------------------------------|----------------------------------------------|
| Minimum Front Yard                                 | 50 ft.                                          | 50 ft.      | 20 ft.                                | 15 ft.                                | 15 ft. <sup>1</sup>                   | 10 ft.                                       |
| Minimum Front Yard to Attached Garage              | 60 ft.                                          | 50 ft.      | 25 ft.                                | 20 ft.                                | 20 ft.                                | NA                                           |
| Minimum Side Yard                                  | 20 ft.                                          | 20 ft.      | 7 ft. for detached<br>0' for attached | 7 ft. for detached<br>0' for attached | 5 ft. for detached<br>0' for attached | 5 ft                                         |
| Minimum Side Yard (Corner Lot)                     | 20 ft.                                          | 20 ft.      | 15 ft. on nonentry side of corner lot | 15' on nonentry side of corner lot    | 15' on nonentry side of corner lot    | 15' on nonentry side of corner lot           |
| Minimum Rear Yard                                  | 20 ft.                                          | 20 ft.      | 20 ft.                                | 15 ft.                                | 15 ft.                                | 10 ft.                                       |
| Minimum Rear Yard to Rear Entry Garage             | 20 ft.                                          | 20 ft.      | 20 ft.                                | 20 ft.                                | 20 ft.                                | 20 ft.                                       |
|                                                    | Accessory Building and Detached Garage Setbacks |             |                                       |                                       |                                       |                                              |
| Minimum Front Yard                                 | 60 ft.                                          | 60 ft.      | 35 ft.                                | 35 ft.                                | 35 ft.                                | 25 ft.                                       |
| Minimum Side Yard                                  | 20 ft.                                          | 20 ft.      | 7 ft.                                 | 7 ft.                                 | 5 ft.                                 | 5'                                           |
| Minimum Rear Yard                                  | 5 ft.                                           | 5 ft.       | 5 ft.                                 | 5 ft.                                 | 5 ft.                                 | 5 ft.                                        |
|                                                    | Deck and Patio Cover Setbacks                   |             |                                       |                                       |                                       |                                              |
| Minimum Rear Yard                                  | 1 du                                            | 10 ft.      | 10 ft.                                | 10 ft.                                | 10 ft.                                | 10 ft.                                       |
|                                                    | Building and Structure Standards                |             |                                       |                                       |                                       |                                              |
| Minimum Floor Area (above grade) Per Dwelling Unit | 864 sq. ft.                                     | 864 sq. ft. | 864 sq. ft.                           | 864 sq. ft.                           | 600 sq. ft.                           | 480 sq. ft.                                  |
| Maximum Building Height                            | 35 ft.                                          | 35 ft.      | 35 ft.                                | 35'                                   | 28' ft.                               | 16 ft. Park-Owned Common Structures – 35 ft. |
|                                                    |                                                 |             |                                       |                                       |                                       |                                              |
| Maximum Dwelling Units Per Structure               | 1 du                                            | 1 du        | 1 du                                  | 12 du                                 | 12 du                                 | 1 du                                         |

1. Front porches may encroach into the front setback by up to six feet.

### 3.03 Commercial and Mixed-Use Districts

#### 3.03.1 C-1 – Community Commercial District.

- A. *Intent.* The Community Commercial District is intended for general commercial areas outside of downtown such as activity centers at intersections. These areas are intended to facilitate a variety of businesses that provide employment opportunities and support the retail and service needs of the community. Buildings may be located within a unified campus-like setting integrated with sidewalks, landscaped features, and public spaces that promote access to motorized and non-motorized transportation options.
- B. *Principal uses.* Permitted principal uses in the C-1 District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Conditional uses.* Permitted conditional uses in the C-1 District shall be as listed in *Section 4.02 Table of Allowable Uses*.

#### 3.03.2 C-2 – Downtown Core Commercial District.

- A. *Intent.* The Downtown Core Commercial District is intended to preserve the character of the original downtown and to provide for a mixture of uses that will strengthen and expand the core community. As the Town's primary activity center, these areas are 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 design 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 Street uses should encourage 'select' infill of vacant residential and commercial areas and slightly increase the height of existing buildings to support upper level residential uses.
- B. *Principal uses.* Permitted principal uses in the C-2 District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Conditional uses.* Permitted conditional uses in the C-2 District shall be as listed in *Section 4.02 Table of Allowable Uses*.

#### 3.03.3 C-3 – Mixed-Use Commercial District.

- A. *Intent.*
  - 1. The Mixed-Use Commercial District is intended to be a setting for development of a wide range of community and regional retail uses, offices and personal and business services, and it is intended to accommodate a wide range of other uses, including multi-family housing and mixed-use dwelling units. The C-3 District should integrate various commercial and multi-family uses while transitioning from the highway to adjacent lower density neighborhoods. The intent of mixed-use areas is to cluster residential and non-residential uses in a compact, walkable



setting. These areas provide ease of movement through both motorized and non-motorized transportation options offering convenient access for locals and visitors alike.

2. While some Mixed-Use Commercial District areas may continue to meet the need for auto-related and other auto-oriented uses, it is the Town's intent that the C-3 District emphasize safe and convenient personal mobility in many forms, with planning and design that accommodate pedestrians. Further, the C-3 District is intended to function with, rather than compete with, the Downtown District.
3. The highway corridor is a visible commercial area of the community. Attention to the architectural standards outlined in *Section 5.09* is required for approval.

B. *Permitted uses.* Permitted principal uses in the C-3 District shall be as listed in *Section 4.02 Table of Allowable Uses*.

C. *Conditional uses.* Permitted conditional uses in the C-2 District shall be as listed in *Section 4.02 Table of Allowable Uses*.

### 3.03.4 Table of Dimensional Standards for Commercial Zone Districts

All primary and accessory structures are subject to the dimensional standards set forth in the table below. These general standards may be further limited or modified by other applicable sections of this Land Use Code. General rules for measurement and exceptions are in *Article 9, Definitions*.

| Zones                                   | C-1                | C-2                 | C-3                |
|-----------------------------------------|--------------------|---------------------|--------------------|
| <b>Lot Standards</b>                    |                    |                     |                    |
| Maximum Floor Area Ratio                | 1:1                | 2:1                 | 1:1                |
| Maximum Net Residential Density         | 12 du/acre         | 12 du/acre          | 12 du/acre         |
| <b>Building Setbacks</b>                |                    |                     |                    |
| Minimum Front Yard                      | 25 ft.             | 0 ft.               | 25 ft.             |
| Minimum Side Yard <sup>1</sup>          | 0 ft. <sup>1</sup> | 0 ft.               | 0 ft. <sup>1</sup> |
| Minimum Rear Yard                       | 20 ft.             | 25 ft. <sup>2</sup> | 20 ft.             |
| <b>Building and Structure Standards</b> |                    |                     |                    |
| Maximum Building Height                 | 35 ft.             | 35 ft.              | 45 ft.             |

## 3.04 Other Non-Residential Zone Districts

### 3.04.1 LI – Light Industrial District.

- A. *Intent.* The Light Industrial District is intended to provide locations for research and development-type offices that create minimal noise, smell, and road traffic., Development in the Light Industrial District should encourage the development of planned office and business parks that promote excellence in the design and construction of buildings, outdoor spaces, transportation facilities and

streetscapes. Typically, light industrial areas should serve as a separator between heavier industrial and surrounding land uses, such as residential and commercial areas.

B. *Principal uses.* Permitted principal uses in the LI District shall be as listed in *Section 4.02 Table of Allowable Uses*.

C. *Limitations.* Any use in this District shall conform to the following requirements:

1. Dust, fumes, odors, smoke, vapor and noise shall be confined to the site and be controlled in accordance with the state air pollution laws.
2. Approved outdoor storage areas, equipment and refuse areas shall be concealed from view from abutting rights-of-way and from adjoining residential districts.
3. All off-street parking areas as defined herein shall be surfaced with poured in place concrete or asphaltic concrete. Approved outdoor storage areas as defined herein may be surfaced with minimum three-quarter inch diameter crushed rock or approved alternative material to a depth of at least four (4) inches. If a crushed rock or alternative material surface is used, the subgrade of such areas shall be treated to the specifications of the Town Engineer. Areas surfaced with crushed rock or approved alternative material shall be treated with dust retardants, as needed, and kept free of weeds, trash and other debris. Appropriate fire-lane aisles and, if required, fire hydrants shall be provided.
4. Light fixtures in parking areas shall be hooded and mounted not more than twenty-five (25) feet above the ground level and oriented in such a manner so as not to shine into residential areas. Lighting shall conform to the requirements in *Section 5.02* of this Code.

D. *Conditional uses.* Permitted conditional uses in the LI District shall be as listed in *Section 4.02 Table of Allowable Uses*.

### 3.04.2 I – Industrial District.

A. *Intent.* The Industrial District is intended to provide a location for large-format buildings for manufacturing, warehousing and distributing, indoor and outdoor storage. Locations for this zone require good access to major arterial streets and adequate water, sewer and power. Industrial areas should generally be located interior to the large block of industrial/light industrial areas.

B. *Principal uses.* Permitted principal uses in the I District shall be as listed in *Section 4.02 Table of Allowable Uses*.

C. *Limitations.* Any use in this District shall conform to the following requirements:

1. Dust, fumes, odors, smoke, vapor and noise shall be confined to the site and be controlled in accordance with the state air pollution laws.
2. Approved outdoor storage areas, equipment and refuse areas shall be concealed from view from abutting rights-of-way and from adjoining residential districts.

3. All off-street parking areas as defined herein shall be surfaced with poured in place concrete or asphaltic concrete. Approved outdoor storage areas as defined herein may be surfaced with minimum three-quarter inch diameter crushed rock or approved alternative material to a depth of at least four (4) inches. If a crushed rock or alternative material surface is used, the subgrade of such areas shall be treated to the specifications of the Town Engineer. Areas surfaced with crushed rock or approved alternative material shall be treated with dust retardants, as needed, and kept free of weeds, trash and other debris. Appropriate fire-lane aisles and, if required, fire hydrants shall be provided.
  4. Light fixtures in parking areas shall be hooded and mounted not more than twenty-five (25) feet above the ground level and oriented in such a manner so as not to shine into residential areas. Lighting shall conform to the requirements in *Section 5.02* of this Code.
- D. *Conditional uses.* Permitted conditional uses in the I District shall be as listed in *Section 4.02 Table of Allowable Uses*.

#### 3.04.3 P – Public District.

- A. *Intent.* The Public District is intended to identify and perpetuate the existence of public parks, playgrounds, recreation facilities and public and quasi-public buildings, whether publicly owned or leased. These areas are intended to support the community with accessible walkways, public gathering spaces, and motorized and non-motorized transportation connections and parking that accommodate a large influx of car and pedestrian traffic. Buildings may be small, mixed with other uses in Downtown, or large, providing joint facilities (library, recreation center, etc.) intermixed in residential or mixed-use areas. Civic areas should consider building design, materials, and durability; making developments timeless, and favoring form and function over cost. These areas should also leverage local public art to add beauty and pride to Wellington.
- B. *Principal uses.* Principal permitted uses in the P District shall be as listed in *Section 4.02 Table of Allowable Uses*.
- C. *Conditional uses.* Permitted conditional uses in the P District shall be as listed in *Section 4.02 Table of Allowable Uses*.

### 3.04.4 Table of Dimensional Standards for Light Industrial, Industrial and Public Zone Districts

All primary and accessory structures are subject to the dimensional standards set forth in the table below. These general standards may be further limited or modified by other applicable sections of this Land Use Code. General rules for measurement and exceptions are in *Article 9, Definitions*.

| Zones                            | LI     | I      | P      |
|----------------------------------|--------|--------|--------|
| Lot Standards                    |        |        |        |
| Maximum Floor Area Ratio         | 1:1    | 1:1    | –      |
| Building Setbacks                |        |        |        |
| Minimum Front Yard               | 25 ft. | 25 ft. | –      |
| Minimum Side Yard                | 10 ft. | 20 ft. | –      |
| Minimum Rear Yard                | 10 ft. | 10 ft. | –      |
| Building and Structure Standards |        |        |        |
| Maximum Building Height          | 45 ft. | 45 ft. | 45 ft. |

### 3.05 PUD – Planned Unit Development District.

#### A. Intent.

1. This Planned Unit Development (PUD) Overlay District is enacted pursuant to the Planned Unit Development Act of 1972 as amended (Section 24-67-101 et seq., C.R.S.). A PUD is an area of land, controlled by one (1) or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational or industrial uses, or any combination of the foregoing, the plan for which does not correspond in lot size, bulk or type of use, density, lot coverage, open space or other restriction to the existing land use regulations. The PUD is intended to be used as an overlay zone district that supplements the underlying standard zone district.
2. The intent and purpose of this District is to permit and encourage innovative design and high quality, master-planned developments on parcels of land forty acres in size or larger. This District is created to allow and encourage compatible uses to be developed in accordance with a unified development plan in harmony with the environment and surrounding neighborhood.
3. PUDs are expected to preserve critical environmental resources, provide above-average open space and recreational amenities, including exceptional design and provide greater efficiency in the layout and provision of roads, utilities and other infrastructure.

#### B. Permitted uses.

1. Uses permitted in the PUD Overlay District shall be those uses permitted in the underlying standard zone district for the property.
2. An applicant for a PUD Overlay District may request modifications to the permitted uses of the underlying zone district to remove those uses that may be deemed incompatible or inappropriate for the overall PUD development. Conditional uses may be permitted if it can be demonstrated that such uses meet the conditional use review criteria for the underlying zone districts.

## 4.02 Table of Allowable Uses

This article shall follow the requirements established in **Table 4.02-1, Table of Allowable Uses**.

| Table 4.02-1 Table of Allowable Uses |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
|--------------------------------------|-----------------|-------------|-----|-----|-----|----|------------|-----|-----|------------|---|-------|------------------------|
| Use                                  | Zoning District |             |     |     |     |    |            |     |     |            |   |       |                        |
|                                      | Open            | Residential |     |     |     |    | Commercial |     |     | Industrial |   | Misc. | Use Specific Standards |
|                                      | A               | R-1         | R-2 | R-3 | R-4 | MH | C-1        | C-2 | C-3 | LI         | I | P     |                        |
| Residential                          |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Manufactured Home                    | P               | P           | P   |     | P   | P  |            |     |     |            |   |       | Y                      |
| Mixed-Use Dwelling                   |                 |             |     |     | C   |    | P          | P   | P   |            |   |       |                        |
| Multi-Family Dwelling                |                 |             |     | P   |     |    |            |     | P   |            |   |       | Y                      |
| Single-Family Attached Dwelling      | C               |             | P   | P   | P   |    |            |     |     |            |   |       | Y                      |
| Single-Family Detached Dwelling      | P               | P           | P   | P   | P   |    |            |     |     |            |   |       |                        |
| Group Living / Lodging               |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Bed and Breakfast                    | C               | C           |     | C   | C   |    | C          |     |     |            |   |       |                        |
| Boarding and Rooming House           |                 |             |     | C   | C   |    |            |     | P   |            |   |       | Y                      |
| Group Home                           |                 | P           | P   | P   | P   | P  |            |     | P   |            |   |       |                        |
| Hotel/Motel                          |                 |             |     |     |     |    | P          | C   | P   | P          |   |       |                        |
| Long-Term Care Facilities            |                 |             |     | C   |     |    | C          |     | P   |            |   |       |                        |
| Agriculture                          |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Agriculture                          | P               | P           |     |     |     |    |            |     |     |            | C |       |                        |
| Greenhouse/Nursery                   |                 |             |     |     |     |    |            |     | P   | P          |   |       |                        |
| Stable                               | P               | P           |     |     |     |    |            |     |     |            |   |       | Y                      |

| Use                                               | Zoning District |             |     |     |     |    |            |     |     |            |   |       |                        |
|---------------------------------------------------|-----------------|-------------|-----|-----|-----|----|------------|-----|-----|------------|---|-------|------------------------|
|                                                   | Open            | Residential |     |     |     |    | Commercial |     |     | Industrial |   | Misc. | Use Specific Standards |
|                                                   | A               | R-1         | R-2 | R-3 | R-4 | MH | C-1        | C-2 | C-3 | LI         | I | P     |                        |
| Commercial / Office                               |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Animal Services                                   |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Kennel                                            | C               |             |     |     |     |    |            |     | P   | P          |   |       | Y                      |
| Veterinary Facilities,<br>Large animals           | P               |             |     |     |     |    |            |     | C   | C          | P |       | Y                      |
| Veterinary Facilities,<br>Small animals           | P               |             |     |     |     |    | P          |     | P   | P          |   |       | Y                      |
| Food                                              |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Brew Pub, Distillery<br>Pub, or Limited<br>Winery |                 |             |     |     |     |    | P          | P   | P   | P          |   |       | Y                      |
| Food Catering                                     |                 |             |     |     |     |    |            |     | P   | P          |   |       |                        |
| Grocery Store                                     |                 |             |     |     |     |    | P          | C   | P   | C          |   |       | Y                      |
| Restaurant, Fast Food                             |                 |             |     |     |     |    | P          |     | P   | C          |   |       | Y                      |
| Restaurant, Fast Food<br>with Drive-Thru          |                 |             |     |     |     |    | C          |     | P   | C          |   |       | Y                      |
| Restaurant, Sit-down                              |                 |             |     |     |     |    | P          | P   | P   | P          |   |       | Y                      |
| Entertainment / Recreation                        |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Adult Entertainment<br>Establishments             |                 |             |     |     |     |    |            |     |     |            | P |       | Y                      |
| Art Studio                                        |                 |             |     |     | C   |    | P          | P   | P   | P          | P |       |                        |
| Bar/Tavern                                        |                 |             |     |     |     |    | P          | P   | P   | P          | P |       | Y                      |
| Club/Lodge                                        |                 |             |     |     |     |    | P          | C   | P   |            |   |       |                        |
| Entertainment Facility                            |                 |             |     |     |     |    | P          |     | P   |            |   |       |                        |
| Golf Course                                       | P               | P           | P   |     |     |    |            |     | C   |            |   | P     | Y                      |
| Nightclub                                         |                 |             |     |     |     |    |            |     | P   | P          | P |       | Y                      |
| Recreational<br>Entertainment, Indoor             |                 |             |     |     |     |    | P          |     | P   | P          |   | P     |                        |
| Recreational<br>Entertainment,<br>Outdoor         |                 |             |     |     |     |    | P          |     | P   | P          |   |       | Y                      |
| Tourist Facilities                                |                 |             |     |     |     |    |            | P   | P   |            |   | P     |                        |



| Use                                       | Zoning District |             |     |     |     |    |            |     |     |            |   |       |                        |
|-------------------------------------------|-----------------|-------------|-----|-----|-----|----|------------|-----|-----|------------|---|-------|------------------------|
|                                           | Open            | Residential |     |     |     |    | Commercial |     |     | Industrial |   | Misc. | Use Specific Standards |
|                                           | A               | R-1         | R-2 | R-3 | R-4 | MH | C-1        | C-2 | C-3 | LI         | I | P     |                        |
| Retail Sales / Personal Services          |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Building and Landscaping Materials Supply |                 |             |     |     |     |    | C          |     | C   | P          | P |       |                        |
| Child Care Center                         |                 |             |     |     | C   |    | P          | P   | P   |            |   |       |                        |
| Convenience Store                         |                 |             |     |     |     |    | P          | P   | P   | P          |   |       | Y                      |
| Convenience Store with fuel sales         |                 |             |     |     |     |    | P          |     | P   | P          |   |       | Y                      |
| Financial Institution                     |                 |             |     |     |     |    | P          | C   | P   |            |   |       | Y                      |
| Health and Membership Club                |                 |             |     |     |     |    | P          | C   | P   | P          |   |       |                        |
| Pawn Shop                                 |                 |             |     |     |     |    | P          |     | P   | P          |   |       | Y                      |
| Personal Services                         |                 |             |     |     | C   |    | P          | P   | P   | C          |   |       |                        |
| Print Shop                                |                 |             |     |     |     |    |            |     | P   | P          |   |       |                        |
| Retail Store                              |                 |             |     |     |     |    | P          | P   | P   |            |   |       | Y                      |
| Office                                    |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Professional Office                       |                 |             |     |     | C   |    | P          | P   | P   | P          |   |       |                        |
| Automotive                                |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Car Wash                                  |                 |             |     |     |     |    | P          |     | P   | P          |   |       | Y                      |
| Heavy Equipment Sales and Rental          | C               |             |     |     |     |    |            |     |     |            | P |       | Y                      |
| Motor Vehicle Dealership                  |                 |             |     |     |     |    |            |     | P   | P          |   |       | Y                      |
| Motor Vehicle Repair, Heavy               |                 |             |     |     |     |    |            |     |     |            | P |       | Y                      |
| Motor Vehicle Repair, Light               |                 |             |     |     |     |    | P          |     | P   | P          | P |       | Y                      |
| Motor Vehicle Storage                     |                 |             |     |     |     |    |            |     |     | P          | P |       |                        |
| Service Station                           |                 |             |     |     |     |    | C          |     | P   | P          | P |       | Y                      |
| Marijuana                                 |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Medical Marijuana Store                   |                 |             |     |     |     |    |            |     | P   |            |   |       | Y                      |
| Retail Marijuana Store                    |                 |             |     |     |     |    |            |     | P   |            |   |       | Y                      |

