



CITY COUNCIL AGENDA

NOTICE TO READERS: City Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items is reflective of Council's prior review of each issue with time, thought and analysis given.

Members of the audience are invited to speak at the Council meeting. Citizen Communication (Section 7) and Citizen Presentations (Section 12) are reserved for comments on any issues or items pertaining to City business except those for which a formal public hearing is scheduled under Section 10 when the Mayor will call for public testimony. Please limit comments to no more than 5 minutes duration except when addressing the City Council during Section 12 of the agenda.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Report of City Officials
 - A. City Manager's Report
5. City Council Comments
6. Presentations
 - A. Employee Service Awards
 - B. Peace Officers Memorial Day and Law Enforcement Week Proclamation
 - C. Public Works Week Proclamation
7. Citizen Communication (5 minutes or less)

The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to remove an item for separate discussion. Items removed from the consent agenda will be considered immediately following adoption of the amended Consent Agenda.

8. Consent Agenda
 - A. 2009 Assistance to Firefighter Grant
 - B. Westminster Center Park Construction Contracts
 - C. Carroll Butts Park Maintenance Contract Renewal
 - D. Additional 2009 Water Leases to FRICO-Standley Lake Irrigators
 - E. 2009 Open-Cut Waterline and Sanitary Sewer Construction Contracts
 - F. 112th Avenue, Clay Street to Huron Street – Construction Contract
 - G. IGA with Adams County for the 144th Avenue, Huron Street to Zuni Street Project
 - H. Second Reading of Councillor's Bill No. 11 re Lease/Purchase of Golf Course Carts Supplemental Appropriation
9. Appointments and Resignations
10. Public Hearings and Other New Business
 - A. Councillor's Bill No. 12 re 2008 Final Budget Supplemental Appropriation
 - B. Councillor's Bill No. 13 re 2009 First Quarter Supplemental Appropriation
 - C. Councillor's Bill No. 14 re Temporary Moratorium on Special Use Permits (Emergency Ordinance)
 - D. Resolution No. 22 re Service Commitment Allocations for 2009
 - E. Resolution No. 23 re Sustainable Design Additions to Residential Design Guidelines
11. Old Business and Passage of Ordinances on Second Reading
12. Citizen Presentations (longer than 5 minutes), Miscellaneous Business, and Executive Session
 - A. City Council
 - B. Executive Session - Discuss strategy and progress on negotiations related to the Westminster Urban Center Redevelopment project and provide instructions to the City's negotiators as authorized by WMC 1-11-3(C)(4), WMC 1-11-3(7) and CRS 24-6-402(4)(e)
13. Adjournment

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY MEETING (separate agenda)

GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS

- A.** The meeting shall be chaired by the Mayor or designated alternate. The hearing shall be conducted to provide for a reasonable opportunity for all interested parties to express themselves, as long as the testimony or evidence being given is reasonably related to the purpose of the public hearing. The Chair has the authority to limit debate to a reasonable length of time to be equal for both positions.

- B.** Any person wishing to speak other than the applicant will be required to fill out a “Request to Speak or Request to have Name Entered into the Record” form indicating whether they wish to comment during the public hearing or would like to have their name recorded as having an opinion on the public hearing issue. Any person speaking may be questioned by a member of Council or by appropriate members of City Staff.

- C.** The Chair shall rule upon all disputed matters of procedure, unless, on motion duly made, the Chair is overruled by a majority vote of Councillors present.

- D.** The ordinary rules of evidence shall not apply, and Council may receive petitions, exhibits and other relevant documents without formal identification or introduction.

- E.** When the number of persons wishing to speak threatens to unduly prolong the hearing, the Council may establish a time limit upon each speaker.

- F.** City Staff enters a copy of public notice as published in newspaper; all application documents for the proposed project and a copy of any other written documents that are an appropriate part of the public hearing record;

- G.** The property owner or representative(s) present slides and describe the nature of the request (maximum of 10 minutes);

- H.** Staff presents any additional clarification necessary and states the Planning Commission recommendation;

- I.** All testimony is received from the audience, in support, in opposition or asking questions. All questions will be directed through the Chair who will then direct the appropriate person to respond.

- J.** Final comments/rebuttal received from property owner;

- K.** Final comments from City Staff and Staff recommendation.

- L.** Public hearing is closed.

- M.** If final action is not to be taken on the same evening as the public hearing, the Chair will advise the audience when the matter will be considered. Councillors not present at the public hearing will be allowed to vote on the matter only if they listen to the tape recording of the public hearing prior to voting.

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, APRIL 27, 2009 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mayor McNally led the Council, Staff, and audience in the Pledge of Allegiance.

ROLL CALL

Mayor Nancy McNally, Mayor Pro Tem Chris Dittman, and Councillors Bob Briggs, Mark Kaiser, Mary Lindsey, Scott Major, and Faith Winter were present at roll call. J. Brent McFall, City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, also were present.

CONSIDERATION OF MINUTES

Councillor Briggs moved, seconded by Councillor Kaiser, to approve the minutes of the regular meeting of April 13, 2009, as distributed. The motion passed unanimously.

CITY MANAGER'S REPORT

Mr. McFall announced that Saturday, May 9, would be Pride Day, one of the most successful events the City sponsored where in excess of 1,000 volunteers worked in groups at assigned locations to give the community a spring cleaning. After a morning of work, the volunteers would meet in the courtyard of City Hall for a barbecue and local entertainment.

Mr. McFall reported that City Council's second regular meeting of May would fall on Memorial Day. City Hall would be closed that day and staff recommended that the meeting be rescheduled to May 18. A request for Council approval to reschedule the meeting was on the Consent Agenda.

CITY COUNCIL COMMENTS

Councillor Briggs reported that he and the Mayor had attended an event to celebrate National Victims' Rights Week where Drew Hogan, a Victims' Advocate in the Police Department, received the Gayle Voyles Award for Outstanding Service Provider. Additionally, on a recent Saturday evening, Deputy City Manager Matt Lutkus had been called on stage at a Ranum High School event to perform impromptu. He had done an admirable job.

Councillor Major reported having attended the fifth anniversary celebration for the Irving Street Library and the activities that had been provided to mark the occasion were entertaining and fun.

Mayor McNally invited everyone to participate in the open house at Fire Station 5. There would be rides on the red fire engine, opportunities to see the City's fire equipment and learn about it, and barbecued hamburgers and hot dogs.

PRESENTATIONS

Mayor McNally presented a proclamation declaring May 9, 2009 as Community Pride Day to Patti Wright, Open Space Volunteer Coordinator. Ms. Wright indicated that more than 1,400 volunteers were registered to participate and there was still opportunity to get involved. This annual event held in collaboration with Hyland Hills Recreation District was fun and of great benefit to the community. Rotary Club members would be barbecuing the hamburgers and hot dogs after the morning clean up and everyone was invited to register and help the City sparkle. Open Space volunteers had recently planted 240 trees along Big Dry Creek behind College Hill Library. Westminster residents truly took pride in their community.

Councillor Briggs proclaimed May 3 through 9, 2009 to be National Drinking Water Week. He presented the proclamation to Steve Ramer, Chemist and Program Coordinator of the Westminster Water Week Program, who invited the public to participate in scheduled activities.

Councillor Lindsey proclaimed May to be Mental Health Month and presented identical proclamations to Vicki Rodgers, Deputy Chief Operating Officer at Jefferson Center for Mental Health, and to Lindy Schultz, Public Relations Coordinator at Adams County Community Reach.

Councillor Winter presented certificates of achievement to six Jefferson County youth, who had been selected for the first phase of the Metropolitan Mayors' and Commissioners' Youth Award. The students were from Wayne Carle Middle School and their families were in attendance for the presentations.

CITIZEN COMMUNICATION

Gary Lee and Jason Masek, both of Yamaha/Masek Golf Cars, commented about the availability of bid information and specifically objected to information about their product and service, as contained in Agenda Memorandum 10 C-E.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: acceptance of the March 2009 Financial Report; changing the date of the second City Council meeting in May from May 25, Memorial Day, to May 18, 2009; award the bids for the purchase of Ferric Sulfate to Thatcher Company and General Chemical Corporation and for the purchase of Lime to Mississippi Lime Company at the unit prices indicated on the bid tabulation on an as-needed basis up to a maximum of \$305,000, and charge the expense to the appropriate 2009 Water Resources Division Budget; authorize the City Manager to execute a contract with J&T Consulting, Inc. in the amount of \$207,935 to provide engineering design and construction administration services for the Countryside pump station and site improvement and authorize a contingency of \$20,794; authorize the City Manager to sign a contract for legal services with Kissinger & Fellman, P.C., for special legal services to assist in negotiation sessions with Public Service Company of Colorado (Xcel Energy); authorize the City Manager to execute a contract for the development of a Quagga/Zebra Mussel Treatment Plan with HDR Engineering, Inc. in the amount of \$83,047 and authorize a contingency of \$8,305; final passage of Councillor's Bill No. 8 appropriating \$300,000 to the Bradburn Boulevard Bikeway Project being funded by the American Recovery and Reinvestment Act; final passage of Councillor's Bill No. 9 appropriating FY2008 carryover funds into the FY2009 budget of the General Fund to fund the Westin Westminster Conference Center Possessory Interest Payment; and final passage of Councillor's Bill No. 10 appropriating \$550,000 in the General Fund for the lease/purchase of Park Services maintenance equipment package.

Mayor McNally asked if Councillors wished to remove any items from the consent agenda for discussion purposes or separate vote. There was no request. Councillor Major moved to approve the consent agenda as presented. The motion was seconded by Mayor Pro Tem Dittman and passed unanimously.

APPOINTMENT TO COLORADO BROWNFIELDS REVOLVING LOAN FUND COALITION BOARD

It was moved by Mayor Pro Tem Dittman and seconded by Councillor Lindsey to appoint City Staff member, Tony Chacon, to serve as the City representative to the Colorado Brownfields Revolving Loan Fund Coalition Board. The motion passed unanimously.

RESOLUTION NO. 20 SUPPORTING BUILD-OUT OF RTD FASTRACKS SYSTEM

Councillor Briggs moved to adopt Resolution No. 20 expressing City Council's support for the full build-out of the Regional Transportation District's FasTracks System. Councillor Winter seconded the motion. At roll call the motion passed with all Council members voting affirmatively.

RESOLUTION NO. 21 ESTABLISHING A RED FLAG POLICY FOR IDENTITY THEFT PREVENTION

Upon a motion by Councillor Lindsey, seconded by Councillor Winter, the Council voted unanimously at roll call to adopt Resolution No. 21 to establish a “Red Flag” policy to create an Identify Theft Prevention Program to comply with Part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair And Accurate Credit Transactions Act of 2003.

COUNCILLOR’S BILL NO. 11 FOR LEASE/PURCHASE OF GOLF COURSE CARTS

Mayor Pro Tem Dittman moved, seconded by Councillor Major, to pass Councillor’s Bill No. 11 on first reading to appropriate \$439,745 in the Golf Course Fund for the lease/purchase of replacement Legacy Ridge Golf Course and The Heritage Golf Course golf carts. On roll call vote the motion passed unanimously.

GOLF COURSE CARTS MASTER LEASE AGREEMENT

It was moved by Mayor Pro Tem Dittman, seconded by Councillor Major, to authorize the City Manager to sign an agreement to add \$439,745 to the existing master lease with KeyBank with term of the lease being four years with an approximate finance cost of \$53,179 and a total payback of approximately \$492,924. The motion passed unanimously.

GOLF COURSE CARTS PURCHASE

Mayor Pro Tem Dittman moved that based on the recommendation of the City Manager, City Council finds that the public interest would best served by awarding a contract for the purchase of 133 golf carts, 4 player assistant carts, 2 beverage carts, 2 range picker turf carts, 2 five-gang picker units and 2 tow bars for the amount of \$439,745 to Colorado Golf and Turf, Inc. Councillor Major seconded the motion and it carried unanimously.

ADJOURNMENT

There being no further business to come before the City Council, it was moved by Councillor Kaiser, seconded by Councillor Major, to adjourn. The motion passed unanimously, and the Mayor adjourned the meeting at 7:45 p.m.

ATTEST:

City Clerk

Mayor



Agenda Item 6 A

WESTMINSTER COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Presentation of Employee Service Awards

Prepared By: Debbie Mitchell, Human Resources Manager
Dee Martin, Human Resources Administrator

Recommended City Council Action

Present service pins and certificates of appreciation to employees celebrating 20 or more years of service with the City and in five year increments thereafter. Special recognition to the City's 25-year employees will be given with the presentation of a \$2,500 bonus.

Summary Statement

- In keeping with the City's policy of recognition for employees who complete increments of five years of employment with the City, and City Council recognition of employees with 20 years or more of service, the presentation of City service pins and certificates of appreciation has been scheduled for Monday night's Council meeting.
- In 1986, City Council adopted a resolution to award individuals who have given 25 years of service to the City with a \$2,500 bonus to show appreciation for such a commitment. Under the program, employees receive \$100 for each year of service, in the aggregate, following the anniversary of their 25th year of employment. The program recognizes the dedicated service of those individuals who have spent most, if not all, of their careers with the City.
- In the third grouping of 2009, employees with 20, 25, and 35 years of service will be celebrated tonight.
 - Mayor Pro Tem Dittman will present the 35-year certificate.
 - Mayor McNally will present the 25-year certificates.
 - Councillor Winter will present the 20-year certificate.

Expenditure Required: \$ 17,500.00

Source of Funds:	General Fund	-Community Development - \$2,500
		-General Services - \$2,500
		-Parks, Recreation & Libraries - \$5,000
		-Police - \$2,500
	Utility Fund	-Information Technology - \$2,500
		-Public Works & Utilities - \$2,500

Policy Issue

None identified

Alternative

None identified

Background Information

The following 20-year employee will be presented with a certificate and service pin:

Dannie Moore	Internet Software Engineer	Information Technology
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The following 25-year employees will be presented with a certificate, service pin and check for \$2,500, minus amounts withheld for Federal and State income taxes after their anniversary date:

Terry Dauenbaugh	Library Associate II	Parks, Recreation & Libraries
Bob Dowling	Police Commander	Police
Connie Hopper	Housing Inspector	Community Development
Carla Koeltzow	Deputy City Clerk	General Services
Deb Larsen	Recreation Supervisor	Parks, Recreation & Libraries
Thomas Scribner	Lead Plant Operator	Public Works & Utilities
Chris Williams	Software Engineer II	Information Technology

The following 35-year employees will be presented with a certificate and service pin:

Bob Booze	Utility Supervisor	Public Works & Utilities
Art Cornay	Plant Operator IV	Public Works & Utilities

On May 13, 2009, the City Manager will host an employee awards luncheon. During that time, 3 employees will receive their 15 year service pin, 4 employees will receive their 10 year service pin, and 11 employees will receive their 5 year service pin, while recognition will also be given to those celebrating their 20th, 25th and 35th anniversaries. This will be the third luncheon in 2009 to recognize and honor City employees for their service to the public.

The aggregate City service represented among this group of employees for the third luncheon is 405 years of City service. The City can certainly be proud of the tenure of each of these individuals and of their continued dedication to City employment in serving Westminster citizens. Background information on each individual being recognized is attached.

The recognition of employee’s years of service addresses Council’s Strategic Plan goal of Financially Sustainable City Government Providing Exceptional Services as part of the overall recognition program developed to encourage and recognize employee commitment to the organization. Recognition efforts have long been recognized as an important management practice in organizations striving to develop loyalty, ownership and effectiveness in their most valuable resource – employees.

Respectfully submitted,

J. Brent McFall
City Manager
Attachment



Agenda Item 6 B

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Proclamation re Peace Officers Memorial Day and Law Enforcement Week

Prepared By: Lee Birk, Chief of Police
Heather Wood, Public Information Officer

Recommended City Council Action

Councillor Major to proclaim May 15, 2009 as Peace Officers Memorial Day and May 10 through May 16, 2009 as Law Enforcement Week. Police Chief Lee Birk will accept the proclamation.

Summary Statement

- The President of the United States proclaims May 15 of each year as Peace Officers Memorial Day and the week in which it falls as Law Enforcement Week.
- Police Week recognizes the service and sacrifice of U.S. law enforcement and pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others.
- A public memorial service will be held in front of the Westminster Public Safety Center on Thursday, May 14, 2009, at 12:00 noon, to honor fallen officers and will include the Westminster Police Department Honor Guard and a bagpiper who will play "Amazing Grace."
- The Westminster Citizens Police Academy Alumni Association will be handing out a special gift during the week to each police department employee as a tribute for the work they do.
- The Eighth Annual Law Enforcement Appreciation Memorial Service will be held on May 17, 2009, which is sponsored by the Tri-City Baptist Church. This service will honor local law enforcement agencies and their officers.
- Chief Lee Birk will be present to accept the Proclamation on behalf of the Police Department.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

Background Information

Law Enforcement Officers throughout the United States will observe Peace Officers Memorial Day on May 15, 2009 and Police Week during May 10 through 16, 2009. On October 1, 1961, Congress requested the President to honor law enforcement officers by designating May 15 as Peace Officers Memorial Day. President John F. Kennedy signed the bill into law on October 1, 1962 and designated the calendar week during which May 15 falls as Police Week. Police Week recognizes the service given by men and women who, day and night, stand guard in our midst to protect us through enforcement of our laws. It was not until May 15, 1982 that the first National Peace Officers Memorial Day Service was held. In 1991, President George Bush dedicated the Law Enforcement Officers Memorial, which commemorates the service and ultimate sacrifice of America's law enforcement officers.

As stated in the Proclamation presented by President George W. Bush in 2002, "Peace Officers Memorial Day and Police Week pay tribute to the local, State, and federal law enforcement officers who serve and protect us with courage and dedication. These observances also remind us of the ongoing need to be vigilant against all forms of crime, especially to acts of extreme violence and terrorism."

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

WHEREAS, in 2008, across the United States, 140 law enforcement officers lost their lives in the line of duty; and,

WHEREAS, 18,622 Federal, State, and local law enforcement officers have died in the line of duty and their names are engraved on the National Law Enforcement Officers Memorial in Washington D.C.; and,

WHEREAS, we pay homage to the heroes who have fallen in the line of duty and pray for the families and friends left behind; and,

WHEREAS, the Westminster Police Department has 185 authorized commissioned police officers; and,

WHEREAS, Westminster Police Officers responded to 110,144 police service events in 2008; and,

WHEREAS, with valor and devotion, our law enforcement officers stand watch on the front lines and help make our communities safer and more secure; and,

WHEREAS, fulfilling their duties with courage and commitment, law enforcement officers work tirelessly and put themselves in harm's way, exemplifying the good and decent character of America.

NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim May 15 as

PEACE OFFICERS MEMORIAL DAY

and May 10 through 16 as

LAW ENFORCEMENT WEEK

in the City of Westminster, and urge all citizens to thank the men and women who have answered the call to serve in law enforcement for their commitment to justice and to their communities.

Signed this 11th day of May, 2009.

Nancy McNally, Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Proclamation re Public Works Week

Prepared By: Abel Moreno, Capital Projects and Budget Manager

Recommended City Council Action

Proclaim the week of May 17 - 23, 2009 as Public Works Week in the City of Westminster. Councillor Kaiser is requested to present the proclamation to Barb Cinkosky, Secretary, Street Operations Division; Lili Cox, Administrative Secretary, Administration Division; Andy Mead, Utilities Operations Coordinator, Utilities Operations Division; Dan Strietelmeier, Sr. Engineer, Capital Projects and Budget Management Division; and Tim Woodard, Plant Superintendent and Chris Gray, Management Analyst, with the Water Resources and Treatment Division.

Summary Statement

- National Public Works Week is a celebration of the tens of thousands of men and women across America who provide and maintain the infrastructure and services collectively known as public works.
- The American Public Works Association and State Chapters dedicate the third week in May each year to inform and educate citizens of the importance of Public Works.
- The theme of this year's Public Works Week is "Revitalize, Reinvest, Renew."
- Poster displays and brochures will be available at City Hall, City Recreation Centers, and City Libraries.
- An e-mail invitation will be extended to all Public Works and Utilities employees, City Council, City Manager Brent McFall and Assistant City Manager Steve Smithers to stop by the City Park Recreation Center on Thursday, May 21, between 11:30 a.m. and 1:30 p.m. to enjoy a BBQ Lunch.
- Barb Cinkosky, Secretary, Street Operations Division; Lili Cox, Administrative Secretary, Administration Division; Andy Mead, Utilities Operations Coordinator, Utilities Operations Division; Dan Strietelmeier, Sr. Engineer, Capital Projects and Budget Management Division; and Tim Woodard, Plant Superintendent and Chris Gray, Management Analyst, with the Water Resources and Treatment Division will be in attendance to receive the proclamation on behalf of the Department of Public Works and Utilities.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

Background Information

Public Works professionals throughout the United States and Canada will celebrate National Public Works Week, May 17-23, 2009.

Since 1960, the annual observance has been an opportunity to increase public awareness of the role that Public Works plays in all of our daily lives. The 2009 events are being coordinated in the State by the Colorado Chapter of the American Public Works Association. City of Westminster's Capital Projects and Budget Manager Abel Moreno is the current President of the American Public Works Association Colorado Chapter. The week seeks to enhance the prestige of the often-unsung heroes of our society – the professionals who serve the public good every day with quiet dedication.

Through National Public Works Week the Colorado Chapter of the American Public Works Association seeks to raise the public's awareness of public works issues and to increase confidence in Public Works employees who are dedicated to improving the quality of life for present and future generations.

Below is the graphic that was created for National Public Works Week.



This proclamation supports City Council's goal of a Financially Sustainable City Government by recognizing Public Works and Utilities employees for their efforts towards a well-maintained city infrastructure and facilities and providing efficient, cost-effective internal and external services

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Proclamation

WHEREAS, Public Works and Utilities services provided in our community are an integral part of our citizens' lives; and

WHEREAS, support of an understanding and informed citizenry is vital to the efficient operation of Public Works and Utilities and programs concerning the maintenance of water, sewers, streets and highways, public buildings, solid waste collection, and snow removal operations; and

WHEREAS, the health, safety, and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of Public Works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff Public Works and Utilities departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, on behalf of the entire City Council and Staff, do hereby proclaim the week of May 17 through 23, 2009, as

PUBLIC WORKS WEEK

in the City of Westminster and call upon all citizens and civic organizations to acquaint themselves with the challenges and opportunities involved in providing our Public Works and Utilities and to recognize the contributions that Public Works and Utilities officials make every day to our health, safety, comfort and quality of life.

Signed this 11th day of May, 2009.

Nancy McNally, Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: 2009 Assistance to Firefighter Grant

Prepared By: Doug Hall, Deputy Fire Chief

Recommended City Council Action

Authorize submittal of an application to the United States Department of Homeland Security for the 2009 Assistance to Firefighter Grant.

Summary Statement

- The United States Department of Homeland Security has reauthorized the Assistance to Firefighters Grant (AFG) program for 2009. The purpose of the AFG program is to award one-year grants directly to fire departments and non-affiliated emergency medical service organizations to provide assistance to meet firefighting and emergency medical response needs. The application period for the grant is April 15, 2009 to May 20, 2009. Grants are awarded through a phased process beginning in September 2009 and continuing until September 30, 2010.
- The AFG requires a 20% cash match. The four items in this grant request are in the 2009-10 budget, and have been either delayed or modified due to the economic downturn. The AFG would fund 80% of these planned expenses leaving the City to only having to fund the 20% match. The total grant request is \$675,500, of which the City of Westminster portion is \$135,100. The remaining balance of \$540,400 would remain in the GCORF and general fund.
- With Council approval, Staff is planning to submit a grant application for the following:
 - Heavy Rescue Vehicle. \$375,000 total grant request. City of Westminster portion would be \$75,000, the balance of \$300,000 funded through the AFG award.
 - Fire Station Alerting System. \$248,000 total grant request. City of Westminster portion would be \$49,600, the balance of \$198,400 funded through the AFG award.
 - Medical Physicals and Testing. \$40,000 total grant request. City of Westminster portion would be \$8,000, the balance of \$32,000 funded through the AFG award.
 - SCBA Fit-Testing System. \$12,500 total grant request. City of Westminster portion would be \$2,500, the balance of \$10,000 funded through the AFG award.

Expenditure Required: \$135,100 City Funds
\$540,400 AFG Funds

Source of Funds: 2009/2010 General Fund – Fire Department Operating Budget
2009/2010 GCORF and CIP Budgets

Policy Issue

Should the City of Westminster submit an application for the 2009 Assistance to Firefighters Grant to significantly fund the purchase of a heavy rescue vehicle, fire station alerting system, medical physicals and testing, and a SCBA fit-testing system? This would require freeing funds that have been put on "budget hold." The benefit of freeing these funds now is the potential \$540,400 in savings if all requests are approved by the AFG Program.

Alternatives

Direct Staff to not submit an AFG application at this time. Purchase of the proposed AFG requests will remain postponed until City revenues recover sufficiently to allow for the respective purchases.

Direct Staff to submit only a partial list of requests, thereby reducing the total dollar figure for the 20% match.

Neither of these alternatives is recommended due to the fact that Staff is applying for a number of eligible requests with the understanding it is highly unlikely every request would be awarded. Additionally, once the awards are announced by the AFG Program the City can decide at that time if they wish to accept the award.

Background Information

The United States Department of Homeland Security has allocated \$510 million in 2009 for the AFG. AFG funds are used by the nation's firefighters and first responders to increase the effectiveness of firefighting and emergency response operations. The AFG program assists rural, urban, and suburban fire departments throughout the United States by providing funds in two program areas:

1. Operations and Firefighter Safety – Includes five different fundable activities: training, equipment, personal protective equipment, wellness and fitness, and modifications to facilities.
2. Firefighting Vehicle Acquisition – Purpose is to fund the purchase of firefighting vehicles with a specific focus on funding additional vehicles to departments that own few vehicles like the type requested. Westminster does not have a heavy rescue vehicle in the Fire Department fleet.

This AFG application is required to include funding requests for four of the five fundable Operations and Firefighter Safety activities. Each activity is evaluated separately. Grants may be awarded for any one activity, multiple activities or all. The Operations and Firefighting Safety program is evaluated completely separate from the Firefighting Vehicle Acquisition program.

The funding priorities for the 2009 AFG are designed to address the following priorities: first responder safety; enhancing national capabilities; risk, and/or interoperability. Staff has determined that the grant request items are aligned with these funding priorities and that the 2009 AFG may be an avenue to fund these budget items that have been postponed. As noted earlier on the summary page of this agenda memo, all of the requested items have previously been approved for funding through the normal budget process.

Respectfully submitted,

J. Brent McFall
City Manager



**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Westminster Center Park Construction Contracts

Prepared By: Kathy Piper, Landscape Architect II

Recommended City Council Action

Authorize the City Manager to execute a contract with Arrow J Landscape, Inc in the amount of \$1,845,810 for Phase I construction work at Westminster Center Park, authorize \$150,000 for the art component to Arrow J Landscape’s contract, authorize a contingency amount of 9% of the construction cost of \$184,500, authorize the City Manager to approve extra fees for the design consultant, Architerra, Inc., in the amount of \$39,956 and authorize Staff to purchase a portion of the site amenities (benches, trash receptacles, tables, pedestrian lighting) in the amount not to exceed \$90,297 with various vendors for a total cost of \$2,310,563.

Summary Statement

- Westminster Center Park is located at 4950 W 93rd Avenue, across from City Hall. On July 14, 2008, City Council reviewed the Master Plan and directed Staff to apply for a Great Outdoors Colorado grant in the amount of \$200,000. The full amount was awarded by Great Outdoors Colorado on December 15, 2008.
- City Council also directed Staff to apply for an Adams County Open Space grant for the 2009 budget year cycle. At the Adams County Advisory Board meeting, held April 30, 2009, the Board unanimously approved the funding of the project at \$543,592 and will be making that recommendation to the Adam County Commissioners. Funds are to be awarded by the County Commissioners in June 2009 and will be appropriated and allocated to this project at a later date.
- Bids were solicited from six reputable construction companies, with Arrow J Landscape, Inc. submitting the lowest bid of \$1,845,810. This bid was significantly below the engineer’s estimate for this project.
- Arrow J Landscape, Inc. has successfully completed construction projects for the City in the past including Big Dry Creek Park and Westfield Village Park.
- Construction of this project is scheduled to be completed by the end of 2009.
- Architerra, Inc., the design consultant for this project, is requesting additional fees of \$39,956 (current contract is \$214,000) for the increase in project scope and construction documents due to the grant funds received as well as construction administration work. Staff has reviewed this request and recommends approving the consultant’s request for additional fees.

Expenditure Required: \$2,310,563

Source of Funds: General Fund Capital Improvements Fund – Westminster Center Park
POST Bond Funds - Westminster Center Park
Community Enhancement Fund
Great Outdoors Colorado Grant

Policy Issue

Should the City proceed with construction of the Westminster Center Park?

Alternatives

1. City Council could choose to not authorize the construction of Westminster Center Park and decide to invest that money on another bond project. Staff does not recommend this option, as this project is identified in the Parks and Recreation Master Plan, the bond proposal passed by voters in 2006, funds are budgeted, a Great Outdoors Colorado grant has been awarded and several neighborhood meetings have already been held to promote the new project.
2. City Council could direct Staff to reduce the scope of the project to current funding. Staff does not recommend this option at this time. Staff presented the Westminster Center Park on April 23, 2009 to the Adams County Open Space Advisory Board and is recommending the entire grant request of \$543,592 to the County Commissioners. Grants will be awarded in June 2009. Staff has designed and scheduled the park construction to progress without disruption while waiting for awarding of the grant.
3. City Council could choose to delay the project until June when the Adams County Open Space officially awards the grant funds to applicants. Staff does not recommend this alternative as the project has already been delayed when Adams County Open Space eliminated the summer 2008 grant cycle and rescheduling presentations and awarding of the grants in the spring 2009 cycle. Losing two prime construction months, May and June, would move the completion of the park into summer of 2010 with the potential for increased costs.

Background Information

The City of Westminster is contributing \$1,960,563 in Bond Funds and Capital Improvement Funds towards the construction phases of Westminster Center Park project. Great Outdoors Colorado is providing a matching grant of \$200,000. The Community Enhancement Art funds will provide \$150,000 for design and construction of a lighted obelisk that will be the center art piece of the plaza. These funds will allow for the infrastructure and the majority of the park to be constructed at this time. Bid alternatives, specifically the play area, will be added to the contract as grant funding becomes available. If Adams County grant funds are not made available, the project budget will be adjusted accordingly. However, approval of the Adams County grant is expected in June. Expenses in addition to the construction costs identified in this memorandum are for design, consulting fees, testing, play lot equipment and fixture purchases, and other miscellaneous items bring the total budget for the construction project to \$2,854,155.

Breakdown of Funds

Bonds	\$1,377,231
Capital Improvements Program	\$583,332
Great Outdoors Colorado Grant	\$200,000
Community Enhancement Art	\$150,000
Adams County Open Space Grant *	\$543,592
TOTAL FUNDING FOR CONSTRUCTION	\$2,854,155

* To be awarded in June

Professional landscape architectural services were obtained to finalize the master plan of the park, which will feature two shelters, a large performance shelter, terracing, a central plaza area with three small fountains, a play area, a restroom, parking lots and a walking trail throughout the park. This special use park was designed to serve as a diverse array of users and provide a visual extension from City Hall.

Bids were solicited from six reputable construction companies for this project that had a minimum of five years' experience not only in park construction but in specialty items such as water features, buildings and specialty pavement. The bids for construction of the entire park as master planned, including bid alternates, but exclude play area construction and certain amenities, are broken down as follows.

Construction Bids:

CONTRACTOR	BID	OBELISK	TOTAL
Arrow J Landscape-Design, Inc.	\$1,845,811.07	\$150,000	\$1,995,811.07
Colorado Designscape	\$1,862,437.80	\$150,000	\$2,012,437.80
Goodland Construction	\$1,977,789.80	\$150,000	\$2,127,789.80
T2 Construction	\$2,244,967.15	\$150,000	\$2,394,967.15
Richdell Construction	No bid	No bid	No bid
American Civil Contractors	No bid	No bid	No bid

Staff did not approve the playground and some of the site amenities at this time due to the current budget. As a cost-saving measure, Staff anticipates purchasing the play equipment, additional pedestrian lighting and site amenities, which will save the City a significant amount of contracted labor costs. Staff will come back to City Council for approval of the additional in-house expenditures in June, along with a supplemental appropriation for funding received through the Adams County Open Space Grant.

This project meets City Council's Strategic Plan Goals of "Financially Sustainable City Government Providing Exceptional Services," "Vibrant Neighborhoods and Commercial Areas," and "Beautiful and Environmentally Sensitive City."

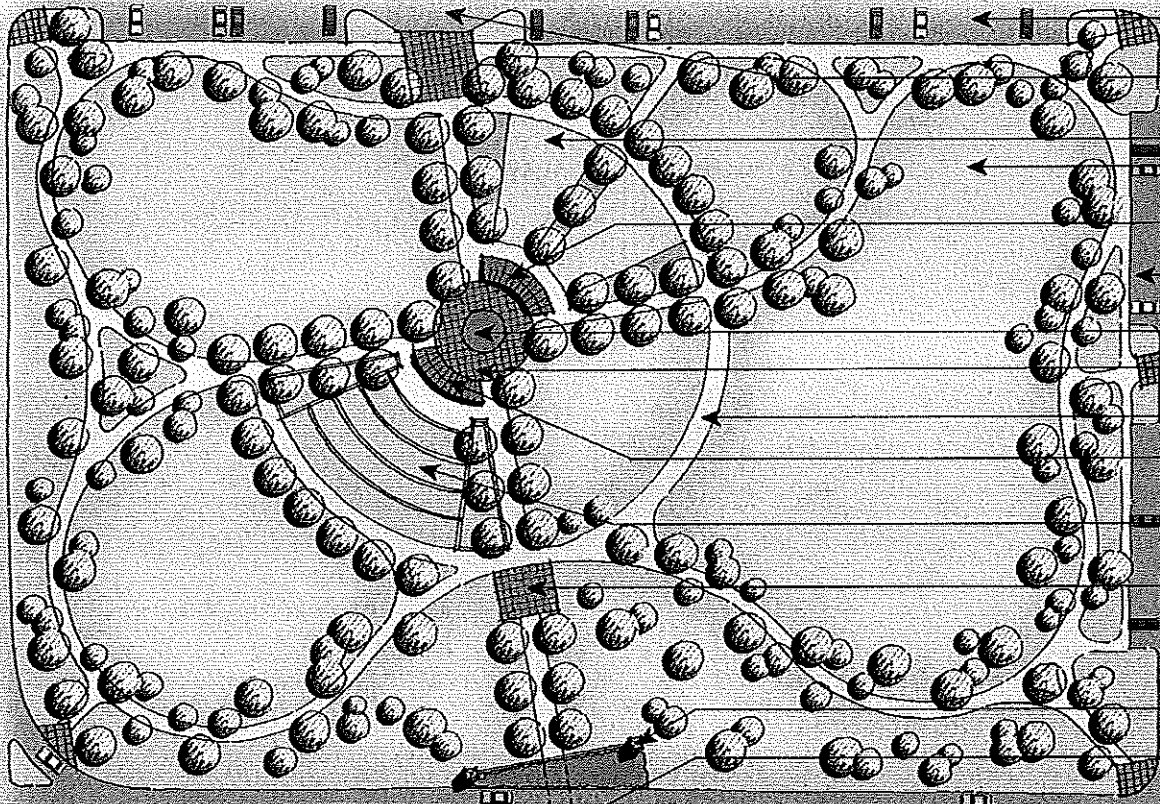
Respectfully submitted,

J. Brent McFall
City Manager

Attachment

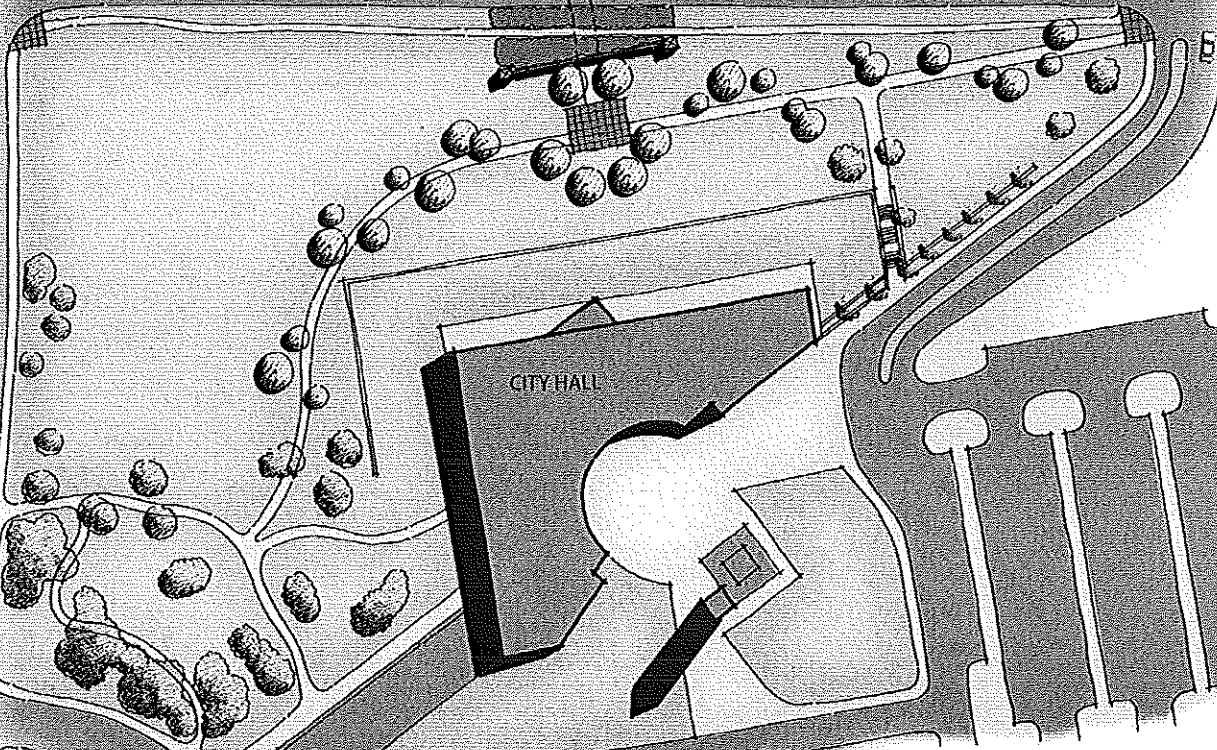
93rd AVE.

CITY CENTER DRIVE



- OFF STREET PARKING (54 SPACES)
- DROP-OFF
- PLAYGROUND
- BLUEGRASS MEADOW (TYP)
- SEMI-CUSTOM SHELTER/RESTROOM
- OFF STREET PARKING (29 SPACES)
- WATER FEATURE
- PLAZA
- CONCRETE WALKS (TYP)
- SEMI-CUSTOM SHELTER/STAGE
- AMPHITHEATER SEATING
- SPECIAL PAVING (TYP)
- MONUMENT (TYP)
- 92nd AVE. UNDERPASS (FUTURE - BASED ON AVAILABLE FUNDING.)

92nd AVE.



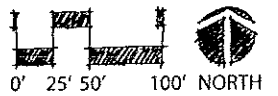
NOTE:
IMPLEMENTATION OF
IMPROVEMENTS SHOWN
IS BASED ON AVAILABLE
AND FUTURE FUNDING.

WESTMINSTER CENTER PARK

SITE MASTER PLAN

ARCHITERRA GROUP/
CHEVO STUDIOS

3-12-08





WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Carroll Butts Park Maintenance Contract Renewal

Prepared By: Richard Dahl, Park Services Manager
Marty Chase, Parks Contract Maintenance Specialist

Recommended City Council Action

Authorize the City Manager to approve renewal of an existing contract with Colorado Grass Roots in the amount of \$48,000 for the maintenance of Carroll Butts Park, with the option for renewal in 2010.

Summary Statement

- On June 16, 2000, the City of Westminster entered into an Intergovernmental Agreement (IGA) with Hyland Hills Park and Recreation District for Joint Maintenance of Facilities at Carroll Butts Park.
- The City of Westminster's responsibilities in the IGA are for landscape and turf management, athletic field preparation and trash pick up.
- In 2008, the City solicited bids from three landscape firms, with Colorado Grass Roots being awarded the low bid for the years 2008 through 2010 (3 years); however, this item did not receive Council approval at that time. Staff is now taking the more conservative approach that City Council must authorize any multi-year contract that will exceed \$50,000 over the life of the contract.
- This renewal includes an increase of \$1,175 as allowed for in the contract.

Expenditure Required: \$48,000

Source of Funds: General Fund - Parks, Recreation and Libraries Operating Budget
Storm Drainage Fund – Park Services Operating Budget

Policy Issue

Does the City wish to continue the use of outside contractors to perform specific park maintenance operations instead of using in-house Staff, supplies and equipment?

Alternatives

1. Do not approve the expenditure maintenance for Carroll Butts Park and require City Staff to re-bid the contract for the 2009 season. Due to the limited time frame involved for spring maintenance, Staff does not recommend this option if service levels are to be maintained.
2. Require City Staff to take over the maintenance of Carroll Butts Park. Due to current budget concerns, Staff does not recommend this option as the funds are available within Park Services' contract maintenance accounts that can cover this expenditure without impacting park staff budgets and equipment limitations.

Background Information

The contractor, Colorado Grass Roots, has performed the maintenance at Carroll Butts Park since 2000 and has done a superior job in all aspects of the contract. The high recreational use of this site due to Little League activities requires extensive maintenance in regards to turf care and trash removal. Public comments regarding the maintenance levels at Carroll Butts Park have been very positive and many of the complaints from the neighborhood have disappeared since using this contractor.

Three bids were solicited for this contract in 2008 with the following results:

Colorado Grass Roots	\$46,825
American Civil Contractors. Inc.	No bid
L.I.D. Landscapes	No bid

With increasing park acreage and maintenance responsibilities, Park Staff has found it more cost effective to use a contractor to maintain Carroll Butts Park, which then allows City Staff the time and resources to properly maintain new and existing parks to standards expected by Westminster residents as expressed in the City's Citizen Survey.

This contract supports the City's Strategic Plan Goals of "Financially Sustainable City Government Providing Exceptional Services" and "Beautiful and Environmentally Sensitive City."

Respectfully submitted,

J. Brent McFall
City Manager



**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Additional 2009 Water Leases to FRICO-Standley Lake Irrigators

Prepared By: Mary Jay Vestal, Water Resources Engineer
Josh Nims, Water Resources Engineering Coordinator

Recommended City Council Action

Authorize the City Manager to enter into short-term leases not to exceed 2,000 acre feet of surplus water in 2009 to Farmers Reservoir and Irrigation Company irrigators for \$27 per acre foot.

Summary Statement

- On April 13, 2009, Council authorized leasing up to 1,000 acre feet of surplus water to Farmers Reservoir and Irrigation Company (FRICO) irrigators in 2009. The following day, Staff mailed a letter to current FRICO shareholders indicating our ability to lease water this year. Response to this offer exceeded Staff's expectations having received requests for well over 1,000 acre feet of water.
- In March 2009, Staff determined that there would be over 1,000 acre feet of stored water in excess of the City's needs for 2009 due to full storage accounts and forecasts of average or better streamflow. Since that time, significant snowfall in our watershed has improved the City's water supply outlook for 2009. Staff is confident at this time that an additional 1,000 acre feet can be considered surplus to the City's needs for 2009.
- This year, several downstream FRICO agricultural irrigators are facing a shortage in their water supply due to certain infrastructure repair projects being done by Northglenn that will limit exchange and storage potential normally relied on for leases.
- The City may benefit from leasing additional surplus water to the FRICO irrigators this year, mainly by establishing additional good working relationships with individual Standley shareholders. Reimbursement of the leased water will be at \$27 per acre foot.
- In light of the recent snowfall creating an even more favorable water supply outlook for this year, as well as the success of the originally approved leasing program, City Staff is requesting authority to enact additional leases of surplus water, subject to the standards in the City's Charter Section 14.3 limited to 2,000 during the 2009 calendar year.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Does City Council wish to lease another 1,000 acre feet (for a total of up to 2,000 acre feet) of surplus water in 2009 for \$27 per acre foot?

Alternative

City Council could decide not to lease any more of the City's surplus water this year. This alternative is not recommended. By offering additional water leases in 2009, the City stands to gain additional funds and continue to support local agriculture. Opting not to lease additional surplus water would limit potential future opportunities with agricultural water rights holders and would forego revenue. Also, based on the interest in leasing opportunities so far, it is apparent that these irrigators are very much in need of water this year due to Northglenn's temporary inability to lease water.

Background Information

Although water is becoming a scarce resource on the Front Range as development continues, the City of Westminster has a strong portfolio of this commodity due to responsible planning and diligent work of City Staff and Council over the decades. At times, the City has water surplus to its needs and stands to benefit from such opportunities, both from a financial standpoint and from a good-neighbor policy, as water users in the South Platte River basin often seek temporary sources of water to supplement their water supply systems.

As Council is aware, the status of Westminster's water supply outlook for 2009 is very favorable, and a specific leasing opportunity has developed that Staff anticipates will have worthwhile benefits to the City's water supply system. The City of Northglenn, which normally leases water to FRICO-Standley Lake irrigators, had to draw down its Bull Reservoir in order to perform repairs this year. Northglenn will not be able to lease water as normal, and Westminster plans to lease surplus water this year to assist the irrigators and at the same time, generate good will among Standley shareholders as well as additional revenue for the Utility Fund.

Water Resources Staff has used a computer model to analyze current conditions and predicted water supply and demand to determine that there are over 2,000 acre feet of stored water surplus to the City's needs for 2009. On Council's approval last month to lease up to 1,000 acre feet, Water Resources Staff has advertised the leasable water and has received requests for over 1,000 acre feet. Therefore, in addition to the 1,000 acre feet of surplus water previously authorized by Council to lease this year, Staff proposes to lease an additional 1,000 acre feet at FRICO irrigators' requests. The first 1,000 acre feet are committed, and Staff has created a waiting list for additional requests. As before, limiting the leases to this volume will ensure compliance with the Charter provision regarding avoidance of a water shortage within the City.

In staying consistent with the market price for agricultural water in the South Platte River basin, the price these irrigators normally pay for water they lease from Northglenn, and the price offered for leasing the original 1,000 acre feet, Staff proposes to lease the water at a rate of \$27 per acre foot. Agricultural water is notably less expensive than water leased to municipal and industrial entities because water used for agricultural purposes is not required to have undergone water court proceedings. It is therefore a more abundant commodity with a less competitive market than water guaranteed to be fully consumable.

The main benefit to the City of this lease is establishing a good working relationship with individual Standley shareholders, so charging the usual price is important. This reimbursement rate is sufficient to meet operations and maintenance costs as well as to reduce water debt and adequately compensate the water fund, as required in Charter Section 14.3.

The FRICO-Standley irrigators' needs for water leases have a critical timeline, as their production for the year depends on availability of irrigation water. The irrigators' requests for leases have the potential to be very numerous and relatively minor in character. For these reasons, Staff proposes that Council agree to an appropriate quantity of water and an appropriate monetary reimbursement for leases in 2009 and in effect, define the limits under which additional surplus water lease agreements may be enacted by Staff so that individual water leases can be approved in a timely manner. With a strict set of guidelines by which to act, Water Resources Staff should be able to effectively negotiate and approve these critical leases as they arise. As required by Charter Section 14.3, lease agreements shall retain the City's power to limit deliveries in order to prevent a water shortage within the City.

Approving the maximum volume of water to lease and the rate at which to offer leases in 2009 and allowing Staff to negotiate such lease agreements under the terms of Charter Section 14.3, supports City Council's goal of Financially Sustainable City Government Providing Exceptional Services by providing for efficient, cost-effective internal services. Allowance of surplus water leases in general supports City Council's goal of Financially Sustainable City Government Providing Exceptional Services by opening opportunities to secure and develop long-term water supply.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: 2009 Open-Cut Waterline and Sanitary Sewer Construction Contracts

Prepared By: Kent Brugler, Senior Engineer, Capital Projects and Budget Management

Recommended City Council Action

1. Based on a report from the City Manager, City Council finds that the public interest would be best served through authorizing the City Manager to execute a contract with the lowest qualified bidder Ricor, Inc. in the amount of \$1,475,841 for construction of sanitary sewer and waterlines and authorize a 10 percent construction contingency in the amount of \$147,600 for a total construction budget of \$1,623,441.
2. Authorize the City Manager to execute a contract amendment with Brown & Caldwell in the amount of \$116,530 for soils and asphalt testing services to be provided during construction.

Summary Statement

- Most of the water and sewer lines scheduled for replacement are 40-50 years old, and serve neighborhoods where frequent breaks and capacity problems have occurred in recent years.
- Many of the waterlines are undersized for current fire flow requirements and existing fire hydrant spacing falls short of current standards for residential property.
- Based on waterline break history, waterline size and flow capacity, Staff has identified approximately 13,200 feet of waterlines that should be replaced. In addition, 26 new fire hydrants and 57 new valves will be installed.
- Every three years the Utilities Operations Division completes an inspection program of all of the City's sanitary sewer collection system and identifies pipelines that must be repaired or replaced. As a result of the current inspections, Staff has identified approximately 1,650 feet of gravity sewer lines and 1,275 feet of sewer force mains that must be replaced due to physical deficiencies. In addition, 4 manholes will be replaced.
- The City advertised the project for bids on March 13, 2009 and received eleven bids on April 7, 2009. Ricor, Inc. presented the lowest qualified bid in the amount of \$1,475,841, which was 36% below the Engineer's estimate of \$2.3 million.
- Brown & Caldwell is the design engineer for both the 2008 and 2009 Open Cut Replacement projects, representing a total construction value of \$3,500,000. Construction phase geotechnical services for soils and asphalt testing were not part of their original scope of work, requiring an amendment to their contract in the amount of \$116,530 to provide these services for both projects.
- The requested funding is within the funding authorized by City Council in the 2009 Utility Fund Budget for water and sewer line replacement.

Expenditure Required: \$1,739,971

Source of Funds: Utility Fund Capital Improvement Program

- Open Cut Water Line Replacements
- PACP Sewer Line Open Cut Replacement

Policy Issues

1. Should the City proceed with the replacement of these aged water and sanitary sewer lines?
2. Should the City approve an amendment to Brown & Caldwell's engineering services agreement to include construction phase geotechnical services for soils and asphalt testing?

Alternatives

1. The City could choose to replace these sanitary sewer and waterlines at a later date; however, existing pipe capacity limitations and pipe conditions will likely only become worse, interfering with water and sewer service in the future.
2. The City could award the contract to another bidder; however, this would only unnecessarily increase the project costs since the low bidder is responsible and qualified to perform this work.
3. The City could choose to re-bid the project as currently designed; however, the cost proposal received is well below the Engineer's estimate.
4. The City could choose to contract with a separate geotechnical services firm to provide the soils and asphalt testing, but this would likely result in higher costs and require City Staff to manage an additional contract.

Staff does not recommend any of these alternatives.

Background Information

Staff has identified portions of the existing water distribution system where frequent waterline breaks have occurred. The neighborhoods scheduled for waterline replacement have experienced interrupted water service caused by the waterline breaks. Many of the waterline cast-iron pipes are particularly vulnerable to breaking as they age, due to the brittle nature of the pipe material. When these pipes were installed, approximately 40-50 years ago, the fire flow requirements of that period justified a 6-inch diameter pipe. However, as fire flow requirements have increased over the years, 6-inch diameter pipe no longer has sufficient capacity to meet current standards. The new waterline pipe material will be 8-inch and 12-inch diameter polyvinylchloride (PVC). Along with the 10,650 feet of 8" and 2,540 feet of 12" waterline, 26 new fire hydrants and 57 main line isolation valves will be installed, which will enhance the overall operation of the water distribution system.

Staff also identified portions of the existing sanitary sewer collection system in the Sunset Ridge area that require replacement and rehabilitation that includes the installation of approximately 1,650 feet of 8-inch gravity sanitary sewer PVC pipe, 1,275 feet of 6-inch sanitary sewer force main and 4 new manholes. These old lines are 4" and 6" diameter clay pipes that are cracked, have sags in them due to settlement or are partially blocked by protruding service connections. While many sanitary sewer improvements can be made using trenchless technologies, the sewer conditions in this area do not lend themselves to trenchless technology methods and must be replaced using open cut trench excavation. The new sanitary sewer lines will be 8" PVC pipe, thereby increasing the capacity of the line and eliminating groundwater from seeping into the system.

Brown & Caldwell was awarded the design engineering contract for both the 2008 and 2009 Open Cut Water and Sewer Line Replacement Programs on July 28, 2008. The geotechnical services for soils and asphalt testing was not included in the original Brown and Caldwell scope of work due to an oversight on Staff's part to not include it at the time. Staff decided to not recommend a contract modification after the award of the first construction contract on February 9, 2009 so that only one construct modification would be made to Brown and Caldwell's contract.

The project was advertised for bids on March 13, 2009 and the City received eleven bids on April 7, 2009. The following is a summary of the bids received:

<u>Contractor Name</u>	<u>Bid Amount</u>
Quality Pipe Services *	\$ 1,335,532
Ricor, Inc.	\$ 1,475,841
Nelson Pipeline Construction, Inc	\$ 1,571,356
Twin Peaks Utilities and Infrastructure	\$ 1,600,000
T. Lowell Construction, Inc	\$ 1,630,000
New Design Construction	\$1,634,643
Duran Excavating, Inc.	\$ 1,670,852
BT Construction, Inc.	\$ 1,765,470
Farner Enterprises, Inc.	\$ 1,924,158
Brannan Construction Company	\$2,049,324
Fiore & Sons, Inc.	\$ 2,181,382
Engineer's Opinion of Probable Cost	\$ 2,303,095

*Quality Pipe Services (QPS) submitted the apparent low bid. However upon review of their qualifications included with their bid, Staff determined that they did not meet the City's minimum qualifications for this type of water and sewer line residential replacement work. In order to confirm QPS' qualifications, Staff invited QPS in for an interview to discuss their bid package and it was confirmed that QPS did not meet the minimum experience qualifications as outlined in the bidding documents. Specifically, Item 16 of the Contractor's Qualification Statement stipulates the following qualification requirement:

"Does the Bidder have at least 5 years of experience providing residential pipeline replacement services in the Denver metropolitan area, successful completion of at least 2 projects in the last 5 years with residential water and/or sewer replacement? Minimum length of pipeline replaced on each project of at least 3,000 linear feet?"

While QPS has some experience in residential pipeline replacement, their projects have all been relatively small and do not compare in size and type of work that is consistent with this project. Their largest project listed is a \$700,000 contract with the City of Westminster, which was for video inspection services and not pipeline replacement. They also list a \$500,000 sewer replacement project at Heritage Eagle Bend in Aurora. While the length of pipe for this project is not indicated in the provided documentation, the cost would suggest an installed length of somewhere around 3,000 linear feet, which would meet the required qualification for one project. There is no second project performed by QPS that meets the qualifications. Although QPS has recently hired staff with individual experience that meets the qualifications outlined, this fact does not substitute for the specified firm experience.

Brown & Caldwell and Staff then interviewed the second low bidder, Ricor, Inc., and thoroughly reviewed their qualifications and supporting documentation. After this review, Brown & Caldwell and staff concluded that Ricor, Inc. met the minimum experience qualifications as outlined in the bidding documents, and recommend that the City accept their bid proposal and award the contract to Ricor, Inc. who has successfully completed water line installations and other projects for neighboring cities and districts. Following award of the contract, construction is tentatively scheduled to start on May 18, 2009 and be completed by October 30, 2009.