| Use                                              | Zoning District |             |     |     |     |    |            |     |     |            |   |       |                        |
|--------------------------------------------------|-----------------|-------------|-----|-----|-----|----|------------|-----|-----|------------|---|-------|------------------------|
|                                                  | Open            | Residential |     |     |     |    | Commercial |     |     | Industrial |   | Misc. | Use Specific Standards |
|                                                  | A               | R-1         | R-2 | R-3 | R-4 | MH | C-1        | C-2 | C-3 | LI         | I | P     |                        |
| Industrial / Natural Resources                   |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Auction                                          | C               |             |     |     |     |    |            |     |     | P          | P |       |                        |
| Brewery, Distillery, or Winery                   |                 |             |     |     |     |    | C          | C   | P   | P          | P |       | Y                      |
| Commercial Dry Cleaning Facility                 |                 |             |     |     |     |    |            |     |     | C          | P |       |                        |
| Contractor and Contractor Storage                |                 |             |     |     |     |    |            |     |     | C          | P |       | Y                      |
| Industrial and Manufacturing, Heavy              |                 |             |     |     |     |    |            |     |     |            | P |       | Y                      |
| Industrial and Manufacturing, Light              |                 |             |     |     |     |    |            |     | C   | P          | P |       | Y                      |
| Mini-Storage Facility                            |                 |             |     |     |     |    |            |     | C   | P          | P |       | Y                      |
| Research and Development                         |                 |             |     |     |     |    |            |     | C   | C          | P |       |                        |
| Resource Extraction                              | C               |             |     |     |     |    |            |     |     |            | P | C     | Y                      |
| Wholesale Distribution, Warehousing, and Storage |                 |             |     |     |     |    |            |     |     | P          | P |       |                        |
| Workshop                                         |                 |             |     |     |     |    | C          | C   | P   | P          | P |       | Y                      |
| Institutional / Civic / Public                   |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Death Care Services                              |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Cemetery                                         | P               | P           |     |     |     |    |            |     |     |            |   | P     | Y                      |
| Funeral Services                                 |                 |             |     |     |     |    | C          |     | P   | P          |   |       | Y                      |
| Education                                        |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| College                                          |                 |             |     |     |     |    | P          | C   | P   | P          |   | P     |                        |
| School                                           |                 |             |     |     |     |    |            |     |     |            |   | P     |                        |
| Technical School                                 |                 |             |     |     |     |    | P          | C   | P   | P          |   | P     | Y                      |
| Assembly                                         |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Community Facility                               |                 | P           | P   | P   | P   |    | P          |     | P   | P          |   | P     |                        |
| Religious Land Use                               | C               | P           | P   | P   | P   |    | P          |     | P   | P          |   |       |                        |
| Government / Non-Profit                          |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Civic Space                                      | P               | P           | P   | P   | P   |    | P          | P   | P   | P          |   | P     |                        |
| Public Facilities                                | C               |             |     |     |     |    | C          | C   | C   | C          | C | P     |                        |

| Use                                  | Zoning District |             |     |     |     |    |            |     |     |            |   |       |                        |
|--------------------------------------|-----------------|-------------|-----|-----|-----|----|------------|-----|-----|------------|---|-------|------------------------|
|                                      | Open            | Residential |     |     |     |    | Commercial |     |     | Industrial |   | Misc. | Use Specific Standards |
|                                      | A               | R-1         | R-2 | R-3 | R-4 | MH | C-1        | C-2 | C-3 | LI         | I | P     |                        |
| Medical                              |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Medical Care Facility                |                 |             |     |     |     |    |            |     | P   | P          |   |       |                        |
| Medical Office                       |                 |             |     |     |     |    | P          | C   | P   |            |   |       | Y                      |
| Infrastructure                       |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Transportation / Parking             |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Airport                              |                 |             |     |     |     |    |            |     |     |            | C | C     | Y                      |
| Off-Street Parking Facility          |                 |             |     |     |     |    | C          | P   | C   | P          | P | P     | Y                      |
| Transit Facilities                   |                 |             |     |     |     |    |            |     | P   |            |   | P     |                        |
| Communications                       |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Communication Facility               | C               |             |     |     |     |    |            |     |     | C          | C | C     | Y                      |
| Wireless Telecommunications Facility | C               |             |     |     |     |    |            |     |     | C          | C | C     | Y                      |
| Waste-Related                        |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Recycling Facility                   |                 |             |     |     |     |    |            |     |     |            | P |       |                        |
| Salvage Yard                         |                 |             |     |     |     |    |            |     |     |            | C |       | Y                      |
| Solid Waste Facility                 |                 |             |     |     |     |    |            |     |     |            | C | C     | Y                      |
| Accessory Uses                       |                 |             |     |     |     |    |            |     |     |            |   |       |                        |
| Accessory Building                   | P               | P           | P   | P   | P   | P  |            |     |     |            |   |       | Y                      |
| Accessory Dwelling Unit              | P               | P           | P   |     | P   |    |            |     | P   |            |   |       | Y                      |
| Accessory Use                        | P               | P           | P   | P   | P   | P  | P          | P   | P   | P          | P | P     | Y                      |
| Home Occupation                      | P               | P           | P   | P   | P   | P  |            | P   | P   |            |   |       | Y                      |
|                                      |                 |             |     |     |     |    |            |     |     |            |   |       |                        |

# Wellington Land Use Code

## 3.04.3P – Public District.

A. *Intent.* The Public District is intended to identify and perpetuate the existence of public parks, playgrounds, recreation facilities and public and quasi-public buildings, whether publicly owned or leased. These areas are intended to support the community with accessible walkways, public gathering spaces, and motorized and non-motorized transportation connections and parking that accommodate a large influx of car and pedestrian traffic. Buildings may be small, mixed with other uses in Downtown, or large, providing joint facilities (library, recreation center, etc.) intermixed in residential or mixed-use areas. Civic areas should consider building design, materials, and durability; making developments timeless, and favoring form and function over cost. These areas should also leverage local public art to add beauty and pride to Wellington.

B. *Principal uses.* Principal permitted uses in the P District shall be as listed in *Section 4.02 Table of Allowable Uses*.

C. *Conditional uses.* Permitted conditional uses in the P District shall be as listed in *Section 4.02 Table of Allowable Uses*.

### Definitions:

**Park** means an area open to the general public and reserved for recreational, educational or scenic purposes.

**Public areas** means streets, parks, open spaces and other property designated or described as for public use on a map or plat of the Town and fee title is vested in the Town, other public body or a special district as defined in Section 32-1-103, C.R.S.

**Public use** means uses which are owned by and operated for the public by the Town, county, state or federal governments or by school districts.

**Quasi-public** means having the nature or characteristics of being public but owned by a private or not-for-profit entity.

**Public Facilities** Those constructed facilities, including but not limited to transportation systems or facilities, water systems or facilities, wastewater systems or facilities, storm drainage systems or facilities, fire, police and emergency systems or facilities, electric, gas, telecommunication utilities or facilities and publicly owned buildings or facilities.

**Open space** means any land or water area with its surface open to the sky, which serves specific uses of providing park and recreation opportunities, conserving natural areas and environmental resources, structuring urban development form and protecting areas of agricultural, archeological or historical significance. Open space shall not be considered synonymous with vacant or unused land but serves important urban functions. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways and setbacks from oil and gas wells and their appurtenances or other hazards to the public.

**Public open space** means an open space area conveyed or otherwise dedicated to the Town, State or County or other public body for recreational or conservation uses. Public open spaces are to be unencumbered by oil and gas wells, their appurtenances or other hazards to the public.

**Retention basin** means a pond, pool or basin used for permanent storage of water runoff.

**Civic Space** Public or quasi-public uses in residential or business areas that are accessible to the public and primarily serve as gathering or meeting areas for the immediate community, or reserved as open space that provides a community amenity or promotes environmental or ecological functions. Civic spaces may be public buildings; defined space in residential, commercial, or mixed-use buildings; or outdoor space constructed to accommodate community gatherings. They can be the settings where celebrations are held, where social and economic exchanges take place, where friends run into each other, and where cultures mix. Civic spaces include active or passive recreational uses, nature and recreation trails, nature preserves (such as wildlife sanctuaries, conservation areas, and game preserves), cultural amenities (e.g. fountains, ice rinks, reflecting pools), open spaces, parks, squares, plazas, playgrounds, or memorial parks. This includes any of the following as defined below:

a) Active recreation: Recreational uses requiring constructed facilities for organized activities, such as playing fields, ball courts, and playgrounds.

b) Dog park: A park that provides a variety of recreational amenities for dogs and persons that may include benches, parking, restrooms, and water fountains. If dogs are to be unleashed, the area must be fenced.

c) Community space: Buildings or facilities that provide gathering places, such as community centers, property owner association meeting spaces, or clubhouses.

d) Open space: Areas of trees, shrubs, lawns, grass, pathways and other natural and man-made amenities not within individual building lots, set aside for the use and enjoyment of residents, visitors and other persons, unoccupied by buildings or facilities unless related to recreational activities. Generally, open space is intended to provide light and air and is designed for either scenic or recreational purposes. For the purpose of this Code, open space includes active recreation space, common open space, and dedicated open space.

e) Park or plaza: An open space which may be improved and landscaped; usually surrounded by streets and buildings.

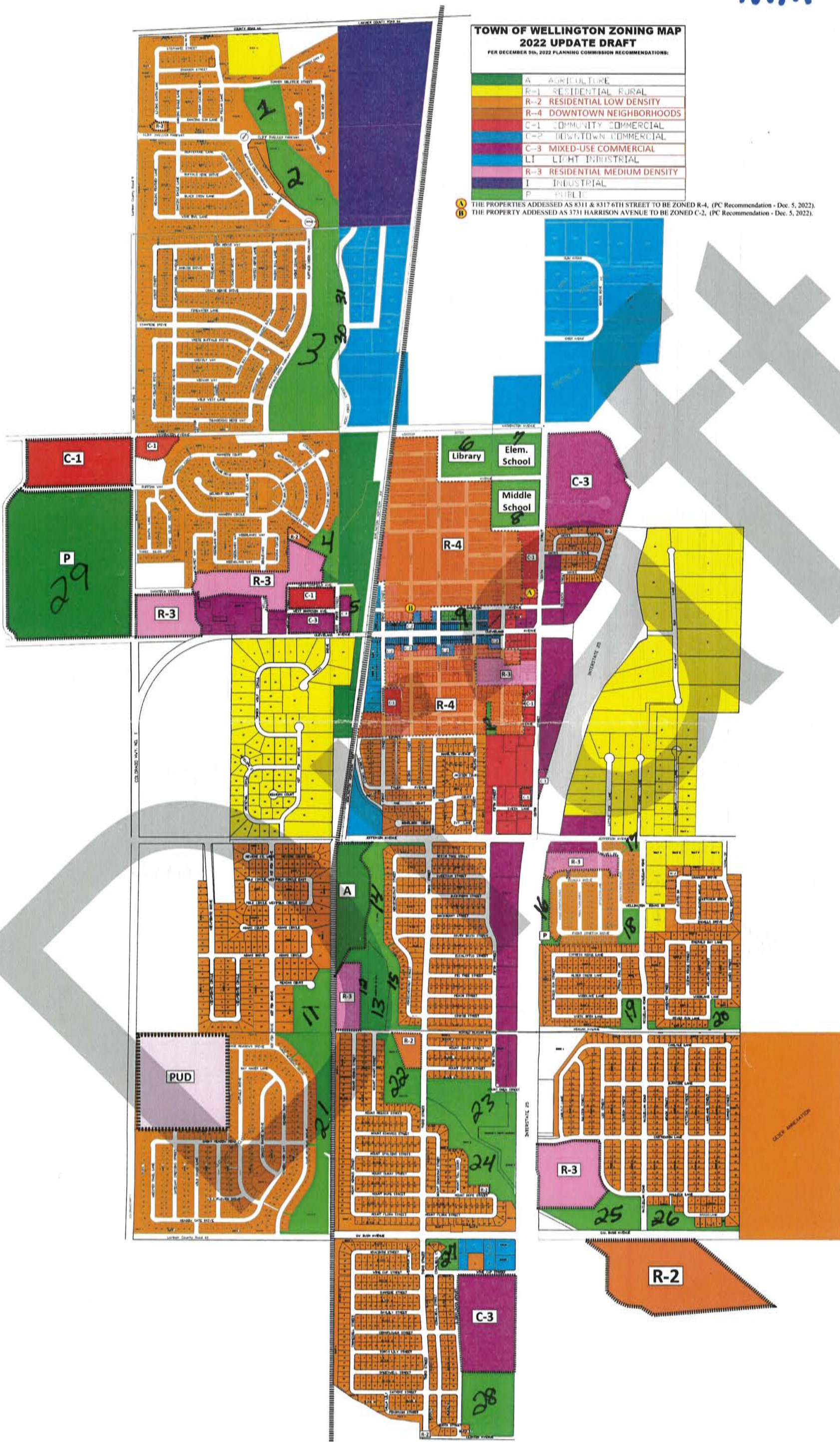
f) Urban deck: A platform for landscaped greens or engineered to accommodate buildings, which spans over major roadways. The intent of an urban deck is to create and enable pedestrian movement across an otherwise, typically impenetrable barrier, and to provide space for activity that can link both sides of the roadway.

g) Wetlands mitigation bank: A natural resource management technique authorized by Part 404 of the Federal Clean Water Act, or other state or federal law, as applicable, using wetland preservation, restoration, creation and/or enhancement to offset or replace wetland functions that are lost due to development. Wetland mitigation banks are typically large areas of wetlands operated by private or public entities, which may sell credits to other entities to compensate for wetland loss or impact at development sites or enter into other similar arrangements.



| TOWN OF WELLINGTON ZONING MAP                               |                            |
|-------------------------------------------------------------|----------------------------|
| 2022 UPDATE DRAFT                                           |                            |
| PER DECEMBER 5th, 2022 PLANNING COMMISSION RECOMMENDATIONS: |                            |
| A                                                           | AGRICULTURE                |
| R-1                                                         | RESIDENTIAL RURAL          |
| R-2                                                         | RESIDENTIAL LOW DENSITY    |
| R-4                                                         | DOWNTOWN NEIGHBORHOODS     |
| C-1                                                         | COMMUNITY COMMERCIAL       |
| C-2                                                         | DOWNTOWN COMMERCIAL        |
| C-3                                                         | MIXED-USE COMMERCIAL       |
| LI                                                          | LIGHT INDUSTRIAL           |
| R-3                                                         | RESIDENTIAL MEDIUM DENSITY |
| I                                                           | INDUSTRIAL                 |
| P                                                           | PUBLIC                     |

THE PROPERTIES ADDRESSED AS 8311 & 8317 6TH STREET TO BE ZONED R-4, (PC Recommendation - Dec. 5, 2022).  
THE PROPERTY ADDRESSED AS 3731 HARRISON AVENUE TO BE ZONED C-2, (PC Recommendation - Dec. 5, 2022).





Water Plant

#1

MAP B

#2

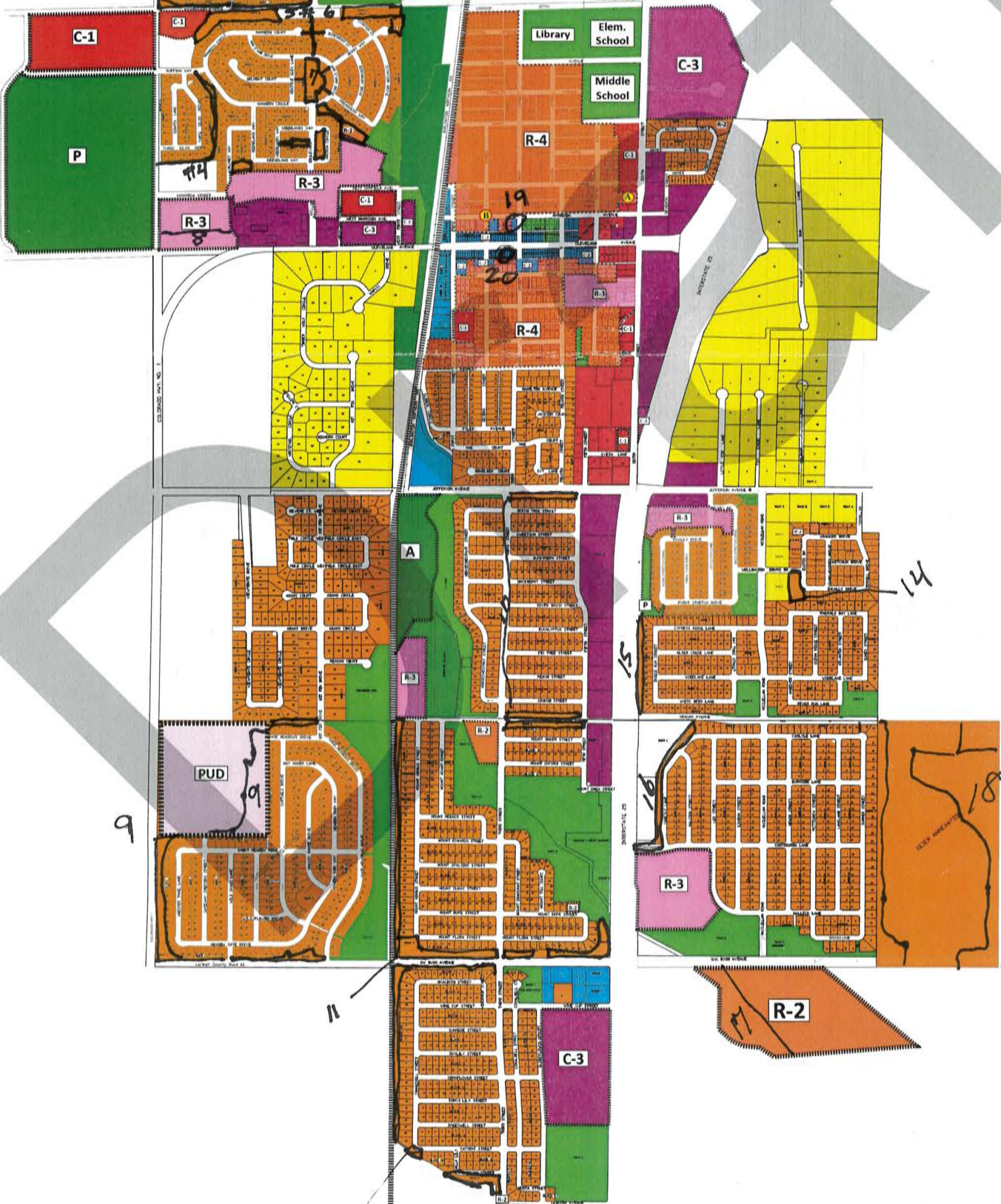
#3

| TOWN OF WELLINGTON ZONING MAP                               |                            |
|-------------------------------------------------------------|----------------------------|
| 2022 UPDATE DRAFT                                           |                            |
| PER DECEMBER 5TH, 2022 PLANNING COMMISSION RECOMMENDATIONS: |                            |
| A                                                           | AGRICULTURE                |
| R-1                                                         | RESIDENTIAL RURAL          |
| R-2                                                         | RESIDENTIAL LOW DENSITY    |
| R-4                                                         | DOWNTOWN NEIGHBORHOODS     |
| C-1                                                         | COMMUNITY COMMERCIAL       |
| C-2                                                         | DOWNTOWN COMMERCIAL        |
| C-3                                                         | MIXED-USE COMMERCIAL       |
| LI                                                          | LIGHT INDUSTRIAL           |
| R-3                                                         | RESIDENTIAL MEDIUM DENSITY |
| I                                                           | INDUSTRIAL                 |
| P                                                           | PUBLIC                     |

THE PROPERTIES ADDRESSED AS 8311 & 8317 6TH STREET TO BE ZONED R-4, (PC Recommendation - Dec. 5, 2022).  
THE PROPERTY ADDRESSED AS 3731 HARRISON AVENUE TO BE ZONED C-2, (PC Recommendation - Dec. 5, 2022).