This project achieves City Council's Strategic Plan Goals of, "Financially Sustainable City Government, Safe and Secure Community and Vibrant Neighborhoods and Commercial Areas" by contributing to the following objectives:

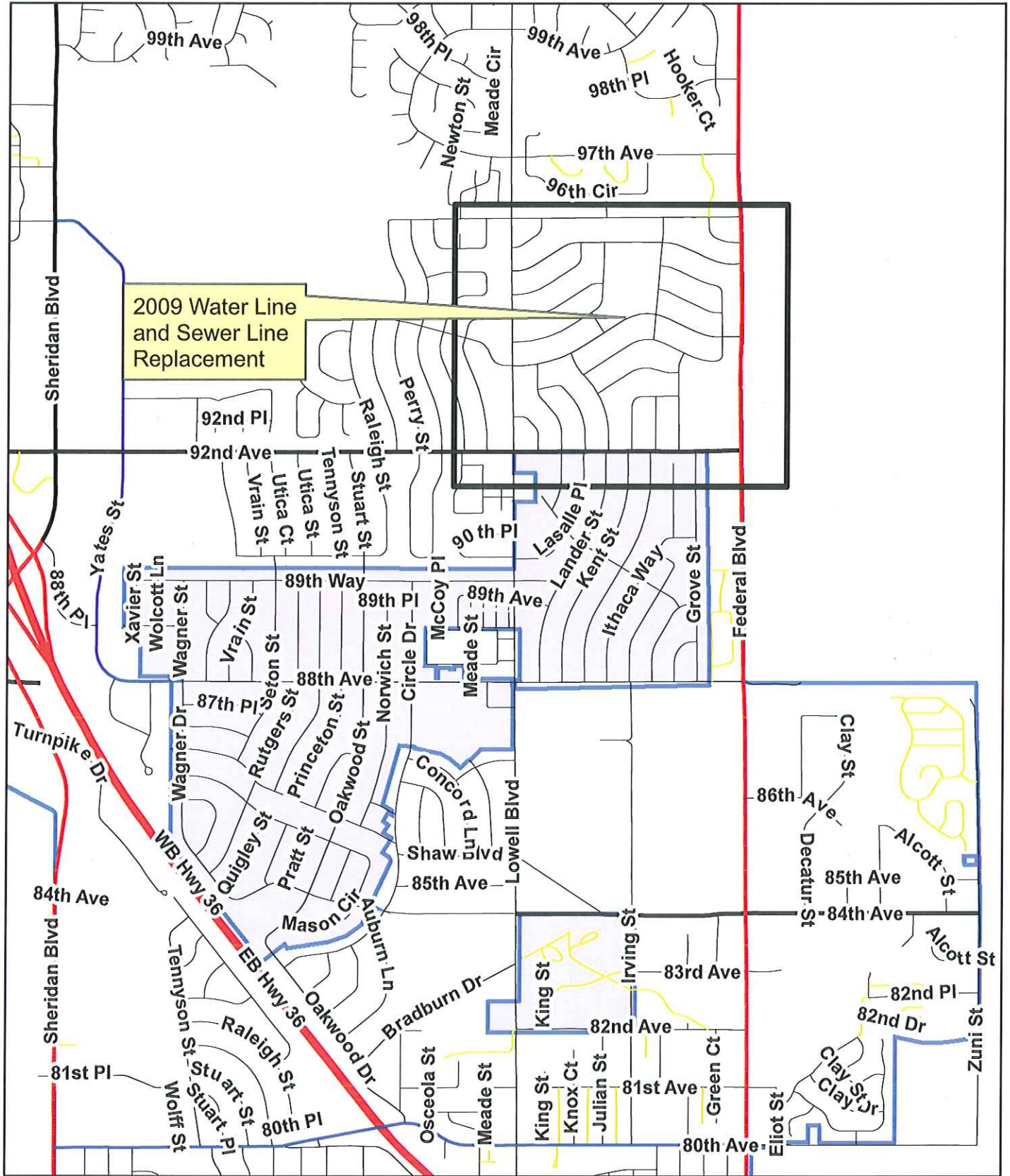
- Well-maintained City infrastructure and facilities
- Citizens are safe anywhere in the City
- Maintain and improve neighborhood infrastructure and housing

Respectfully submitted,

J. Brent McFall
City Manager

Attachments: Map

2009 Water and Sewer Line Replacement Program



City of Westminister





**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: 112th Avenue, Clay Street to Huron Street - Construction Contract

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended City Council Action

Authorize the City Manager to execute a contract with the low bidder, LaFarge West, Inc., in the amount of \$825,317.58 for the construction of improvements to 112th Avenue; and authorize a construction contingency in the amount of \$75,000.

Summary Statement

- The originally proposed project scope consists of the widening and realignment of 112th Avenue to provide two through lanes for westbound traffic from Huron Street to Clay Street; the addition of an 8-foot wide sidewalk along portions of the street; an asphalt overlay of the full width of 112th Avenue from a point located 450 feet west of Clay Street to Alcott Street; and an asphalt overlay of the north half of 112th Avenue from Alcott Street to Huron Street. The widening of the south side of 112th Avenue between Alcott Street and Pecos Street, that is located within the jurisdiction of the City of Northglenn, is not included in the project scope.
- The widening of this section of 112th Avenue will accommodate enhanced traffic flow along this arterial street and has previously been identified as a priority by the City Council.
- A Request for Bids for the construction of this project was advertised in the Daily Journal for four weeks, and bids were opened on April 16. Ten bids were received, and the lowest bidder is LaFarge West, Inc. with a bid of \$745,317.58.
- Since the City received such favorable bids for the original scope of work, Staff requests that Council also authorize an addition to the scope of this project to include an asphalt overlay of the portion of 112th Avenue located between the west end of the project (450 feet west of Clay Street) and Federal Boulevard. The existing asphalt within this area is in need of rehabilitation, so the proposed overlay would give the entire street a completed appearance and extend pavement life. This overlay would add approximately \$80,000 to the cost of the project bringing the contract total to \$825,317.58.
- Staff has reviewed the bids and recommends awarding this construction contract to LaFarge West, Inc., in the amount of \$825,317.58. A \$75,000 contingency is also recommended.

Expenditure Required: \$900,317.58

Source of Funds: General Capital Improvement Fund – 112th Avenue Widening Project

Policy Issue

Should the City proceed with the construction of improvements to 112th Avenue from Clay Street to Huron Street and the additional asphalt overlay at the west end of the project site?

Alternatives

Alternatives to the recommended actions include postponing or abandoning the construction of this project or eliminating the proposed addition to the original scope. Given the very favorable bids for the construction of this project, these alternatives are not recommended.

Background Information

The proposed widening of 112th Avenue between Federal Boulevard and Huron Street is becoming more urgent with the increased traffic flows along this corridor. This increased flow is largely due to the completion of the 112th Avenue “flyover” of I-25 by the City of Northglenn a few years ago and more recent intersection improvements at 112th Avenue and Federal Boulevard by the City of Westminster. These two projects provided two through lanes in both directions that now feed into single lanes in both directions between Ranch Reserve Parkway and Huron Street. This “bottleneck” creates a capacity concern along this increasingly important arterial roadway. 112th Avenue is the only roadway that crosses I-25 between 104th Avenue and 120th Avenue, and many motorists are now using this route to avoid the more congested interchanges located to the north and the south.

The original plan in 2004 was to construct the full widening of 112th Avenue in partnership with the City of Northglenn. Due to budgetary difficulties, the City of Northglenn will not participate in the effort at this time, so a scaled back project that includes two through lanes for westbound traffic for the entire length of the corridor with only a one-lane section of road for eastbound traffic between Alcott Street and Pecos Street has been designed. The first phase of this reduced scale project, which was to span between Clay Street and Wyandot Street, was scheduled for construction in 2008, but anticipated high asphalt and fuel costs made it more economical to combine this first phase of work with a second phase (Navajo Street to Huron Street) and construct the entire project in 2009. This strategy appears to have been successful as evidenced by the low bid prices received for the full project.

The project was advertised for construction in the Daily Journal for four weeks, and bids were opened on April 16, 2009. Ten contractors submitted bids with the low bid of \$745,317.58 being submitted by LaFarge West, Inc. The bid results are as follows:

<u>Contractor</u>	<u>Submitted Bid</u>
LaFarge West, Inc.	\$745,317.58
Premier Paving, Inc.	\$775,030.54
DeFalco Construction	\$817,510.97
Brannon Sand and Gravel	\$824,419.73
Mountain Constructors, Inc.	\$848,871.40
KECI	\$867,289.00
Concrete Construction Specialties	\$883,383.94
Duran Excavating	\$918,322.30
Asphalt Specialties, Inc.	\$919,662.81
New Design Construction	\$1,350,162.04
Engineer’s Estimate	\$1,100,814.00

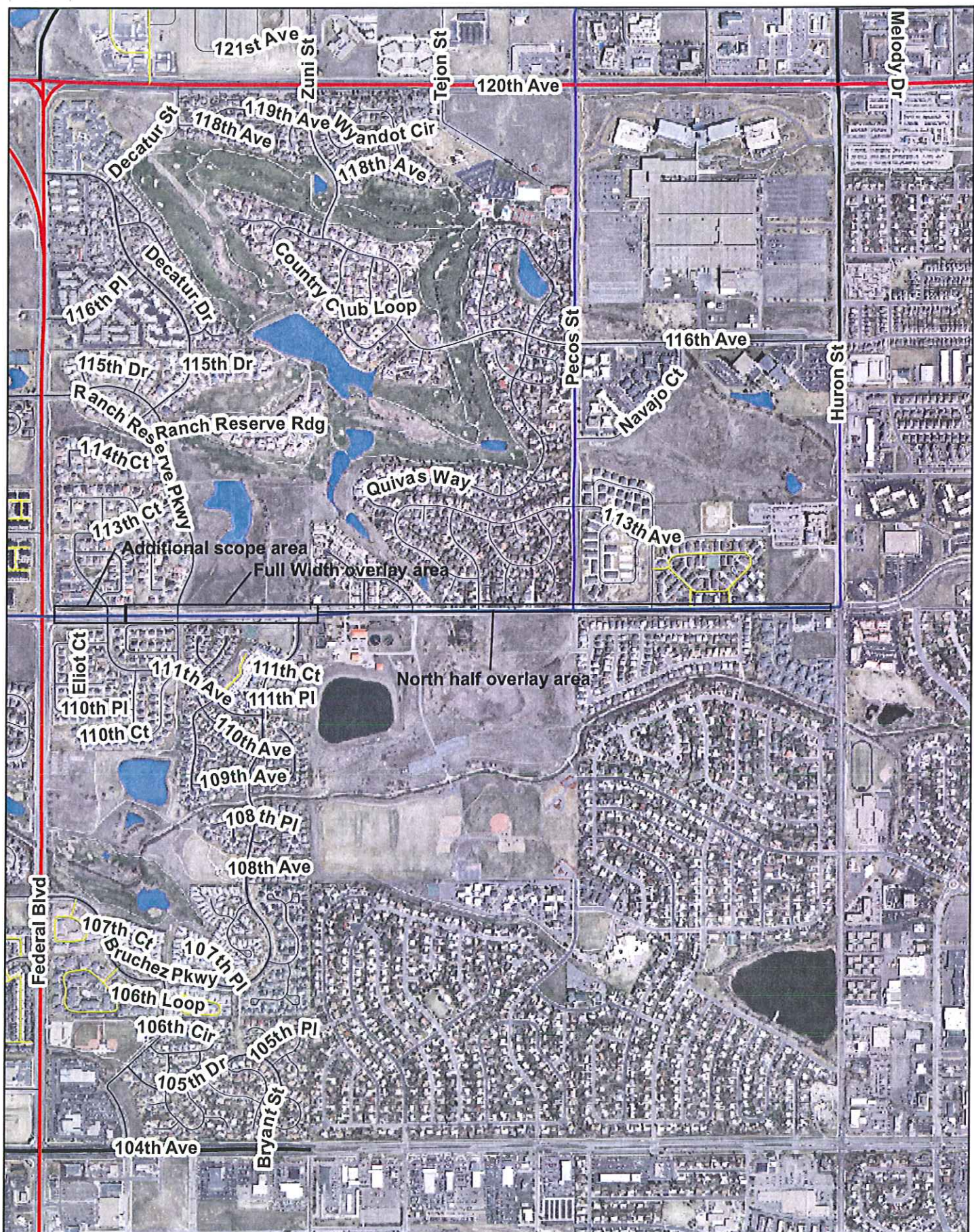
The difference between the engineer's estimate and the actual bids reflects the volatile state of the economy and low current oil prices, which resulted in lower material delivery and asphalt costs. The material prices bid are generally lower than what has been the norm over the past several years. This coupled with the large number of bidders on this project resulted in very favorable bids for the City.

Staff and the City's construction engineering consultant have reviewed the results of the bidding procedure and recommend that the low bidder, LeFarge West, Inc., be awarded the contract in the amount of \$825,317.58, which is the bid amount (\$745,317.58) plus the cost of the added scope of work to overlay the street from a point located 450 feet west of Clay Street to Federal Boulevard (\$80,000). Staff is very familiar with Lafarge West, who is pre-qualified with the Colorado Department of Transportation and is very capable of constructing this type of project. The contingency amount of \$75,000 is slightly below 10% of the cost of construction. Staff believes that this is an adequate contingency for a project of this size and complexity.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – Map of Project Area



112TH AVENUE, CLAY STREET TO HURON STREET PROJECT





**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Intergovernmental Agreement with Adams County for the 144th Avenue, Huron Street to Zuni Street Project

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended City Council Action

Authorize the City Manager to execute an Intergovernmental Agreement (IGA) with Adams County regarding annexation, funding and contract administration responsibilities for the 144th Avenue, Huron Street to Zuni Street improvements project.

Summary Statement

- The proposed IGA provides for contributions of \$260,000 in 2009 and \$400,000 in 2011 from Adams County for its share of the construction of the 144th Avenue, Huron Street to Zuni Street project. Funds for the construction of the project, which is currently underway, have already been entirely budgeted by the City. The Adams County funds will be a reimbursement to the City.
- The current 144th Avenue project spans from Jason Drive (located west of Huron Street) to Zuni Street. The segment located between Jason Drive and Tejon Street is within the boundaries of the City of Westminster, but the portion located between Tejon Street and Zuni Street is within unincorporated Adams County. Nonetheless, the City has great interest in improving the section of 144th Avenue that runs through unincorporated Adams County as well as the portion that runs within Westminster in order to provide sufficient capacity for motoring patrons of The Orchard Town Center and other destinations in the northern reaches of the City. Adams County has agreed to participate in this effort in the amount of 50% of the cost of the Tejon Street to Zuni Street segment.
- The Adams County Board of County Commissioners approved the IGA and executed it on March 25, 2009. Reimbursement to the City from Adams County is contingent upon both jurisdictions approving the IGA. The major components of the IGA are as follows:
 - The City agrees to administer the construction of the 144th Avenue widening project.
 - The City agrees to front the costs of constructing the project.
 - The City agrees to annex the 144th Avenue right-of-way between Zuni Street and Tejon Street and to maintain 144th Avenue in the future.
 - Adams County agrees to pay for 50% of the cost of that portion of the project located between Tejon Street and Zuni Street in 2009 and 2011.
- The City Attorney's Office has reviewed and approved the attached IGA.

Expenditure Required: \$ 0

Source of Funds: N/A

Policy Issue

Should the City execute an Intergovernmental Agreement with Adams County for the 144th Avenue, Huron to Zuni Streets project?

Alternative

City Council could direct Staff to attempt to negotiate a higher percentage share of the cost of the project from Adams County. Staff does not recommend this option since the proposed reimbursement from Adams County is all that the County is willing and able to contribute to this effort. The proposed annexation of the right-of-way between Zuni Street and Tejon Street by the City is logical because it is the only stretch of unincorporated right-of-way along the 144th Avenue corridor between the boundaries of the City and County of Broomfield and the City of Westminster. It cannot be annexed by Broomfield without a special election, which is unlikely to occur. Therefore, staff recommends the approval of the IGA with Adams County.

Background

The 144th Avenue project area spans from Jason Drive, which is located approximately 800 feet west of Huron Street, to the east side of Zuni Street. The current roadway section is a two lane asphalt pavement with minimal shoulders on each side. The City's construction project will widen the street to a four-lane arterial roadway section to match the roadway section located east of Huron Street. The section of 144th Avenue located between Tejon Street and Zuni Street is in unincorporated Adams County. As previously directed by Council, Staff is proceeding with the construction of this segment of the project with a commitment from Adams County to pay for a 50% share of the cost of this portion of the work. The County has already sent copies of the executed IGA to the City and is waiting for Council's approval of the agreement before the 2009 reimbursement amount is tendered to the City. In return, the City will annex the right-of-way, administer the construction of the project and maintain this portion of 144th Avenue in the future. If Council approves this IGA, Staff will move on the process of the annexation of the right-of-way and secure the reimbursement from the County.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT, is made this ____ day of _____, 2009, between the City of Westminster, a municipal corporation (hereinafter referred to as the "City") and the County of Adams, a political subdivision of the State of Colorado (hereinafter referred to as the "County").

RECITALS

WHEREAS, the City and the County recognize the importance of safe, efficient roadways for their constituents; and

WHEREAS, both the City and the County recognize a need for and support major improvements to 144th Avenue between Zuni Street and Huron Street (hereinafter referred to as the "Project"); and

WHEREAS, the boundaries of the City are between Huron Street and Tejon Street and the boundaries of the County are between Zuni Street and Tejon Street and the parties recognize that individual projects within each jurisdiction would be very difficult to implement; and

WHEREAS, significant organizational efficiencies can be realized when such projects are jointly planned and implemented by participating local jurisdictions; and

WHEREAS, the parties have estimated the total cost of the Project and each Party is prepared to provide their appropriate share of the Project funds in the amounts described herein, and authority exists under the law and the total project funds have been budgeted by the City, and the County will reimburse the City its share of the total project costs, subject to annual appropriation by County Commissioners.

NOW, THEREFORE, in consideration of mutual covenants contained herein, the City and the County hereby agree as follows:

I. DEFINITIONS

A. **COMMITTEE** shall mean the review Committee composed of members from the City's Engineering Division and members of the County's Engineering Division to represent the mutual interests of the parties relative to the implementation of the Project.

B. **CONTRACTOR** shall mean the construction firm selected by competitive bid through the City and awarded by the City to construct the Project.

C. **PARTIES** shall mean the City of Westminster and Adams County.

D. PROJECT shall mean the engineering design, acquisition of right of way, preparation of construction plans and technical specifications, and construction of the public roadway improvements to 144th Avenue between Zuni Street and Huron Street, as defined by the City.

E. PLANS shall mean the engineering design, right of way and construction plans, technical specifications and other work necessary to construct the public roadway improvements as defined above.

II. UNDERSTANDING AND PURPOSE

A. The parties understand that the purpose in entering into this Intergovernmental Agreement is to cooperate in the design, funding and construction of the Project to improve 144th Avenue between Zuni Street and Huron Street.

B. The parties intend to share in the costs of design, right-of-way acquisition and construction of the Project.

C. The City will manage the design of the Project on behalf of both parties. The design is being performed by Felsburg, Holt & Ullevig.

D. The City will acquire all rights-of-way and easements necessary for the construction of the Project.

E. The City will administer the "Construction Contract" for the Project on behalf of both parties. Construction Contract administration will include all required actions to comply with state, and federal regulations including compliance with stormwater management regulations during and after construction as they relate to the Colorado Discharge Permit System General Permit for Stormwater Discharges Associated with Construction Activity (25-8-101 et seq., CRS, 1973 as amended).

F. The City will provide Construction Engineering Services for the Project on behalf of both parties.

III. PARTIES' RESPONSIBILITIES

A. The City will enter into a contract for the design, right-of-way acquisition, construction engineering services and construction of the project and will serve as the project manager

B. The Parties will jointly finance the Project in the manner outlined in Section V of this Intergovernmental Agreement.

IV. COMMITTEE RESPONSIBILITIES

A. The Committee shall review the Plans for the Project and issue all necessary permits for the project in a timely manner.

B. The individual members of the Committee shall be responsible to ensure the timely approval of the Plans and issuance of all permits for the portions of the Project that are to be constructed within their respective jurisdictions.

V. SHARING OF COSTS

A. Unless agreed to at a future date, the Parties shall not be obligated to provide funding in excess of the stated amounts.

B. Each Party has provided or shall provide funding for its portion of the Project in the following amounts:

Year	City of Westminster	Adams County	Total	Activities
2005	\$ 150,000	\$0	\$ 150,000	Begin Preliminary Design
2006	\$0	\$0	\$0	Complete Preliminary Design
2007	\$2,449,688	\$25,000	\$2,474,688	Begin Final Design
2008	\$4,298,000	\$0	\$4,298,000	Begin ROW & Utility Relocation and advertise for construction
2009	\$0	\$260,000	\$260,000	Begin Construction
2010	\$0	\$0	\$0	
2011	\$0	\$400,000	\$400,000	County Reimbursement
Totals	\$6,897,688	\$685,000	\$7,582,688	

VI. FUNDING

A. The Parties' funds for the costs of design, right-of-way acquisition and construction of the Project will be placed into and withdrawn from a "Westminster Account". The City shall have the right to withdraw the funds in the account for costs of the Project. The County's contribution shall be paid to the City by January 30 of the year in which they are due. The County's contributions are subject to appropriation by the Board of County Commissioners, provided, however, that the County agrees to use its best efforts and act in utmost good faith in budgeting and appropriating said funds for the purpose of meeting its obligations under this Intergovernmental Agreement. The County's share of the cost for the project are set amounts and no additional funding will be provided by the County absent an

amendment to this Intergovernmental Agreement approved and executed in writing by both parties. No refunds of the County's share will be made by the City. The County's share in 2011 shall be contingent on the City annexing the roadway portions of the project that are currently under the County's jurisdiction on or before January 30, 2011. The County Administrator is hereby authorized to execute any non-contractual documents that may be reasonably requested by the City to accomplish said annexation.

VII. AUTHORITY

A. The City and the County shall each approve this Intergovernmental Agreement by appropriate action of its respective governing body. Documentation of those actions shall be attached hereto and made a part hereof.

VIII. MISCELLANEOUS

A. This Intergovernmental Agreement shall be effective upon execution by both Parties. No amendment shall take effect until all Parties have ratified and adopted such amendment.

B. The waiver by any Party or breach of any term, covenant or condition of the Agreement shall not be deemed a waiver for such term, covenant or condition or any subsequent breach of the same or any other term, covenant, or condition of this Intergovernmental Agreement.

C. This Intergovernmental Agreement is solely for the benefit of the Parties hereto and no third Party shall be entitled to claim or enforce any rights hereunder except as specifically provided herein.

D. If any provision of this Intergovernmental Agreement or application thereof to any Party or circumstances is held invalid by a court of competent jurisdiction, such invalidity shall not affect the other provisions of this Intergovernmental Agreement which can be given effect without the invalid provision or application, and to this end the provisions of this Intergovernmental Agreement are declared to be severable.

E. This Intergovernmental Agreement shall not be assigned by either Party without the written consent of the other Party. The Parties agree to execute any additional documents or take any additional actions that are necessary to carry out this Intergovernmental Agreement.

F. This Intergovernmental Agreement represents the entire agreement between the Parties and there are no oral or collateral agreements or understandings.

G. Each Party represents and warrants that it has taken all actions that are necessary or that are required by its procedures, bylaws or applicable law, to legally authorize the undersigned signatory to execute this contract on behalf of the Party and to bind the Party to its terms.

H. At all times during the performance of this Intergovernmental Agreement, the Parties shall strictly adhere to all applicable Federal and State laws, rules and regulations that have been or may hereafter be established.

IX. TERM

A. It is the intent of the Parties that the Project construction be completed by December 31, 2009. However, this Intergovernmental Agreement shall remain in full force and effect to permit completion and acceptance of the Project.

X. LEGISLATIVE ENABLEMENTS

A. This Intergovernmental Agreement is made pursuant to Article XIV, Section 18 (2)(a) and Article XX of the Colorado Constitution and Sections 29-10-201 et seq. and 30-11-101 et seq. of the Colorado Revised Statutes.

B. This Intergovernmental Agreement is not intended to create a separate governmental entity as that term is defined in Article I, Title 29 of the Colorado Revised Statutes.

IN WITNESS WHEREOF, the Parties hereto have caused this Intergovernmental Agreement to be executed this ____ day of _____, 2009.

ADAMS COUNTY

By: Larry W. Pace
Larry W. Pace 3.25.09
Chairman of the Board

ATTEST:

[Signature]
The seal of Adams County, Colorado, is circular with the text "ADAMS COUNTY COLORADO" around the top and "SEAL" at the bottom. In the center is a five-pointed star with a plow and a sheaf of wheat.

APPROVED AS TO LEGAL
FORM ~~AND CONTENT~~

By: D. Christ
County Attorney's Office

CITY OF WESMINSTER

By: _____
J. Brent McFall
City Manager

ATTEST:

Linda Yeager, City Clerk

APPROVED AS TO LEGAL
FORM AND CONTENT

By: Martin R. McCullough
City Attorney's Office



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Second Reading of Councillor’s Bill No. 11 re Lease/Purchase of Golf Course Carts Supplemental Appropriation

Prepared By: Ken Watson, Regional Parks and Golf Manager
Chris Swinhart, Golf Professional Legacy Ridge

Recommended City Council Action

Pass Councillor’s Bill No. 11 on second reading appropriating \$439,745 in the Golf Course Fund for the lease/purchase of replacement Legacy Ridge Golf Course and The Heritage Golf Course golf carts.

Summary Statement

- Approval of the lease/purchase will:
 - Fund the lease/purchase and financing costs of a replacement golf cart fleet at Legacy Ridge and The Heritage golf course;
 - Replace an aging golf cart fleet that requires increased labor and parts to allow the carts to be used as safe rental and service vehicles; and
 - Provide essential vehicles necessary to maintain Guest service, course management, food and beverage service and revenue generation at both of the City’s golf courses.
- The lease/purchase and financing cost is estimated to be \$492,924, and funding adequate to cover the associated annual lease payments of \$123,295 is included in the adopted 2009 and 2010 Legacy Ridge and The Heritage budgets.
- Colorado Golf and Turf is not the low bidder.
- The interest rate will be determined on the date of commitment by the City as defined in the master lease agreement approved by City Council in 2001. The interest rate is projected to be between 4.5% and 5.5% percent.
- This Councillor’s Bill was passed on first reading April 27, 2009.

Expenditure Required: Not to exceed \$439,745

Source of Funds: Proceeds from Master Lease in the General Fund

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **11**

SERIES OF 2009

INTRODUCED BY COUNCILLORS
Dittman - Major

A BILL

**FOR AN ORDINANCE INCREASING THE 2009 BUDGET OF THE GOLF COURSE FUND
AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2009 ESTIMATED
REVENUES IN THIS FUND**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2009 appropriation for the Golf Course Fund, initially appropriated by Ordinance No. 3432 is hereby increased by \$439,745. This appropriation is due to an increase in the master lease for the Golf Course Fund.

Section 2. The \$439,745 increase in the Golf Course Fund shall be allocated to City revenue and expense accounts as described in the City Council Agenda Item 10 C-E, dated April 27, 2009 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

Golf Course Fund	<u>\$439,745</u>
Total	<u>\$439,745</u>

Section 3 – Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

Section 4. This ordinance shall take effect upon its passage after the second reading.

Section 5. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED
PUBLISHED this 27th day of April, 2009.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED
this 11th day of May, 2009.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Councillor's Bill No. 12 re 2008 Final Budget Supplemental Appropriation

Prepared By: Gary Newcomb, Accountant

Recommended City Council Action

Pass Councillor's Bill No. 12 on first reading providing for supplementary appropriations to the 2008 budget of the General, General Capital Outlay Replacement (GCORF), Sales & Use Tax, Parks Open Space and Trails (POST), and General Capital Improvement Funds.

Summary Statement

- At the end of each quarter Staff prepares an ordinance to appropriate unanticipated revenues received during the quarter. Preparing quarterly supplemental appropriation requests is done to simplify administrative procedures and reduce paper work.
- This is the 2008 Final supplemental appropriation.
- General Fund Amendments:
 - \$69,582 Building Permit Fees
 - \$192,670 Conference Center Fees
 - \$32,792 Lease Proceeds
- GCORF Amendments:
 - \$11,010 Interest Earnings
 - \$839,915 Lease Proceeds
- Sales & Use Tax Fund
 - \$3,027,064 Sales & Use Taxes
- POST Fund amendments:
 - \$950,000 County Grants
 - \$33,575 Seller Concessions
- General Capital Improvement Fund amendments:
 - \$1,021,024 Accommodations Taxes
 - (\$7,956) Federal grant un-appropriation

Expenditure Required: \$6,169,676

Source of Funds: The funding sources for these expenditures include permit fees, conference center fees, lease proceeds, interest earnings, taxes, and grants.

Policy Issue

Does City Council support amending the appropriations for the 2008 budget of the General, GCORF, Sales & Use Tax, POST, and General Capital Improvement Funds?

Alternative

The alternative would be not to amend the 2008 budget appropriations for the General, GCORF, Sales & Use Tax, POST, and General Capital Improvement Funds and utilize these funds for other purposes. Staff does not recommend this alternative as the various departments have already incurred expenses and covered them in their current budget in anticipation of appropriation of the funds.

Background Information

This agenda memo and attached Councillor's Bill is a routine action addressing the need to appropriate additional revenues and offset expenditures that resulted from increased activity or events that were not anticipated during the normal budget process.

As an important element of economic development, the City sometimes utilizes Economic Development Agreements (EDAs) and Intergovernmental Agreements (IGAs) to attract and retain high quality development to provide employment opportunities and increased revenue for citizen services. A portion of the new revenue generated from these projects is utilized to fund these agreements. In the past, payments related to these agreements have been recorded as a reduction to the appropriate revenue account, thereby reflecting only the net new revenue received on the City's financial statements. The Government Accounting Standards Board now requires the new revenues to be fully recorded as received, and the applicable rebate of revenues to be recorded as an expense. This housekeeping appropriation makes the appropriate changes to the City's budget to reflect this new requirement as follows: \$3,027,064 in the Sales Tax Fund to record the Intergovernmental Agreement with the City of Thornton for the North I-25 corridor and various other EDAs involving sales and use taxes; \$1,021,024 in the General Capital Improvement Fund to record various EDAs involving the Accommodations Tax; \$262,252 in the General Fund to record various EDAs involving building permit and conference center fees; for a total increase of \$4,310,342 to City revenues and expenses. This new requirement will necessitate annual appropriations to reflect the current year collections and remissions (General, Sales & Use Tax, General Capital Improvement Funds).

On July 9, 2007, City Council approved the purchase of an aerial ladder fire truck. At that time, Council also approved the addition of this purchase to the City's master lease program. Therefore, \$603,450 was added to the master lease at an interest rate of 3.52%. Additionally, \$5,854 in interest earnings on deposit funds was credited towards the purchase price. In order to properly reflect the receipt of the lease proceeds and interest earnings and the subsequent use on the City's books, the lease proceeds and interest earnings are being appropriated (GCORF).

On May 12, 2008, City Council approved the purchase of a pumper fire truck. At that time, Council also approved the addition of this purchase to the City's master lease program. Therefore, \$216,475 was added to the master lease at an interest rate of 3.48%. Additionally, \$5,156 in interest earnings on deposit funds was credited towards the purchase price. In order to properly reflect the receipt of the lease proceeds and interest earnings and the subsequent use on the City's books, the lease proceeds and interest earnings are being appropriated (GCORF).

On November 17, 2008, City Council approved the purchase of a self propelled paver. At that time, Council approved the use of 2009 budget to purchase this paver. The paver was originally received in 2008 as a rental for purchase as used in 2009. In order to properly reflect this transaction on the City's books, non-interest bearing note proceeds of \$32,792 are being appropriated in the General fund and \$19,990 in GCORF. (General Fund, GCORF)

On September 08, 2008, City Council approved the purchase of a 4.46 acre Open Space parcel located at 128th Avenue and Pecos Street. The seller provided \$6,774 in concession funds at the time of closing and those funds are being appropriated to the land purchases account (POST).

On July 14, 2008, City Council approved the purchase of a 2.92 acre Open Space parcel located at the southeast corner of 114th Avenue and Zuni Street. The seller provided \$26,801 in concession funds at the time of closing and those funds are being appropriated to the land purchases account (POST).

On September 24, 2007, City Council approved the purchase of the Dulos Ministries property. The City of Westminster was awarded a \$950,000 Grant by Adams County Open Space for the purchase of the Dulos Ministries property. The grant funds are being appropriated to the land purchases account (POST).

On June 9, 2008, City Council approved the appropriation of a \$30,220 grant from the Denver Regional Council of Governments (DRCOG) for the purchase of Ethernet communications equipment for the north Huron fiber optic system. The purchase was completed for \$7,956 under the grant award and that amount must be un-appropriated at this time (General Capital Improvement Fund).

These appropriations will amend General Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Note Proceeds	1000.46000.0225	\$0	\$32,792	\$32,792
Conference Center Fee EDA/IGA	1000.41310.0075	0	192,670	192,670
Bldg Permit Residential EDA/IGA	1000.470190.0075	0	8,678	8,678
Bldg Permit Commercial EDA/IGA	5400.40640.0020	0	<u>60,904</u>	60,904
Total Change to Revenues			<u>\$295,044</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Vehicles	10035450.75400.0000	\$10,081	\$32,792	\$42,873
Contract Services EDA/IGA	10010900.67800.0075	0	<u>262,252</u>	262,252
Total Change to Expenses			<u>\$295,044</u>	

These appropriations will amend GCORF revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Note Proceeds	4500.46010.0000	\$0	\$839,915	\$839,915
Interest Earnings	4500.42510.0000	0	<u>11,010</u>	11,010
Total Change to Revenues			<u>\$850,925</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Vehicles	45010900.75600.0000	\$0	\$830,935	\$830,935
Capital Outlay General	80645010900.80400.8888	1,307,297	<u>19,990</u>	1,327,287
Total Change to Expenses			<u>\$850,925</u>	

These appropriations will amend Sales & Use Tax Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Sales Tax Returns EDA/IGA	5300.40070.0075	\$0	\$2,922,118	\$2,922,118
Use Tax Returns EDA/IGA	5300.40095.0075	0	27,429	27,429
Use Tax Building EDA/IGA	5300.40100.0075	0	77,517	77,517
Total Change to Revenues			<u>\$3,027,064</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contract Services EDA/IGA	53010900.67800.0075	\$0	<u>\$3,027,064</u>	\$3,027,064
Total Change to Expenses			<u>\$3,027,064</u>	

These appropriations will amend POST revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Adams County Grant	5400.40640.0010	\$0	\$950,000	\$950,000
Misc Revenue	5400.43060.0540	8,832	33,575	42,407
Total Change to Revenues			<u>\$983,575</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Land Purchases	54010900.76600.0000	\$683,739	<u>\$983,575</u>	\$1,667,314
Total Change to Expenses			<u>\$983,575</u>	

These appropriations will amend General Capital Improvement Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Federal Grants	7500.40610.0000	\$30,200	(\$7,956)	\$22,244
Accommodations Tax EDA/IGA	7501.40055.0075	0	<u>1,021,024</u>	1,021,024
Total Change to Revenues			<u>\$1,013,068</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Traffic Signal System CIP	80175030143.80400.8888	\$118,159	(\$7,956)	\$110,203
Contract Services EDA/IGA	75010900.67800.0075	0	<u>1,021,024</u>	1,021,024
Total Change to Expenses			<u>\$1,013,068</u>	

SUBJECT: Councillor's Bill re 2008 Final Budget Supplemental Appropriation

Page 5

These adjustments will bring the City's accounting records up-to-date to reflect the various detailed transactions.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **12**

SERIES OF 2009

INTRODUCED BY COUNCILLORS

**A BILL
FOR AN ORDINANCE AMENDING THE 2008 BUDGETS OF THE GENERAL,
GENERAL CAPITAL OUTLAY REPLACEMENT, SALES AND USE TAX,
PARKS OPEN SPACE AND TRAILS, AND GENERAL CAPITAL IMPROVEMENT FUNDS
AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE
2008 ESTIMATED REVENUES IN THE FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2008 appropriation for the General, General Capital Outlay Replacement, Sales and Use Tax, Parks Open Space and Trails, and General Capital Improvement Funds, initially appropriated by Ordinance No. 3316 are hereby increased in aggregate by \$6,169,676. This appropriation is due to the receipt of permit fees, conference center fees, lease proceeds, interest earnings, taxes, and grants.

Section 2. The \$6,169,676 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 A dated May 11, 2009 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

General Fund	\$295,044
General Capital Outlay Replacement Fund	850,925
Sales and Use Tax Fund	3,027,064
Parks Open Space and Trails Fund	983,575
General Capital Improvement Fund	<u>1,013,068</u>
Total	<u>\$6,169,676</u>

Section 3 – Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

Section 4. This ordinance shall take effect upon its passage after the second reading.

Section 5. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 11th day of May, 2009.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th day of June, 2009.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Councillor's Bill No. 13 re 2009 1st Quarter Budget Supplemental Appropriation

Prepared By: Gary Newcomb, Accountant

Recommended City Council Action

Pass Councillor's Bill No. 13 on first reading providing for supplemental appropriation of funds to the 2009 budget of the General, Water, and General Capital Improvement Funds.

Summary Statement

- At the end of each quarter Staff prepares an ordinance to appropriate unanticipated revenues received during the quarter. Preparing quarterly supplemental appropriation requests is done to simplify administrative procedures and reduce paper work.
- This is the 2009 1st quarter supplemental appropriation.
- General Fund amendments:
 - \$600 Sale of Asset
 - \$5,000 Federal Grants
 - \$5,740 Program Revenues
 - \$25,149 Transfer
 - \$55,000 Cash-in-Lieu
- Water Fund amendments:
 - \$21,965 State Grant
 - \$50,000 Late Fees
 - \$400,000 Carryover
- General Capital Improvement Fund amendments:
 - \$294 Interest Earnings
 - \$25,100 Federal Grant
 - \$27,391 State Grants
 - \$38,427 Reimbursements

Expenditure Required: \$654,666

Source of Funds: The funding sources for these expenditures include sale of asset, grants, program fees, reimbursements, transfers, cash-in-lieu, late fees, carryover, and interest earnings.

Policy Issue

Does City Council support amending the appropriations for the 2009 budget of the General, Water, and General Capital Improvement Funds?

Alternative

The alternative would be not to amend the 2009 budget appropriations for the General, Water, and General Capital Improvement Funds and utilize these funds for other purposes. Staff does not recommend this alternative as the various departments have already incurred expenses and covered them in their current budget in anticipation of appropriation of the funds.

Background Information

This agenda memo and attached Councillor's Bill is a routine action addressing the need to appropriate additional revenues and offset expenditures that resulted from increased activity or events that were not anticipated during the normal budget process.

GENERAL FUND BUDGET AMENDMENTS

The City Attorney's Office agreed to allow the former Assistant City Attorney to take his office chair, designed to accommodate his height, with him to his new position as Longmont City Attorney. The City of Longmont paid the City of Westminster \$600 for the chair. These funds are requested to be appropriated to purchase a replacement office chair for the new Assistant City Attorney.

With the completion of the 144th Avenue Interchange there are excess interest earnings totaling \$25,149 in the 05 COPS project fund at the Trust. These excess funds are available to pay debt service for the 2005 COPS. In order to properly record the use of the funds for debt service on the books of the City, the budget in both Fund 750 and Fund 100 require adjustment. The change in Fund 750 does not change the total appropriations in the Fund; however the change does increase the appropriations in Fund 100. This change in Fund 100 will provide a budget to actual savings of \$25,149 in the lease payment to other account as the debt service payment was previously budgeted through the annual budget process.

The City received fee revenue for the large item clean-up program in excess of budget by \$4,610. The fees charged to participants of the program are used to offset the City's costs to administer the program. Staff is requesting appropriation of the excess revenues to the Street Division's budget where the programs costs are charged.

The Fire Department received \$1,130 in class registration fees for conducting CPR training classes. The department is requesting appropriation of these funds to the EMS supplies account used to purchase supplies utilized during the classes.

The Fire Department received a Assistance to Firefighter Grant (ADG) from the Homeland Security – Federal Emergency Management Agency (FEMA). The grant award of \$5,000 reimburses the purchase of a hose expansion and repair machine.

As part of the 2009/2010 Budget development process, City Council received a citizen request for the installation of a sidewalk along Countryside Drive, north of 100th Avenue, between Kettner Reservoir and Kensington Park. City Council concurred with Staff's recommendation to utilize Jefferson County Schools Cash-In-Lieu moneys to pay for the installation of this sidewalk connection. \$55,000 in funds are requested to be appropriated from the cash-in-lieu account into the Public Works & Utilities Street Division operating budget to construct this sidewalk as part of their ongoing citywide concrete replacement program contract.

WATER FUND BUDGET AMENDMENTS

On September 8, 2008 City Council appropriated \$50,000 for a Source Water Protection Grant from the State of Colorado. \$21,965 of the appropriation expired at the end of 2008 and is being requested for re-appropriation for consultant services. The funds will be used for consultant services to develop a Source Water Protection Plan for Standley Lake Watershed.

At a Post Council briefing on March 23, 2009 Council provided direction to Staff to proceed with a Financial Assistance Program for Utility Customers. The program calls for the utilization of late fees to fund the program. Staff is requesting the appropriation of \$50,000 of late fees to fund the program at this time.

On February 9, 2009 Council approved the transfer of \$400,000 from the 78th and Stewart Water Lines CIP to the Gregory Hill Pump Station Improvements CIP to fund the improvements averting the issuance of debt. Year end cleanup adjustments closed out the budget to carryover prior to the budget being transferred. Appropriation of 2008 carryover is being requested at this time to fund the improvements as approved by Council.

GENERAL CAPITAL IMPROVEMENT FUND BUDGET AMENDMENTS

The City received interest payments in the 1st quarter of 2009 on Certificate of Participation (COPS) funds from the 2005 144th Interchange COPS in the amount of \$294. Issuance restrictions require the interest earnings to be appropriated for use on the respective projects or debt service.

On December 1, 2008, the Colorado Historical Society awarded the City a grant in the amount of \$10,578 to fund the preparation of construction documents for the concrete silo located at Shoenberg Farm. The funds are being appropriated into the Shoenberg Farm Restoration CIP and will be reimbursed upon completion of the project according to the terms of the grant agreement.

On December 1, 2008, the Colorado Historical Society awarded the City a grant in the amount of \$16,813 to fund the preparation of construction documents for the Milk and Ice House located at Shoenberg Farm. The funds are being appropriated into the Shoenberg Farm Restoration CIP and will be reimbursed upon completion of the project according to the terms of the grant agreement.

On October 23, 2006 Council approved an IGA with the City of Thornton for the planning and construction of the McKay Drainage-way project. \$24,000 was received from Thornton as cost reimbursement for securing appraisals of rights-of-way located in Thornton needed for the project. The funds are requested for appropriation to the McKay Drainage-way project to cover the associated costs.

The City received \$1,050 for the sale of plans and specifications to a contractor for the McKay Drainage-way project. The funds are requested for appropriation to the McKay Drainage-way project to cover the associated costs.

The City received \$1,050 for the sale of plans and specifications to a contractor for the 112th Avenue, Clay Street to Huron Street project. The funds are requested for appropriation to the 112th Avenue, Clay Street to Huron Street project to cover the associated costs.

The City has been awarded a Federal Grant in the amount of \$25,100 from the Denver Regional Council of Governments for the purchase of Fiber Optic communications equipment and materials on 72nd Avenue from Zuni to Raleigh Street. The new equipment will increase the City's fiber optic capacity and add another 5 traffic signals to the City's computerized communication system. The funds are being appropriated to the Traffic Signal System Improvement CIP.

The City received \$12,327 from Hyland Hill Parks and Recreation District for their share of cost associated with ADA accessibility upgrades to the lobby and reception counter at the MAC. The funds are being requested for appropriation to the BO&M Major Maintenance CIP where the upgrade costs were charged.

These appropriations will amend General Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Off Duty Fire Services	1000.41340.0013	\$150,000	\$1,130	\$151,130
Federal Grants	1000.40610.0000	48,520	5,000	53,520
Transfer from GCIF	1000.45000.0750	0	25,149	25,149
General Revenue	1000.43060.0000	260,000	55,600	317,495
Large Item Clean-up	1000.41315.0000	10,000	4,610	14,610
Total Change to Revenues			<u>\$91,489</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Other Equipment	10025260.76000.0000	\$14,150	\$5,000	\$19,150
Solid Waste Collection	10035450.67300.0000	75,800	4,610	80,410
Supplies EMS	10025260.70200.0546	4,920	1,130	6,050
Lease Payments to Others	10010900.67700.0274	1,373,450	25,149	1,398,599
Office Equipment	10003120.75200.0000	0	600	600
Maint/Rep Street Rehab	10035450.66200.0232	2,765,458	55,000	2,820,458
Total Change to Expenses			<u>\$91,489</u>	

These appropriations will amend Water Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
State Grants	2000.40620.0000	\$0	\$21,965	\$21,965
Carryover	2000.40020.0000	145,346	400,000	545,346
Miscellaneous Revenue	2000.41460.0000	0	50,000	50,000
Total Change to Revenues			<u>\$471,965</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Professional Services - Water Quality	20035480.65100.0943	\$149,100	\$21,965	\$171,065
Gregory Hill Pump Station Imp	80820035810.80400.8888	17,061	400,000	417,061
Financial Assistance Program	20010900.79400.0214	0	50,000	50,000
Total Change to Expenses			<u>\$471,965</u>	

These appropriations will amend General Capital Improvement Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Interest 05 COPS	7500.42530.0274	\$0	\$294	\$294
State Grants	7501.40620.0000	0	27,391	27,391
Federal Grants	7500.40610.0000	0	25,100	25,100
General Revenue	7501.43060.0000	0	12,327	12,327
General Revenue	7500.43060.0000	400,000	<u>26,100</u>	426,100
Total Change to Revenues			<u>\$91,212</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
BO&M Major Maintenance	80375012312.80400.8888	\$667,488	\$12,327	\$679,815
Shoenberg Farm	80875030834.80400.8888	985,730	27,391	1,013,121
McKay Drainage-way	80375030313.80400.8888	5,296,816	25,050	5,321,866
112 th Ave Improvements	80275030535.80400.8888	991,241	1,050	992,291
Traffic Signal System Impr	80175030143.80400.8888	205,203	25,100	230,303
Transfers General Fund	7501090.79800.0100	0	25,149	25,149
COP 144 th Interchange	80575030713.80400.8888	24,855	294	25,149
COP 144 th Interchange	80575030713.80400.8888	25,149	<u>(25,149)</u>	0
Total Change to Expenses			<u>\$91,212</u>	

These adjustments will bring the City’s accounting records up-to-date to reflect the various detailed transactions.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **13**

SERIES OF 2009

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING THE 2009 BUDGETS OF THE GENERAL, WATER, AND GENERAL CAPITAL IMPROVEMENT FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2009 ESTIMATED REVENUES IN THE FUNDS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2009 appropriation for the General, Water, and General Capital Improvement Funds, initially appropriated by Ordinance No. 3432 are hereby increased in aggregate by \$654,666. This appropriation is due to the receipt of funds from sale of asset, grants, program fees, reimbursements, transfers, cash-in-lieu, late fees, carryover, and interest earnings.

Section 2. The \$654,666 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 B dated May 11, 2009 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

General Fund	\$91,489
Water Fund	471,965
General Capital Improvement Fund	<u>91,212</u>
Total	<u>\$654,666</u>

Section 3 – Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

Section 4. This ordinance shall take effect upon its passage after the second reading.

Section 5. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 11th day of May, 2009.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th day of June, 2009.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Councillor’s Bill No. 14 re Temporary Moratorium on Special Use Permits

Prepared By: Martin McCullough, City Attorney
Mac Cummins, Planning Manager

Recommended City Council Action

Pass Councillor’s Bill No. 14 as an Emergency Ordinance imposing a temporary 180 day moratorium on the acceptance and processing of applications for special use permits pursuant to Section 11-4-8 of the Westminster Municipal Code, to allow for the review and development by City Staff of possible amendments to the City’s special use permit process and criteria.

Summary Statement

- The Community Development Department and the City Attorney’s Office are recommending a comprehensive review and update of Section 11-4-8 of the Westminster Municipal Code pertaining to the issuance of special use permits.
- There has not been a comprehensive review and update of this section of the Code since 1997 when the group home requirements were first put into place (except in 2002, when the power(s) of approval were given to the Special Permit and License Board – previously it was a City Council approval process). In the meantime, there have been numerous changes to state and federal laws that apply to the issuance of many of the special use permits authorized by City Code, with the result that it has become difficult for City Staff to determine exactly which criteria, local, state, or federal, apply to some of the special use permits authorized by City Code, particularly in the area(s) of group homes.
- In reviewing the criteria in the City Code for the approval of special use permits, Staff would note that many originated in the context of approving liquor licenses by the Special Use and Permit Board; and *not* in the context of land use planning and/or zoning. Staff believes that the current criteria do not reflect typical land use and land planning issues and need to be reviewed and modified in a way that reflects the land use aspects of a special use permit application; and that the special use permit section of the City Code needs to be clarified as to its intent to supplement rather than supplant, the City’s Planned Unit Development (PUD) zoning system. In addition, some of the criteria may conflict with certain limitations imposed by federal law on the review of group homes for certain protected classes, such as the developmentally disabled.
- A temporary moratorium of 180 days would allow City Staff time to review and develop proposed amendments to the City Code to bring consistency between local, state and federal requirements.
- This item was discussed with City Council at the April 13th post meeting.

Expenditure Required: \$ 0

Source of Funds: N/A

Policy Issue

Should the City temporarily suspend the processing of applications for special use permits to create a reasonable opportunity for City Staff to review and update the City Code concerning such uses?

Alternatives

Do not pass a moratorium on special use permits, or enact a moratorium of a shorter duration. Staff believes that a 180 day moratorium is necessary given the complexity of the review and development of Code amendments being proposed by City Staff.

Background Information

Special use permits are currently required for childcare centers, specialized group homes, personal care homes, correction homes, substance abuse rehabilitation homes, domestic violence shelter homes, hospitals, cemeteries, churches, schools and other places for assembly, used merchandise and thrift stores, and indoor entertainment establishments. Currently, the special use permit section of the code is unclear relative to its application and relationship to the City's PUD zoning process.

Currently, the criteria for issuing a special use permit include pedestrian safety, traffic, parking and access, the "essential character of the neighborhood," desires of the neighborhood, peace of the neighborhood, police activity in comparable businesses, hours of operation, compliance with building regulations, compatibility with surrounding uses, and the benefits from the use to the public good and the public interest. This process is currently separated from the City's Planned Unit Development (PUD) zoning process. The PUD process allows cities to carefully consider land use relationships, impacts of uses and/or development, and pursue orderly development patterns. Also, some of the special use permit criteria have been held by the courts to be invalid when applied to certain protected classes under federal law. In addition, the federal Religious Land Use and Institutionalized Persons Act needs to be considered in regard to the regulation of uses that are protected under that Act.

To further complicate matters, the State of Colorado has its own complex set of statutes that apply to certain categories of the City's special uses, but not others, and the State also licenses some of the special uses. In some cases, the State requires that the special use obtain local zoning approval before applying for a license, and in some cases, the City would like to know if the special use received a State license before considering a special use application. Staff further believes that some of the special uses, such as hospitals and schools, might be better handled through the City's normal zoning process. At a minimum, the special use permit section needs to be clarified as to its intent to applicability and relationship to the City's PUD zoning system.

Temporary Moratorium

If the moratorium were enacted, it would be Staff's intention to bring back to City Council for its consideration a comprehensive proposed set of revisions to the City's special use permit process that address all of the concerns outlined in this memorandum. City Staff will certainly provide City Council with periodic updates on this project, should City Council decide to implement the proposed moratorium.

Staff is recommending that the moratorium only include those applications received *after* the Council adopts the ordinance issuing the temporary moratorium; if it's the decision of the City Council to put into place a moratorium. This will make it clear that the City intends to update its requirements in land use planning; without penalizing those applicants already in the process.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Emergency Ordinance

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **14**

SERIES OF 2009

INTRODUCED BY COUNCILLORS

**A BILL
FOR AN EMERGENCY ORDINANCE ESTABLISHING A 180-DAY MORATORIUM UPON
THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR SPECIAL USE PERMITS
PURSUANT TO SECTION 11-4-8 OF THE WESTMINSTER MUNICIPAL CODE**

The City of Westminster Ordains:

Section 1. The City Council finds as follows:

A. City Charter section 4.16 authorizes the City Council to establish procedures and requirements for the use, division, and development of land, and the pattern, location, and rate of growth of the community, all for the general purpose of protecting the public health, safety, and welfare;

B. Pursuant to City Charter Chapter XI.V, City Council has the responsibility to take appropriate action to mitigate potentially adverse effects of land development and to promote coordinated, innovative, high-quality planning to produce a well-balanced, technologically advanced City;

C. Section 11-4-8 of the Westminster Municipal Code ("W.M.C.") allows a number of land uses by special permit, depending on the zoning district in which the special use is proposed, including child care centers, specialized group homes, personal care homes, correction homes, substance abuse rehabilitation homes, domestic violence shelter homes, hospitals, ambulance services, cemeteries, churches, schools and other places for assembly, used merchandise and thrift stores, and indoor entertainment establishments;

D. There has not been a comprehensive review and update of the City's special use permit process and criteria since its enactment in March of 1991;

E. Since the enactment of W.M.C. § 11-4-8, new federal and state laws and regulations have been enacted, and new case law regarding the issuance of special permits has evolved;

F. The City Attorney is of the opinion that the City's special use permit process and criteria need to be updated and reconciled with the current federal and state laws and regulations concerning the issuance of special use permits;

G. The Planning Manager is of the opinion that the City's special use permit process and criteria need to be updated and reconciled with the City's current land use and development processes and criteria;

H. City Staff is recommending a 180-day moratorium on the receipt and processing of applications for special use permits, in order to have adequate time to develop for City Council consideration a comprehensive proposed set of revisions to the City's special use permit process; and

I. City Council finds that the public health, welfare, and safety of the citizens of the City of Westminster would be best served by the enactment of a 180-day temporary moratorium for the purpose of providing a reasonable period of time for the development and enactment of appropriate amendments to the special use permit section of the City Code.

Section 2. For a period of time commencing on the effective date of this ordinance, and continuing for a period of 180 days thereafter, no application for a special use permit shall be accepted or processed pursuant to W.M.C. § 11-4-8.

Section 3. Nothing in this ordinance shall be deemed or construed as affecting any special use permit application accepted for processing by the City more than thirty (30) days prior to the effective date of this ordinance.

Section 4. Applications for special use permits submitted less than thirty (30) days prior to the effective date of this ordinance shall be subject to and processed in accordance with the provisions of W.M.C. § 11-4-8 in effect at the conclusion of the moratorium established by this ordinance.

Section 5. Nothing in this ordinance shall be deemed or constructed as affecting any legally vested rights pursuant to City Code or state law.

Section 6. Because the approval or denial of special uses under the City's current process and criteria could result in the approval or denial of such uses contrary to federal or state law, and because City Council finds that any second reading of this ordinance would allow special use applicants the opportunity to engage in a rush for approval before a revised City Code could be enacted, an emergency is declared to exist, and this ordinance is declared to be necessary for the immediate preservation of the public welfare, peace, health and safety. Wherefore, this ordinance shall be in full force and effect upon adoption of this ordinance on May 11, 2009, by an affirmative vote of six of the members of the Council if six or seven members of the Council are present at the meeting at which this ordinance is presented, or by an affirmative vote of four of the members of the Council if four or five members of the Council are present at the meeting at which this ordinance is enacted.

Section 7. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, READ IN FULL AND PASSED AND ADOPTED AS AN EMERGENCY ORDINANCE this 11th day of May, 2009.

Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

City Clerk

City Attorney's Office



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Resolution No. 22 re Service Commitment Allocations for 2009

Prepared By: Walter Patrick, Planner I

Recommended City Council Action

Adopt Resolution No. 22 allocating Service Commitments for the year 2009 to the various categories of the Growth Management Program including Service Commitments for residential competitions for new Single-Family Detached, Single-Family Attached, Multi-Family, Senior Housing, and Traditional Mixed Use Neighborhood Developments.