Highland Cemetery

13



Sewer Plant



P - Public District Inventory and Analysis

| Map  | Prop. # | Description                                                                                                             | Property Owner                                                    | Public/Private Ownership | Public Access  | Recreation/Education/Scenic | Existing Zoning  | Draft Zoning Map | Planning Commission Considerations (2/6/2023) |
|------|---------|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|--------------------------|----------------|-----------------------------|------------------|------------------|-----------------------------------------------|
| A 1  |         | Drainage / Open Space / Future Trail                                                                                    | Sundance at Daubert Farm Holdings LLC (future dedication to Town) | Public (future)          | Yes (future)   | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 2  |         | Drainage / Open Space / Future Trail                                                                                    | Sundance at Daubert Farm Holdings LLC (future dedication to Town) | Public (future)          | Yes (future)   | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 3  |         | Wellington Community Park / Dog Park / Playground / Batting Cages / Splash Pad / Drainage / Open Space / Boxelder Creek | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 4  |         | Drainage                                                                                                                | Town of Wellington                                                | Public                   | None currently | Maybe (future trail)        | P - Public       | P - Public       | R-2                                           |
| A 5  |         | Drainage                                                                                                                | Town of Wellington                                                | Public                   | None currently | Maybe (future trail)        | P - Public       | P - Public       | C-3                                           |
| A 6  |         | Leeper Center and Library Park / 2 ball fields / Town Utility Infrastructure                                            | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 7  |         | Eyestone Elementary                                                                                                     | Poudre School District                                            | Public                   | School         | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 8  |         | Wellington Middle School                                                                                                | Poudre School District                                            | Public                   | School         | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 9  |         | Centennial Park / Skate Park / Basketball Court / Town Building                                                         | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 10 |         | Drainage                                                                                                                | Town of Wellington                                                | Public                   | No             | No                          | P - Public       | P - Public       | R-4                                           |
| A 11 |         | Viewpointe Park / Basketball Court / Playground / Drainage with Athletic Fields                                         | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 12 |         | Harvest Village Park / Playground / Trail                                                                               | Hartford Homes at Harvest Village LLC (future dedication to Town) | Public (future)          | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 13 |         | Harvest Village Park / Open Space / Trail / Drainage                                                                    | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 14 |         | Boxelder Creek / Trail / Open Space / Drainage                                                                          | Hartford Homes at Harvest Village LLC (future dedication to Town) | Public (future)          | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 15 |         | Wastewater Lift Station                                                                                                 | Town of Wellington                                                | Public                   | No             | No                          | P - Public       | P - Public       | P - Public                                    |
| A 16 |         | Open space / Trail / Drainage                                                                                           | Wellington Downs Holdings LLC                                     | Private                  | Yes            | Yes                         | R-4              | P - Public       | R-3                                           |
| A 17 |         | Sunrise Park / Playground                                                                                               | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 18 |         | Drainage                                                                                                                | Town of Wellington                                                | Public                   | No             | No                          | P - Public       | P - Public       | R-2                                           |
| A 19 |         | Park Meadows Park / Playground / Drainage with Athletic Fields                                                          | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 20 |         | Drainage                                                                                                                | Town of Wellington                                                | Public                   | No             | No                          | P - Public       | P - Public       | R-2                                           |
| A 21 |         | Trail / Open Space / Drainage / HOA Irrigation Pond                                                                     | SH Development Company LLC (future dedication to Town)            | Public (future)          | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 22 |         | Trail / Disc Golf / Drainage / Boxelder Creek                                                                           | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 23 |         | Rice Elementary / Open Space / Drainage                                                                                 | Poudre School District                                            | Public                   | School         | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 24 |         | Trail / Disc Golf / Drainage / Boxelder Creek                                                                           | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 25 |         | Trail / Ponds / Disc Golf / Drainage with Ballfield                                                                     | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 26 |         | Drainage                                                                                                                | Town of Wellington                                                | Public                   | No (disc golf) | ory an                      | P - Public       | P - Public       | P - Public                                    |
| A 27 |         | Winnick Park / Playground / Open Space                                                                                  | Town of Wellington                                                | Public                   | Yes            | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 28 |         | Drainage                                                                                                                | Town of Wellington                                                | Public                   | No             | No                          | P - Public       | P - Public       | C-3                                           |
| A 29 |         | Wellington Middle/High School                                                                                           | Poudre School District                                            | Public                   | School         | Yes                         | P - Public       | P - Public       | P - Public                                    |
| A 30 |         | Private Owner / Drainage                                                                                                | Assure LLC                                                        | Private                  | No             | No                          | P - Public       | P - Public       | LI                                            |
| A 31 |         | HOA Open Space / Drainage                                                                                               | Boxelder Business Park Assn.                                      | Private                  | No             | No                          | P - Public       | P - Public       | LI                                            |
| B 1  |         | Water plant in the county                                                                                               | Town of Wellington                                                | Public                   | No             | No                          | County           | County           | County                                        |
| B 2  |         | HOA / Open Space / Drainage / Street Lawns                                                                              | Sundance at Daubert Farm Holdings LLC                             | Private                  | No - HOA       | No                          | R-2              | R-2              | R-2                                           |
| B 3  |         | HOA / Street Lawns                                                                                                      | Buffalo Creek Subdivision at Wellington                           | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 4  |         | HOA / Drainage                                                                                                          | Three Silos Homeowners                                            | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 5  |         | Windsor Ditch                                                                                                           | WRCC Inc                                                          | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 6  |         | Windsor Ditch                                                                                                           | WRCC Inc                                                          | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 7  |         | HOA / Open Space / Pocket Parks / Drainage                                                                              | Wellington Pointe Community                                       | Private                  | No - HOA       | Yes - HOA                   | R-2 (one part P) | R-2              | R-2                                           |
| B 8  |         | HOA / Drainage                                                                                                          | Wellington Pointe Community                                       | Private                  | No             | No                          | None             | R-3              | R-3                                           |
| B 9  |         | HOA / Open Space / Drainage/ Trail (future)                                                                             | SH of Colorado Inc                                                | Private                  | Yes            | Yes                         | PUD & R-2        | PUD & R-2        | PUD & R-2                                     |
| B 10 |         | HOA / Open Space / Drainage / Street Lawns                                                                              | Hartford Homes at Harvest Village LLC                             | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 11 |         | HOA / Open Space / Drainage / Basketball Court                                                                          | Homeowners Association Wellington South                           | Private                  | No - HOA       | No                          | R-2              | R-2              | R-2                                           |
| B 12 |         | HOA / Open Space / Drainage / Street Lawns                                                                              | Mountain View Ranch Homeowners                                    | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 13 |         | Cemetery in the county                                                                                                  | Town of Wellington                                                | Public                   | Yes            | No                          | County           | County           | County                                        |
| B 14 |         | HOA / Drainage                                                                                                          | Cottonwood Park at Meadows Association                            | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 15 |         | HOA / Buffer I-25                                                                                                       | Park Meadows of Wellington                                        | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 16 |         | HOA / Buffer / Drainage                                                                                                 | Meadows at Wellington Homeowners                                  | Private                  | No             | No                          | R-2              | R-2              | R-2                                           |
| B 17 |         | Open Space / Trail (future)                                                                                             | Town of Wellington                                                | Public                   | Yes (future)   | Yes (future)                | R-2              | R-2              | R-2                                           |
| B 18 |         | HOA / Open Space / Drainage / Trail (future)                                                                            | SH of Colorado Inc                                                | Private                  | Yes (future)   | Yes (future)                | R-2              | R-2              | R-2                                           |
| B 19 |         | Town Building                                                                                                           | Town Municipal Services Building                                  | Public                   | Yes            | No                          | TR               | C-2              | C-2                                           |
| B 20 |         | Town Building                                                                                                           | Old Town Hall (Cleveland Ave)                                     | Public                   | Yes            | No                          | C-2              | C-2              | C-2                                           |



## **Board of Trustees Meeting**

**Date:** March 28, 2023  
**Subject:** Ordinance No. 03-2023: An Ordinance of the Town of Wellington, Colorado, Amending the Official Zoning Map of the Town

- **Presenter: Cody Bird (Planning Director)**

### **BACKGROUND / DISCUSSION**

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Consideration of Ordinance No. 03-2023 is related to the public hearing on proposed amendments to the Official Zoning Map of the Town. Please reference agenda packet materials from the public hearing.

A draft ordinance for adoption of amendments to the Official Zoning Map of the Town is included for consideration. The proposed amendments to the Official Zoning Map as recommended by the Town Planning Commission is also attached.

### **STAFF RECOMMENDATION**

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Below are possible motion options for the Board to consider:

- Move to approve Ordinance No. 03-2023: An Ordinance Amending the Official Zoning Map of the Town.
- Move to approve Ordinance No. 03-2023 with amendments as the Board of Trustees deems appropriate.
- Move to postpone consideration of Ordinance No. 03-2023 and provide guidance to staff as requested modifications.
- Move to send the Zoning Map back to the Planning Commission for further consideration and specify what topic(s) to request the Planning Commission provide additional recommendations.
- Move to deny Ordinance No. 03-2023.

### **ATTACHMENTS**

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1. Ordinance No. 03-2023
2. Official Zoning Map - Adoption Draft

TOWN OF WELLINGTON

ORDINANCE NO. 03-2023

AN ORDINANCE OF THE TOWN OF WELLINGTON, COLORADO, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN.

WHEREAS, the Board of Trustees is authorized, pursuant to C.R.S. § 31-23-301 *et seq.*, to adopt zoning districts of such size, shape and area as may be deemed best suited to carry out the purposes of the zoning powers granted by said enabling statutes; and

WHEREAS, the Board of Trustees is authorized to amend, supplement, change, modify or repeal such zoning district boundaries from time to time; and

WHEREAS, the Town of Wellington Planning Commission adopted the Wellington Comprehensive Plan 2021 as the official Master Plan of the Town pursuant to C.R.S. § 31-23-206, *et seq.* with passage of Resolution PC-01-2021; and

WHEREAS, the Board of Trustees by passage of Resolution 26-2021, ratified the decision of the Planning Commission adopting the Wellington Comprehensive Plan as the official Master Plan for the Town of Wellington; and

WHEREAS, the Town of Wellington adopted Ordinance No. 07-2022 amending the Town's Land Use Code, including amendments to zoning districts and zoning regulations; and

WHEREAS, the Town desires to amend the zoning district boundaries established on the Official Zoning Map of the Town for consistency with and to further the implementation of the adopted Comprehensive Plan and Land Use Code; and

WHEREAS, the Planning Commission and Town staff engaged in a series of work sessions and public meetings between May 2022 and September 2022 to consider and make recommendations for amendments to the Official Zoning Map; and

WHEREAS, the Planning Commission held a duly advertised public hearing for consideration of amendments to the Official Zoning Map on December 5, 2022, and after hearing and consideration of public testimony, the Planning Commission voted to forward a recommendation to the Board of Trustees to adopt amendments to the Official Zoning Map; and

WHEREAS, the Board of Trustees was presented with an update on the zoning map amendments on December 13, 2022 and held a public work session to consider the recommended amendments to the Official Zoning Map on January 24, 2023; and

WHEREAS, subsequent to the Planning Commission's recommendation, the Planning Commission requested to consider additional amendments related to the P – Public Zoning District, and following a work session on February 6, 2023 and considerations and public comments at a regular meeting on March 6, 2023, voted to forward a recommendation to the Board

of Trustees to adopt amendments to the Official Zoning Map including amendments related to the P – Public Zoning Districts; and

WHEREAS, draft versions of the zoning map amendments were maintained continuously on the Town’s website and updated regularly with changes being considered; and

WHEREAS, notice of a public hearing by the Board of Trustees has been duly provided by evidence of publication of a notice in the Fort Collins Coloradoan, the Town’s official newspaper on March 13, 2023, at least 15 days prior to the date of the public hearing; and

WHEREAS, notice of the public hearing by the Board of Trustees was mailed to owners of record for properties affected by the recommended amendments to the Official Zoning Map; and

WHEREAS, the Board of Trustees held a duly advertised public hearing on March 28, 2023, at which parties in interest and citizens had an opportunity to be heard; and

WHEREAS, it has been determined by the Board of Trustees of the Town of Wellington, following the public hearing, that the Official Zoning Map of the Town should be amended.

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

1. Adoption. 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 Official Zoning Map of the Town is hereby amended and all previous versions of the zoning map are hereby superseded and replaced.
2. Validity. The Board of Trustees hereby declares that should any section, paragraph, sentence, word or other portion of this ordinance or the rules and regulations adopted herein be declared invalid for any reason, such invalidity shall not affect any other portion of this ordinance or said rules and regulations, and the Board of Trustees hereby declares that it would have passed all other portions of this ordinance and adopted all other portions of said rules and regulations, independent of the elimination here from of any such portion which may be declared invalid.
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 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 28<sup>th</sup> day of March, 2023 and ordered to become effective 30 days from the date of publication.

TOWN OF WELLINGTON, COLORADO

By: \_\_\_\_\_  
Calar Chaussee, Mayor

ATTEST:

\_\_\_\_\_  
Ethan Muhs, Town Clerk





Official Zoning District Map  
Town of Wellington, Colorado

- A - Agriculture

R-1 - Residential Rural

R-2 - Residential Low Density

R-3 - Residential Medium Density

R-4 - Downtown Neighborhoods

PUD - Planned Unit Development
- C-1 - Community Commercial
- C-2 - Downtown Commercial
- C-3 - Mixed-use Commercial
- LI - Light Industrial
- I - Industrial
- P - Public

March 28, 2023

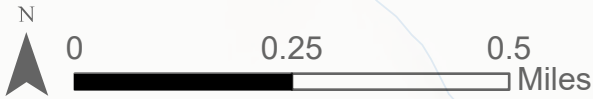
This is to certify that this is the Official Zoning Map of the Town of Wellington, Colorado, together with the ordinances and dates of the most recent amendments to zone district boundaries shown thereon.

Mayor

Attest:

Town Clerk

Ord. No. 03-2023: Amending town-wide to reflect changes in the land use code (03/28/2023)



## **Board of Trustees Meeting**

**Date:** March 28, 2023  
**Subject:** KLC2, LLC dba Wellington Manor - Modification of Premises

- **Presenter: Ethan Muhs (Town Clerk)**

### **BACKGROUND / DISCUSSION**

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KLC2, LLC dba Wellington Manor has submitted an application for a modification of their liquor licensed premises. Wellington Manor has a Lodging and Entertainment Liquor License that has an expiration date of August 9, 2023; the business has purchased the vacant lot that adjoins the current property. The modification of premises would expand the current area of the liquor license to include the purchased lot as noted on the diagram included in the packet. The required application and documentation has been submitted and appropriate fees have been received. In making its decision with respect to any proposed changes, the licensing authority must consider whether the premises as modified will meet the requirements of the Colorado Liquor Code. Factors to be taken into account by the licensing authority when considering the modification of premises include:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
2. The possession, by the licensee, of the changed premises by ownership, lease, rental or other arrangement.
3. Compliance with the applicable zoning laws of the municipality.
4. Compliance with the distance prohibition in regard to any public or parochial school or the principal campus of any college, university or seminary.

### **STAFF RECOMMENDATION**

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1. Move to approve the Modification of Premises for KLC2, LLC dba Wellington Manor.
2. Move to postpone consideration of the Modification of Premises for KLC2 LLC dba Wellington Manor to a specific date and time and provide direction regarding additional information or amendments the Trustees would like to request for further consideration.
3. Move to deny the application. If the modification of premises is denied, the licensing authority shall give notice in writing and shall state the grounds on which the application was denied. The licensee shall be entitled to a hearing on the denial if a request in writing is made to the licensing authority within fifteen days after the date of the notice.

### **ATTACHMENTS**

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1. KLC2, LLC\_Modification of Premises
2. Manor\_Change\_of\_Premises\_Letters

## Permit Application and Report of Changes

**All Answers Must Be Printed in Black Ink or Typewritten**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 1. Applicant is a<br><input type="checkbox"/> Corporation ..... <input type="checkbox"/> Individual<br><input type="checkbox"/> Partnership ..... <input checked="" type="checkbox"/> Limited Liability Company                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                              | License Number<br><div style="font-size: 1.2em; font-family: cursive;">03-17345</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                         |
| 2. Name of Licensee<br><div style="font-size: 1.2em; font-family: cursive;">KLC 2, LLC</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                              | 3. Trade Name of Establishment (DBA)<br><div style="font-size: 1.2em; font-family: cursive;">DBA Wellington Manor</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                         |
| 4. Address of Premises (specify exact location of premises)<br><div style="font-size: 1.2em; font-family: cursive;">3922 Cleveland Ave. Wellington, Co.</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                              | 5. Business Email Address<br><div style="font-size: 1.2em; font-family: cursive;">Lisa@FamBeautyRenewd.com</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                         |
| City<br><div style="font-size: 1.2em; font-family: cursive;">Wellington</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | County<br><div style="font-size: 1.2em; font-family: cursive;">Larimer</div> | State<br><div style="font-size: 1.2em; font-family: cursive;">CO</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | ZIP<br><div style="font-size: 1.2em; font-family: cursive;">80549</div> |
| Business Phone Number<br><div style="font-size: 1.2em; font-family: cursive;">970-218-2217</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                         |
| <b>SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                         |
| <b>Section A – Manager Reg/Change</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                              | <b>Section C</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                         |
| <input type="checkbox"/> Manager's Registration (Hotel & Restr.) ..... \$30.00<br><br><input type="checkbox"/> Manager's Registration (Tavern) ..... \$30.00<br><br><input type="checkbox"/> Manager's Registration (Lodging & Entertainment) ..... \$30.00<br><br><input type="checkbox"/> Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE<br><br><div style="font-size: 0.8em;"> <i>Please note that Manager's Registration for Hotel &amp; Restaurant, Lodging &amp; Entertainment, and Tavern licenses requires a local fee with submission to the local licensing authority as well. Please reach out to local licensing authorities directly regarding local processing and fees.</i> </div> |                                                                              | <input type="checkbox"/> Retail Warehouse Storage Permit (ea) ..... \$100.00<br><br><input type="checkbox"/> Wholesale Branch House Permit (ea) ..... \$100.00<br><br><input type="checkbox"/> Change Corp. or Trade Name Permit (ea) ..... \$50.00<br><br><input type="checkbox"/> Change Location Permit (ea) ..... \$150.00<br><br><input type="checkbox"/> Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change ..... \$150.00<br><br><input checked="" type="checkbox"/> Change, Alter or Modify Premises<br><div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> <span>\$150.00 x 1</span> <span>Total Fee: \$150<sup>00</sup></span> </div> <input type="checkbox"/> Addition of Optional Premises to Existing H/R<br><div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> <span>\$100.00 x</span> <span>Total Fee:</span> </div> <input type="checkbox"/> Addition of Related Facility to an Existing Resort or Campus Liquor Complex<br><div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> <span>\$160.00 x</span> <span>Total Fee:</span> </div> <input type="checkbox"/> Campus Liquor Complex Designation ..... No Fee<br><br><input type="checkbox"/> Sidewalk Service Area ..... \$75.00 |                                                                         |
| <b>Section B – Duplicate License</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                         |
| <input type="checkbox"/> Duplicate License ..... \$50.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                         |

| Do Not Write in This Space – For Department of Revenue Use Only                                                                                                                                                                                                                                                                                                                             |                        |                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------------------------|
| Date License Issued                                                                                                                                                                                                                                                                                                                                                                         | License Account Number | Period                                                                                    |
| The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically. |                        | <b>TOTAL AMOUNT DUE</b><br><div style="font-size: 1.2em; font-weight: bold;">\$ .00</div> |