Summary Statement

- Each year City Council allocates Service Commitments (SCs) to the various Growth Management Program categories to serve new development for the year. (One SC is the unit of measure for required City services for one single-family detached unit).
- The SC Allocation table in the Background section details the recommended allocations in each category.
- The total SC allocation for 2009 from the potable water supply is 1,790 SCs. The allocation includes 150 SCs to be awarded on a competitive basis in 2009 to new residential projects. Staff is recommending competitions in all five categories (Single-Family Detached (SFD), Single-Family Attached (SFA), Multi-Family (MF), Senior Housing, and Traditional Mixed Use Neighborhood Development (TMUND)). If there are no applications submitted in one or more of the competition categories, or if fewer SCs are needed as a result of the competitions, those remaining SCs are returned to the City’s water supply figures.
- Because the City promotes use of the reclaimed water system whenever possible to reduce use of potable water for irrigation purposes, the City’s allocation for the non-potable (reclaimed) water supply each year is equivalent to the total supply figure for the system (1,958 SCs).
- The City currently has approximately 13,100 SCs available for new development purposes in the water supply. City water supplies and treatment capacity are more than adequate to meet the recommended SC allocations for 2009. Any remaining, unused SCs at the end of each year are returned to the water supply figures.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issues

1. Should the City allocate Service Commitments to the various Growth Management Program categories as detailed in this report?
2. Should the City conduct competitions this year in each of the new residential categories as outlined in this report?

Alternatives

1. Do not adopt the attached resolution allocating Service Commitments to the various Growth Management Program categories for use in 2009. These allocations are necessary on an annual basis to serve the needs of new development during the year. Because these allocations must be in place for any new development to proceed in 2009, this option would cause delays for new development (including City projects).
2. Do not authorize new residential competitions this year. This option is not recommended as the residential competition process is the mechanism the City uses to allow residential projects to proceed to the City's development review process. Westminster Municipal Code also requires Service commitments to be allocated on a yearly basis. The Service Commitments set aside for the 2009 competition process constitutes less than 10 percent of the total allocation for 2009.

Background Information

Annual Allocations

The City's Growth Management Program was established in 1978 to aid the City in balancing growth with the City's ability to provide and expand services including water, water treatment, sewer, police, fire, parks and recreation, etc. At the end of each year, City Staff complete projections of new development in the upcoming year and develop recommendations for City Council regarding Service Commitment allocations (the units of measure for required City services) as required by the Growth Management Program. These Service Commitment (SC) allocations are set aside on an annual basis from the overall SC supply figures to serve the demand in the following year for all of the various residential and non-residential categories designated within the Growth Management Program. City Council formally establishes these annual allocations by adoption of a resolution. Service Commitments that are allocated but are not issued to new development during the year are returned to the water supply figures for use in future years.

With the exception of the reclaimed water category (Category R), these SC allocation recommendations have been based on historical allocations by the City and the ability of the City to provide the necessary services. "Active" residential (Categories A and L) refers to projects that are under construction, have previous binding agreements for SCs with the City (such as Legacy Ridge), meet build-out and infill development criteria, are approved projects awarded in previous competitions, or are new South Westminster residential projects (see Background section "Residential Competitions" below for additional information). Category C (Non-Residential) sets aside SCs for new commercial, office, and industrial projects. The City has water agreements in place for Federal Heights, the Standley Lake Water and Sanitation District, and Shaw Heights, and a small number of SCs are allocated in Category D (Outside City Contracts) to accommodate contract requirements in those areas. Category F (Public and Contingency) reserves SCs for new City projects and facilities such as park development, libraries, fire stations, etc.

The total allocation from the potable water supply as detailed below is 1,790 SCs and is based on projected development activity of active projects under construction, those in the City’s development review process, and submittals expected in the near future. This allocation is slightly higher than the 2008 allocation of 1,782. According to figures provided by the City’s Water Resources Staff in the Department of Public Works and Utilities, there are approximately 13,100 SCs available for buildout, which is more than adequate to accommodate the recommended allocations for 2009.

2009 SERVICE COMMITMENT ALLOCATIONS

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>PROPOSED ALLOCATIONS</u>
<u>Potable</u>		
A and L	All Active and Legacy Ridge Residential	490
B	New Residential (for competition process)	150
C	Non-Residential	1000
D	Outside City Contracts	25
E	Senior Housing	75
F	Public and Contingency	<u>50</u>
	Total - Potable	1790
<u>Non-Potable</u>		
R	Reclaimed (The reclaimed allocation each year is equal to the reclaimed SC supply)	1958

Residential Competitions

The number of new residential subdivisions is managed through the competition process. “Active” residential projects are awarded on a first-come, first-served basis (up to any limits placed on the original competitive awards). New residential projects must compete for available SCs through a competition process. The City’s Growth Management Program does allow some exceptions to the competitive process. These include new residential projects in South Westminster (south of 80th Avenue) in order to promote development and redevelopment in this older area of the City, Legacy Ridge (due to a previous binding agreement with the City) and those projects that meet “build-out” and “infill” definitions in the Westminster Municipal Code. Successful projects in the competition process are then allowed to proceed to the City’s development review process. Service Commitments for single-family detached projects are calculated at one SC per unit, 0.7/unit for single-family attached, 0.5/unit for multi-family and 0.35/unit for senior housing. This equates to the relative amounts of water used annually by each of these types of dwelling units.

The intent of the SC competitions is for a limited number of new residential projects to proceed to the City’s development review process. Each of the five competitions (Single-Family Detached, Single-Family Attached, Multi-Family, Senior Housing, and Traditional Mixed Use Neighborhood Development) is based on the City’s adopted residential design guidelines for that category. With the exception of the Traditional Mixed Use Neighborhood Development competition (judged by a jury), projects receive points by providing “incentive” items the applicants choose. These incentive items are listed and detailed in the residential design guidelines.

The total potable water allocation includes a pool of 150 SCs to be awarded on a competitive basis in 2009 to new residential projects. In past years, a specific number of SCs were set aside for each competition with a limit of one new project in each category. However, beginning in 2008, with the slower housing market, and the uncertainty of what types of projects will be submitted, staff established a pool of SCs for all of the competitions. This allows the City maximum flexibility to award to more than one project in any category, if so desired, as a result of the competitions.

The competitions typically begin in January each year, and SCs are awarded to individual projects by City Council resolution in March or April. However, due to the loss of key staff members in 2008, the competitions for 2009 will likely begin in May with awards given in July. The awards to individual projects through the competition process include SCs needed in subsequent years to build out each of the winning projects. As a result, it is not necessary for the winning projects to re-compete in multiple years in order to complete the same project. If there are no applications submitted in any of the competition categories, or fewer SCs are needed as a result of the competitions, those remaining SCs are returned to the City's water supply figures.

Because SCs are awarded to new residential projects on a competitive basis and many developers do not want their possible competitors to know their plans in advance, Staff has not included a specific list of the potential sites for competition submittals.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment
- Resolution

RESOLUTION

RESOLUTION NO. **22**

INTRODUCED BY COUNCILLORS

SERIES OF 2009

**ALLOCATING SERVICE COMMITMENTS FOR THE YEAR 2009
PURSUANT TO THE CITY’S GROWTH MANAGEMENT PROGRAM AS SET FORTH IN
CHAPTER 3, TITLE XI OF THE WESTMINSTER MUNICIPAL CODE**

WHEREAS, the City of Westminster has adopted by Ordinance a Growth Management Program that is effective through 2010; and

WHEREAS, the City’s Growth Management Program as set forth in Chapter 3, Title XI of the Westminster Municipal Code calls for the periodic determination of the availability of Service Commitments and allocation of such Service Commitments among various categories of potential users; and

WHEREAS, the City Council of the City of Westminster has, with the aid of detailed factual reports and expert opinions from its Staff and consultants, examined the raw water supply, the sewage treatment capacity, the water treatment capacity, and other factors affecting the availability of Service Commitments; and

WHEREAS, the City Council of the City of Westminster has previously determined, in connection with its adoption of Chapter 3 of Title XI of the Westminster Municipal Code, that the City’s ability to award Service Commitments is restricted; and

WHEREAS, the demand of different land uses on the City’s ability to provide utilities and other services varies due to density and intensity of the particular use; and

WHEREAS, City Council has previously determined that the Comprehensive Land Use Plan shall assist the City in making future decisions concerning the desired mix of land uses at build-out of the City; and

WHEREAS, it is the intent of City Council to recognize the many factors influencing demand for new water and sewer service, while remaining cognizant of the large capital investments in land and public improvements made by developers with projects that are already started, and recognizing the efficiencies inherent in encouraging the completion of existing development projects that can use existing public capital facilities before approving new ones.

NOW, THEREFORE, be it resolved by the City Council of the City of Westminster, in accordance with §11-3-4 and §11-3-5 of the Westminster Municipal Code that the City Council hereby determines:

1. Based on all of the information available to the City Council on this date, for the period beginning January 1, 2009 through December 31, 2009, the City can make available 490 Service Commitments (“SCs”) to Categories A (A-1, A-2, and A-3) and L (L-1, L-2, and L-3), 150 SCs to Categories B (for residential competition purposes), 1000 SCs to Category C, 25 SCs to Category D, 75 SCs to Category E, 50 SCs to Category F, and 1,958 SCs to Category R without adverse effect on existing water users and without in any way endangering the health, safety, and welfare of the citizens of Westminster and of other persons dependent upon the operation of a safe and efficient public water and sanitation system by the City; and

2. This Resolution supersedes and replaces all previous allocation resolutions by City Council.

PASSED AND ADOPTED this 11th day of May, 2009.

Mayor

APPROVED AS TO LEGAL FORM:

ATTEST:

City Clerk

City Attorney’s Office



WESTMINSTER

COLORADO

Agenda Memorandum

City Council Meeting
May 11, 2009



SUBJECT: Resolution No. 23 re Sustainable Design Additions to the Single Family Detached, Single Family Attached, Multiple-Family, and Senior Housing Design Guidelines

Prepared By: Mac Cummins, AICP, Planning Manager
Walter Patrick, Planner 1

Recommended City Council Action

Adopt Resolution No. 23 approving the Sustainable Design additions to the Design Guidelines for Single Family Detached, Single Family Attached, Multi-Family, and Senior Housing.

Summary Statement

- The existing residential design guidelines provide minimum design requirements to aid in the development of high quality residential projects. In addition to the minimum criteria there are also incentive criteria that are used to provide a basis for allocating limited Service Commitments to developers through a yearly competition.
- The City Council has recognized the need to encourage environmentally sensitive residential development by including sustainable design criteria to each of the residential design guidelines including SFD, SFA, Multi-Family, and Senior Housing, and asked Staff to prepare these updates in 2008.
- City Staff reviewed the proposed revisions with the City Council at their April 20, 2009, Study Session and Council directed Staff to bring the guidelines back for official action.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the City Council approve the revised Design Guidelines for Single Family Detached (SFD), Single Family Attached (SFA), Multi-Family, and Senior Housing?

Alternatives

1. Approve the revised Design Guidelines for Single Family Detached (SFD), Single Family Attached (SFA), Multi-Family, and Senior Housing as noted;
2. Delay approval of the revised Design Guidelines for Single Family Detached (SFD), Single Family Attached (SFA), Multi-Family, and Senior Housing to provide an opportunity for further revisions; or
3. Do not revise the Design Guidelines for Single Family Detached (SFD), Single Family Attached (SFA), Multi-Family, and Senior Housing.

Background Information

At the request of City Council, Community Development Staff researched potential incentives that would encourage sustainable, also known as “green,” residential development to add to the growth management competition process. Staff reviewed green building and sustainable development standards from various jurisdictions within the Denver Metro area and from other parts of the country and compared and contrasted the benefits (and costs) associated with each type of green building technique. Below, Council will find a summary of the proposed green building incentives that Staff are proposing to add to the competition process. Each incentive was derived from a combination of research and Staff input with an underlying goal of reducing the environmental impact of residential development while maintaining or improving the quality of life for future residents. Several of these are relatively low-cost, high-impact incentives which are a first step towards creating high-quality green neighborhoods in Westminster.

The points associated with each incentive were based on the difficulty of implementation, cost to the developer, and the positive environmental impact of the incentive. These point values were also closely compared with items of similar importance in the other categories in the design guidelines. The points available for sustainable design elements will comprise between 20-30 percent of the total points available for each residential category.

Summary of Proposed Revisions

The changes listed below summarize the major points of revisions to the existing guidelines and include both minimums and incentives. (See attached sustainable design scoring sheet for points associated with each incentive).

Landscaped Islands/Medians/Tree Lawns

Increasing the size of the landscaped islands or tree lawns increases a tree’s health and subsequent canopy coverage of the paved area, thus reducing the heat island effect. Generally speaking, the heat island effect is an impact where increased impervious area (i.e. more asphalt/concrete) creates additional ground level heat. Solid surfaces take longer to cool down after heating up than do soft surfaces. Reduction in the heat island effect will cool the perceived ambient temperature and reduce watering needs for landscaping, as well as reduce energy consumption within structures.

Water Conservation

The maximum turf area cannot exceed 40% of the common landscaped area. Highly efficient irrigation systems and methods must be incorporated, including things such as soil moisture based controllers and rain sensors to reduce consumption. Overall, Staff has found that in certain applications, developers use turf as a default in providing landscape. Putting this cap on proposals will force developers to more efficiently utilize turf area in their designs, which will reduce water usage. Generally speaking, this standard will not reduce turf to the point of not feeling as if there is a green feeling within a project, but merely eliminate needless turf areas within projects, and create a more efficient turf area.

Site Design/Stormwater

Use of vegetative swales or bio-retention is incorporated to diffuse infiltration, reduce the impact on detention areas, and recharge ground water. Vegetated swales shall be long and narrow with a high end and a low end to allow water to flow. Often check dams are used to create several small pools of water to slow, filter and infiltrate water into the ground. Further, bioswales may be vegetated with rushes and other ornamental grasses.

Paving Materials

Integrally colored permeable hardscape can be used throughout the site to reduce glare, heat island effects, and storm water runoff. Permeable hardscape includes but is not limited to colored concrete pavers and porous concrete. Permeable hardscape use shall be limited to non-right-of-way areas including but not limited to internal walkways, driveways, and patios. In the future, permeable hardscape may be used in street construction, but at this point, the technology has some construction default issues. Cities that have implemented such technology have found that sink holes and other construction default problems have led to significant maintenance problems. Staff is following the research journals regarding future use/implementation of these types of applications and if it makes sense to implement in the future, Staff will bring this forward to the Council for consideration.

Pedestrian Circulation

Enhance pedestrian and bicycle infrastructure for internal connections, connections to all multi-modal transportation nodes and connections to adjacent neighborhoods, schools, commercial centers to reduce auto dependence by encouraging walking and biking. This would effectively require better site planning and the elimination of solid walls around large portions of residential subdivisions, give incentives to beautify/improve bus transit stops adjacent to residential projects, and create an environment more conducive to multi-modal transportation.

Pro-Active Solar Construction

Pre-plumb and pre-wire homes for future installation of solar water heating and photovoltaic systems to make it easier for homeowners to install the desired systems at a low cost. Roof design will also accommodate future installation of such systems. This is something that is very difficult to “retrofit” compared to installation originally. If developers choose to prewire/preplumb these systems, the opportunity for solar and water heating technology to implemented in the future increases dramatically; especially as the actual heating/cooling technologies improve in efficiency.

In addition to pre-wiring and pre-plumbing the homes, Staff has added a point incentive for the installation of the solar water heating and photovoltaic systems. This can be a very expensive initial installation, but is something the City should incent, as end buyers are less likely to install on their own. Initial installation can make the home(s) dramatically more energy efficient from the start.

Dwelling unit energy efficiency

Dwelling units will be constructed to meet insulation and energy efficiency standards. For example, from R-38 to R-49 roof insulation, R-30 to R-38 floor insulation; and triple-pane windows. Increased energy efficiency allows for reduced energy consumption.

Community Facilities

Community Facilities should incorporate 'green' design standards such as: installation of solar water heating and/or photovoltaic systems on the facility buildings or achieving LEED certification at level silver or higher. At this time, LEED is a recognizable standard of certification. In the future, there may be other certifying entities that make more sense to utilize; but at this point, LEED certification is an industry standard. Requiring LEED certification also allows the City to track how many "LEED" certified buildings are within the City; which many cities use in PR publications for the City and their green building programs. It also ensures the structure(s) will be efficient to a level that reduces several different impacts to the environment.

If adopted by City Council, these sustainable design concepts will be implemented in the 2009 residential competition. The competition will be scheduled to open in May and close mid-June. Staff will bring recommendations for Service Commitment awards to a July City Council meeting.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments:

- Resolution
- EXHIBIT A – Single-Family Detached Residential Design Guidelines
- EXHIBIT B – Single-Family Attached Residential Design Guidelines
- EXHIBIT C – Multiple-Family Residential Design Guidelines
- EXHIBIT D – Senior Housing Design Guidelines

RESOLUTION

RESOLUTION NO. **23**

INTRODUCED BY COUNCILLORS

SERIES OF 2009

**SUSTAINABLE DESIGN ADDITIONS TO THE CITY OF WESTMINSTER
SINGLE-FAMILY DETACHED RESIDENTIAL, SINGLE-FAMILY ATTACHED
RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, AND
SENIOR HOUSING DESIGN GUIDELINES**

WHEREAS, in Chapter 3 of Title XI, of the City of Westminster Municipal Code (W.M.C.) the City of Westminster has adopted a Growth Management Program through 2010; and

WHEREAS, §11-3-5(F), W.M.C. provides that Service Commitments for new Single-Family Detached projects (Category B-1), new Single-Family Attached projects (Category B-2), new Multi-Family projects (Category B-3), and new Senior Housing projects (Category E) shall be awarded on a competitive basis; and

WHEREAS, the compliance with such guidelines is required by §11-3-5(E), W.M.C. for new Single-Family Detached, Single-Family Attached, Multi-Family, and Senior Housing projects; and

WHEREAS, the City Council hereby determines that the Single-Family Detached Residential, Single-Family Attached Residential, Multi-Family Residential, and Senior Housing Design Guidelines are in the best interests of the citizens in light of the City's desire of managed growth and the limited land available for future growth, and are necessary for the health, safety and welfare of the community; and

WHEREAS, the City Council hereby determines that an amendment to the Single-Family Detached Residential, Single-Family Attached Residential, Multi-Family Residential, and Senior Housing Design Guidelines is necessary to allow the City Staff to consider Sustainable Design elements during the City's development review process for new residential projects.

NOW, THEREFORE, be it resolved by the Westminster City Council:

1. In accordance with Chapter 3 of Title XI of the Westminster Municipal Code, City Council hereby adopts the attached additions to the Single-Family Detached Residential, Single-Family Attached Residential, Multi-Family Residential, and Senior Housing Design Guidelines.

2. All other existing pages of the Single-Family Detached Residential, Single-Family Attached Residential, Multi-Family Residential, and Senior Housing Design Guidelines remain in effect and shall govern the award of Service Commitments within Category B-1, B-2, B-3, and E projects as defined in §11-3-5, W.M.C.

3. The Single-Family Detached Residential, Single-Family Attached Residential, Multi-Family Residential, and Senior Housing Design Guidelines shall continue to apply to all future Preliminary Development Plans (PDP's) and amendments and Official Development Plans (ODP's) and amendments for new Single-Family detached, Single-Family attached, Multi-Family, and Senior Housing developments.

4. The Sustainable Design revisions to the existing guidelines are in the best interests of the citizens in light of the City's desire for managed growth and the limited land available for future growth, and are necessary for the health, safety and welfare of the community.

PASSED AND ADOPTED this 11th day of May, 2009.

ATTEST:

Mayor

APPROVED AS TO LEGAL FORM:

City Clerk

City Attorney's Office

Attachments:

EXHIBIT A – Single Family Detached Residential Design Guidelines

EXHIBIT B – Single Family Attached Residential Design Guidelines

EXHIBIT C – Multiple-Family Residential Design Guidelines

EXHIBIT D – Senior Housing Design Guidelines

EXHIBIT A



WESTMINSTER
COLORADO

Single-Family Detached Residential Design Guidelines

Revised ~~December 8, 2003~~ May 1, 2009

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SINGLE-FAMILY DETACHED
RESIDENTIAL DESIGN REGULATIONS
City of Westminster, Colorado

PURPOSE AND INTENT OF SINGLE-FAMILY DETACHED DESIGN GUIDELINES

The following Design Guidelines have been prepared to provide minimum criteria for single-family detached developments. These minimum standards are intended to establish a quality appearance, compatibility of character, variety of design, and enhanced community values. These standards may be modified in the case of quality single-family developments containing new or innovative planning concepts or housing types (for criteria, see Section I, #9c of this document). All new and infill single-family detached subdivisions shall be in conformance with the Westminster Comprehensive Land Use Plan.

In addition to the minimum criteria, there are optional criteria (incentive criteria) set forth herein which further enhance sound residential planning, architectural quality, and landscape design. These optional criteria are incentives for developers to provide amenities and aesthetic quality beyond the minimum design criteria. The purpose of the optional criteria is to provide a basis for allocating limited service commitments among the developers in the City under the Growth Management Program - Category B Service Commitment Awards.

The City of Westminster Growth Management Program establishes various service Commitment categories for all types of new development, and each year, City Council allocates service commitments to the different categories. Category B-1 is the category designation for all new single-family detached residential projects. Any service commitments allocated to Category B-1 must be awarded through a competitive system based on criteria adopted periodically through City Council resolution. These Design Guidelines are the basis for the competitions held periodically for new single-family detached projects.

All minimum requirements in the Design Guidelines must be met in order to be eligible to compete for service commitments, and no points are given in the competition for these items. Competition applicants receive points through the competition by agreeing, in advance, to provide certain incentive items listed in the design guidelines. The applicant determines which incentive items will be offered as part of a proposed project, and the total of these items is the score designated to that project through the competition. The Growth Management Program does not permit City Staff to process development plans, plats, construction drawings, etc. unless City Council has awarded service Commitments to the project through the competition process.

Once a project is awarded Service Commitments and begins the development review process, the City Staff may consider incentive item substitutions if requested by the applicant. City Staff does not have the authority to waive any incentive items agreed to through the competition process. A written request detailing the substitution(s) must be submitted with plans during the development review process for the project, and there is no guarantee a request will receive City Staff support. Total revised incentive points must meet or exceed the project point total received in the competition process.

The Design ~~Regulations~~ **Guidelines** are divided into ~~three~~ **four** categories: Subdivision Planning and Site Design, Architectural Design, ~~and~~ Landscaping Design, **and Sustainable Design**. The Subdivision Planning and Site Design section addresses overall site planning considerations, vehicular and pedestrian circulation, lot sizes, setbacks, public and private open space, and fencing. The Architectural Design section addresses general design principles, exterior design, and exterior building materials and colors. The Landscaping Design section addresses general landscape design principles, landscape treatment of development edges and entrances, internal neighborhood landscaping and plant materials, and irrigation. **The Sustainable Design section incorporates sustainable design principles for landscaping, water conservation, and building construction.**

I. SUBDIVISION PLANNING AND SITE DESIGN

Sound subdivision planning and site design are needed to protect and enhance the City of Westminster's quality of life. The following minimum standards and optional amenities will help to minimize land use and circulation conflicts and maintain a sense of variety, aesthetic quality, functionality, and openness.

1. Land Use Compatibility

Compatibility is achieved when adjacent land uses differing in function, scale, and intensity do not create adverse effects upon one another. In areas where different uses abut, a variety of measures may be employed to ensure compatibility including: the use of adequate setbacks, landscaping, barriers or transition zones, and building height considerations.

Minimum:

Residences shall be setback a minimum of 50' from the common property line when adjacent to a non-residential use, and 30' from the common property line when adjacent to a residential use. Mixed uses within the same Planned Unit Development will be reviewed on an individual basis.

2. Conformance with the Westminster Comprehensive Land Use Plan

Minimum:

Proposed projects shall conform with the Westminster Comprehensive Land Use Plan including maximum net residential densities. To calculate the net residential density for a project, deduct 20% from the total acreage. This percentage figure is based upon the requirements for collector and arterial rights-of-way, public land dedication, and drainage detention areas. Typically these requirements will range from 15 to 30 percent or more of a development.

3. View Preservation

The City has many panoramic views that should be preserved and enhanced. Site planning must consider the relationship of buildings to natural grades. Buildings should be sited to preserve views from arterial streets. Landscaping should be used to frame and enhance view corridors.

Minimum:

View corridors as identified in the Westminster Comprehensive Land Use Plan shall be preserved. The main intent is to preserve the magnificent views that can be seen from public streets.

4. Drainageways

Significant drainageways shall be incorporated in site development as aesthetic amenities, open space/trail corridors, and wildlife areas. In most cases, drainageways should be left in as natural a state as possible without channelization or engineered structures unless required to prevent erosion or other special circumstances, or as required by other agencies. The City requires landscaping and irrigation in these areas.

5. Circulation, Access, and Parking

The City's circulation system is a hierarchy network of arterial, collector, and local streets which provide access to residential developments, but which isolate higher traffic volumes from residential developments. (See City Street Cross-Sections for right-of-way requirements). For collector streets, developers may be required to provide a 100' right-of-way to provide a park-like boulevard (parkway) setting with ample landscape area and detached sidewalks, avoid a "tunnel" effect with backyard fencing, create a "trail" rather than a "sidewalk" atmosphere; and enhance the aesthetics of the main street into the subdivision. One example of this design in the City is Legacy Ridge Parkway in the Legacy Ridge subdivision. Street and pedestrian

connections between neighborhoods and subdivisions shall be required. Where applicable, concrete path connections from cul-de-sacs to trails will be required.

To as great an extent as possible, alignments of collector streets, local streets, and private drives in sloping areas shall conform to the natural contours of the land. This increases developable ground by reducing the amount of cut and fill, as well as construction costs.

City Council has adopted a “traffic-calming” policy designed to objectively prioritize and evaluate neighborhood traffic problems and resolve existing and potential problems. New subdivisions shall be designed to mitigate potential problems (speeding, “cut-through” traffic, etc.).

Landscaped street medians within subdivision collector streets and landscape islands in the center of cul-de-sacs are strongly encouraged. Utilities may not be placed beneath any landscaped medians and turning radii requirements for emergency vehicle access must be met.

Bus benches and shelters may be required for all existing and proposed bus stops adjacent to and within the site boundaries of a proposed development. City Staff will review this on a case-by-case basis. Any required bus benches and shelters shall be coordinated with the Regional Transportation District and installed by the developer.

Minimums:

- a. Every single-family detached residence shall contain a minimum of four off-street parking spaces - including two enclosed (in garage), and two in each driveway.
- b. If installed, landscaped medians in collector streets shall be a minimum of 10' wide. Medians shall be maintained by the developer or homeowners association. All landscape medians shall conform to the City site triangle criteria.

Incentives:

- a. Landscaped street medians (other than entrance medians) will be installed in collector streets (10' min. width): 100 points
- b. Landscaped islands will be installed in cul-de-sacs within the project: 75 points

6. Street Lighting

Adequate street lighting shall be provided in all residential neighborhoods.

Minimum:

Lighting along all public streets shall be in conformance to Xcel Energy standards and installed at developer expense. Specialty lighting (including ornamental bases, armatures and fixtures) is encouraged along collector and local streets. Specialty lighting should relate to the architectural theme of the development.

Incentive:

“Specialty” lighting with ornamental bases, armatures, fixtures, etc. relating to the architectural theme of the development will be installed along collector and/or local streets: 75 points

7. Right-of-Way Dedication

Dedication of land adjacent to roads is often required to meet the minimum right-of-way cross sections established for arterial, collector and local streets adjacent to and within a subdivision. (See Engineering Division document for minimum requirements). Developers are encouraged to dedicate land beyond the minimum area required, for use as additional landscape area within the right-of-way.