## Instruction Sheet

**For All Sections, Complete Questions 1-5 Located on Page 1**

☐ **Section A**

**To Register or Change Managers**, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

**For a Duplicate license**, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

|                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                |                    |                    |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|--------------------|--------------------|
| <b>Storage Permit</b>                      | <p><b>5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit</b></p> <p><input type="checkbox"/> <b>Retail Warehouse Permit for:</b></p> <p style="margin-left: 20px;"><input type="checkbox"/> On-Premises Licensee (Taverns, Restaurants etc.)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Off-Premises Licensee (Liquor stores)</p> <p><input type="checkbox"/> <b>Wholesalers Branch House Permit</b></p> <p>Address of storage premise: _____</p> <p>City _____, County _____ ZIP _____</p> <p>Attach a deed/lease or rental agreement for the storage premises.</p> <p>Attach a detailed diagram of the storage premises.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                |                    |                    |
| <b>Change Trade Name or Corporate Name</b> | <p><b>6. Change of Trade Name or Corporation Name</b></p> <p><input type="checkbox"/> Change of Trade name/DBA only</p> <p><input type="checkbox"/> Corporate Name Change (Attach the following supporting documents)</p> <p style="margin-left: 20px;">1. Certificate of Amendment filed with the Secretary of State, or</p> <p style="margin-left: 20px;">2. Statement of Change filed with the Secretary of State, <u>and</u></p> <p style="margin-left: 20px;">3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>                                                                                                                                                                                                                                                                                                                                                                                | Old Trade Name | New Trade Name | Old Corporate Name | New Corporate Name |
| Old Trade Name                             | New Trade Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                |                    |                    |
| Old Corporate Name                         | New Corporate Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |                    |                    |
| <b>Change of Location</b>                  | <p><b>7. Change of Location</b></p> <p><b>NOTE TO RETAIL LICENSEES:</b> An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.</p> <p><b>Date filed with Local Authority</b> _____ <b>Date of Hearing</b> _____</p> <p>(a) Address of current premises _____</p> <p style="margin-left: 20px;">City _____ County _____ ZIP _____</p> <p>(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)</p> <p style="margin-left: 20px;">Address _____</p> <p style="margin-left: 20px;">City _____ County _____ ZIP _____</p> <p>(c) New mailing address if applicable.</p> <p style="margin-left: 20px;">Address _____</p> <p style="margin-left: 20px;">City _____ County _____ State _____ ZIP _____</p> <p>(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.</p> |                |                |                    |                    |



|                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change                 | <p><b>8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change</b></p> <p>Select the option that applies to your situation:</p> <p><input type="checkbox"/> Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or</p> <p><input type="checkbox"/> Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2).</p> <p>(a) Address of Location 1: _____</p> <p>City _____ County _____ ZIP _____</p> <p>(b) Address of Location 2: _____</p> <p>City _____ County _____ ZIP _____</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Change of Manager                                                                            | <p><b>9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging &amp; Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S.</b></p> <p>(a) Change of Manager</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment?..... <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Does manager have a financial interest in any other liquor licensed establishment?..... <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give name and location of establishment _____</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area | <p><b>10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area</b></p> <p><b>NOTE:</b> Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed <u>We purchased a vacant lot that adjoins current property that has already been approved for our current liquor license.</u></p> <p>(b) If the modification is temporary, when will the proposed change:</p> <p>Start _____ (mo/day/year) End _____ (mo/day/year)</p> <p><b>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</b></p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?</p> <p>(If yes, explain in detail and describe any exemptions that apply) ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(d) Is the proposed change in compliance with local building and zoning laws?..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises?..... <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>✓ (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.</p> <p>(g) Attach any existing lease that is revised due to the modification.</p> <p>(h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.</p> |



|                                          |                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Campus Liquor Complex Designation</b> | <b>11. Campus Liquor Complex Designation</b><br>An institution of higher education or a person who contracts with the institution to provide food services<br>(a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ..... <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                |
| <b>Additional Related Facility</b>       | <b>12. Additional Related Facility</b><br>To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.<br>(a) Address of Related Facility _____<br>(b) Outlined diagram provided ..... <input type="checkbox"/> Yes <input type="checkbox"/> No |

|                                                                                                                                                                                                                                                                                                                               |                                                         |                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|-------------------------|
| <b>Oath of Applicant</b>                                                                                                                                                                                                                                                                                                      |                                                         |                         |
| I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge                                                                                                   |                                                         |                         |
| Signature<br><i>Kristi Cannon</i>                                                                                                                                                                                                                                                                                             | Print name and Title<br><i>KRISTI CANNON, OWNER</i>     | Date<br><i>3-2-2023</i> |
| <b>Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)</b>                                                                                                                                                                                                                                                       |                                                         |                         |
| The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. <b>Therefore, This Application is Approved.</b> |                                                         |                         |
| Local Licensing Authority (City or County)<br><i>Town of Wellington</i>                                                                                                                                                                                                                                                       | Date filed with Local Authority<br><i>March 2, 2023</i> |                         |
| Signature                                                                                                                                                                                                                                                                                                                     | Title                                                   | Date                    |
| <b>Report of STATE Licensing Authority</b>                                                                                                                                                                                                                                                                                    |                                                         |                         |
| The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.                                                                                                                                                                                                         |                                                         |                         |
| Signature                                                                                                                                                                                                                                                                                                                     | Title                                                   | Date                    |



Order No.: 598-CS0604390-152

Doc Fee: \$25.00

### SPECIAL WARRANTY DEED

THIS DEED, Made this 15th day of November, 2022, between

**Craig A. Beckner and Gloria A. Beckner Revocable Trust Dated February 27, 1995, as their interest may appear, and Bruce A. Beckner and Vicky G. Beckner**

grantor(s), and

**KLC2 Management, LLC, a Colorado Limited Liability Company**

whose legal address is **8217 5th Street, Wellington, CO 80549**

grantee(s);

**WITNESS**, That the grantor(s), for and in consideration of the sum of **Two Hundred Fifty Thousand And No/100 Dollars (\$250,000.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee(s), their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Larimer, State of COLORADO, described as follows:

Lot 2, Wellington Manor Minor Subdivision, Town of Wellington,  
County of Larimer, State of Colorado.

also known by street and number as **8217 5th Street, Wellington, CO 80549**

**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the grantee(s), their heirs, and assigns forever. The grantor(s), for themselves, their heirs and personal representatives or successors, does covenant and agree that they shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee(s), their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s).

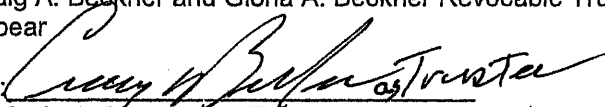
The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, the grantor(s) has executed this deed on the date set forth above.

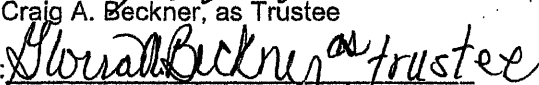
#### GRANTOR:

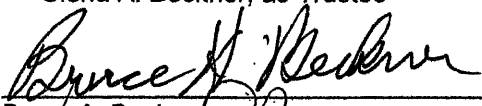
Craig A. Beckner and Gloria A. Beckner Revocable Trust Dated February 27, 1995, as their interest may appear

BY:

  
Craig A. Beckner, as Trustee

BY:

  
Gloria A. Beckner, as Trustee

  
Bruce A. Beckner

# SPECIAL WARRANTY DEED

(continued)

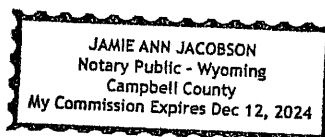
State of Wyoming }  
County of Johnson }ss

The foregoing instrument was acknowledged before me this 11 day of November, 2022, by Craig A. Beckner, Trustee and Gloria A. Beckner, Trustee, of the Craig A. Beckner and Gloria A. Beckner Revocable Trust Dated February 27, 1995, as their interest may appear.

Jamie Ann Jacobson  
Notary Public

My Commission Expires: 12/12/2024

(SEAL)



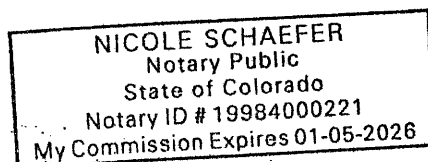
State of Colorado }  
County of Larimer }ss

The foregoing instrument was acknowledged before me this 15th day of November, 2022 by Bruce A. Beckner and Vicky G. Beckner known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same.

Nicole Schaefer  
Notary Public

My Commission Expires: \_\_\_\_\_

(SEAL)



**LEASE AGREEMENT**  
8217 Fifth Street

THIS LEASE AGREEMENT is made and entered into this 21st day of March, 2023 by and between **KLC2 MANAGEMENT, LLC** (*hereinafter* "Lessor") and **KLC2, LLC** (*hereinafter* "Lessee," whether more than one) and is effective and binding for the entirety of the term described herein.

**1. LEASED PREMISES**

Lessor agrees to lease to Lessee, for and in consideration of the payment of rent and the performance by Lessee of the covenants and agreements set forth herein, the following described property (*hereinafter* "Premises"):

Town of Wellington,  
County of Larimer, State of Colorado.

Address to be known as 8217 Fifth Street., Wellington, CO 80549

**2. TERM**

The term of this lease shall be twenty-five (25) years, commencing on April 1, 2023 and ending on April 30, 2048. Upon the end of the initial term and at the end of each renewal term thereafter, this lease shall renew automatically for an additional five (5) year term until such time as the Lessor and Lessee mutually agree to terminate the same.

**3. RENT**

**3.01 Base Rent:** Lessee agrees to pay Lessor base rent monthly in an amount equivalent to the Lessor's monthly mortgage payment and operating expenses. Parties shall negotiate and set the base rent amount every year by April 1.

**3.02 Inclusions:** In addition to space, base rent shall include the following:

- a. Real estate taxes
- b. Building insurance

**3.03 Exclusions:** Base rent shall not include the following:

- a. Utilities
- b. High speed internet access
- c. Computer networking capabilities
- d. Access to a server for data storage or transmission
- e. Copies
- f. Phone-answering services
- g. Secretarial services.

**3.04 Additional Rent:** Lessee will owe Lessor amounts for Additional Rent as stated in various sections of this Agreement.

**3.05 Taxes & Operating Expenses:** Beginning on the date of possession, Lessee shall pay and be solely responsible for any and all personal property taxes assessed against the leased Premises or the contents therein.

Unless otherwise stated herein, Lessee shall be responsible for paying its own operating expenses.

**3.06 Payment Terms:**

- a. All rent payments shall be payable in advance of the month and are due on the first (1<sup>st</sup>) day of every month.
- b. Payments shall be in the form of a check made out to Lessor: KLC2 Management, LLC.
- c. Said payment amounts shall be mailed or delivered to Lessor at the address stated in the Signature section of this lease agreement.

#### **4. SECURITY DEPOSIT**

Upon Lessor's written request, Lessee shall pay Lessor a security deposit in an amount not greater than one month's base rent.

#### **5. WARRANTY OF TITLE**

**5.01 Lessor Entitled to Lease:** Lessor warrants that it is well-seized of the Premises herein demised and that this lease does not breach any prior made agreements that Lessor has with other parties, including mortgagees or other creditors.

**5.02 Subordination:** Notwithstanding the warranty made in Paragraph 5.01 herein, this lease is and shall be subordinate to the deed of trust and any security agreements that the Lessor has granted or will grant to: **Verus Bank of Commerce and B:Side Capital/U.S. Small Business Administration** as security for a loan.

#### **6. LESSOR NOT A PARTNER**

Nothing herein contained shall be deemed, held or construed as creating Lessor as a partner, agent, or associate of or in a joint venture with Lessee in the conduct of business or operations, or as rendering Lessor liable for any debts, liabilities or obligations incurred by Lessee in the conduct of said business or operations, it being expressly understood and agreed that that relationship between the parties hereto is and shall remain at all times that of Lessor and Lessee.

#### **7. PERSONAL PROPERTY**

**7.01 Lessor's Personal Property:** Lessor shall remove all personal property, identified in advance to be such property, before Lessee takes possession of the Premises. Should said removal cause any damage to the Premises, Lessor agrees to restore the same at its expense. Any property not identified in advance to be Lessor's personal property shall become part of the leased Premises.

7.02 Fixtures and Improvements: Partition walls, wiring, plumbing, carpeting wall coverings and any fixtures and improvements which have become an integral part of the Premises, whether installed by the Lessor or Lessee, shall not be removed and shall remain a part of the Premises after the end of the lease term.

## **8. USE OF PREMISES**

8.01 Use: Lessee agrees that it will use and occupy the Premises as and for an event center, office, and other reasonably related activities, including all reasonably related activities for its employees, contractors and customers. No additional or different use of the Premises shall be allowed without the prior written consent of the Lessor.

8.02 Equipment: All equipment shall be placed and maintained by the Lessee at Lessee's expense and the Lessee will remove those items at Lessee's expense prior to the termination of the lease.

8.03 Plumbing, Water Usage: The water and restrooms and other plumbing fixtures shall not be used for any purpose other than those for which they are designed or constructed and no sweepings, rubbish, rags, acids or other substances shall be deposited therein.

## **9. CONDITION OF PREMISES**

9.01 Acceptance: Except as otherwise provided in this lease, Lessee hereby accepts the Premises in the condition existing as of the lease commencement date or the date the Lessee takes possession of the Premises, whichever is earlier, subject to all applicable zoning, municipal, county and state laws, ordinances and regulations governing and regulating the use of the Premises, and any covenants or restrictions of record, and accepts this lease subject thereto and to all matters disclosed thereby and by any exhibits attached hereto.

9.02 Prior Agreements: Notwithstanding the foregoing paragraph, to the extent that any condition and repair or other accommodation related thereto has been negotiated between Lessor and Lessee prior to the lease commencement or possession date, whichever is earlier, and is not yet complete by the earlier of the aforementioned dates, said repair shall commence as soon as reasonably possible and at the expense of the agreed to party.

## **10. REPAIRS & REPLACEMENTS**

10.01 Lessee Obligations: Lessee will be responsible for repairing damage to the Premises and replacing damaged items to the extent such damages are caused by the Lessee, its employees, agents or invitees. Said repairs and replacements shall be made at the sole cost and expense of the Lessee. Repairs and replacements shall be in quality and class equal to the original work or installation.

Lessee shall replace all glass damaged or broken from any fault of the Lessee or Lessee's agents, employees, or clients.

10.02 Lessor Obligations: Lessor shall make all repairs and replacements to the sidewalks and curbs adjacent thereto, if any, except that Lessor will not make repairs and replacements to extent such repairs and replacements are necessary because of an act or omission of the Lessee.



## **11. CLEANING & MAINTENANCE**

### **11.01 Lessee Obligations**

- a. Lessee assumes all maintenance obligations for the leased premises during the term of this lease.
- b. Lessee shall keep the leased Premises clean and in orderly at its own expense.
- c. The Lessee will be responsible for the cleaning of all interior windows, if any, of its Premises.
- d. To the extent applicable, sidewalks, entrance ways, corridors, stairways, etc., shall not be obstructed or encumbered by the Lessee or used for any purpose other than ingress and egress from the Premises. Nothing shall be stored outside the confines of the leased Premises.

## **12. ALTERATIONS, ADDITIONS & IMPROVEMENTS**

**12.01 Building Exterior:** Lessee may not make any alterations, additions, or improvements to the exterior of the building without the prior written consent of the Lessor.

**12.02 Interior of Premises:** Lessee may not make any alterations, additions, or improvements to the interior of the leased Premises without the prior written consent of the Lessor; said consent shall not be unreasonably withheld.

**12.04 Signs:** Signage shall be allowed only with the prior written consent of the Lessor and if in conformity with the Town of Wellington Municipal Code or any applicable sign code. Lessee shall submit a proposal to Lessor for any signage for approval prior to installation. All requests for signage shall be subject to the sole subjective discretion of the Lessor. All sign related expenses, including permits, shall be incurred by the Lessee. It shall be Lessee's responsibility to remove signage upon termination of this lease.

### **12.05 General Provisions**

- a. Any alterations, additions and improvements shall be made at the sole expense of the Lessee.
- b. The Lessee shall be responsible, at the discretion of the Lessor, for removing any alterations and returning the building to the original condition.
- c. No change or alterations shall be undertaken until Lessee shall have procured and paid for all required municipal and other governmental permits and authorizations of the various governmental entities having jurisdiction. All work done in connection with any change or alteration shall be done in a good and workmanlike manner and in compliance with all building and zoning laws, and with other laws, ordinances, orders, rules, regulations and requirements of all federal, state, and local governments having jurisdiction.

## **13. DAMAGE OR DESTRUCTION**

**13.01 Partial Damage or Destruction:** In the event the Premises shall be damaged by fire or other casualty not caused by Lessee, and is rendered untenable in part only, Lessor shall cause the damage to be repaired, and the rent, meanwhile, shall be abated proportionally as to the portion of the Premises rendered untenable to the extent repairs are not paid with insurance proceeds.

13.02 Premises Rendered Untenantable: Except as provided hereinafter, if the Premises shall be rendered wholly untenantable by reason of fire or other casualty, to the extent insurance proceeds do not pay for any necessary repairs, Lessor may cause such damage to be repaired, and the rent meanwhile shall be abated in whole; provided, however, that there shall be no extension of the terms of this lease by reason of such abatement, unless specifically agreed to by the parties. If the Premises shall be rendered wholly untenantable, and if the damage shall be so great that it cannot be fit for occupancy within ninety (90) days from the happening thereof, then either the Lessor or Lessee shall have the option to terminate this lease from the date of the occurrence of such damage, and Lessee shall thereupon surrender to Lessor the Premises and all interests hereunder. Lessee shall pay rent, duly apportioned, up to the time of such termination of the lease.

13.03 Damage or Destruction Caused by Lessee: In case of fire or other casualty caused by the fault, neglect or willful act of Lessee or the presence of toxic and hazardous materials stored on the Premises by Lessee, its employees, agents or invitees, Lessee shall promptly make all necessary repairs to restore the Premises and the building or any portion thereof to their condition prior to such occurrence at Lessee's sole cost and expense and the rent provided for in this lease shall not be abated. Any such repairs will be subject to the review, oversight and approval of the Lessor.

13.04 Lessor Not Liable to Lessee: The Lessor or its agents shall not be liable for any damage to property of the Lessee for any reason. The Lessees are notified that they must obtain their own liability, casualty and all loss coverage insurance for the leased Premises and their personal property therein as stated in Section 14 of this agreement.

## 14. INSURANCE

14.01 Lessor's Insurance: Lessor shall maintain a comprehensive public policy insurance policy of no less than \$1,000,000 of coverage. Such policy will be obtained and paid by the Lessor and will cover the Lessor's losses.

### 14.02 Lessee's Insurance

- a. *Liability Insurance* – Lessee shall obtain and keep in force during the term of this lease a policy of comprehensive general liability insurance in the minimum amount of \$1,000,000 combined single limit for bodily injury and property damage. Lessee shall procure such insurance and pay premiums thereon. Such liability insurance shall include full liability coverage, insuring Lessor and Lessee against liability arising out of the use, occupancy or maintenance of the leased Premises and all areas appurtenant thereto. Property insurance to be provided by Lessee shall cover all loss or damage to the leased Premises in the amount of the full replacement value thereof, providing protection against all perils, including, but not limited to the following: fire, extended coverage, vandalism, malicious mischief, special extended perils (all risk) and sprinkler or other leakage. No such policy shall be cancelable or modified except after ten (10) days written notice to Lessor. If Lessee fails to procure such insurance, Lessor shall have the right to procure such insurance and charge to Lessee the amount of the policy and premiums as Additional Rent.
- b. *Personal Property Insurance* – Lessee is advised by Lessor to obtain and maintain, at the Lessee's option and expense, additional insurance on Lessee's personal property within the Premises.
- c. *Proof of Insurance* – Proof of insurance coverage shall be provided to Lessor within thirty (30) days of execution of this lease.

## **15. ACCESS TO PREMISES**

The Lessor shall have reasonable access to the leased premises during business hours or for emergency repairs. The Lessor will attempt to make arrangements with the Lessee and notify the Lessee prior to entering the premises.

## **16. INDEMNIFICATION**

To the extent lawfully allowed, Lessee hereby releases, discharges and agrees to indemnify and hold harmless the Lessor from any and all claims, demands and liability for any loss, damage or injury, including death, to third persons and their property arising out of or occurring in connection with Lessee's use and occupancy of the Premises due to negligent or willful acts or a failure to act by the Lessee, its agents or invitees. This indemnity shall include all costs and expenses (including, but not limited to, reasonable attorneys' fees) incurred by Lessor in enforcing the terms and conditions of this indemnification.

## **17. CONDEMNATION**

**17.01 No Right to Participation:** Should any part of this premises be taken by condemnation proceedings, Lessee shall not be entitled to negotiate or enter into legal proceedings concerning the said condemnation, nor shall Lessee be entitled to any portion of the consideration paid by the condemning authority to Lessor as a result thereof; nor shall Lessor be considered in default under the terms of this lease.