Incentives:

- a. Additional arterial or collector street right-of-way (beyond amount required) will be provided for berming and additional landscape area: 100 points per additional 3' strip added to right-of-way section (500 max. points)
- b. Greater overall right-of-way area and landscaping are achieved through the use of a frontage road parallel to the major road (houses face single-loaded frontage road). During the development review process, City Staff will review and may reduce the right-of-way width necessary on these frontage roads: 200 points

8. Entrance Features

The entrance to single-family detached residential subdivisions should be designed to provide an attractive entryway into the subdivision as well as to provide maximum safety for visibility and turning movements. Landscaped street medians/islands are required at major entrances to the subdivision. Formal landscaping and signage mounted on masonry walls are encouraged at the entrance to single-family detached developments. Evergreen trees planted behind the entry signage are encouraged to enhance the community character established with the City's monument signage.

Minimums:

- a. One ground sign (monument) shall be required per subdivision or one at each arterial or collector street entrance. Signs are typically located in a landscaped median or on either side of the entrance road. The size of the sign is not to exceed the Westminster Municipal Code.
- b. The right-of-way landscaping shall extend to include the entry area.
- c. A landscaped street median/island (10-foot min. width, 50-foot min. length) shall be required at the major entrance to the subdivision and shall be the responsibility of the developer/homeowners group.

Incentives:

- a. Entry signage will be mounted on a masonry wall (4' min. height, 6' max. height, 20' min. length): 75 points
- b. Entry landscaping exceeds the minimum required (1 tree and 3 shrubs per 550 s.f.) in the right-of-way area: 50 points
- c. Evergreen trees (a minimum of three Austrian Pine, Blue Spruce, or similar) will be planted behind the entry monument signage: 75 points

9. Lot Sizes

Single-family detached homes shall be planned and designed to provide visual diversity, adequate spacing and an attractive streetscape appearance.

Minimums:

- a. Lot sizes shall be consistent with the Comprehensive Land Use Plan. Minimum lot sizes for single-family detached developments vary as illustrated in the Comprehensive Land Use Plan, and the residential density maximums specified in the Plan shall not be exceeded.
- b. Lot sizes may be reduced in quality single-family developments that display new or innovative housing types or community design concepts such as "cluster," "courtyard," or "patio" homes. Developments referred to as cluster, courtyard or patio home type developments must include abundant private open space that is visible and accessible from the majority of units within the project as well as unique project planning including many of the following innovative design features: internal greenbelts; amply landscaped streetscapes including periodic open space; siting of buildings creating intimate enclaves; privacy for individual lots; road hierarchy minimizes traffic on local streets; pedestrian oriented local roads; architecture is developed to create variety and interest and maximize view opportunities; juxtaposition of buildings creates interesting outdoor areas; enhancement of natural features, etc.
- c. Lot sizes may also vary for Neighborhood Mixed Use Residential projects as described in the Westminster Comprehensive Land Use Plan. (Please consult the City's Traditional Mixed Use Neighborhood Development Design Guidelines if applicable).

(This section edited to be consistent with the revised Comprehensive Land Use Plan adopted by City Council on June 28, 2004.)

10. Setbacks

Front and side yard setbacks shall be varied wherever possible. Front setbacks shall be staggered from house to house whenever possible. Rear yard setbacks shall be varied for houses abutting streets, parks, public open space, private open space, or recreational facilities. All setbacks are measured from the property line.

Setbacks may be reduced in quality single-family home developments displaying new or innovative housing types, community design concepts, and increased common open space or parks. In such cases, greater detail in excess of normal ODP requirements including individual site design, landscaping, architectural design, and open space must be submitted, and included in the Official Development Plan.

Minimums: Primary Structure:

Front setback for living space: (Includes a side yard abutting public local street)	25'
Front setback: For non-garage architecture when front-loaded garage is set back a minimum of 30 feet	20'
Front setback for side-loaded garage:	15'
Rear setback for garages:	20'
Front setback for front porches: (No living space permitted above porch)	14'
Side setback for one-story residence:	7.5'
Side setback for two-story residence:	10'
Rear setback:	25'
Setbacks from proposed right-of-way abutting collector street:	32'
Setbacks from proposed right-of-way abutting arterial street:	100'
Setbacks from highway (U.S. 36, I-25):	100'

Incentives:

- a. Front setbacks greater than the 25-foot min. will be provided for all structures: 40 points per each 1-foot increment above the 25-foot front setback (800 max. points)
- b. 10-foot or greater min. side setbacks for all one-story residences will be provided: 125 points
- c. 12-foot or greater side setbacks for all two-story residences will be provided: 125 points

Minimum: Decks:

Rear:	18'
Side for one-story house:	7.5'
Side for two-story house:	10'

Minimum: Accessory Buildings (when allowed):

Rear:	10'
Side for one-story house:	7.5'
Side for two-story house:	10'

11. Pedestrian/Bicycle Paths

Pedestrian and bicycle trails shall be built within each residential subdivision and neighborhood, and shall reasonably tie into the City's regional trail system. Those trails shown on the City's Trails Master Plan which are indicated within or abutting a development must be constructed by the developer and must include a public access easement. These trails occur in two general locations: 1) in conjunction with streets; 2) within the subdivision's open space network (along public or private open space and drainageways). Pedestrian access to the ends of cul-de-sacs is encouraged.

Minimum:

Minimum widths for off-street and local sidewalks and paths designed for pedestrian use only shall be 5'. Minimum widths for off-street bicycle paths shall be 8'. Developers are required to build 8' width concrete walks along both sides of arterial streets and concrete walks (5' min. width on one side and 8' min. width on the other side) along collector streets. All sidewalks along public streets must be detached from the curb the distance specified in the City of Westminster Standards and Specifications for the Design and Construction of Public Improvements.

Incentives:

- a. Off-street concrete path (where not already required) will be installed: 100 points
- b. Lighting along both sides of off-street paths will be provided: 25 points
- c. Benches will be provided along pedestrian pathways throughout the project: 25 points

12. Public Land Dedication

Public Land Dedication shall be made to the City in conjunction with residential development for use as parks, schools or other public purposes. (See Westminster Municipal Code Sections 11-6-8 (A) for amount due). Acceptance of public lands shall be subject to review by the City. If the City determines a land dedication would not serve the public interest, the City may require payment in lieu of dedication. Developers are encouraged to dedicate public open space beyond the minimum acreage required in order to enhance the overall appearance of the community by providing open, green areas.

All new residential developments shall provide public school sites or fees in lieu thereof to reasonably serve the proposed subdivision or residential development (see Westminster Municipal Code Section 11-6-8 (E) for more information.

Incentive:

Public Land Dedication (PLD) will exceed the minimum requirement for:

- a. Non-floodplain land: 50 points per each percentage point over minimum required (500 max. points)
- b. Floodplain land: 10 points per each percentage point over minimum required (100 max. points)

13. Private Open Space and Private Parks

In addition to the minimum public land dedication required of residential development by the City, private parks, open space, and recreational facilities are required in single-family neighborhoods. Private open space does not include right-of-way and detention pond areas. Private open space areas must provide focal points for the neighborhood and desirable green space to accommodate local recreation needs and pedestrian/bicycle circulation for the neighborhood and the general public. Public access easements may be required so private open space areas can also be enjoyed by all City residents if such open space abuts or is visually related to the public right-of-way or public open space. Partial credit for public land dedication (PLD) requirement may be given if private park is of sufficient size and offers numerous amenities to offset public park needs. (Requests for PLD reduction will be reviewed on a case-by-case basis).

Minimums:

- a) A minimum of 4% of the total acreage shall be set aside for a private park that must include an open play area for active recreation and must be centrally located in the subdivision to provide a focal point. The open play area shall be a minimum of 1% of the total 4% in size. For projects of 50 acres or more, this area may be divided between two or more open play areas. The private park and open play area shall not include areas designated for public land dedication, right-of-way, required setback areas, and detention pond areas.
- b) Private open space shall be landscaped and an irrigation system shall be required. Maintenance of private open space areas is the responsibility of the homeowners association.

Incentives:

- c) Environmentally-sensitive areas (such as wetlands) will be maintained as private open space: 50 points
- d) Private park area will be increased above the minimum 4% requirement (choose only one from below if applicable):
 - (1) Greater than 4% to 5%: 250 points
 - (2) Greater than 5% to 6%: 350 points
 - (3) Greater than 6%: 500 points

14. Recreation Facilities

The City encourages single-family residential developments to provide private recreation facilities (such as those listed below) for its residents in proportion to the number of residential units served. Such recreational facilities shall be included on private open space as provided above.

Recreational facilities (items a and c below) shall be required for developments with 200 or more units (no incentive points received for these two items), and are encouraged for subdivisions with fewer than 200 units. For projects with more than 300 units, two pools and restrooms or one larger (25-yard minimum length) pool and restroom shall be required.

Incentives: (For subdivisions with fewer than 200 units)

- a. Indoor clubhouse/meeting facilities will be provided: 500 points
- b. Development will share a clubhouse with a pre-existing development: 75 points

- c. Swimming pool (25' x 50' min.) and restroom facilities will be provided: 500 points
- d. Development will share a pool with a pre-existing development: 75 points
- e. Hard-surface courts such as tennis courts (including fencing, striping, net, lighting, etc.) and/or basketball full-courts (min. 50' x 84' including equipment, striping, lighting, etc.) will be provided: 150 points per court (300 points maximum)
- f. Sand volleyball courts (30' x 60' min.) will be provided: 50 points per court (100 points maximum)
- g. Play equipment areas with swings, slide, climbing equipment, etc. or outdoor gathering areas with seating (0.5% minimum of site area) will be provided. Play equipment must encompass at least 625 s.f. (25' x 25') for each of these areas: 150 points for each area provided (300 max. points)

15. Fencing and Walls

All lot fencing within a residential development shall be a uniform design for each type of fence provided. (See Westminster Municipal Code regarding privacy fencing and fencing abutting public or private open space).

Perimeter fencing or walls: Although perimeter fencing or walls is not always required, it is recognized that fencing is often proposed around the perimeter of a project. Landscape materials, earth berming, and walls are the preferred (and many times required) methods of providing a buffer, but well-designed fences are acceptable in certain circumstances.

Minimums:

- a. When used, perimeter fencing or walls are to be constructed in accordance with City standards and are to include brick or stone columns (2-foot minimum width and depth) spaced a maximum of 65 feet apart. In some cases, such as adjacent to parks or in special streetscape situations, fencing may be modified to include low profile, split rail, or wrought iron fencing.
- b. All horizontal-supporting structures of all solid wood and vinyl fencing shall be constructed toward the interior of the project or lot to reduce visibility of the support structures from streets and other public areas.
- c. Offsets in perimeter fencing or wall (min. 5-foot depth and 10-foot length) for landscaping (trees and shrubs required) shall be provided every 200' or less for at least a distance of 400'.

Incentive:

Masonry columns will be spaced 55 feet (or less) apart: 100 points

16. Mitigation of Environmental Effects

Screening or buffering will be required for all proposed residential developments along U.S. 36, I-25, and arterial streets. Developer-installed fencing, earth berming, and landscaping will be required, and in certain circumstances, further mitigation measures may be required to reduce adverse environmental effects on the residential development.

17. Neighborhood Notification

The City of Westminster places high priority and importance on contact with adjacent property owners and existing neighborhoods that could be effected by a new development proposal. Developers are required to contact the surrounding neighborhood regarding their proposed developments and are responsible for all public notifications, researching and providing property ownership information, and if applicable, organizing and conducting neighborhood meeting(s). (See Neighborhood Contact Requirements handout for more information). The extent of the neighborhood notification must be discussed and approved with City Staff.

II. ARCHITECTURAL DESIGN

The architectural design of the single family homes within developments should create visual variety, and at the same time, promote an integrated character for the neighborhood. Providing "variety" with "continuity" to avoid "monotony" is the objective. Homes within the development should be of similar type and size and be designed so that streetscapes are unified and similar. However, all proposed models shall be distinguished with different exterior elevations that meet at least two of the "distinctly different" criteria listed below. Architectural styles, roof forms, building forms, complimentary colors and materials unify the streetscape and the overall development.

1. Anti-Monotony Criteria

Monotonous design of residences within a development detracts from the overall aesthetic and economic value of a community. Furthermore, it detracts from the "pride of ownership" that residents have in their homes.

Number of home front elevations along a streetscape: A "streetscape" is defined as a number of residential facades along both sides of a street. For purposes of these guidelines, the length of a streetscape is no more than 20 homes per side of street, unless otherwise approved by the City. To provide sufficient variety within neighborhoods, a minimum of four distinctly different home models shall be built within each "streetscape," unless the development consists of less than 25 homes in which case there shall be a minimum of three different home models. All models shall have a distinctly different exterior elevations that meet at least two of the "distinctly different" criteria below:

- * Have distinctly different roof forms/lines/profiles;
- * Have distinctly different facade compositions consisting of 1) different window and door style and placement; and 2) different garage and entryway locations;
- * Have distinctly different entry treatments and locations including porches, columns, etc.;
- * Have a different number of stories.

Note: Changing roof or siding materials and colors, adding garages, providing "mirror images" of models, or different elevations of the same model do not constitute distinctly different models.

Minimum:

No single family dwelling unit of the same model shall be built on adjacent lots*, nor shall more than 30% of the same model be built in any streetscape. Exceptions to these standards may be made, at the City's discretion, in cases of hardship (such as infill projects where very few lots remain to be developed).

*Note: Adjacent lots are any lots that adjoin or share any side lot line or lots whose front elevations face each other, although separated by a street, have their property lines overlap by more than 30%.

Incentives:

Choose one from below (if applicable):

- a. 25% or more ranch homes or two-story homes with a first-floor master bedroom and bath with a shower or tub will be built: 25 points
- b. 50% or more ranch homes or two-story homes with a first-floor master bedroom and bath with a shower or tub will be built: 50 points

2. Exterior Design Elements

Exterior design and details should be incorporated in the overall building form to provide visual interest and functional amenities.

a. Recessed and Projecting Elements

Parts of buildings that project from the front elevation, such as bay windows, porches, rooms, or recessed garage doors and entryways are strongly encouraged and all must meet the specified setback requirements.

Minimums:

(1) All three-story planes (e.g. three-story walk-out units) shall be designed with projections and/or recesses.

(2) A "horizontal offset" or "projection/recess" of 4' or greater shall be provided on a minimum of 50% of all approved models and residences built.

Incentive:

Offsets (4' minimum) will be provided on all dwelling units on all front elevations: 50 points.

b. Roof Breaks: Roof ridges which turn a corner or change elevations a minimum of two feet; or dormers are provided across a minimum of 20% of the roof surface facing the street.

Minimums:

Roof slopes shall be at a minimum pitch of 5:12. All roofs shall have 1-foot minimum overhanging eaves. Exceptions may be made, at the City's discretion, for unique architectural designs.

Roof breaks shall occur on a minimum of 50% of all approved models and residences built.

Incentive:

Roof breaks will occur on all approved models: 50 points

c. Outdoor Living Areas

Front porches are required in single-family detached subdivisions and porches that wrap around the corner of homes particularly at street corners are highly encouraged. Front porch area must include the minimum open area and depth as defined below, unobstructed by columns, rails, box or bay windows, fireplaces, steps, etc. Porches must be constructed at the same level as the entry.

Minimum:

Usable front porches (unobstructed 80 s.f. min. with 6-foot min. depth) and side or rear yard patios (unobstructed 120 s.f. min.) shall be required on a minimum of 25% of the approved models and residences built.

Incentive:

Usable front porches (unobstructed 80 s.f. min. with 6-foot min. depth) will be provided on at least 50% of the approved models and residences built, and side or rear patios

(unobstructed 120 s.f. min.) will be provided with all residences: 75 points

d. Bay or Box Windows:

Minimum:

Windows of a minimum width of 5 feet that project a minimum of 16 inches from the front facade shall be required on 50% or more of all units within a streetscape.

Incentive:

Windows (min. 5-foot width) will project a minimum of 2 feet from the front facade on 75% or more of units within a streetscape: 50 points

e. Garages:

The City encourages residential design that limits garage door dominance on the streetscape. This can be achieved through side- and rear-loaded garages, tandem-designed garages, and front-loaded garages with greater front setbacks or combination thereof.

Adequate interior garage space is essential to ensuring future residents have sufficient space to park vehicles and store outdoor maintenance and recreational items within the garage area. Minimums are specified below to help reduce the future need for outdoor storage of these items and for accessory structures to accommodate these items.

Minimums:

(1) All dwelling units shall provide a two-car (minimum) garage. If three-car garages are provided, the third space shall have a separate door and a 2-foot minimum horizontal setback from the main garage door. A roof design change over the third space may be substituted for the horizontal setback.

(2) Garage interior – minimum dimensions:

Depth – single- and double-car garage:	22 feet
Width – single-car garage:	12 feet
Width – double-car garage:	20 feet

(3) Garage door – minimum dimensions:

Height:	7 feet
Width:	
Single-car garage door:	8 feet
Double-car garage door:	16 feet

Incentives:

(1) Garage doors will be separated with masonry elements: 100 points

(2) Garage door windows will be incorporated in the design of 50% of the models and residences built, and the window design will complement the style of the house windows: 75 points

(3) Choose only one from below (if applicable):

(a) Side, rear-loaded, or front-loaded (with 30-foot or greater setbacks) garages will occur on at least 20% of the models and residences built: 125 points

(b) Side, rear-loaded, or front-loaded (with 30-foot or greater setbacks) garages will occur on at least 50% of the models and residences built: 250 points

(c) Side, rear-loaded, or front-loaded (with 30-foot or greater setbacks) garages will occur on at least 75% of the models and residences built: 500 points

(4) Interior garage area of each model will include a storage area of at least 50 square feet (with a minimum three-foot depth) that will not encroach in the 22-foot minimum garage depth: 300 points

3. Exterior Materials and Colors

Building material and color selection is essential to developing a compatible and quality architectural character. Natural materials and textures (stone, wood, brick) should be expressed in their natural state (e.g. clear stained wood or unpainted brick) wherever feasible.

a. Roof Materials: Preferred roof materials include clay or concrete tiles, slate, architectural metal, masonite or architectural grade (high profile, dimensional) roofing. Conventional asphalt (3-tab) roofs are not acceptable. A variety of roof forms (hip, gable, etc.), materials, and color variations are encouraged.

b. Wall Materials: All exterior wall materials shall be compatible with adjacent/neighborhood homes. Suggested materials include natural wood, masonite, stucco, brick, and stone (stacked preferred over rounded). Wall material colors should be natural or earth tones for dominant areas. A variety of materials (siding, stucco, brick, and stone) and colors are strongly encouraged. Lap siding shall have a maximum 9" exposed board face. Exceptions to the 9" maximum exposure may, at the City's discretion, be made depending on the architectural design of the elevation. Primary or other bright colors should be used sparingly and only as accents. Highly reflective materials are not allowed.

Minimums:

(1) 30% or more masonry (brick or stone) shall be installed on front elevations (exclude window and door area from percentage calculation) abutting streets, open space, trails, or parks:–

(2) 30% or more masonry (brick or stone) shall be installed on side or rear elevations abutting streets, open space, trails, or parks.

(3) Masonry (brick or stone) shall be installed on the entire lower level of walkout units that are visible from the street.

(4) All second-story (or first-story walkout) decks shall include brick or stone wrapped columns when abutting streets, open space, trails, and parks.

Incentives:

(1) Choose one from below (if applicable):

(a) 30% or more masonry (brick or stone) will be provided on all four sides of the residences:
200 points

(b) 50% or more masonry (brick or stone) will be provided on all four sides of all residences:
500 points

c. Accessory structures:

Minimum:

Accessory buildings shall be architecturally integrated with the main residence and shall consist of similar materials, form, and color. Accessory buildings shall not be located in any required front or side yard and shall follow requirements of the Westminster Municipal Code unless otherwise specified on the Official Development Plan.

III. LANDSCAPING DESIGN

Landscaping plays a significant role in the overall quality, appearance, and value of residential neighborhoods. Landscaping standards included herein consist of public rights-of-way, private open space, and individual residential lots. Water-conserving landscaping designs are highly encouraged. (Consult the City's Landscape Regulations for information regarding water-conserving plant materials and irrigation methods).

1. Right-of-Way Landscaping

Developers are responsible for the installation of landscaping in the right-of-way of all arterial and collector streets within or abutting their developments, and occasionally of local streets. The homeowners association is responsible for maintenance of the right-of-way landscaping along arterial and collector streets and occasionally along local streets. The adjacent homeowner is generally responsible for maintenance of the right-of-way area adjacent to their residence on a local street.

Although fencing between the right-of-way of collector and local streets and residential developments is often proposed to provide privacy and buffering, the use of landscape materials and earth berming either in lieu of, or in conjunction with, fencing is highly preferred and shall be required in most instances. The maximum slope of berms shall not exceed 4:1.

Automatic sprinkler systems are required within the right-of-way of arterial and collector streets of new subdivisions.

Minimum:

A minimum of one (1) shade tree and three (3) shrubs per 550 square feet of landscaped area is required for landscaping within the right-of-way.

Incentives:

- a. A minimum of one (1) shade tree and three (3) shrubs per 500 square feet of landscaped area or greater is provided within the right-of-way: 100 points
- b. Street trees (deciduous, shade trees with 40-foot max. spacing) will be planted in the landscape area between the curb and the sidewalk along a min. of 75% of the local street lengths on both sides of the local streets: 350 points

2. Detention Pond Area Landscaping

The developer is responsible for landscaping the detention pond and other common areas. The homeowners association shall be responsible for the maintenance of these areas.

Minimum:

The developer is responsible for landscaping the detention pond and other common areas at a rate of one (1) tree and three (3) shrubs per 550 square feet of landscaped area.

Incentive:

Landscaping will be provided in the detention pond and other common areas at a rate of at least one (1) tree and three (3) shrubs per 500 square feet of landscaped area: 100 points

3. Size of Plant Material for Rights-of-Way and Common Areas

Minimum:

The minimum sizes required in the right-of-way and common areas are: deciduous trees: 2-1/2" caliper; ornamental trees: 2-1/2" caliper; evergreens: 6' height. Twenty percent of the trees are to be 3" min. caliper for deciduous or ornamental and 8' min. height for evergreens.

Incentives:

Choose one from below (if applicable):

1. Thirty percent or more of the trees in the right-of-way and common areas are 3" min. caliper for deciduous and ornamental and 8' min. height for evergreens: 50 points
2. Thirty percent or more of the trees in the right-of-way and common areas are 3-1/2" min. caliper for deciduous and ornamental and 10' min. height for evergreens: 100 points

4. Single-Family Home Landscaping

The required number of trees listed below shall be installed by the developer prior to certificate of occupancy, or if homeowner installation is preferred, a credit in the amount of the required trees (including installation) shall be posted by the developer with a local nursery for use by the homeowner. Whenever possible, the shade tree should be installed approximately 7 feet from the front property line in order to create a streetscape appearance.

Minimums:

- a. For residential lots up to 10,000 square feet in size, a minimum of one (1) shade tree shall be installed in the front yard of every residence.
- b. For residential lots larger than 10,000 square feet in size, a minimum of two (2) trees shall be required in the front yard of every residence. (At least one shall be a shade tree).

Incentives:

- a. For residential lots up to 10,000 square feet in size, a minimum of two (2) trees and five (5) shrubs will be installed in the front yard of each lot: 75 points
- b. For residential lots 10,000 square feet or larger in size, a minimum of three (3) trees and ten (10) shrubs will be installed in the front yard of each lot: 75 points
- c. Developer/builder will install entire front and one-half of the side yards landscaping including sod, three trees, ten shrubs, and automatic sprinkler system: 200 points

5. Size of Plant Material for Single-Family Homes

Minimum:

The minimum sizes required for front yard landscaping are as follows: deciduous and ornamental trees: 2-1/2" caliper; evergreens: 6' height.

Incentive:

Trees installed in the front yards will be 3" min. caliper for deciduous and ornamental and 8' min. height for evergreens: 50 points

IV. SUSTAINABLE DESIGN

- A. Purpose: The sustainable design of residential projects should reduce the environmental impacts while improving the quality of development.

1. Landscaping and Water Conservation

a. Tree Lawns

Minimum:

The minimum tree lawn width is 6 feet.

Incentives:

Tree lawns will be increased above the minimum to improve the walking experience and improve long-term tree health; 50 points for each additional foot of tree lawn width above six feet: 300 total possible points

b. Landscaped Islands/ Medians

Minimum:

Landscaped islands and medians in parking areas for developments with community facilities, such as clubhouses and pool facilities, must be a minimum of 12' wide.

c. Water Conservation

Minimum:

The maximum turf area cannot exceed 40% of the common landscaped area not in right-of way. Highly efficient irrigation systems and methods must be incorporated, including ET or soil moisture based controllers and rain sensors to reduce consumption.

Incentives:

- (1) Turf area will be reduced to 30 - 35% of landscaped area to reduce water consumption: 75 points
- (2) Turf area will be reduced to 25 - 29% of landscaped area to reduce water consumption: 100 points

d. Site Design/Stormwater

Incentives:

Use of vegetative swales or bio-retention is incorporated to diffuse infiltration, reduce the impact on detention areas, and recharge ground water. Vegetated swales shall be long and narrow with a high end and a low end to allow water to flow. Often check dams are used to create several small pools of water to slow, filter and infiltrate water into the ground. Often, bioswales are vegetated with rushes and other ornamental grasses. These features may not necessarily reduce detention pond areas.

- (1) Vegetative swale or bio-retention area of 5% of total detention square feet: 100 points
- (2) Vegetative swale or bio-retention area of 10% of total detention square feet: 200 points

e. Paving Materials

Incentives:

Integrally colored permeable hardscape is used throughout the site to reduce glare, heat island effects, and storm water runoff. Permeable hardscape includes but is not limited to colored concrete pavers and porous concrete. Permeable hardscape use shall be limited to non-right-of-way areas including but not limited to internal walkways, driveways, and patios.

- (1) 20% square feet of non-right-of-way hardscape area is permeable: 25 points
- (2) 30% square feet of non-right-of-way hardscape area is permeable: 50 points
- (3) 40% or more square feet of non-right-of-way hardscape area is permeable: 75 points

f. Pedestrian Circulation

Minimum:

Enhance pedestrian and bicycle infrastructure for internal connections, connections to all multi-modal transportation nodes and connections to adjacent neighborhoods, schools, commercial centers to reduce auto dependence by encouraging walking and biking.

- (1) Site amenities such as bus shelters, benches, trash receptacles, and pervious decorative paving are incorporated at all bus stops adjacent to the development
- (2) Incorporation of an internal pedestrian and bicycle corridor network including punch-throughs, 12-foot wide with a 6-foot walkway.

2. Building Construction

a. Pro-active Solar Construction

Incentives:

Points will be awarded for installation of solar water heating and photovoltaic system or pre-plumbing and pre-wiring homes for future installation to make it easier for homeowners to

install the desired systems at a low cost. Roof design will also accommodate future installation of such systems.

- (1) 25 points for each 10% of pre-plumbed and pre-wired housing units for a maximum of 250 points, or
- (2) 50 points for each 10% of housing units with installed roof-mounted solar water heating systems and/or photovoltaic systems for a maximum of 500 points

b. Dwelling Unit Energy Efficiency

Incentives:

Dwelling units will be constructed to meet one of the following insulation and energy efficiency standards: 500 points

- (1) Performance rating: 25% better than minimum performance criteria required by the 2009 IECC
- (2) Prescriptive rating: From R-38 to R-49 roof insulation, R-30 to R-38 floor insulation; triple-pane windows
- (3) UA trade-off: Building must be a minimum of 5% above 2009 IECC per ResCheck

c. Community Facilities

Incentives:

- (1) Install solar water heating and/or photovoltaic systems on the clubhouse/meeting/recreational facility buildings: 250 points
- (2) Community buildings will be LEED Silver or higher: 300 points
- (3) Mail kiosk will be covered and incorporate solar-powered lighting: 50 points



WESTMINSTER
COLORADO

Single-Family Attached Residential Design Guidelines

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Single-Family Detached Residential Design Guidelines

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SINGLE-FAMILY ATTACHED
RESIDENTIAL DESIGN GUIDELINES
City of Westminster, Colorado

PURPOSE AND INTENT OF SINGLE-FAMILY ATTACHED DESIGN GUIDELINES

The following Design Guidelines have been prepared to provide minimum criteria for new single-family attached residential developments in the City of Westminster. These minimum standards are intended to establish quality appearance, compatibility of character, variety of design, and enhanced community values. In addition to minimum criteria, optional (incentive) criteria are also listed, which further enhance sound residential planning, architectural quality, and landscape design.