**17.02 Termination:** As a result of any condemnation proceeding, should the leased Premises or any portion thereof, become untenable by Lessee for the use and purposes for which the premises was initially leased (or for a different or additional use if the same was subsequently agreed to by the Lessor), at the election of either party, this lease may be terminated at such time said Premises is actually so taken by such condemnation proceeding, upon ten (10) days advanced written notice to the other party. Nothing herein contained shall be construed so as to prevent Lessee from pursuing the condemning authority, if Lessee so elects, for economic loss separate from and in addition to the award to Lessor. Notwithstanding the proceeding sentence, Lessor shall not be obligated or liable to Lessee for economic or consequential loss, if any, experienced by Lessee either as the result of said condemnation taking or as a result of the termination of this lease under the term of this Section.

## **18. ASSIGNMENT AND SUBLETTING**

**18.01 Subletting:** Lessee shall not have the right to sublet the Premises unless the prior written consent of the Lessor is obtained. Any sublease must comply with all applicable rules, laws and ordinances of the Town of Wellington, Larimer County and the State of Colorado and must be for no greater than forty-nine percent 49% of Premises by area.

**18.02 Assignments:** Lessee shall not have the right to assign this without the consent of the Lessor. Lessor shall have the right to assign this lease to a duly created business organization owned and operated by said Lessor. Lessor also reserves the right sell the Building at any time. Should such a sale take place, the new owners of the building shall be bound to this lease agreement per Section 24 of this instrument.

## 19. DEFAULT & REMEDIES

19.01 Default: The occurrence of any one of the following events shall constitute default and thus breach of the lease:

- a. The vacating or abandoning of the Premises by the Lessee
- b. The failure by the Lessee to make any payment of rent, Additional Rent due or any other payment required to be made by Lessee hereunder, as and when due, where such failure shall continue for a period of fifteen (15) days after written notice thereof by Lessor to Lessee; Lessee's right to cure expires five (5) days after written notice is postmarked.
- c. The failure by Lessee to observe or perform any of the covenants, conditions or provisions of this lease to be observed and performed by Lessee
- d. The making by Lessee of any general assignment, not otherwise permitted, or a general arrangement for the benefit of creditors; the filing by or against the Lessee to be adjudged insolvent or a petition by the same for reorganization or arrangement under any law relating to bankruptcy (unless, in the case of a petition filed against Lessee, and the same is dismissed within sixty (60) days); the attachment of seizure of substantially all of Lessee's assets located at the Premises where such seizure is not discharged within thirty (30) days; the filing of any lien for unpaid utility charges, Federal, State, FICA, withholding, sales, income or property taxes that is not dismissed or vacated within thirty (30) days
- e. The failure of the Lessor to adhere to any obligations of this lease
- f. The failure of the Lessor to timely pay any and all debts and/or abide by any outstanding obligations related to the Premises that were made prior to or by this agreement
- g. Any illegal activity of the Lessee on the Premises.

19.02 Remedies: In case of any default or breach by either party, as set forth herein, the non-defaulting party may at any time thereafter terminate defaulting party's rights hereunder by any lawful means. Any such termination shall take place only after presenting a written notice and demand and a lapse of the defaulting party's time to cure the default, and shall take place without limiting the Lessor's rights or remedies that Lessor may have if Lessee is in default.

Upon termination, the Lessor may re-enter the premises and if Lessor does that, it shall not be deemed an acceptance of a surrender of the lease, satisfaction or termination of the lease, including but not limited to the lease, nor will it release the Lessee from liability to pay rent and additional monies due as provided herein.

### 19.03 If Lessee Defaults:

- a. Upon default by Lessee, the Lessor at Lessor's discretion may:
  - i. Terminate the lease, OR
  - ii. Resume possession of the premises if abandoned by the Lessee. In such case, the Lessor, may in its own name, but as agent for the Lessee if the rental agreement is not terminated, take possession of the premises in whole or in part for any period of time equal to or less than the remainder of the term; and the Lessor may sublease the premises to another Lessee. The Lessor may so sublease the premises making any changes to the premises that he deems fit or proper. The Lessor is not obligated to re-let the premises and if the Lessor relets the premises the Lessor shall not be required to pay the Lessee any surplus rent, nor will a Lessee be relieved from payment of the difference between the original Lessee's rental price and the subleasing price

**22.03 Holdovers:** In the event Lessee remains in possession of the Premises after the expiration of this lease agreement, but after giving proper notice of Lessee's intent not to renew the lease, the Lessee shall be considered a holdover Lessee. In such circumstance, the Lessor will have the option to evict the Lessee pursuant to state law *or* to treat the Lessee as a month-to-month Lessee. Should Lessor elect to treat the Lessee as a month-to-month Lessee, Lessee agrees to pay rent on the first of every month in the amount applicable to the lease agreement immediately prior to the holdover tenancy and to adhere to all terms and covenants stated in said lease agreement. Said month-to-month tenancy may be ended by either party so long as the terminating party provides at least thirty (30) days written notice to the other party.

**22.04 Severability:** Invalidation of any portion of this lease by a Court of competent jurisdiction shall in no way affect any of the other provisions herein contained which shall remain in full force and effect.

**22.05 Choice of Law and Forum:** Any dispute arising under or related to this lease shall be adjudicated according to the laws of the State of Colorado. Any legal proceeding shall take place in the appropriate Court located in Larimer County, State of Colorado.

### **23. NOTICE**

Wherever under this lease a provision is made for any demand or notice or where it is necessary for either party to give or serve notice or a demand to the other party, said demand or notice shall be in writing and delivered by hand or U.S. Mail, addressed to the parties and addresses set forth in the Signature section of this lease agreement.

### **24. BINDER**

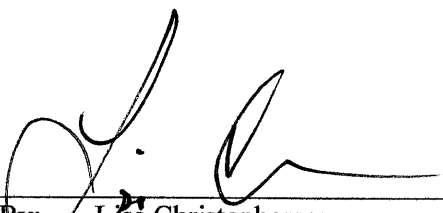
This lease and all of its provisions shall be binding upon and shall inure to the benefit of the parties hereto, their heirs, devisees, successors and beneficiaries.

INTENTIONALLY BLANK

SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this lease as of the day first written above.

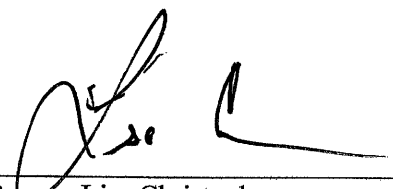
LESSOR – KLC2 MANAGEMENT, LLC

  
By: Lisa Christopherson  
Chief Operating Officer

Mailing Address

4725 Springer Dr.  
Fort Collins, CO 80524

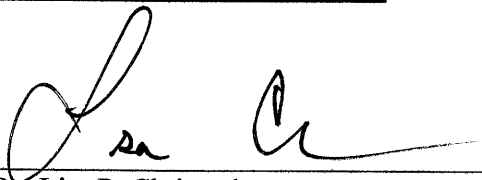
LESSEE – KLC2, LLC

  
By: Lisa Christopherson  
President

Mailing Address:

3922 Cleveland Ave.  
Wellington, CO 80549

LESSEE – POLISHED SPA, LLC

  
By: Lisa R. Christopherson  
President & Member

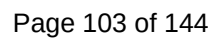
  
By: Kristi L. Cannon  
Vice President & Member

Mailing Address:

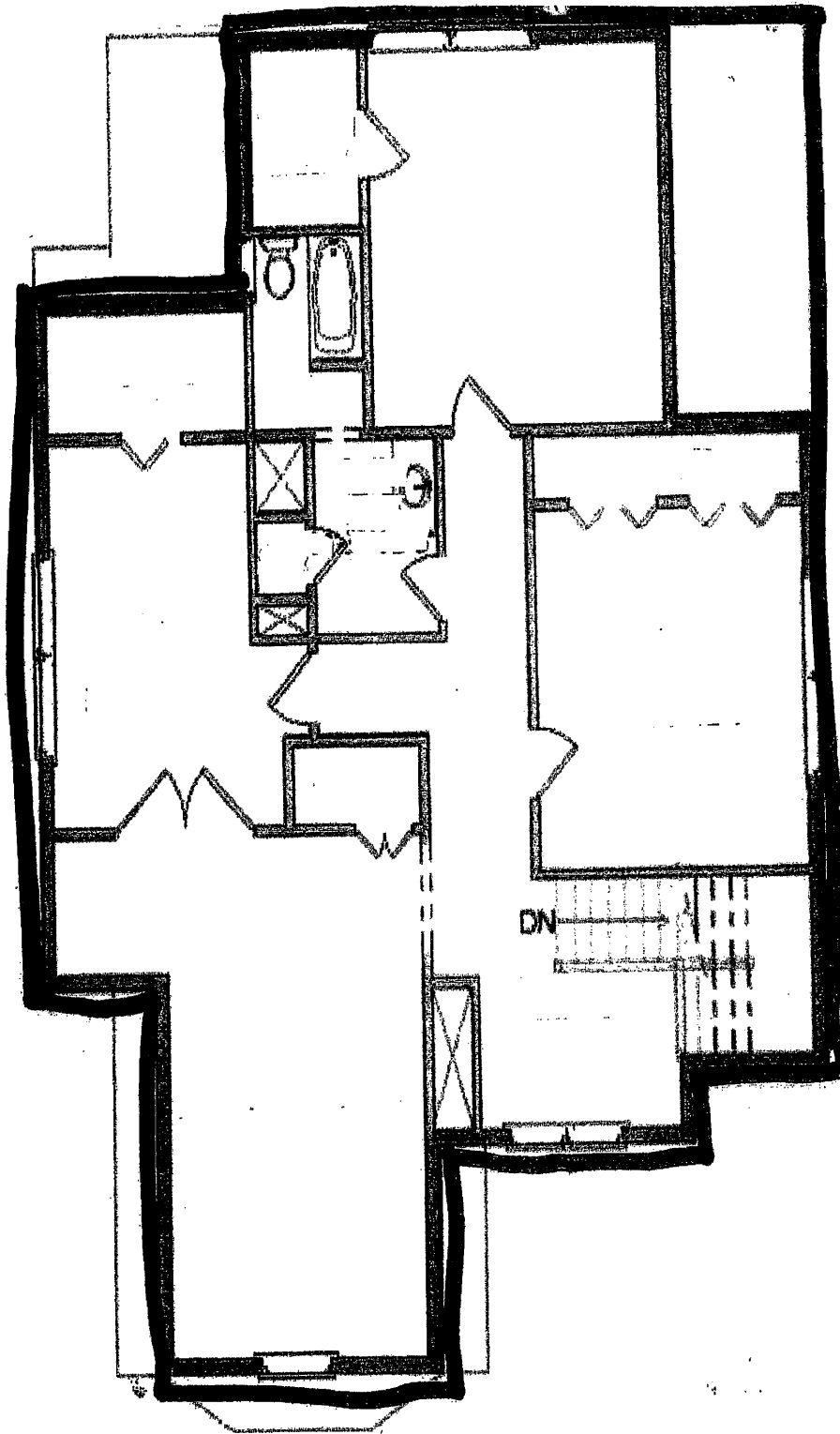
3922 Cleveland Ave.  
Wellington, CO 80549



**OUTDOOR STORAGE AREA &  
NORTHERN LOT BOUNDARY**

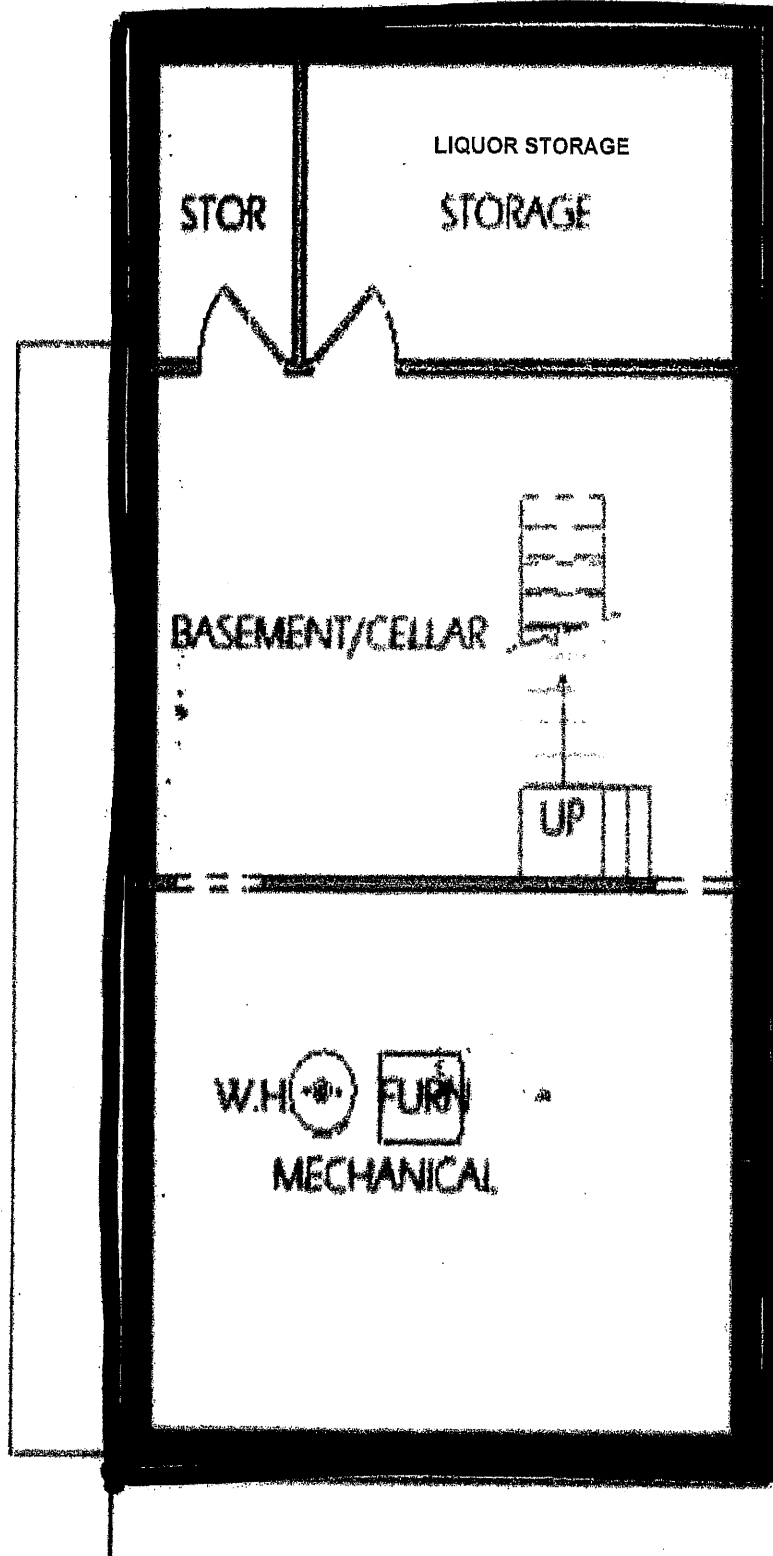


**SECOND  
FLOOR**



KLC2, LLC - LIQUOR APPLICATION

**BASEMENT**



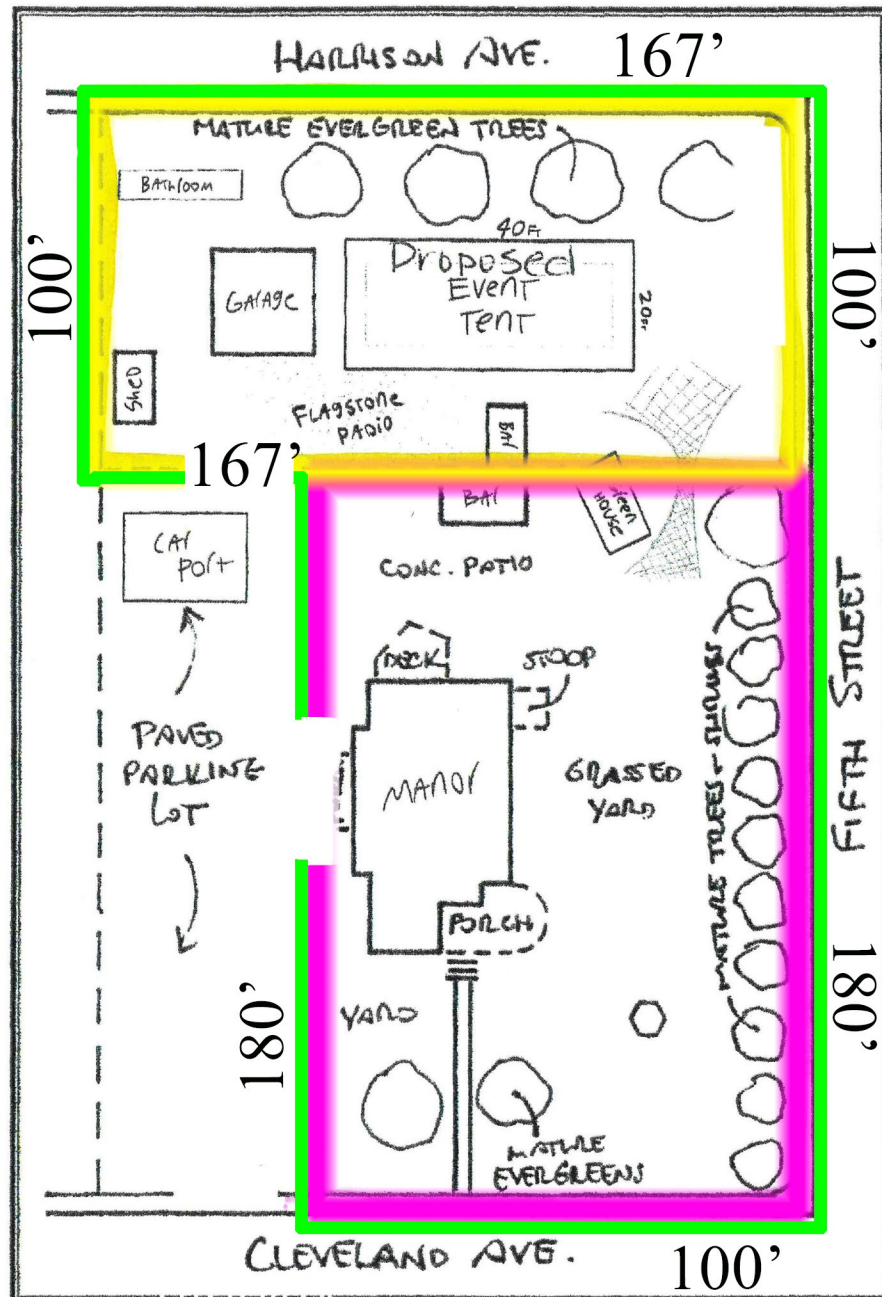
KLC2, LLC - LIQUOR APPLICATION

Proposed addition licensed premise highlighted in yellow. The West, North and East sides of the proposed area are fenced with chained link fencing. We will add a chain boundary at the North side of parking lot.

## Site Diagram

Green outline represents full liquor licensed area. All entrances will have license boundaries and will be monitored during events.

Current licensed premise highlighted in pink



March 21, 2023

All,

I fully support the Wellington Manor/KLC2 LLC expanding their liquor license boundary to their current vacant lot that is directly connected to the approved location. The vacant lot is located at the corner of 5<sup>th</sup> Street and Harrison Ave. The entrance to the property would still come through 3922 Cleveland Ave.

It looks like they are making significant improvements to this previously dilapidated run-down lot which only helps the aesthetics of the entire area.

All noise is shut down by 10pm.

Thank you.

Andrew Tofuri

3909 Harrison Ave.



March 20, 2023

To Whom It May Concern,

Please be aware that no one at my business location has an issue with the Wellington Manor/KLC2 LLC located at 3922 Cleveland Ave. Wellington from expanding their boundary of their liquor license to the adjacent property they currently own. The expanded boundary would include: 8217 5<sup>th</sup> Street, located at the corner of 5<sup>th</sup> St. and Harrison Ave.

We are very supportive of their business and want them to succeed!

Mary C. McCaffrey  
Wellington Area Chamber  
Executive Director

Greg Harrison  
Chamber Chair



March 21, 2023

To the Town of Wellington,

I have no concern with the Wellington Manor or KLC2 LLC expanding their property lines to include the new vacant lot that they own for their state liquor license. It sounds like they have great plans to bring more vitality to downtown Wellington!

This additional property that they own is located at the corner of Harrison and 5<sup>th</sup> Street, and the property line is adjacent to the current approved liquor license boundary.

Thanks,

*Nelda King Li  
King Li Team @ Remax  
4806 Cleveland -  
970-568-3600*

## **Board of Trustees Meeting**

**Date:** March 28, 2023  
**Subject:** KUM & GO LLC dba KUM & GO #934 - Modification of Premises

• **Presenter:** Ethan Muhs (Town Clerk)

### **BACKGROUND / DISCUSSION**

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Kum & Go LC dba Kum & Go #934 has submitted an application for a modification of their liquor licensed premises. Their current license has an expiration date of 12 December, 2023. They have requested the addition of an approximately 3 sq. ft. space to sell wine immediately adjacent to the location where they currently sell beer. The modification would expand the current area of the liquor license to include the purchased lot as noted on the diagram included in the packet. The required application and documentation has been submitted and appropriate fees have been received. In making its decision with respect to any proposed changes, the licensing authority must consider whether the premises as modified will meet the requirements of the Colorado Liquor Code. Factors to be taken into account by the licensing authority when considering the modification of premises include:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
2. The possession, by the licensee, of the changed premises by ownership, lease, rental or other arrangement.
3. Compliance with the applicable zoning laws of the municipality.
4. Compliance with the distance prohibition in regard to any public or parochial school or the principal campus of any college, university or seminary.

### **STAFF RECOMMENDATION**

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1. Move to approve the Modification of Premises for KUM & GO LC dba KUM & GO.
2. Move to postpone consideration of the Modification of Premises for KUM & GO LC dba KUM & GO to a specific date and time and provide direction regarding additional information or amendments the Trustees would like to request for further consideration.
3. Move to deny the application. If the modification of premises is denied, the licensing authority shall give notice in writing and shall state the grounds on which the application was denied. The licensee shall be entitled to a hearing on the denial if a request in writing is made to the licensing authority within fifteen days after the date of the notice.

### **ATTACHMENTS**

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1. Kum\_N\_Go\_ChangeofPremise\_Packet

## Permit Application and Report of Changes

**All Answers Must Be Printed in Black Ink or Typewritten**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                          |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                              |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--|
| 1. Applicant is a <input type="checkbox"/> Corporation ..... <input type="checkbox"/> Individual<br><input type="checkbox"/> Partnership ..... <input checked="" type="checkbox"/> Limited Liability Company                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                          |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | License Number<br><b>12-40424-0025</b>       |  |
| 2. Name of Licensee<br><b>Kum &amp; Go LC</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |                    | 3. Trade Name of Establishment (DBA)<br><b>Kum &amp; Go #934</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                              |  |
| 4. Address of Premises (specify exact location of premises)<br><b>8150 6th Street</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                    | 5. Business Email Address<br><b>licenses@kumandgo.com</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                              |  |
| City<br><b>Wellington</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | County<br><b>Larimer</b> | State<br><b>CO</b> | ZIP<br><b>80549</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Business Phone Number<br><b>515-274-7793</b> |  |
| <b>SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                          |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                              |  |
| <b>Section A – Manager Reg/Change</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                          |                    | <b>Section C</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                              |  |
| <input type="checkbox"/> Manager's Registration (Hotel & Restr.)..... \$30.00<br><br><input type="checkbox"/> Manager's Registration (Tavern) ..... \$30.00<br><br><input type="checkbox"/> Manager's Registration<br>(Lodging & Entertainment) ..... \$30.00<br><br><input type="checkbox"/> Change of Manager (Other Licenses pursuant to<br>section 44-3-301(8), C.R.S.) NO FEE<br><br><i>Please note that Manager's Registration for Hotel &amp;<br/>         Restaurant, Lodging &amp; Entertainment, and Tavern licenses<br/>         requires a local fee with submission to the local licensing<br/>         authority as well. Please reach out to local licensing<br/>         authorities directly regarding local processing and fees.</i> |                          |                    | <input type="checkbox"/> Retail Warehouse Storage Permit (ea) ..... \$100.00<br><br><input type="checkbox"/> Wholesale Branch House Permit (ea)..... \$100.00<br><br><input type="checkbox"/> Change Corp. or Trade Name Permit (ea)..... \$50.00<br><br><input type="checkbox"/> Change Location Permit (ea) ..... \$150.00<br><br><input type="checkbox"/> Winery/Limited Winery Noncontiguous or Primary<br>Manufacturing Location Change..... \$150.00<br><br><input checked="" type="checkbox"/> Change, Alter or Modify Premises<br>\$150.00 x                      Total Fee: <b>150.00</b><br><br><input type="checkbox"/> Addition of Optional Premises to Existing H/R<br>\$100.00 x                      Total Fee:<br><br><input type="checkbox"/> Addition of Related Facility to an Existing Resort or<br>Campus Liquor Complex<br>\$160.00 x                      Total Fee:<br><br><input type="checkbox"/> Campus Liquor Complex Designation ..... No Fee<br><br><input type="checkbox"/> Sidewalk Service Area ..... \$75.00 |                                              |  |
| <b>Section B – Duplicate License</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                          |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                              |  |
| <input type="checkbox"/> Duplicate License ..... \$50.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                          |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                              |  |

|                                                                                                                                                                                                                                                                                                                                                                                                      |                        |                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------|
| <b>Do Not Write in This Space – For Department of Revenue Use Only</b>                                                                                                                                                                                                                                                                                                                               |                        |                                                                                                      |
| Date License Issued                                                                                                                                                                                                                                                                                                                                                                                  | License Account Number | Period                                                                                               |
| The State may convert your check to a one time electronic banking transaction. Your bank account<br>may be debited as early as the same day received by the State. If converted, your check will not<br>be returned. If your check is rejected due to insufficient or uncollected funds, the Department<br>of Revenue may collect the payment amount directly from your bank account electronically. |                        | <b>TOTAL AMOUNT<br/>DUE</b><br>\$ <span style="float: right; font-size: 1.2em;"><b>150.00</b></span> |

## Instruction Sheet

**For All Sections, Complete Questions 1-5 Located on Page 1**

☐ **Section A**

**To Register or Change Managers**, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

**For a Duplicate license**, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☒ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

|                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                |                |                    |                    |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|--------------------|--------------------|
| <b>Storage Permit</b>                      | <p><b>5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit</b></p> <p><input type="checkbox"/> <b>Retail Warehouse Permit for:</b></p> <p style="margin-left: 20px;"><input type="checkbox"/> On–Premises Licensee (Taverns, Restaurants etc.)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Off–Premises Licensee (Liquor stores)</p> <p><input type="checkbox"/> <b>Wholesalers Branch House Permit</b></p> <p>Address of storage premise: _____</p> <p>City _____, County _____ ZIP _____</p> <p>Attach a deed/lease or rental agreement for the storage premises.</p> <p>Attach a detailed diagram of the storage premises.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                |                    |                    |
| <b>Change Trade Name or Corporate Name</b> | <p><b>6. Change of Trade Name or Corporation Name</b></p> <p><input type="checkbox"/> Change of Trade name/DBA only</p> <p><input type="checkbox"/> Corporate Name Change (Attach the following supporting documents)</p> <p style="margin-left: 20px;">1. Certificate of Amendment filed with the Secretary of State, or</p> <p style="margin-left: 20px;">2. Statement of Change filed with the Secretary of State, <u>and</u></p> <p style="margin-left: 20px;">3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>                                                                                                                                                                                                                                                                                                                                                                                | Old Trade Name | New Trade Name | Old Corporate Name | New Corporate Name |
| Old Trade Name                             | New Trade Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |                |                    |                    |
| Old Corporate Name                         | New Corporate Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                |                    |                    |
| <b>Change of Location</b>                  | <p><b>7. Change of Location</b></p> <p><b>NOTE TO RETAIL LICENSEES:</b> An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.</p> <p><b>Date filed with Local Authority</b> _____ <b>Date of Hearing</b> _____</p> <p>(a) Address of current premises _____</p> <p style="margin-left: 20px;">City _____ County _____ ZIP _____</p> <p>(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)</p> <p style="margin-left: 20px;">Address _____</p> <p style="margin-left: 20px;">City _____ County _____ ZIP _____</p> <p>(c) New mailing address if applicable.</p> <p style="margin-left: 20px;">Address _____</p> <p style="margin-left: 20px;">City _____ County _____ State _____ ZIP _____</p> <p>(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.</p> |                |                |                    |                    |

|                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Winery/Limited Winery/Noncontiguous or Primary Manufacturing Location Change                 | <p><b>8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change</b></p> <p>Select the option that applies to your situation:</p> <p><input type="checkbox"/> Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or</p> <p><input type="checkbox"/> Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2).</p> <p>(a) Address of Location 1: _____</p> <p>City _____ County _____ ZIP _____</p> <p>(b) Address of Location 2: _____</p> <p>City _____ County _____ ZIP _____</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Change of Manager                                                                            | <p><b>9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging &amp; Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S.</b></p> <p>(a) Change of Manager</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Does manager have a financial interest in any other liquor licensed establishment? ..... <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give name and location of establishment _____</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area | <p><b>10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area</b></p> <p><b>NOTE:</b> Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed <u>Removing 3 feet of non-alcohol product and replacing with 3 feet of wine product</u></p> <p>_____</p> <p>_____</p> <p>(b) If the modification is temporary, when will the proposed change:</p> <p>Start _____ (mo/day/year) End _____ (mo/day/year)</p> <p><b>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</b></p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?</p> <p>(If yes, explain in detail and describe any exemptions that apply) ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(d) Is the proposed change in compliance with local building and zoning laws? ..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.</p> <p>(g) Attach any existing lease that is revised due to the modification.</p> <p>(h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.</p> |



|                                          |                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Campus Liquor Complex Designation</b> | <b>11. Campus Liquor Complex Designation</b><br>An institution of higher education or a person who contracts with the institution to provide food services<br>(a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ..... <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                |
| <b>Additional Related Facility</b>       | <b>12. Additional Related Facility</b><br>To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.<br>(a) Address of Related Facility _____<br>(b) Outlined diagram provided ..... <input type="checkbox"/> Yes <input type="checkbox"/> No |

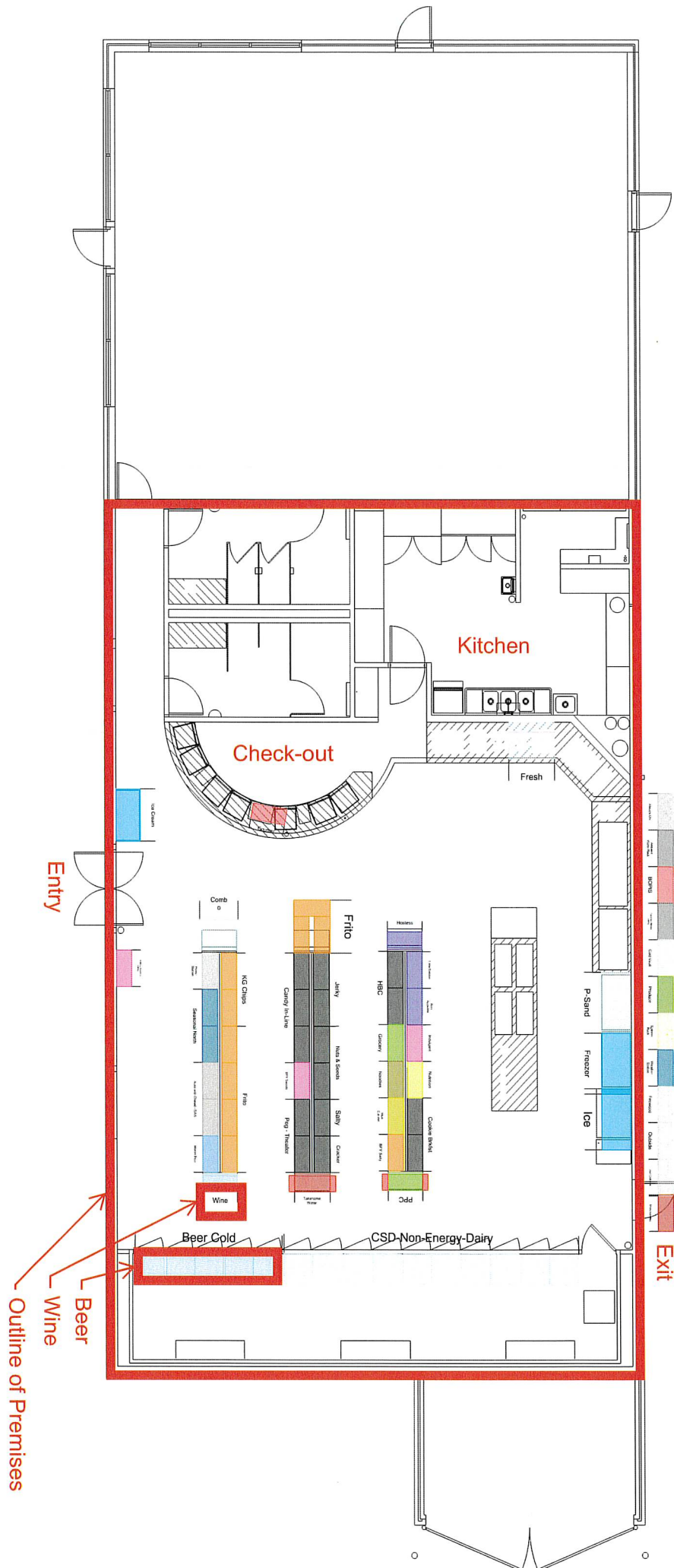
|                                                                                                                                                                                                                                                                                                                               |                                                            |                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|---------------------------------------------------------|
| <b>Oath of Applicant</b>                                                                                                                                                                                                                                                                                                      |                                                            |                                                         |
| I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge                                                                                                   |                                                            |                                                         |
| Signature<br><i>Camille Hayes</i>                                                                                                                                                                                                                                                                                             | Print name and Title<br>Camille Hayes - Compliance Analyst | Date<br>3/1/2023                                        |
| <b>Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)</b>                                                                                                                                                                                                                                                       |                                                            |                                                         |
| The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. <b>Therefore, This Application is Approved.</b> |                                                            |                                                         |
| Local Licensing Authority (City or County)<br><i>Town of Wellington</i>                                                                                                                                                                                                                                                       |                                                            | Date filed with Local Authority<br><i>22 March 2023</i> |
| Signature                                                                                                                                                                                                                                                                                                                     | Title<br><i>Mayor</i>                                      | Date                                                    |
| <b>Report of STATE Licensing Authority</b>                                                                                                                                                                                                                                                                                    |                                                            |                                                         |
| The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.                                                                                                                                                                                                         |                                                            |                                                         |
| Signature                                                                                                                                                                                                                                                                                                                     | Title                                                      | Date                                                    |

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**Kum & Go Store #0934**  
8150 6th Street in Wellington, CO 80549

After



**Kum & Go Store #0934**  
8150 6th Street in Wellington, CO 80549



# **LARIMER COUNTY SHERIFF'S OFFICE**

*John J. Feyen, Sheriff*

---

*One Agency*

*One Mission*

*Public Safety*

---

March 14, 2023

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 **February 2023**, 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 **February 2023**, non-assigned deputies spent a total of **88.93** hours in Wellington responding to calls, patrolling, and making contacts in the town.

During the month of **February 2023** there were **51.0** hours worked by Northern Colorado Drug Task Force.

Investigations – ongoing and active cases include:

- Sex Crime – 4
- Fraud/Forgery – 2
- Theft - 1
- Animal Cruelty – 1
- Criminal Mischief – 1
- Burglary – 1
- Suspicious Circumstances - 1

---

**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

[www.larimer.gov/sheriff](http://www.larimer.gov/sheriff)

**Of Note:**

- Deputies continue to conduct drug interdiction traffic stops of vehicles leaving the areas of known drug activity. Deputies are closely working with the Northern Colorado Drug Task Force to share information and conduct joint surveillance of suspected drug houses. Multiple suspects have already been arrested for felony drug charges and valuable intelligence has been gathered.
- Municipal Code Violations saw a dramatic increase (4400%) in February due to a change in how we are addressing parking issues in town. Anytime a deputy would contact an improperly parked vehicle in town, it was incorrectly being entered by dispatch as a traffic contact. Because those contacts are now being entered as an ordinance violation, the statistics are obviously showing a dramatic change over previous months.
- Wellington deputies have stepped up their foot patrols along Cleveland Avenue, interacting with citizens and conducting more bar checks. As a result, bar checks will continue to see a dramatic increase over last year.

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

Thank you,



Captain Ian Stewart  
(970) 619-4649  
Attachments



## LARIMER COUNTY SHERIFF'S OFFICE

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

Dispatch Dates between 02/01/2023 and 02/28/2023

Excluded from this report -

Squads: Civilian, Parks, and Investigations

Units: 9ME\*, 9S27;9Z10;9E64;9E53;9E31;9E75;9E57;9E66;9E49;9E7;9X106

### Call Times by Month

|         | Call/Contact Time<br>(Minutes/Hours) | Patrol Time<br>(Minutes/Hours) | Totals            |
|---------|--------------------------------------|--------------------------------|-------------------|
| 2023-02 | 3,733.9<br>62.23                     | 1,601.85<br>26.7               | 5,335.75<br>88.93 |
| Totals  | 3,733.9<br>62.23                     | 1,601.85<br>26.7               | 5,335.75<br>88.93 |



# Wellington Monthly Report

February 2023

Larimer County Sheriff's Office

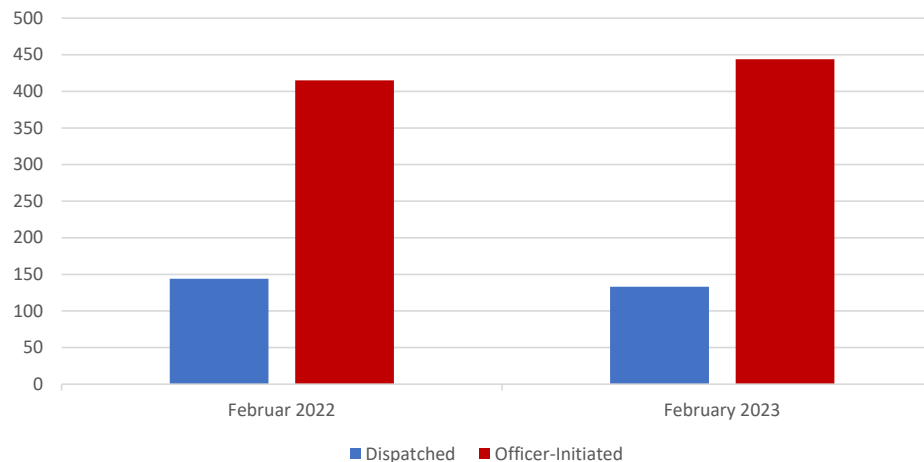
Christine Harpel  
Administrative Coordinator  
3/3/2023

# February 2023 Totals

## Dispatched / Officer-Initiated Activity

|                     |     |
|---------------------|-----|
| Dispatched Calls    | 133 |
| Officer Initiated   | 444 |
| February 2023 Total | 577 |

Dispatched vs Officer-Initiated Activity



- Dispatched calls were Down 11 or - 8% from February 2022
- Officer-Initiated Activity was Up 29 or 7% from February 2022

|                   | Feb 2022 | Feb 2023 |
|-------------------|----------|----------|
| Dispatched Calls  | 144      | 133      |
|                   | 26%      | 23%      |
| Officer Initiated | 415      | 444      |
|                   | 74%      | 77%      |
| Total             | 559      | 577      |