The minimum and optional criteria are the basis for awarding service commitments to developers in accordance with the City of Westminster Growth Management Program. The Program establishes various service commitment categories for all types of new development, and each year City Council allocates service commitments to the different categories. Category B-2 is the designation for new single-family attached residential projects. City Council allocates a specific number of service commitments for new single-family attached projects that must be awarded through a competitive system based on criteria adopted periodically through City Council resolution. These Design Guidelines are the basis for the competitions to be held periodically for single-family attached residential projects including townhomes, duplexes, and condominium projects not to exceed the density limitations of the Comprehensive Land Use Plan. In addition, these guidelines apply to all new single-family attached development that does not meet the active residential definition within the City's Growth Management Program and build-out development projects (as defined in the Growth Management Program).

All minimum requirements in these Design Guidelines must be met in order to be eligible to compete for service commitments, and no points are given in the competition for these items. Competition applicants receive points by agreeing, in advance, to provide certain incentive items listed in the design guidelines. The applicant determines which incentive items will be offered as part of a proposed project, and the total of these items is the score designated to that project. The Growth Management Program does not permit City Staff to review and process official development plans, plats, construction drawings, etc. unless City Council has awarded service commitments to the project through the competition process.

Once a project is awarded Service Commitments and begins the development review process, the City Staff may consider incentive item substitutions if requested by the applicant. City Staff does not have the authority to waive any incentive items agreed to through the competition process. A written request detailing the substitution(s) must be submitted with plans during the development review process for the project, and there is no guarantee a request will receive City Staff support. Total revised incentive points must meet or exceed the project point total received in the competition process.

In order to compete, all projects must also comply with the requirements of the City of Westminster Comprehensive Land Use Plan. Due to specific site constraints and requirements within these guidelines, it is possible that the maximum density identified in the Comprehensive Land Use Plan will not be obtainable with certain projects.

The Design Guidelines are divided into ~~three~~ **four** categories: Site Design, Architectural Design, ~~and~~ Landscaping Design, **and Sustainable Design**. The Site Design section addresses overall site planning considerations, vehicular and pedestrian circulation, setbacks, public and private open space, and other site amenities. The Architectural Design section addresses general design principles, exterior design, and exterior building materials and colors. The Landscaping Design section addresses general landscape design principles, landscape treatment of development edges and entrances, project landscaping, plant materials, and irrigation. **The Sustainable Design section incorporates sustainable design principles for landscaping, water conservation, and building construction.**

I. SITE DESIGN

Purpose: Sound planning and site design are necessary to ensure the City of Westminster's quality of life. The following minimum and incentive items will help to minimize land use and circulation conflicts and maintain a sense of variety, aesthetic quality, function, and openness.

1. Land Use Compatibility, Proximity to Other Land Uses, and Buffering

Compatibility is achieved when adjacent land uses differing in function, scale, and intensity are mutually supporting and do not create adverse effects upon one another. In areas where different uses abut, including various residential uses and densities, a variety of measures may be employed for mitigation including: the use of adequate setbacks, landscaping, barriers or transition zones, and building heights.

Minimums:

- a) Primary building setbacks shall be a minimum of 1.5 times the building height as defined by the Uniform Building Code (UBC) or 40 feet from the common property line (whichever is greater) when adjacent to a non-residential, public, or single-family detached residential use.
- b) Primary building setbacks shall be a minimum of 1.5 times the building height as defined by the UBC or 35 feet from the common property line (whichever is greater) when adjacent to a single-family attached, senior housing, or multi-family residential use.
- c) Within the required setback areas from the property lines, a permanent 35-foot landscaped area shall be provided along each property line. No drives, detention areas, or off-street parking are permitted in this area.
- d) Earth berming (3'-6" min. height) with a maximum slope of 4:1 with evergreen and deciduous trees and shrubs shall be required in the setback areas along public streets and between differing land uses including other types of residential use.
- e) No intensive recreation area(s), such as swimming pools, playgrounds, hard-surface courts, etc., shall be permitted within 100 feet of any adjacent single-family detached or attached residential land use designation.

2. Conformance with the Westminster Comprehensive Land Use Plan

Minimum:

The proposed project shall conform with the Westminster Comprehensive Land Use Plan. This includes the appropriate land use designation for single-family attached projects. The net proposed density of the project shall not exceed 8 du/a as specified in the Comprehensive Land Use Plan and 8 du/a is not guaranteed. *(To estimate the net residential density for a project, deduct 20% from the total acreage after public land dedication requirement is subtracted. This percentage figure is based upon the requirements for collector and arterial street rights-of-way, unless already provided, that tends to be 15 to 30 percent or more of a development).*

3. View Preservation

The City has many panoramic views from public streets and facilities that should be preserved and enhanced. Site planning must consider the relationship of building to natural grades. Buildings should be sited to preserve views from arterial streets. Landscaping and building placement should be used to frame and enhance view corridors. This can be accomplished by increasing setbacks, reducing heights of buildings near the street(s), lowering the grade of the site, building a recreation facility near the street, etc.

Minimum:

View corridors as identified in the Westminster Comprehensive Land Use Plan shall be preserved. The main intent is to preserve the views that can be seen from public streets.

4. Drainageways

In most cases, drainageways should be left in as natural a state as possible without channelization or engineered structures unless required to prevent erosion or other special circumstances, or as required by other agencies. The City requires landscaping, and irrigation in these areas. In addition, the City will likely require a concrete path (eight-foot min. width) be constructed along significant drainageways adjacent to or within the site.

Minimum:

Significant drainageways shall be incorporated in site development as aesthetic amenities, open space/trail corridors, and wildlife areas.

5. Access, Circulation, and Parking

The City's circulation system is a hierarchy network of arterial, collector, and local streets which provide access to residential developments, but which minimize higher traffic volumes from residential developments. (See City Street Cross-Sections for right-of-way requirements). For collector streets, developers may be required to provide a 100-foot right-of-way to provide a park-like boulevard (parkway) setting with ample landscape area and detached sidewalks, avoid a "tunnel" effect with fencing, create a "trail" rather than a "sidewalk" atmosphere; and enhance the aesthetics of the main street into the subdivision. One example of this design in the City is Legacy Ridge Parkway in the Legacy Ridge subdivision. Street and pedestrian connections between neighborhoods and subdivisions shall be required. Where applicable, concrete path connections from cul-de-sacs to trails will be required.

To as great an extent as possible, alignments of collector streets, local streets, and private drives in sloping areas shall conform to the natural contours of the land. This increases developable ground by reducing the amount of cut and fill, as well as construction costs.

City Council has adopted a "traffic-calming" policy designed to objectively prioritize and evaluate neighborhood traffic problems and resolve existing and potential problems. New projects shall be designed to mitigate potential problems (speeding, "cut-through" traffic, etc.).

a) Access

Minimum:

Access point(s) to the site from the adjacent street(s) shall provide safe, convenient access for both pedestrians and vehicles.

b) Right-of-Way

Minimum:

All streets shall be designed according to the City's specifications for street rights-of-way.

Incentive:

Additional arterial or collector street right-of-way (beyond amt. req.) will be provided for berming and additional landscape area (this may be proposed for one side of the street or split equally on each side): 100 points per additional three feet added to right-of-way section along the entire street frontage (500 max. points)

c) Pedestrian / Bicycle Paths

Minimums:

- (1) Pedestrian and bicycle trails shall be built within each single-family attached development and shall connect to the City's regional trail system. These trails occur in conjunction with streets and within the development's open space network (along public or private open space and drainageways). Please see Westminster Municipal Code 11-6-5 (C) 10.
- (2) All internal site sidewalks shall be a minimum width of five feet unless adjacent to parking spaces (min. 7-foot width).
- (3) Concrete walks (8-foot min. width) setback a minimum of 12 feet from the ultimate back of curb shall be constructed along arterial streets within or abutting the project.
- (4) Concrete walks (5-foot min. width on one side and 8-foot min. width on the other side) shall be constructed along collector streets within or abutting the project.
- (5) Concrete sidewalks (7-foot min. width) shall be constructed adjacent to parking spaces (includes carport spaces but not necessarily garages) that are adjacent to residential buildings.
- (6) All sidewalks along public streets must be detached from the curb the distance specified in the City of Westminster standards and specifications for the design and construction of public improvements.

Incentives:

- (7) All internal site paths will be a minimum width of six feet: 150 points
- (8) Lighting along both sides of off-street paths will be provided: 25 points
- (9) Benches will be provided along pedestrian pathways throughout the project: 25 points

d) Parking

Minimums:

- (1) All regular parking spaces (including carport spaces) shall be a minimum 9' x 19'. No compact parking spaces are permitted.
- (2) All handicapped parking spaces shall be a minimum 9' x 19' with an adjacent 5' x 19' access aisle.
- (3) Handicapped parking spaces shall be provided at the rate required in the Westminster Municipal Code.
- (4) Concrete curb (6" vertical) and gutters shall be required abutting all drive and parking areas. Drive aisles shall be a minimum width of 24 feet between non-angled parking spaces.
- (5) At least one-third of the required parking shall be within garages.
- (6) Two parking spaces shall be provided for every efficiency, one-bedroom, two-bedroom, and three-bedroom unit.
- (7) Three parking spaces shall be provided for every four-bedroom or larger unit.
- (8) Guest parking shall be provided at one space per three units.

Incentive:

- (9) Choose only one from below (if applicable):
 - (a) At least 50%, but less than 75% of the required parking (other than guest parking) shall be within attached garages: 350 points
 - (b) At least 75%, but less than 100% of the required parking (other than guest parking) will be within attached garages: 500 points
 - (c) 100% of the required parking (other than guest parking) will be within attached garages: 750 points

e) Bus Benches and Shelters

Close proximity to public transit access is an important amenity for single-family attached residential. Bus benches and shelters may be required for all existing and proposed bus stops

adjacent to and within the site boundaries of all proposed residential developments. City Staff will review this on a case-by-case basis. Any required benches and shelters shall be coordinated with the Regional Transportation District and installed in the right-of-way by the developer/owner.

6. Site Orientation

Minimum:

Buildings shall be oriented on the site to create visual interest and variety. Whenever possible, buildings shall be set at angles from one another in order to avoid the “barracks” type appearance. This is particularly important along public streets.

7. Site Amenities

a) Entrance Features

The entrance to single-family attached developments should be designed to provide maximum safety for visibility and turning movements. Landscaped street medians/islands are required at major entranceways to the project. Maintenance of the median/island shall be the responsibility of the developer/homeowner’s group. Evergreen trees planted behind the entry signage are encouraged to enhance the community character established with the City’s monument signage.

Minimums:

- (1) One monument sign shall be provided and constructed of permanent materials (masonry etched or metal letters/logo) with a solid masonry (brick or stone) base located in a landscaped median or on either side of the entrance drive. The size of the sign shall not exceed the City of Westminster Municipal Code requirements (Title XI, Chapter 11).
- (2) A landscaped median/island (10-foot min. width, 50-foot min. length) shall be required at the major entrance to the project and shall be the responsibility of the developer/homeowners group.

Incentive:

Evergreen trees (a minimum of three Austrian Pine, Blue Spruce, or similar) will be planted behind the entry monument signage: 75 points

b) Lighting

Minimums:

- (1) Site lighting shall be provided throughout the project and shall include lighting on buildings, garages, carports, drive aisles, parking lots, pathways, stairs, ramps, and landscaping to ensure visibility and safety for residents within the project.
- (2) Adequate street lighting shall be provided in all residential projects, and lighting along all public streets shall be in conformance with Xcel Energy standards and installed at developer expense.
- (3) Ground-level site lighting shall be added along all pathways, stairs, and ramps to increase visibility at night.

Incentive:

Decorative lighting with ornamental bases, armatures, fixtures, etc. relating to the architectural theme of the development will be installed along collector, local, and/or private streets with a maximum 50-foot distance between fixtures: 75 points

c) Recreation

The City requires private recreation facilities for single-family attached residential developments for their residents in proportion to the number of residential units served. Such recreational facilities

shall be included on private open space. Facilities are to be owned and maintained by a homeowner's association or similar organization.

Minimums:

1. An indoor clubhouse/meeting facility (1,000 S.F. min.) shall be provided for all projects with more than 150 units.
2. A pool (25' x 50' min.) and restroom facilities shall be provided for all projects with more than 100 units. For projects with more than 300 units, two pools and restrooms shall be required or one larger (25-yard minimum length) pool and restroom. All pools shall have a minimum deck width of 12 feet around the perimeter of each pool.
3. An open play area (1% minimum of site area) shall be provided for each project. This area shall not be placed within the detention pond, public land dedication area, right-of-way, or required setback areas. For projects of 50 acres or more, this area may be divided between two or more open play areas.

Incentives:

4. Project with 100 or fewer units will provide a pool 25' x 50' min.) and restroom facilities: 500 points
5. Project with 100 or fewer units will provide an indoor clubhouse/meeting facility: 400 points
6. Hard-surface courts such as tennis courts (including fencing, striping, net, lighting, etc.) and/or basketball full-courts (min. 50' X 84' including equipment, striping, lighting, etc.) will be provided: 150 points per court (300 points maximum)
7. Sand volleyball courts (30' X 60' min.) will be provided: 50 points per court (100 points maximum)
8. Play equipment area with swings, slide, climbing equipment, etc. (0.5% minimum of site area) will be provided. (This cannot be located in any detention area). Play equipment must encompass at least 625 S.F. (25' x 25') for each of these areas: 150 points for each area provided (300 max. points)

8. Public Land Dedication

Public Land Dedication shall be made to the City in conjunction with all residential developments and is based on residential density of the proposed project. (See Westminster Municipal Code Section 11-6-8(A) for amount of land due). Acceptance of public lands shall be subject to review by the City. If the City determines a land dedication would not serve the public interest, the City will require payment in lieu of dedication. Developers are encouraged to dedicate public open space beyond the minimum acreage required in order to enhance the overall appearance of the community by providing open, green areas.

All new residential developments shall provide public school sites or fees in lieu thereof to reasonably serve the proposed subdivision or residential development. (See Westminster Municipal Code Section 11-6-8 (E) for more information.

Incentive:

- a) Public Land Dedication will exceed the minimum requirement for:
 - (1) Non-floodplain land: 50 points per each percentage point over minimum required (500 max. points)
 - (2) Floodplain land: 10 points per each percentage point over minimum required (100 max. points)(If this incentive is chosen, keep in mind the City has discretion whether land designated for dedication is acceptable and, during the development review process, may require an alternate location on the site or cash-in-lieu for the amount agreed to with this incentive).

9. Private Open Space and Private Parks

In addition to the minimum public land dedication required of residential development, private open space and recreational facilities are encouraged in all residential projects. Private open space does not include right-of-way or other public areas. Private open space areas can provide focal points for the residents and desirable green space to accommodate local recreation needs and pedestrian circulation for the residents and the general public. Private open space can also be enjoyed by all City residents if such open space abuts or is visually related to the public right-of-way or public open space.

Minimums:

- a) Private open space shall be landscaped and an irrigation system shall be required. Maintenance of private open space areas shall be the responsibility of the project owner.
- b) Environmentally-sensitive areas (such as wetlands) shall be maintained as private open space.
- c) A minimum of 4% of the total acreage shall be set aside for a private park that must include an open play area for active recreation and must be centrally located in the subdivision to provide a focal point. The open play area shall be a minimum of 1% of the total 4% in size. For projects of 50 acres or more, this area may be divided between two or more open play areas. The private park and open play area shall not include areas designated for public land dedication, right-of-way, required setback areas, and detention pond areas.

Incentive:

- d) Private park area will be increased above the minimum 4% requirement (choose only one from below if applicable):
 - (1) Greater than 4% to 5%: 250 points
 - (2) Greater than 5% to 6%: 350 points
 - (3) Greater than 6%: 500 points

10. Setbacks

The way in which buildings are placed on the site in relation to the property lines, neighboring developments, and one another, contributes to the overall atmosphere and efficiency of the development. In an effort to ensure efficient pedestrian and vehicle circulation as well as provide ample open areas within a single-family attached development, below are minimum setbacks required. Primary buildings refer to all residential buildings and clubhouses. Accessory structures include carports, detached garages, maintenance buildings, etc.

Minimums:

- a) Primary building setbacks from:
 - (1) Major highways (U.S. 36, I-25) and arterial streets: 100' from proposed right-of-way line
 - (2) Collector streets: 1.5 times the building height as defined by the UBC or 30 feet from the proposed right-of-way, whichever is greater
 - (3) Local streets: 1.5 times the building height as defined by the UBC or 25 feet from the proposed right-of-way, whichever is greater
 - (4) Private streets: 25 feet from the back of curb (except duplexes – setback requirements below)
 - (5) Interior property lines when adjacent to a non-residential, public, or single-family detached residential use: 1.5 times the building height as defined by the UBC or 40 feet from the common property line, whichever is greater
 - (6) Interior property lines when adjacent to a single-family attached, senior housing, or multi-family residential use: 1.5 times the building height as defined by the UBC or 35 feet from the common property line, whichever is greater
 - (7) Interior parking lots: 15 feet from all sides of primary buildings with minimum 7-foot wide attached sidewalk (to accommodate two-foot overhang for vehicles and five-foot clearance for sidewalks) when walks are adjacent to parking spaces.
- b) Distance between primary buildings (except duplexes – see setback requirements below):
 - (1) 30 feet minimum between parallel buildings
 - (2) Where the corner of a building is adjacent to a non-parallel building, the minimum setback distance between the corner and the adjacent building is 20 feet

- c) Duplex setbacks from property lines:
 - (1) Front (from a local or private street): 25 feet (15 feet for side-load garage)
This setback also applies to side yards abutting a local street
 - (2) Side for one-story residences: 7.5 feet
 - (3) Side for two-story residences: 10 feet
 - (4) Rear: 25 feet
- d) Distance between primary buildings and accessory buildings:
 - (1) Minimum distance between primary buildings and carports or garages: 15 feet
 - (2) Minimum distance between primary buildings and all other accessory structures: 25 feet
 - (3) Minimum distance between accessory structures: 20 feet
- e) Parking lot setbacks:
 - From other interior property lines: 15 feet
- f) Accessory structure setbacks:
 - (1) From interior property lines: 15 feet
 - (2) From adjacent single-family detached or attached residential: 35 feet
 - (3) From U.S. 36, I-25, and arterial streets: 50 feet (include tall berms and landscaping)
 - (4) From collector streets: 35 feet (include tall berms and landscaping)
 - (5) From all local streets: 25 feet (include berms and landscaping)

Incentive:

- g) Along public streets, primary building setbacks will be increased above the minimum requirement (choose only one from below if applicable):
 - (1) Five (5) feet or greater, but less than ten (10) feet: 250 points
 - (2) Ten (10) feet or greater, but less than 15 feet: 300 points
 - (3) Fifteen (15) feet or greater, but less than 20 feet: 350 points
 - (4) Twenty (20) feet or greater: 400 points

11. Fencing and Walls

All fencing and walls within single-family attached residential development shall be a uniform design for each type of fence or wall provided. (See Westminster Municipal Code regarding privacy fencing and fencing abutting public or private open space). Although perimeter fencing and/or walls are not always required, it is recognized that fencing and/or walls are often proposed around the perimeter of single-family attached residential projects. Landscape materials, earth berming, and walls are the preferred methods of providing a buffer, but well-designed fences and walls are acceptable (and many times required) in certain circumstances.

Minimums:

- a) When used or required, perimeter fencing and/or walls shall be constructed in accordance with City standards and shall include brick or stone columns (two-foot minimum width and depth) spaced a maximum of 65 feet apart. In some cases, such as adjacent to parks or in special streetscape situations fencing may be modified to include low profile, split rail, or wrought iron fencing. Chain link and barbed wire fencing is not permitted.
- b) All horizontal supporting structures of all solid wood and vinyl fencing shall be constructed toward the interior of the project or lot to reduce visibility of the support structures from streets and other public areas.
- c) Offsets (min. 5-foot depth and 10-foot length) for landscaping (trees and shrubs required) in perimeter fencing and/or walls shall be provided every 200 feet or less for at least a distance of 400 feet.

12. Trash Enclosures

If trash enclosures are proposed, every effort should be made to locate the trash enclosures internally on the site to avoid visibility of these enclosures from adjacent streets and residential developments.

Minimums:

- a) All trash containers shall be contained within permanent, opaque, masonry trash enclosures that match the building materials and colors of the residential buildings and shall have opaque gates.
- b) All trash enclosures shall be a minimum height of six (6) feet and maximum height of eight (8) feet. The height of all contents within an enclosure shall not exceed the height of the enclosure wall. Enclosures must be roofed if contents are visible from adjacent streets or residential land uses.
- c) Any trash enclosure visible from adjacent streets or residential developments shall be screened with landscaping.

13. Mechanical Equipment

Locations of all exterior mechanical and utility equipment such as compressors, air conditioners, antennas, heating and ventilating equipment, satellite dishes, utility boxes etc. must be shown on the Official Development Plan for the project. All equipment should be clustered whenever possible.

Minimums:

- a) No mechanical equipment shall be placed on sloped roofs.
- b) Ground-level mechanical and utility equipment and lines shall be screened with year-round landscaping, or walls that match the materials and color of the buildings.
- c) All electric and communication utility lines and services and all street lighting circuits shall be installed or relocated underground both within and adjacent to the subdivision or development.

14. Mitigation of Environmental Effects

Minimum:

Developer/owner-installed screening and/or buffering will be required for all proposed residential developments along U.S. 36, I-25, and all arterial streets. Developer-installed fencing, earth berming, and landscaping will be required, and in certain circumstances, further mitigation measures may be required to reduce adverse environmental effects on the residential development.

15. Neighborhood Notification

The City of Westminster places high priority and importance on contact with adjacent property owners and existing neighborhoods that could be effected by a new development proposal. Project developers/owners are required to contact the surrounding neighborhoods regarding their proposed developments and are responsible for all public notifications, researching and providing property ownership information, and if applicable, organizing and conducting neighborhood meeting(s). (See Neighborhood Contact Requirements handout for more information). The extent of the neighborhood notification must be discussed with and approved by City Staff.

II. ARCHITECTURAL DESIGN

- A. Purpose: The architectural design of single-family attached projects should create visual variety and, at the same time, promote an integrated character for the project.
- B. Character: Buildings should provide interest through the use of varying forms, architectural detail, and positioning on the site while still maintaining continuity as one project.

1. Exterior Design Elements

a) Building Design

Minimums:

- (1) Architectural detailing, horizontal off-sets, architectural window details and other features shall be provided on all sides of the building to avoid blank walls. All sides of all buildings shall be designed with quality materials (360 degree architecture).
- (2) Vertical and horizontal elements shall be used in contrast to one another. Contrast and interest are effected by offering exterior selections that emphasize a dominant building material but include complementary materials and colors.
- (3) Buildings shall incorporate visually heavier and more massive elements at their bases, and lighter elements above these components.
- (4) For projects with multiple buildings, variety shall be used in site orientation and among buildings to avoid a “barracks” appearance.
- (5) Buildings shall include no more than eight units.
- (6) Two or more distinct building models shall be required for projects with three to six buildings.
- (7) For projects with more than six buildings, a minimum of three distinct building models shall be required.
- (8) Fireplace “box-outs” shall extend vertically from ground level to meet the roofline and avoid a “tacked-on” look.

Incentives:

- (9) Choose one from below (if applicable):
 - (a) 25% or more ranch homes or two-story homes with a first-floor master bedroom and bath with a shower or tub will be built: 25 points
 - (b) 50% or more ranch homes or two-story homes with a first-floor master bedroom and bath with a shower or tub will be built: 50 points
- (10) Buildings will have a variety in horizontal off-sets (staggering or change in plane surface) of at least four feet on both the front and rear of the buildings: 50 points
- (11) A covered and lighted structure will be provided over external mailbox units for the project or internal mailbox units will be provided. If an external structure is provided, the materials, colors, and style will match the primary buildings: 150 points
- (12) Buildings will include no more than six (6) adjacent units: 200 points

b) Building Height

Minimum:

Building heights shall not exceed two stories.

c) Building Entrance

Minimum:

A covered entry area shall be designed at the main entry area of each unit.

d) Windows

Incentive:

Bay or box windows will be provided on the front facade of at least 50% of the units: 75 points

e) Roof Design

Minimums:

- (1) A roof pitch of 5 in 12 or greater shall be provided on all buildings. All roofs shall have one-foot minimum overhanging eaves. Exceptions may be made, at the City’s discretion, for unique architectural designs.

- (2) Quality roof materials shall be used on all buildings (includes tile, concrete tile, slate, architectural metal, dimensional composition or fiberglass shingles (which provide shadow effect). Three-tab asphalt and cedar shake materials are not allowed.
- (3) Building roofs will be broken into smaller planes or roof elements. A minimum of two roof breaks (roofs that turn a corner or change elevation) will be provided on all buildings. Large expanses of roof surfaces or long, uninterrupted ridge and eave lines shall be avoided. Dormers, roof breaks, cupolas or other roof features shall be employed as mitigation measures.

Incentive:

- (4) Tile (terra cotta, concrete, or slate) roofs will be used on all buildings: 400 points

2. Garages

Adequate interior garage space is essential to ensuring future residents have sufficient space to park vehicles and store recreational items within the garage area. Minimums are specified below to help reduce the future need for outdoor storage of these items.

Minimums:

- (1) Garage interior – minimum dimensions:

Depth – single- and double-car garages:	22 feet
Width – single-car garage:	12 feet
Width – double-car garage:	20 feet
- (2) Garage door – minimum dimensions:

Height:	7 feet
Width:	
Single-car garage door:	8 feet
Double-car garage door:	16 feet

3. Patios, Balconies, and Front Porches

Front porches that wrap around the corner of end-unit homes particularly at street corners are highly encouraged. Front porch, patio, and balcony area must include the minimum open area and depth as defined below, unobstructed by columns, rails, box or bay windows, fireplaces, steps, etc. Front porches must be constructed at the same level as the entry.

Minimums:

- a) Balconies shall be opaque and architecturally integrated with walls on at least two sides. Cantilevered balconies are generally not permitted but will be reviewed on a case-by-case basis.
- b) Private patios (unobstructed 120 S.F. minimum) and/or balconies (unobstructed 80 S.F. with six-foot min. depth) shall be provided on at least 50% of the units.

Incentives:

- c) Private patios (unobstructed 120 S.F. minimum) and balconies (unobstructed 80 S.F. in area with six-foot minimum depth) will be provided on: (Choose only one from below if applicable):
 - (1) At least 75%, but less than 100% of all units: 100 points
 - (2) 100% of all units: 200 points
- d) Usable front porches (unobstructed 80 S.F. minimum with six-foot minimum depth) will be provided on: (Choose only one from below if applicable):
 - (1) At least 25%, but less than 50% of all units: 100 points
 - (2) At least 50%, but less than 75% of all units: 150 points
 - (3) At least 75%, but less than 100% of all units: 200 points
 - (4) 100% of all units: 250 points

4. Site Considerations Related to Architecture

When multiple buildings are proposed, developers are encouraged to vary the building in order to provide a variety of views, provide opportunities for landscaping and open areas, and provide interest in the relationship of the buildings to one another. Although the buildings can be varied in their orientation, street scenes may be unified and articulated through the use of style, similar forms, roof systems, details, and architectural materials.

Minimums:

- a) Garages, carports, attached parking structures, and other accessory buildings shall all relate to the building architecture and demonstrate similar compatible forms, scale, materials, colors, and detail.
- b) Garages and carports shall not exceed six (6) side-by-side parking spaces unless parking spaces are designed back-to-back allowing a maximum of 12 parking spaces per carport or garage structure.

5. Exterior Building Materials and Colors

Building materials for single-family attached developments should be of a high quality as approved by the City. Suggested exterior wall materials include natural wood, stucco, brick, and stone. In general, due to the imposing nature of many multi-dwelling unit buildings, the exterior materials should reflect subdued colors and muted tones. In general roof material colors should be darker and warm, earth-toned hues that accent and complement other building colors.

Minimum:

Thirty percent (30%) or more of all non-window/door surfaces on all sides of all primary and accessory buildings shall be finished with masonry (brick or stone).