➤ 23% were Dispatched Calls

➤ 77% was Officer-Initiated Activity

# February 2023 Calls for Service

## Calls for Service Comparison

Call Types A-M

| Call Type                      | 2020 | 2021 | 2022 | Avg 20-22 | 2023 | % Change 3-Yr Avg to 2022 |
|--------------------------------|------|------|------|-----------|------|---------------------------|
| 9-1-1 Hangup                   | 4    | 0    | 2    | 2.00      | 1    | -50%                      |
| Alarm Calls                    | 7    | 7    | 5    | 6.33      | 5    | -21%                      |
| Alcohol Calls                  | 1    | 0    | 0    | 0.33      | 0    | -100%                     |
| Animal Calls                   | 10   | 8    | 7    | 8.33      | 9    | 8%                        |
| Assault                        | 2    | 2    | 0    | 1.33      | 2    | 50%                       |
| Assist Business                | 0    | 2    | 6    | 2.67      | 3    | 13%                       |
| Assist Other Agency (Fire/Med) | 11   | 11   | 6    | 9.33      | 11   | 18%                       |
| Bar Checks                     | 4    | 0    | 0    | 1.33      | 9    | 575%                      |
| Burglary                       | 2    | 1    | 0    | 1.00      | 1    | 0%                        |
| Child abuse                    | 0    | 1    | 2    | 1.00      | 1    | 0%                        |
| Citizen Assist                 | 14   | 20   | 28   | 20.67     | 18   | -13%                      |
| Civil                          | 7    | 20   | 9    | 12.00     | 10   | -17%                      |
| Criminal Mischief              | 3    | 2    | 1    | 2.00      | 1    | -50%                      |
| Disturbance                    | 7    | 5    | 7    | 6.33      | 4    | -37%                      |
| Drug case                      | 3    | 2    | 1    | 2.00      | 2    | 0%                        |
| DUI Arrest                     | 7    | 1    | 1    | 3.00      | 0    | -100%                     |
| Extra Checks & Business Check  | 186  | 212  | 170  | 189.33    | 198  | 5%                        |
| Family Problems                | 14   | 3    | 8    | 8.33      | 11   | 32%                       |
| Fireworks Complaint            | 0    | 0    | 0    | 0.00      | 1    | NC                        |
| Follow up                      | 38   | 21   | 29   | 29.33     | 35   | 19%                       |
| Found property                 | 1    | 2    | 1    | 1.33      | 2    | 50%                       |
| Fraud                          | 8    | 6    | 6    | 6.67      | 6    | -10%                      |
| Harassment                     | 3    | 8    | 3    | 4.67      | 6    | 29%                       |
| Juvenile Problem               | 2    | 1    | 3    | 2.00      | 3    | 50%                       |
| Littering                      | 1    | 0    | 0    | 0.33      | 0    | -100%                     |
| Lost Property                  | 0    | 3    | 0    | 1.00      | 3    | 200%                      |
| Mental Health Call             | 0    | 1    | 0    | 0.33      | 3    | 800%                      |
| Missing Person (Child/Adult)   | 2    | 1    | 3    | 2.00      | 1    | -50%                      |
| Motor Vehicle Accident         | 3    | 4    | 8    | 5.00      | 3    | -40%                      |
| Municipal Code Violation       | 1    | 0    | 0    | 0.33      | 15   | 4400%                     |

Call Types N-Z

| Call Type                     | 2020       | 2021       | 2022       | Avg 20-22     | 2023       | % Change 3-Yr Avg to 2022 |
|-------------------------------|------------|------------|------------|---------------|------------|---------------------------|
| Neighbor Problems             | 3          | 0          | 3          | 2.00          | 1          | -50%                      |
| Noise\Party Complaint         | 2          | 3          | 3          | 2.67          | 4          | 50%                       |
| Pedestrian Contact/Subject St | 0          | 3          | 12         | 5.00          | 5          | 0%                        |
| Private Tow                   | 2          | 2          | 3          | 2.33          | 0          | -100%                     |
| REDDI Report                  | 0          | 1          | 2          | 1.00          | 2          | 100%                      |
| Restraining Order Violation   | 3          | 0          | 2          | 1.67          | 5          | 200%                      |
| Robbery                       | 0          | 0          | 1          | 0.33          | 0          | -100%                     |
| Safe 2 Tell                   | 0          | 1          | 2          | 1.00          | 2          | 100%                      |
| School Check                  | 7          | 3          | 12         | 7.33          | 7          | -5%                       |
| Sex Offense                   | 0          | 1          | 2          | 1.00          | 5          | 400%                      |
| Sex Offender Check            | 1          | 0          | 0          | 0.33          | 1          | 200%                      |
| Suicide Attempt               | 0          | 4          | 0          | 1.33          | 0          | -100%                     |
| Suicide Threat                | 6          | 2          | 7          | 5.00          | 1          | -80%                      |
| Suspicious Circumstances      | 25         | 14         | 29         | 22.67         | 27         | 19%                       |
| Theft                         | 4          | 5          | 7          | 5.33          | 4          | -25%                      |
| Traffic Problem               | 14         | 10         | 12         | 12.00         | 14         | 17%                       |
| Traffic Pursuit               | 1          | 0          | 0          | 0.33          | 0          | -100%                     |
| Traffic Stop                  | 131        | 72         | 127        | 110.00        | 102        | -7%                       |
| Trespass                      | 1          | 1          | 2          | 1.33          | 0          | -100%                     |
| Vehicle Theft                 | 2          | 3          | 0          | 1.67          | 0          | -100%                     |
| Vehicle Trespass              | 0          | 8          | 1          | 3.00          | 2          | -33%                      |
| VIN Check                     | 3          | 5          | 4          | 4.00          | 10         | 150%                      |
| Warrant Attempt/Arrest        | 9          | 2          | 11         | 7.33          | 3          | -59%                      |
| Weapon Related (menacing, per | 0          | 1          | 0          | 0.33          | 2          | 500%                      |
| Welfare Check                 | 13         | 13         | 10         | 12.00         | 12         | 0%                        |
| Unspecified                   | 0          | 0          | 1          | 0.33          | 4          | 1100%                     |
| <b>TOTALS</b>                 | <b>568</b> | <b>498</b> | <b>559</b> | <b>541.67</b> | <b>577</b> | <b>7%</b>                 |

NC = Not Calculable. Cannot divide by 0.

Calls for Service UP 18 or 3% from February 2022

February 2023 calls UP 7% from January 2020-2022 Average

# February 2023 Call Categories

## Crime Type Averages / Trends

| Property Crimes        |      |      |      |           |      |
|------------------------|------|------|------|-----------|------|
| Call Type              | 2020 | 2021 | 2022 | Avg 20-22 | 2023 |
| Burglary               | 2    | 1    | 0    | 1.00      | 1    |
| Theft                  | 4    | 5    | 7    | 5.33      | 4    |
| Vehicle Theft          | 2    | 3    | 0    | 1.67      | 0    |
| Vehicle Trespass       | 0    | 8    | 1    | 3.00      | 2    |
| Property Crimes Totals | 8    | 17   | 8    | 11.00     | 7    |

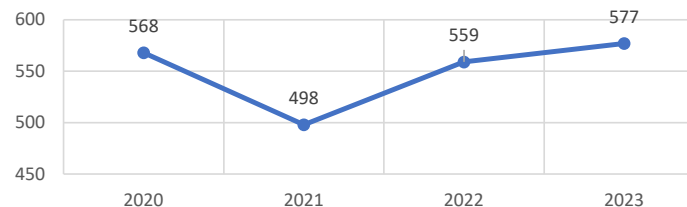
| Persons Crimes               |      |      |      |           |      |
|------------------------------|------|------|------|-----------|------|
| Call Type                    | 2020 | 2021 | 2022 | Avg 20-22 | 2023 |
| Assault                      | 2    | 2    | 0    | 1.33      | 2    |
| Missing Person (Child/Adult) | 2    | 1    | 3    | 2.00      | 1    |
| Robbery                      | 0    | 0    | 1    | 0.33      | 0    |
| Sex Offense                  | 0    | 1    | 2    | 1.00      | 5    |
| Weapon Related (menacing,    | 0    | 1    | 0    | 0.33      | 2    |
| Persons Crimes Totals        | 4    | 5    | 6    | 5.00      | 10   |

| Disorder/Other Crimes    |      |      |      |           |      |
|--------------------------|------|------|------|-----------|------|
| Call Type                | 2020 | 2021 | 2022 | Avg 20-22 | 2023 |
| Alcohol Calls            | 1    | 0    | 0    | 0.33      | 0    |
| Animal Calls             | 10   | 8    | 7    | 8.33      | 9    |
| Criminal Mischief        | 3    | 2    | 1    | 2.00      | 1    |
| Disturbance              | 7    | 5    | 7    | 6.33      | 4    |
| Drug case                | 3    | 2    | 1    | 2.00      | 2    |
| Family Problems          | 14   | 3    | 8    | 8.33      | 11   |
| Harassment               | 3    | 8    | 3    | 4.67      | 6    |
| Juvenile Problem         | 2    | 1    | 3    | 2.00      | 3    |
| Noise\Party Complaint    | 2    | 3    | 3    | 2.67      | 4    |
| Suspicious Circumstances | 25   | 14   | 29   | 22.67     | 27   |
| Trespass                 | 1    | 1    | 2    | 1.33      | 0    |
| Disorder Crimes Totals   | 71   | 47   | 64   | 60.67     | 67   |

Red numbers indicate a DECREASE in crime from February 2022

Yellow backgrounds indicate an INCREASE in crime from February 2020-2022 Average

February 2020-2023 Totals



# February 2023 Traffic

| Traffic Citations        | 2/22 | 2/23 |
|--------------------------|------|------|
| Traffic Citations Issued | 18   | 29   |
| Traffic Warnings         | 87   | 62   |

➤ Citations Issued Up 11

➤ Warnings Down 25

| Call Type              | 2/22 | 2/23 |
|------------------------|------|------|
| Traffic Stop           | 127  | 102  |
| Motor Vehicle Accident | 8    | 3    |
| DUI Arrest             | 1    | 0    |
| Traffic Problem        | 12   | 14   |
| REDDI Report           | 2    | 2    |

➤ Traffic Stops Down 25 or -20%

➤ MV Accidents Down 5

➤ DUI Arrests Down 1

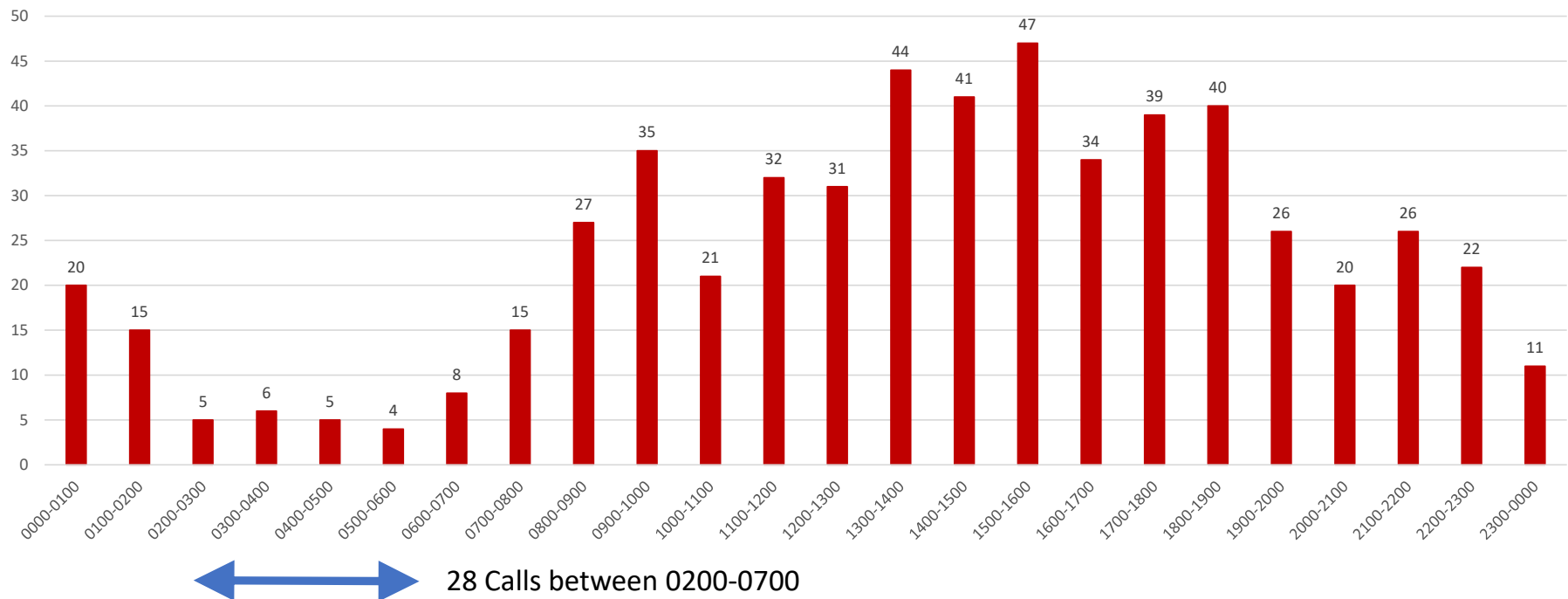
➤ Traffic Problems Up 2

➤ REDDI Reports Equal

# February 2023

## Call Totals by Hour

| Busiest Hours  |
|----------------|
| 1500-1600 (47) |
| 1300-1400 (44) |

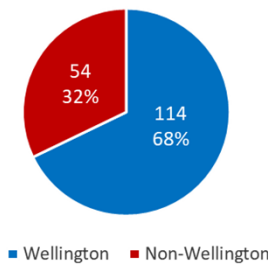




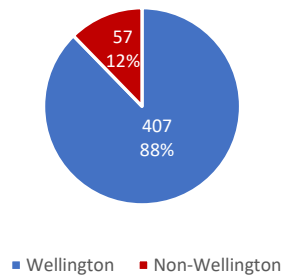
# February 2023

## Wellington/Non-Wellington Units

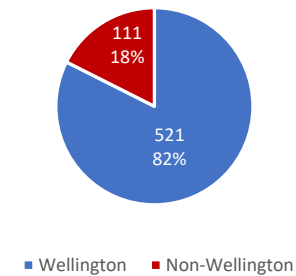
Dispatched



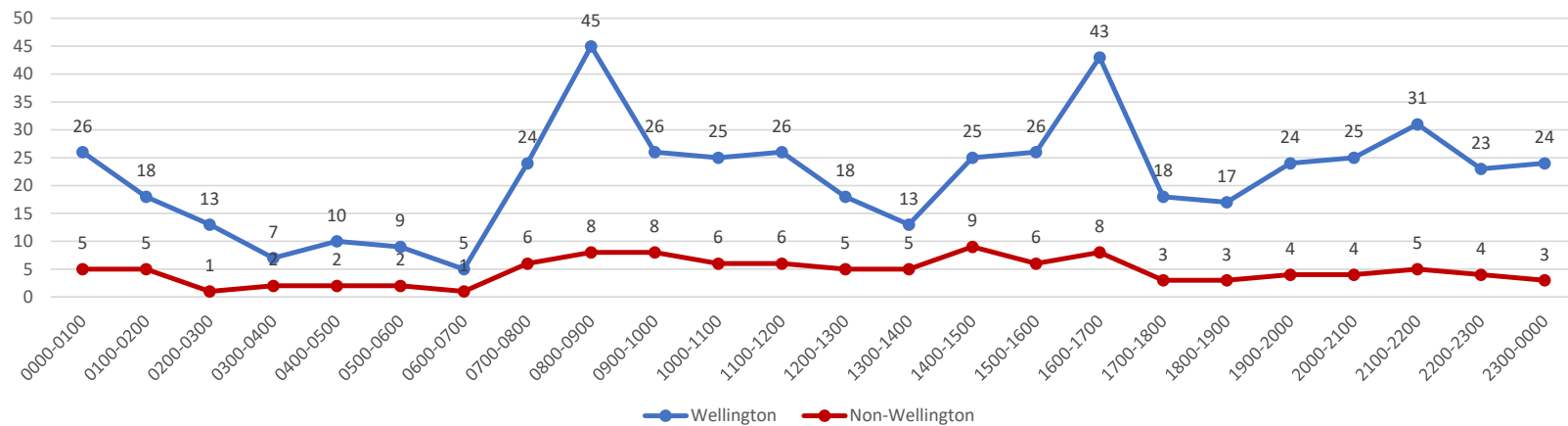
Officer-Initiated



Total Calls



Wellington/Non-Wellington Calls by Hour



# February 2023

Response Times / Time on Calls

Dispatched Calls Only

All Times in Minutes

| <u>Average Response Time (All Units)</u> |  |       |
|------------------------------------------|--|-------|
| High                                     |  | 7.45  |
| Medium                                   |  | 15.06 |
| Low                                      |  | 17.28 |
| Avg. Response Time                       |  | 11.60 |

| <u>Average Time on Calls (All Wellington Calls)</u> |  |  |       |
|-----------------------------------------------------|--|--|-------|
| High                                                |  |  | 42.97 |
| Medium                                              |  |  | 34.83 |
| Low                                                 |  |  | 33.18 |
| Avg. Time                                           |  |  | 36.99 |

## **Board of Trustees Meeting**

**Date:** March 28, 2023  
**Subject:** Town of Wellington Water Quality Report (CCR)

- **Presenter: Meagan Smith (Public Works Deputy Director)**

### **BACKGROUND / DISCUSSION**

---

Please see the attached Water Quality Report

### **STAFF RECOMMENDATION**

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For Trustee information. Staff will be available at the meeting to answer questions regarding the report.

### **ATTACHMENTS**

---

1. DRAFT Water Quality Report 2023



# DRAFT

## ANNUAL WATER

### Quality Report 2023

---

*Data From 2022*

*Public Water System ID: CO0135838*

Esta es información importante.  
Si no la pueden leer, necesitan  
que alguien se la traduzca.





Mayor Calar Chaussee breaking ground for the Water Treatment Plant Expansion in July, 2022.





## A Message From Public Works

### Deputy Director Meagan Smith

We are pleased to present the 2022 Drinking Water Quality Report results to you. Producing safe water that meets the needs of our community today while preparing for changing regulations and future demand is the priority of our team.

In 2022 over 6,400 rigorous water quality tests were completed by an independent lab that meets state and federal approvals to ensure the quality and safety of the water treated in Wellington. We are proud to report that all water quality testing meets or exceeds Safe Water Drinking Act regulations and requirements, continuing the safe drinking water standard in the Town of Wellington.

As a utility, 2022 brought changes in staffing, operation, and facilities as we continue the Water and Wastewater Treatment Plant Expansion projects. Water quality is essential to the well-being and health of our community and therefore is highly regulated by both state and federal agencies.

As a utility, we failed to meet necessary reporting requirements related to our backflow prevention program. Backflow testing was completed; however, documentation of work completed was unavailable during the Sanitary Survey. The lack of available data prevented us from proving and reporting backflow prevention testing had been completed. Additionally, we failed to send the required notification to the State that homeowners were notified of all lead and copper testing results. Finally, one of three chlorine monitors at the water treatment facility malfunctioned resulting in missed testing. The issue was quickly identified, repaired and reported to the State. These violations are noted in the Water Quality Report. We are grateful for our regulatory partners who we have worked with to remedy reporting mistakes and increase staff knowledge around proper reporting to ensure future success.

Regulations require water providers to make the annual drinking water report available to all customers. Utility bill inserts are included in bills sent to all customers or attached to electronic bills to announce the report's availability. Please take the time to read about your water. Transparency will remain a critical pillar of our utility; if you have questions or would like to know more, I encourage you to contact the Town.

Sincerely,

A handwritten signature in black ink that reads "Meagan Smith". The signature is written in a cursive, flowing style.

*Meagan Smith - Public Works Deputy Director*

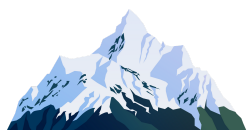


## WHERE YOUR DRINKING WATER COMES FROM

The Town of Wellington has two primary water sources including surface water and groundwater.

### Surface Water

Wellington's largest water supply begins its journey as snow in the Rocky Mountains and flows to the main and north fork of the Poudre River where it is diverted and delivered through more than 23 miles of pipes and canals to reach Reservoir #3.



It takes 10 to 12 inches of Colorado snow to produce 1 acre foot of water.

### Source Water List

- WELL NO. 1 (Groundwater-Well)
- WELL NO. 2 (Groundwater-Well)
- WELL NO. 3 (Groundwater-Well)
- NORTH Poudre IRRIGATION COMPANY CANAL 2 (Surface Water-Intake)
- NORTH Poudre RESERVOIR 3 (Surface Water-Intake)

### Source Water Assessment

The Colorado Department of Public Health and Environment has not provided a Source Water Assessment and Protection (SWAP) for the Town of Wellington.

### Groundwater

A portion of the well system currently used as the source of roughly a quarter of our drinking water is the original well system used to supply water to the Town of Wellington in its founding. These wells also provide non-potable irrigation water for Town parks and local schools.

Wellington is unique with roughly 50% of our community able to access non-potable water (water not treated for consumption) for irrigation. Even with a robust non-potable system, summer months bring more than a 50% increase in potable water demand (treated drinking water) for irrigation.





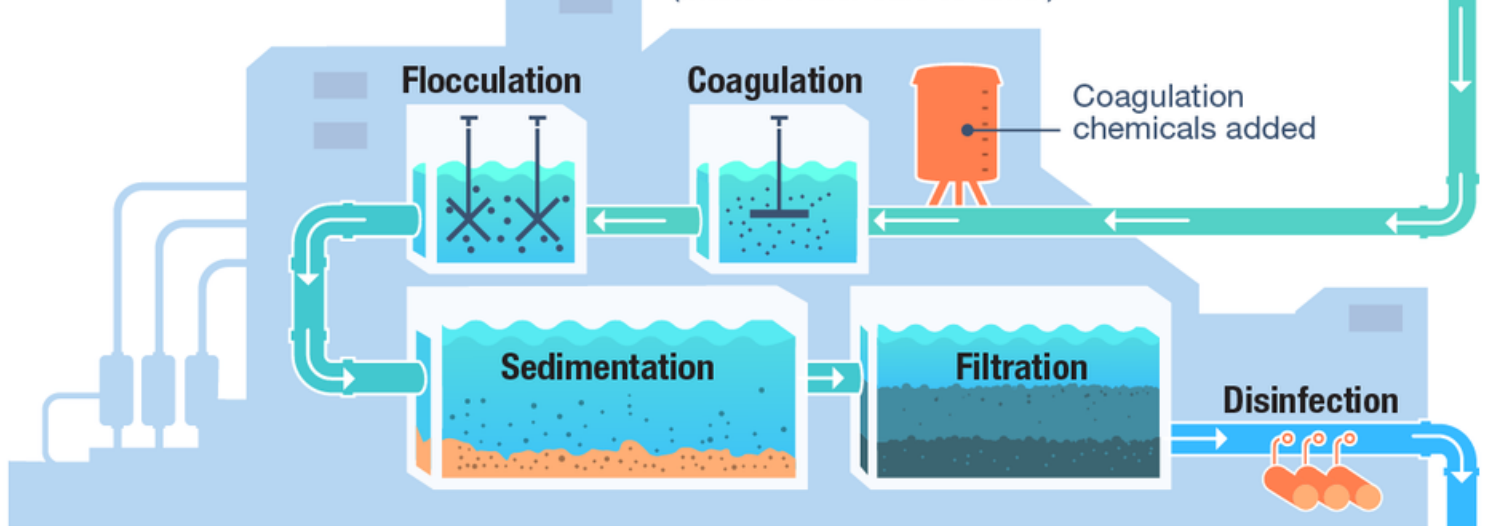
# Water Treatment Steps

## Water Source



## Treatment Plant

(Makes water safe to drink)



## Community

Utility delivers water to the community



[cdc.gov/drinkingwater](https://cdc.gov/drinkingwater)

# TREATMENT FACILITIES

The Town of Wellington began expansion projects on the Water and Wastewater Treatment Facilities in 2022 to increase capacity and improve treatment processes.



The expansion projects have combined budgets of more than 80 million dollars; with expected completion in 2024. Both existing and future demand will be served by these expansions.

| WATER TREATMENT FACILITIES | 2022 Annual Production (Million Gallons) | FILTRATION TYPE   | YEAR BUILT |
|----------------------------|------------------------------------------|-------------------|------------|
| Primary                    | 315                                      | Conventional      | 1983       |
| Nanofiltration             | 53                                       | Nanofiltratration | 2005       |

For more information about contaminants and potential health effects, or to receive a copy of the U.S. Environmental Protection Agency (EPA) and the U.S. Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and microbiological contaminants call the EPA Safe Drinking Water Hotline at 1-800-426-4791 or visit [epa.gov/safewater](http://epa.gov/safewater) and [cdc.gov/parasites/crypto](http://cdc.gov/parasites/crypto).

## How the EPA sets limits

The Environmental Protection Agency (EPA) studies pollutants and their impacts to the environment and people to determine the Maximum Contaminant Level (MCL). Every water utility, including Wellington, is required by law to not exceed the MCL.

The Maximum Contaminant Level Goal (MCLG) is the level at which there are no known effects on a person's health with an additional margin for safety. The MCL is set as close as possible to the goal. Sometimes the MCL is higher than the MCLG. This is because of one of three possible reasons:

- (1) The technology needed to measure such small quantities of the MCLG is not available;
- (2) The technology needed to remove the pollutant or reduce it to the MCLG is not available yet; or
- (3) The cost of treating the pollutant to the MCLG outweighs the potential benefit of a lowered standard.

## Substances that could be in source water

In order to ensure that drinking water is safe, Colorado Department of Public Health and Environment prescribes regulations that limit the amounts of certain contaminants in water provided by public water systems. The Food and Drug Administration regulations establish limits for contaminants in bottled water that must provide the same level of protection for public health.

The water source for tap and bottled water include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or underground, it dissolves naturally occurring minerals including potentially radioactive material, and it can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

**Microbiological contaminants:** Viruses and bacteria that may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.

**Inorganic contaminants:** Salts and metals, which can be naturally occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining or farming.

**Pesticides and herbicides:** May come from a variety of sources, such as agriculture, urban storm water runoff and residential uses.

**Radioactive contaminants:** Can be naturally occurring or a result of petroleum production and mining activities.

**Organic chemical contaminants:** Synthetic and volatile organic chemicals, which are byproducts of industrial processes and petroleum production, and also may come from gas stations, urban storm water runoff, and septic systems.

### DID YOU KNOW?

All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk.

For more information about contaminants and potential health effects, call the U.S. EPA's Safe Drinking Water Hotline at **800-426-4791** or visit [epa.gov/ground-water-and-drinking-water](http://epa.gov/ground-water-and-drinking-water).



# Understanding Dilution Measurements



## **Parts Per Million (ppm)**

1 drop in a hot tub  
is equal to 1 ppm



## **Parts Per Billion (ppb)**

1 drop in an Olympic-size swimming pool  
is equal to 1 ppb



## **Parts Per Trillion (ppt)**

1 drop in a 6-acre lake  
is equal to 1 ppt



## 2022 WATER SAMPLE TEST RESULTS

Wellington's drinking water is monitored for over one hundred different substances on a strict sampling schedule, with more than 6,400 water samples are taken annually across the treatment and distribution system. The water we provide to residents and businesses must meet specific state and federal health standards.

The included tables show all detections found in the period of January 1 to December 31, 2022 unless otherwise noted. The State of Colorado requires us to monitor for certain contaminants less than once per year because the concentrations of these contaminants are not expected to vary significantly from year to year, or the system is not considered vulnerable to this type of contamination. Therefore, some of our data, though representative, may be more than one-year-old. Violations and Formal Enforcement Actions, if any, are reported in the next section of this report.

### Terms & Abbreviations

#### **Maximum Contaminant Level (MCL)**

The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

#### **Maximum Contaminant Level Goal (MCLG)**

The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

#### **Treatment Technique (TT)**

A required process intended to reduce the level of a contaminant in drinking water.

#### **Health-Based**

A violation of either an MCL or TT.

#### **Non-Health-Based**

A violation that is not related to an MCL or TT.

#### **Action Level (AL)**

The concentration of a contaminant which, if exceeded, triggers treatment and other regulatory requirements.

#### **Maximum Residual Disinfectant Level (MRDL)**

The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

#### **Maximum Residual Disinfectant Level Goal (MRDLG)**

The level of a drinking water disinfectant, below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

#### **Violation**

Failure to meet a Colorado Primary Drinking Water Regulation.

#### **Picocuries per liter (pCi/L)**

Measure of the radioactivity in water.

#### **Nephelometric Turbidity Unit (NTU)**

Measure of the clarity or cloudiness of water. Turbidity in excess of 5 NTU is just noticeable to the typical person.

#### **Highest Level Allowed**

Single or calculated value used to determine if regulatory contaminant level (e.g. MCL) is met. Examples of calculated values are the 90th Percentile, Running Annual Average (RAA) and Locational Running Annual Average (LRAA).

#### **Parts per million = Milligrams per liter (ppm = mg/L)**

One part per million corresponds to one minute in two years or a single penny in \$10,000.

#### **Parts per billion = Micrograms per liter (ppb = ug/L)**

One part per billion corresponds to one minute in 2,000 years, or a single penny in \$10,000,000.

#### **Not Applicable (N/A)**

Does not apply or not available.

#### **90th percentile (P90)**

The Amount We Found levels reported for lead and copper represent the 90th percentile of the total number of sites tested. The 90th percentile is equal to or greater than 90% of our lead and copper test results.

#### **Not Detected (ND)**

Indicates that the substance was not found by laboratory analysis.

#### **Gross Alpha**

Gross alpha particle activity compliance value. It includes radium-226, but excludes radon 222, and uranium

#### **Formal Enforcement Actions**

Escalated action taken by the State (due to the risk to public health, or number or severity of violations) to bring a non-compliant water system back into compliance.

## Haloacetic Acids (HAA5)

PPB

Average

29.01

Range low - High | 0 to 46.9

Sample Size | 16

MCL | 60

✓ No Violation

**Typical Sources:** Product of drinking water disinfection

## Trihalomethanes (TTHM)

PPB

Average

59.56

Range low - High | 10.1 to 96.4

Sample Size | 16

MCL | 80

✓ No Violation

**Typical Sources:** Product of drinking water disinfection

## Chlorite

PPB

Average

0.34

Range low - High | 0.08 to 0.58

Sample Size | 12

MCL | 1.0

✓ No Violation

MCLG | .8

**Typical Sources:** Product of drinking water disinfection

## Total Organic Carbon Ratio

Ratio

Average

1.26

Range low - High | 0.95 to 1.89

Sample Size | 12

TT Minimum Ratio | 1.00

✓ No Violation

**Typical Sources:** Naturally present in the environment

## Gross Alpha

pCi/L

Average

0.37

Range low - High | 0 to 0.92

Sample Size | 3

MCL | 15

✓ No Violation

MCLG | 0

**Typical Sources:** Erosion of natural deposits

## Combined Uranium

PPB

Average

1.33

Range low - High | 0 to 4

Sample Size | 3

MCL | 30

✓ No Violation

MCLG | 0

**Typical Sources:** Erosion of natural deposits

## Barium

PPM

Average

0.07

Range low - High | 0.07 to 0.07

Sample Size | 1

MCL | 2

✓ No Violation

MCLG | 2

**Typical Sources:** Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits

## Chromium

PPB

Average

2

Range low - High | 2 to 2

Sample Size | 1

MCL | 100

✓ No Violation

MCLG | 100

**Typical Sources:** Discharge from steel and pulp mills; erosion of natural deposits

Disinfectants Sampled in the Distribution System is Chlorine with 100% of samples meeting the TT requirement of at least 0.2 ppm. 10 samples were collected with no TT violations. Typical sources: water additive to control microbes.

Turbidity: Highest single measurement 0.63 NTU with a maximum TT requirement of 1. Lowest monthly percent of samples meeting TT requirement of under 0.3 NTU 99% (must be 95% or greater). Source: Soil runoff. Tested in Sept. No violation.



## Fluoride

PPM

Average

0.27



No Violation

Range low - High | 0.19 to 0.35

Sample Size | 2

MCL | 4

MCLG | 4

**Typical Sources:** Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories

## Nitrate

PPM

Average

2.24



No Violation

Range low - High | 0 to 4.9

Sample Size | 2

MCL | 10

MCLG | 10

**Typical Sources:** Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits

## Selenium

PPB

Average

1



No Violation

Range low - High | 1 to 1

Sample Size | 1

MCL | 50

MCLG | 50

**Typical Sources:** Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines

## Sodium

PPM

Average

15



No Violation

Range low - High | 15-15

Sample Size | 1

**Typical Sources:** Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits

## Copper

PPM

90th

Percentile

0.39



No Violation

90th Percentile AL | 1.3

Sample Sites Above AL | 0

Time Period 1/25/22 to 6/30/22

Sample Size | 61

**Typical Sources:** Corrosion of household plumbing systems; Erosion of natural deposits

## Copper

PPM

90th

Percentile

0.31



No Violation

90th Percentile AL | 1.3

Sample Sites Above AL | 0

Time Period 10/13/22 to 12/16/22

Sample Size 61

**Typical Sources:** Corrosion of household plumbing systems; Erosion of natural deposits

## Lead

PPB

90th

Percentile

1.5



No Violation

90th Percentile AL | 15

Sample Sites Above AL | 0

Time Period 1/25/22 to 6/30/22

Sample Size | 61

**Typical Sources:** Corrosion of household plumbing systems; Erosion of natural deposits

## Lead

PPB

90th

Percentile

1.7



No Violation

90th Percentile AL | 15

Sample Sites Above AL | 1

Time Period 10/13/22 to 12/16/22

Sample Size 61

**Typical Sources:** Corrosion of household plumbing systems; Erosion of natural deposits

Copper and lead were measured at residential taps throughout the town in 2022. The Action Level (AL) for lead and copper applies to the 90th percentile of all samples collected (i.e. 90% of all sample results must be below the AL for each contaminant). One sample exceeded the AL for lead, the homeowner was notified. The AL was not exceeded for copper at any location.

## Health-Based Violation

Documentation of completed backflow reports and surveys were inaccessible at the time the Sanitary Survey was conducted. The lack of available data prevented us from proving and reporting backflow prevention testing had been completed. Residents were notified of the violation in September 2022 and March 2023 in utility bills. All required documentation requested by the state to satisfy the violation will be submitted for review and approval by the Colorado Department of Public Health and Environment (CDPHE) by May 1, 2023.

### “Regulatory Notification Message

*The Town has an inadequate backflow prevention and cross-connection control program and violated Cross Connection Rule M611, M614 and M615. Uncontrolled cross connections can lead to inadvertent contamination of the drinking water. This is due to one or more of the following: We have permitted an uncontrolled cross connection, AND/OR we have installed or permitted an uncontrolled cross connection, AND/OR we failed to comply with the requirements for surveying our system for cross connections, AND/OR we failed to complete the testing requirements for backflow prevention devices or methods, AND/OR we failed to notify the State Health Dept. of a backflow contamination event.*

## Non-Health-Based Violation

These violations do not usually mean there was a water quality problem. If there had been, you would have notified you immediately. We missed collecting a sample (water quality is unknown), reported the sample result after the due date, and did not complete a report/notice by the required date. These actions resulted in a drinking water monitoring violation, which requires this public notification as directed by CDPHE.

The Town of Wellington Water Treatment Facility is required to collect chlorine residual samples from the drinking water being pumped from the plant into the distribution system. The system tests chlorine at three different points to ensure redundancy and, ultimately, safety within the system.

On February 7, 2022, one of the three monitors experienced a malfunction requiring repair that was quickly noticed and rectified. The equipment failure resulted in a lack of tests from one of the three collection points. Though samples were collected and analyzed each day; due to instrument failure, the number of required samples were not collected and analyzed. CDPHE was notified by staff and the violation was closed on February 28, 2022.

As a utility, we failed to meet necessary reporting requirements related to our backflow prevention program Cross Connection Rule m613 and M612. Backflow testing was completed; however, improperly documented due to file mismanagement during staff turnover. All documentation related to this violation requested by CDPHE will be filed with the State and for review and approval by May 1, 2023. Water users were notified via utility bill in September 2022 and March 2023.

The Town of Wellington provides biannual lead and copper sampling to help occupants and homeowners address water quality at 61 locations that have been identified by the State as possibly having interior plumbing systems that may contain lead or copper. Homeowners were notified of results in accordance with CDPHE requirements. The Town failed to send a copy of the notification received by residents to the State by the required reporting deadline. The violation was received October, 1, 2022 and closed on October 28,

### What does this mean? What should I do?

These monitoring errors are a violation, but did not impact public health so customers do not need to seek alternative water supplies or take further actions. If a situation arises where the water is no longer safe to drink, you will be notified within 24 hours. You may contact the Town Utilities Water Treatment staff at 8225 Third Street, Wellington CO or (970) 568-3381 for additional information regarding this public notice.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in public places or by distributing copies.



## Look out for our most vulnerable neighbors

Some people may be more vulnerable to contaminants in drinking water than the general population. Immunocompromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV-AIDS or other immune system disorders, some elderly, and infants can be particularly at risk of infections. These people should seek advice about drinking water from their health care providers.

For more information about contaminants and potential health effects, or to receive a copy of the U.S. Environmental Protection Agency (EPA) and the U.S. Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and microbiological contaminants call the EPA Safe Drinking Water Hotline at (1-800-426-4791).

## WHAT YOU NEED TO KNOW ABOUT LEAD

If present, lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. We are responsible for providing high quality drinking water and removing lead pipes, but cannot control the variety of materials used in plumbing components in your home. You share the responsibility for protecting yourself and your family from the lead in your home plumbing.

You can take responsibility by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk. Before drinking tap water, flush your pipes for several minutes by running your tap, taking a shower, doing laundry or a load of dishes. You can also use a filter certified by an American National Standards Institute accredited certifier to reduce lead in drinking water. If you are concerned about lead in your water and wish to have your water tested, contact the Town of Wellington. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at [epa.gov/safewater/lead](http://epa.gov/safewater/lead).

## Save Water, Save Money, and Get a Yard Remodel!

The Town offers a number of programs to help residents reduce their outdoor water usage. The Town will pay up to \$1,000 towards the cost of removing lawn and replacing it with Colorado-friendly plants. The Town also sells discounted water wise garden kits and provides FREE irrigation system consultations.



### Garden In A Box

Garden In A Box kits are professionally designed for Colorado yards, and can help you save thousands of gallons of water each year compared to a traditional grass lawn. Garden In A Box kits are beautiful, affordable, and easy to plant.



### Slow the Flow Irrigation Consultation

Take the guesswork out of watering your lawn with a sprinkler consultation from Resource Central. Participants save an average of \$175 off total summertime water bills. Register now to schedule your appointment.



### Waterwise Webinars

Please join us for over 20 free webinars led by Colorado low-water landscape experts. Some of our favorite upcoming seminars are focused on helping beginners get started, such as "New to Colorado Landscaping," and "Planting for Pollinators."



Visit [www.resourcecentral.org](http://www.resourcecentral.org) to learn more about these programs to get your yard ready to reduce water usage.

## Please Help Us Keep Our Water Clean

The Town has separate wastewater and stormwater systems. Separate systems have two separate pipes. One pipe carries stormwater (rain) from storm drains to local streams, rivers and lakes, such as Coal Creek and Boxelder Creek with little or no treatment. A different pipe carries wastewater to the water reclamation facility. Therefore, it's critical to not dispose of anything into the storm sewer.



**Pick up pet  
poop**



**Fix oil leaks**  
(don't pour used  
oil down drains!)



**Use fertilizers  
sparingly**



**Compost  
leaves**



**Use commercial  
car washes**

## Hardship Utility Grant (HUG)

The Town of Wellington offers one time assistance to residents who have experienced a hardship. Learn more and complete the application online.

Other organizations offer utility payment assistance, with links to these organizations provided on our website.

[wellingtoncolorado.gov/155/Water-Sewer](http://wellingtoncolorado.gov/155/Water-Sewer)

Please call (970) 568-3381 if you have any questions.



## THIS IS YOUR WATER SYSTEM: GET INVOLVED!

### Board of Trustee Meetings

Residents are invited to provide comments about drinking water quality, budgets, and plans during Board of Trustee meetings. Meetings are held on the 2nd and 4th Tuesday of every month at 6:30 p.m. in the Leeper Center 3800 Wilson Ave. Or you can watch meetings live on Zoom or replays through the Town Youtube.

Please refer to the Town's website at [wellingtoncolorado.gov/129/Agendas-Minutes](http://wellingtoncolorado.gov/129/Agendas-Minutes) for additional information.

### Social Media



[www.facebook.com/WellingtonCo1905](https://www.facebook.com/WellingtonCo1905)



[townofwellington--wellington--co/](https://www.nextdoor.com/townofwellington--wellington--co/)



<https://twitter.com/wellingtoncolo>



[www.instagram.com/wellingtongov/](https://www.instagram.com/wellingtongov/)



[www.wellingtoncolorado.gov](http://www.wellingtoncolorado.gov)



**SCAN  
ME!**



The Town of Wellington Utilities maintains the Town's water mains. If you suspect problems in the water system such as main breaks, service line leaks, frozen meters or pressure issues, notify us at **(970) 690-0634** 24 hours a day, seven days a week.



**TOWN OF**  
**WELLINGTON**

[www.wellingtoncolorado.gov](http://www.wellingtoncolorado.gov)