Incentive:

Choose only one from below (if applicable):

- a) At least 50%, but less than 75% of all non-window/door surfaces on all sides of all primary buildings will be finished with masonry (brick or stone): 250 points
- b) At least 75%, but less than 100% of all non-window/door surfaces on all sides of all primary buildings will be finished with masonry (brick or stone): 500 points
- c) 100% of all non-window/door surfaces on all sides of all primary buildings will be finished with 100% masonry (brick or stone): 750 points

III. LANDSCAPING DESIGN

- A. Purpose: Landscaped areas within single-family attached developments are crucial to help counteract the potential dominance of the hardscape elements such as driveways, parking areas, buildings, concrete pathways, etc. Water-conserving landscaping designs are highly encouraged. (Consult the City's Landscape Regulations for information regarding water-conserving plant materials and irrigation methods).
- B. Character: Landscaping can add to the overall visual appearance and function of the development by providing shade, complementing both passive and active recreation areas, providing visual interest and relief both apart from and next to the buildings, and presenting an aesthetically pleasing streetscape. (See the City's Landscape Regulations for further information).

1. Private Landscaping

a) Common Areas

Minimums:

- (1) A minimum of 40% of the overall site area (excluding right-of-way landscape area) shall be landscaped. This includes detention pond areas and parking lot landscaping but excludes all hardscape areas.

- (2) A minimum of 75% of the landscaping shall be covered by living plant materials such as groundcover, shrubs, and grass within three (3) years following installation and thereafter.
- (3) Within the required landscape area, one tree (2 1/2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.
- (4) At least 20% of the required trees shall be a min. of 3-inch caliper deciduous and 8-foot min. evergreen height.
- (5) All landscaping shall be installed, irrigated, and maintained by the project developer and/or owner.
- (6) A wide variety of plant materials shall be used in landscaped areas to add interest.

Incentives:

- (7) Private landscaped area will be increased above the minimum 40% requirement (choose only one from below if applicable):
 - (a) Greater than 40% to 45%: 200 points
 - (b) 45% to 50%: 250 points
 - (c) 50% or more: 300 points
- (8) Choose only one from below (if applicable):
 - (a) A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the private landscaped areas: 50 points
 - (b) A minimum of one tree and three shrubs per 450 square feet of landscaped area will be provided in the private landscaped areas: 100 points
 - (c) A minimum of one tree and three shrubs per 400 square feet of landscaped area will be provided in the private landscaped areas: 150 points
- (9) Choose only one from below (if applicable):
 - (a) At least 50%, but less than 75% of all trees will be a minimum of 3-inch caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 50 points
 - (b) At least 75%, but less than 100% of all trees will be a minimum of 3-inch caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 75 points
 - (c) 100% of all trees will be a minimum of 3-inch caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 100 points

b) Detention Pond Area

Minimum:

The developer/owner shall be responsible for landscaping around the detention pond areas and other common areas at a rate of one tree and three shrubs per 550 square feet of landscaped area. Plant materials should be concentrated around the perimeter of the detention pond and distributed elsewhere throughout the site. The property owner shall be responsible for the maintenance of these areas.

Incentive:

Detention area will be designed as a permanent water feature (e.g. water retention area with fountain): 100 points

c) Landscaped Islands / Medians

Landscaped islands and/or peripheral landscaping are encouraged along drive entries and are required at major entrances. Additionally, medians and landscaped islands are encouraged on local and collector streets.

Minimum:

Installation and maintenance of all medians/islands shall be the responsibility of the developer/property owner.

Incentives:

A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the project entry area: 50 points

d) Parking Lots (when applicable)

Minimums:

- (1) Parking lots shall not be located within the required landscape setback.
- (2) Parking lots of 50 or more spaces shall be required to be landscaped with internal landscaped parking lot islands.
- (3) Landscaped islands in parking lots shall be no smaller than two standard parking spaces and shall alternate periodically with larger islands for variety and interest.
- (4) Landscaped islands shall occur approximately every 30 spaces within parking lots.
- (5) A minimum of two (2) shade trees and 12 shrubs shall be required per island. If the island is larger than 400 square feet, the landscape shall include one (1) additional shade tree and six (6) additional shrubs for every additional 200 square feet or fraction thereof.
- (6) Continuous landscape strips (min. ~~nine~~ twelve-foot width) separating every three rows of parking shall be required for parking lots with 300 or more parking spaces.
- (7) Landscaped berms shall be required to screen parking (including covered parking structures) from adjacent developments and streets.

2. Right-of-Way Landscaping

Developers are responsible for the installation of landscaping in the right-of-way areas of all streets within and abutting their developments, and the developer/owner or homeowners group is responsible for maintenance and irrigation of the right-of-way landscaping along streets within and abutting single-family attached projects. See City street cross-sections for typical landscaping area location for the applicable street classification(s).

Although fencing between the local and collector street right-of-way and residential projects is often proposed to provide buffering and security, the use of landscape materials and earth berming either in lieu of, or in conjunction with, fencing is highly preferred and shall be required in many instances.

Minimums:

- a) The maximum slope of berms shall not exceed 4:1.
- b) Within the required right-of-way landscaped area, one tree (2 1/2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.
- c) At least 20% of deciduous trees shall be 3-inch caliper and 8-foot min. evergreen tree height.
- d) Automatic sprinkler systems shall be required within all right-of-way landscaped areas.

Incentives:

- e) Choose only one from below (if applicable):
 - (1) A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the right-of-way areas: 100 points
 - (2) A minimum of one tree and three shrubs per 450 square feet of landscaped area will be provided in the right-of-way areas: 150 points
 - (3) A minimum of one tree and three shrubs per 400 square feet of landscaped area will be provided in the right-of-way areas: 200 points
- f) Street trees (deciduous, shade trees with 40-foot max. spacing) will be planted in the landscape area between the curb and sidewalk along a min. of 75% of the local and private street lengths on both sides of the streets: 350 points

3. Plant Materials for All Landscaped Areas

Minimum:

The selection of trees and shrubs shall be a mix of evergreen and deciduous types.

IV. SUSTAINABLE DESIGN

- A. Purpose: The sustainable design of residential projects should reduce the environmental impacts while improving the quality of development.

1. Landscaping and Water Conservation

a) Tree Lawns

Minimum:

The minimum tree lawn width is 6 feet.

Incentives:

Tree lawns will be increased above the minimum to improve the walking experience and improve long-term tree health; 50 points for each additional foot of tree lawn width above six feet: 300 total possible points

b) Landscaped Islands / Medians

Minimum:

Landscaped Islands / Medians in parking areas for developments with community facilities, such as clubhouses and pool facilities, must be a minimum of 12' wide.

c) Water Conservation

Minimum:

The maximum turf area cannot exceed 40% of the common landscaped area. Highly efficient irrigation systems and methods must be incorporated, including ET or soil moisture based controllers and rain sensors to reduce consumption.

Incentives:

- (1) Turf area will be reduced to 30 - 35% of landscaped area to reduce water consumption: 75 points
- (2) Turf area will be reduced to 25 - 29% of landscaped area to reduce water consumption: 100 points

d) Site Design/Stormwater

Incentives:

Use of vegetative swales or bio-retention is incorporated to diffuse infiltration, reduce the impact on detention areas, and recharge ground water. Vegetated swales shall be long and narrow with a high end and a low end to allow water to flow. Often check dams are used to create several small pools of water to slow, filter and infiltrate water into the ground. Often, bioswales are vegetated with rushes and other ornamental grasses. These features may not necessarily reduce detention pond areas.

- (1) Vegetative swale or bio-retention area of 5% of total detention square feet: 100 points
- (2) Vegetative swale or bio-retention area of 10% of total detention square feet: 200 points

e) Paving Materials

Incentives:

Integrally colored permeable hardscape is used throughout the site to reduce glare, heat island effects, and storm water runoff. Permeable hardscape includes but is not limited to colored concrete pavers and porous concrete. Permeable hardscape use shall be limited to non-right-of-way areas including but not limited to internal walkways, driveways, and patios.

- (1) 20% square feet of non-right-of-way hardscape area is permeable: 25 points
- (2) 30% square feet of non-right-of-way hardscape area is permeable: 50 points
- (3) 40% or more square feet of non-right-of-way hardscape area is permeable: 75 points

f) Pedestrian Circulation

Minimum:

Enhance pedestrian and bicycle infrastructure for internal connections, connections to all multi-modal transportation nodes and connections to adjacent neighborhoods, schools, commercial centers to reduce auto dependence by encouraging walking and biking.

- (1) Site amenities such as bus shelters, benches, trash receptacles, and pervious decorative paving are incorporated at all bus stops adjacent to the development
- (2) Incorporation of an internal pedestrian and bicycle corridor network including punch-throughs, 12-foot wide with a 6-foot walkway.

II. Building Construction

a) Pro-active Solar Construction

Incentives:

Points will be awarded for installation of solar water heating and photovoltaic system or pre-plumbing and pre-wiring homes for future installation to make it easier for homeowners to install the desired systems at a low cost. Roof design will also accommodate future installation of such systems.

- (1) 25 points for each 10% of pre-plumbed and pre-wired housing units for a maximum of 250 points, or
- (2) 50 points for each 10% of housing units with installed roof-mounted solar water heating systems and/or photovoltaic systems for a maximum of 500 points

b) Dwelling Unit Energy Efficiency

Incentives:

Dwelling units will be constructed to meet one of the following insulation and energy efficiency standards: 500 points

- (1) Performance rating: 25% better than minimum performance criteria required by the 2009 IECC
- (2) Prescriptive rating: From R-38 to R-49 roof insulation, R-30 to R-38 floor insulation; triple-pane windows
- (3) UA trade-off: Building must be a minimum of 5% above 2009 IECC per ResCheck

c) Community Facilities

Incentives:

- (1) Install solar water heating and/or photovoltaic systems on the clubhouse/meeting/recreational facility buildings: 250 points
- (2) Community buildings will be LEED Silver or higher: 300 points
- (3) Mail kiosk will be covered and incorporate solar-powered lighting: 50 points



WESTMINSTER
COLORADO

Multiple-Family Residential Design Guidelines

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MULTI-FAMILY
RESIDENTIAL DESIGN GUIDELINES
City of Westminster, Colorado

PURPOSE AND INTENT OF MULTI-FAMILY DESIGN GUIDELINES

The following Design Guidelines have been prepared to provide minimum criteria for new multi-family residential developments in the City of Westminster. These minimum standards are intended to establish quality appearance, compatibility of character, variety of design, and enhanced community values. In addition to minimum criteria, optional (incentive) criteria are also listed which further enhance sound residential planning, architectural quality, and landscape design.

The minimum and optional criteria are the basis for awarding service commitments to developers in accordance with the City of Westminster Growth Management Program. The Program establishes various service commitment categories for all types of new development, and each year City Council allocates service commitments to the different categories. Category B-3 is the designation for new multi-family residential projects. City Council allocates a specific number of service commitments for new multi-family projects that must be awarded through a competitive system based on criteria adopted periodically through City Council resolution. These Design Guidelines are the basis for the competitions to be held periodically for multi-family residential projects. In addition, these guidelines apply to all new multi-family development that does not meet the active residential definition within the City's Growth Management Program and build-out development projects (as defined in the Growth Management Program).

All minimum requirements in these Design Guidelines must be met in order to be eligible to compete for service commitments, and no points are given in the competition for these items. Competition applicants receive points by agreeing, in advance, to provide certain incentive items listed in the design guidelines. The applicant determines which incentive items will be offered as part of a proposed project, and the total of these items is the score designated to that project. The Growth Management Program does not permit City Staff to review and process development plans, plats, construction drawings, etc. unless City Council has awarded service commitments to the project through the competition process.

Once a project is awarded Service Commitments and begins the development review process, the City Staff may consider incentive item substitutions if requested by the applicant. City Staff does not have the authority to waive any incentive items agreed to through the competition process. A written request detailing the substitution(s) must be submitted with plans during the development review process for the project, and there is no guarantee a request will receive City Staff support. Total revised incentive points must meet or exceed the project point total received in the competition process.

In order to compete, all projects must also comply with the requirements of the City of Westminster Comprehensive Land Use Plan. This Plan designates 18 dwelling units per acre (du/a) as the maximum residential density allowable. Due to specific site constraints and requirements within these guidelines, it is possible that 18 du/a may not be obtainable with certain projects.

The Design Guidelines are divided into ~~three~~ four categories: Site Design, Architectural Design, ~~and~~ Landscaping Design, and Sustainable Design. The Site Design section addresses overall site planning considerations, vehicular and pedestrian circulation, setbacks, public and private open space, and other site amenities. The Architectural Design section addresses general design principles, exterior design, and exterior building materials and colors. The Landscaping Design section addresses general landscape design principles, landscape treatment of development edges and entrances, project landscaping, plant materials, and irrigation. **The Sustainable Design section incorporates sustainable design principles for landscaping, water conservation, and building construction.**

I. SITE DESIGN

Sound planning and site design are necessary to ensure the City of Westminster's quality of life. The following minimum and incentive items will help to minimize land use and circulation conflicts and maintain a sense of variety, aesthetic quality, function, and openness.

A. Land Use Compatibility, Proximity to Other Land Uses, and Buffering

Compatibility is achieved when adjacent land uses differing in function, scale, and intensity are mutually supporting and do not create adverse effects upon one another. In areas where different uses abut, including various residential uses and densities, a variety of measures may be employed for mitigation including: the use of adequate setbacks, landscaping, barriers or transition zones, and building heights.

Minimums:

1. Primary building setbacks shall be a minimum of 1.5 times the building height as defined by the Uniform Building Code (UBC) or 50 feet from the common property line (whichever is greater) when adjacent to a non-residential, public, or single-family detached residential use.
2. Primary building setbacks shall be a minimum of 1.5 times the building height as defined by the UBC or 40 feet from the common property line when adjacent to a single-family attached, senior housing, or multi-family residential use.
3. Within the required setback areas from the property lines, a permanent 35-foot landscaped area shall be provided along each property line. No drives, detention areas, or off-street parking is permitted in this area.
4. Earth berming (3'-6" min. height) with a maximum slope of 4:1 with evergreen and deciduous trees and shrubs shall be required in the setback areas along public streets and between differing land uses including other types of residential use.
5. No intensive recreation area(s), such as swimming pools, playgrounds, hard-surface courts, etc., shall be permitted within 100 feet of any adjacent single-family detached or attached residential land use designation.

B. Conformance with the Westminster Comprehensive Land Use Plan

Minimum:

The proposed project shall conform with the Westminster Comprehensive Land Use Plan. This includes the appropriate land use designation for multi-family projects. The net proposed density of the project shall not exceed 18 du/a as specified in the Comprehensive Land Use Plan and 18 du/a is not guaranteed. *(To estimate the net residential density for a project, deduct 20% from the total acreage after public land dedication requirement is subtracted. This percentage figure is based upon the requirements for collector and arterial street rights-of-way, unless already provided, that tends to be 15 to 30 percent or more of a development).*

C. View Preservation

The City has many panoramic views from public streets and facilities that should be preserved and enhanced. Site planning must consider the relationship of building to natural grades. Buildings should be sited to preserve views from arterial streets. Landscaping and building placement should be used to frame and enhance view corridors. This can be accomplished by increasing setbacks, reducing heights of buildings near the street(s), lowering the grade of the site, building a recreation facility near the street, etc.

Minimum:

1. View corridors as identified in the Westminster Comprehensive Land Use Plan shall be preserved. The main intent is to preserve the views that can be seen from public streets.

D. Drainageways

In most cases, drainageways should be left in as natural a state as possible without channelization or engineered structures unless required to prevent erosion or other special circumstances, or as required by other agencies. The City requires landscaping, and irrigation in these areas. In addition, the City will likely require a concrete path (eight-foot min. width) be constructed along significant drainageways adjacent to or within the site.

Minimum:

1. Significant drainageways shall be incorporated in site development as aesthetic amenities, open space/trail corridors, and wildlife areas.

E. Access, Circulation, and Parking

The City's circulation system is a hierarchy network of arterial, collector, and local streets which provide access to residential developments, but which minimize higher traffic volumes from residential developments. (See City Street Cross-Sections for right-of-way requirements). For collector streets, developers may be required to provide a 100-foot right-of-way to provide a park-like boulevard (parkway) setting with ample landscape area and detached sidewalks, avoid a "tunnel" effect with fencing, create a "trail" rather than a "sidewalk" atmosphere; and enhance the aesthetics of the main street into the subdivision. One example of this design in the City is Legacy Ridge Parkway in the Legacy Ridge subdivision. Street and pedestrian connections between neighborhoods and subdivisions shall be required. Where applicable, concrete path connections from cul-de-sacs to trails will be required.

To as great an extent as possible, alignments of collector streets, local streets, and private drives in sloping areas shall conform to the natural contours of the land. This increases developable ground by reducing the amount of cut and fill, as well as construction costs.

City Council has adopted a "traffic-calming" policy designed to objectively prioritize and evaluate neighborhood traffic problems and resolve existing and potential problems. New projects shall be designed to mitigate potential problems (speeding, "cut-through" traffic, etc.).

1. Access

Minimum:

- a) Access point(s) to the site from the adjacent street(s) shall provide safe, convenient access for both pedestrians and vehicles.

2. Right-of-Way

Minimum:

- a) All streets shall be designed according to the City's specifications for street rights-of-way.

Incentive:

- a) Additional arterial or collector street right-of-way (beyond amt. req.) will be provided for berming and additional landscape area: 100 points per additional three feet added to right-of-way section along the entire street frontage (500 max. points)

3. Pedestrian / Bicycle Paths

Minimums:

- a) Pedestrian and bicycle trails shall be built within each multi-family development and shall connect to the City's regional trail system. These trails occur in conjunction with streets and within the development's open space network (along public or private open space and drainageways).

- b) All internal site sidewalks shall be a minimum width of five feet unless adjacent to parking spaces (min. 7-foot width).
- c) Concrete walks (8-foot min. width) setback a minimum of 8 feet from the ultimate back of curb shall be constructed along arterial streets within or abutting the project.
 - 1) Concrete walks (5-foot min. width on one side and 8-foot min. width on the other side) shall be constructed along collector streets within or abutting the project.
 - 2) Concrete sidewalks (7-foot min. width) shall be constructed adjacent to parking spaces (includes carport spaces but not necessarily garages) that are adjacent to residential buildings.
 - 3) All sidewalks along public streets must be detached from the curb the distance specified in the City of Westminster Standards and Specifications for the Design and Construction of Public Improvements.

Incentives:

- a) All internal site paths will be a minimum width of six feet: 150 points
- b) Lighting along both sides of off-street paths will be provided: 25 points
- c) Benches will be provided along pedestrian pathways throughout the project: 25 points

4. Parking

Minimums:

- a) All regular parking spaces (including carport spaces) shall be a minimum 9' x 19'. No compact parking spaces are permitted.
- b) All handicapped parking spaces shall be a minimum 9' x 19' with an adjacent 5' x 19' access aisle.
- c) Handicapped parking spaces shall be provided at a rate of one per 25 (or fraction thereof) regular parking spaces.
- d) Concrete curb (6" vertical) and gutters shall be required abutting all drive and parking areas. Drive aisles shall be a minimum width of 24 feet between parking spaces.
- e) At least one-third of the required parking shall be within carports or garages.
- f) 1.5 parking spaces shall be provided for every one-bedroom or efficiency unit.
- g) Two parking spaces shall be provided for every two-bedroom or larger unit.
- h) Guest parking shall be provided at one space per three units.
- i) Bicycle parking shall be provided at one space per four dwelling units.

Incentive:

- a. Choose only one from below (if applicable):
 - 1) At least 50%, but less than 75% of the required parking shall be within carports: 75 points; within garages: 150 points
 - 2) At least 75%, but less than 100% of the required parking will be within carports: 125 points; within garages: 250 points
 - 3) 100% of the required parking will be within carports: 175 points; within garages: 350 points
 - 4) All parking garages will be designed within the primary buildings: 500 points

5. Bus Benches and Shelters

Close proximity to public transit access is an important amenity for multi-family residential. Bus benches and shelters may be required for all existing and proposed bus stops adjacent to and within the site boundaries of all proposed residential developments. City Staff will review this on a case-by-case basis. Any required benches and shelters shall be coordinated with the Regional Transportation District and installed in the right-of-way by the developer/owner.

6. Site Orientation

Minimum:

- a) Buildings shall be oriented on the site to create visual interest and variety. Whenever possible, buildings shall be set at angles from one another in order to avoid the “barracks” type appearance. This is particularly important along public streets.

7. Site Amenities

a) Entrance Features

The entrance to multi-family developments should be designed to provide maximum safety for visibility and turning movements. Landscaped street medians/islands are required at entranceways. Maintenance of the median/island shall be the responsibility of the developer/homeowner’s group. Evergreen trees planted behind the entry signage are encouraged to enhance the community character established with the City’s monument signage.

Minimums:

1. One monument sign shall be provided and constructed of permanent materials (masonry etched or metal letters/logo) with a solid masonry (brick or stone) base located in a landscaped median or on either side of the entrance drive. The size of the sign shall not exceed the City of Westminster Municipal Code requirements (Title XI, Chapter 11).
2. A landscaped median/island (10-foot min. width, 50-foot min. length) shall be required at the major entrance to the project and shall be the responsibility of the developer/homeowners group.

Incentive:

1. Evergreen trees (a minimum of three Austrian Pine, Blue Spruce, or similar) will be planted behind the entry monument signage: 75 points

8. Lighting

Minimums:

- a) Site lighting shall be provided throughout the project and shall include lighting on buildings, garages, carports, drive aisles, parking lots, pathways, stairs, ramps, and landscaping to ensure visibility and safety for residents within the project.
- b) Adequate street lighting shall be provided in all residential projects, and lighting along all public streets shall be in conformance with Xcel Energy standards and installed at developer expense.
- c) Ground-level site lighting shall be added along all pathways, stairs, and ramps to increase visibility at night.

Incentive:

- a) Decorative lighting with ornamental bases, armatures, fixtures, etc. relating to the architectural theme of the development will be installed along collector, local, and/or private streets with a maximum 50-foot distance between fixtures: 75 points

9. Recreation

The City requires private recreation facilities for multi-family residential developments for their residents in proportion to the number of residential units served. Such recreational facilities shall be included on private open space. Facilities are to be owned and maintained by a homeowner’s association or similar organization.

Minimums:

- a) An indoor clubhouse/meeting facility (1,000 S.F. min.) shall be provided for all projects with more than 100 units.

- b) A pool (25' x 50' min.) and restroom facilities shall be provided for all projects with more than 100 units. For projects with more than 300 units, two pools and restrooms shall be required or one larger (25-yard minimum length) pool and restroom. All pools shall have a minimum deck width of 12 feet around the perimeter of each pool.

Incentives:

- a) Hard-surface courts such as tennis courts (including fencing, striping, net, lighting, etc.) and/or basketball full courts (min. 50' x 84' including equipment, striping, lighting, etc.) will be provided: 150 points per court (300 points maximum)
- b) Sand volleyball courts (30' X 60' min.) will be provided: 50 points per court (100 points maximum)
- c) Play equipment area with swings, slide, climbing equipment, etc. (8,000 S.F. minimum) will be provided: 150 points for each area provided (300 max. points)

10. Public Land Dedication

Public Land Dedication shall be made to the City in conjunction with all residential developments and is based on residential density of the proposed project. (See Westminster Municipal Code Section 11-6-8(A), attached to this document, for amount of land due). Acceptance of public lands shall be subject to review by the City. If the City determines a land dedication would not serve the public interest, the City will require payment in lieu of dedication. Developers are encouraged to dedicate public open space beyond the minimum acreage required in order to enhance the overall appearance of the community by providing open, green areas.

All new residential developments shall provide public school sites or fees in lieu thereof to reasonably serve the proposed subdivision or residential development. (See Westminster Municipal Code Section 11-6-8 (E) for more information).

Incentives:

- a) Public Land Dedication will exceed the minimum requirement for:
- b) Non-floodplain land: 50 points per each percentage point over minimum required (500 max. points)
- c) Floodplain land: 10 points per each percentage point over minimum required (100 max. points)

(If this incentive is chosen, keep in mind the City has discretion whether land designated for dedication is acceptable and, during the development review process, may require an alternate location on the site or cash-in-lieu for the amount agreed to with this incentive).

11. Private Open Space and Private Parks

In addition to the minimum public land dedication required of residential development, private open space and recreational facilities are encouraged in all residential projects. Private open space does not include right-of-way or other public areas. Private open space areas can provide focal points for the residents and desirable green space to accommodate local recreation needs and pedestrian circulation for the residents and the general public. Private open space can also be enjoyed by all City residents if such open space abuts or is visually related to the public right-of-way or public open space.

Minimums:

- a) Private open space shall be landscaped and an irrigation system shall be required. Maintenance of private open space areas shall be the responsibility of the project owner.
- b) Environmentally-sensitive areas (such as wetlands) shall be maintained as private open space.

- c) A minimum of 4% of the total acreage shall be set aside for a private park that must include an open play area for active recreation and must be centrally located in the subdivision to provide a focal point. The open play area shall be a minimum of 75' x 150' or 1% of the total 4% in size (whichever is larger). For projects of 50 acres or more, this area may be divided between two or more open play areas. The private park and open play area shall not include areas designated for public land dedication, right-of-way, required setback areas, and detention pond areas.

Incentive:

- a) Private park area will be increased above the minimum 4% requirement (choose only one from below if applicable):
1. Greater than 4% to 5%: 250 points
 2. Greater than 5% to 6%: 350 points
 3. Greater than 6%: 500 points

12. Setbacks

The way in which buildings are placed on the site in relation to the property lines, neighboring developments, and one another, contributes to the overall atmosphere and efficiency of the development. In an effort to ensure efficient pedestrian and vehicle circulation as well as provide ample open areas within a multi-family development, below are minimum setbacks required. Primary buildings refer to all residential buildings and clubhouses. Accessory structures include garages, carports, maintenance buildings, etc.

Minimums:

- a. Primary building setbacks from:
- 1) Major highway (U.S. 36, I-25) and arterial streets: 100' from proposed right-of-way line
 - 2) Collector streets: 1.5 times the building height as defined by the UBC or 50' from the proposed right-of-way, whichever is greater.
 - 3) Local streets: 1.5 times the building height as defined by the UBC or 40' from the proposed right-of-way, whichever is greater.
 - 4) Private streets: 25' from the back of curb (increase an additional 10 feet for every story beyond two stories).
 - 5) Interior property lines when adjacent to a non-residential, public, or single-family detached residential use: 1.5 times the building height as defined by the UBC or 50 feet from the common property line (whichever is greater)
 - 6) Interior property lines when adjacent to a single-family attached, senior housing, or multi-family residential use: 1.5 times the building height as defined by the UBC or 40 feet from the common property line (whichever is greater)
 - 7) Interior parking lots: 15' from all sides of primary buildings with minimum 7-foot wide attached sidewalk (to accommodate two-foot overhang for vehicles and five-foot clearance for sidewalks) when walks are adjacent to parking spaces.
 - 8) Interior drives: 25' from all sides of primary buildings
- b. Distance between one- and two-story primary buildings (for buildings greater than two stories, add 10 feet per additional story to each of the following setbacks):
- 1) 40' minimum between parallel buildings
 - 2) Where the corner of a building is adjacent to a non-parallel building, the minimum setback distance between the corner and the adjacent building is 35'
- c. Distance between primary buildings and accessory buildings:
- 1) Minimum distance between primary buildings and carports or garages: 15'
 - 2) Minimum distance between primary buildings and all other accessory structures: 25'
 - 3) Minimum distance between accessory structures: 20'
- d. Parking lot setbacks from other interior property lines: 15'

- e. Garage/carport and other accessory structure setbacks:
 - 1) From interior property lines: 15'
 - 2) From adjacent single-family detached or attached residential: 35'
 - 3) From U.S. 36, I-25, and major (principal) arterial streets: 50' (should include tall berms and landscaping)
 - 4) From all minor arterial and collector streets: 35' (should include tall berms and landscaping)
 - 5) From all local streets: 25' (should include berms and landscaping)

Incentives:

- a. Along public streets, primary building setbacks will be increased above the minimum requirement (choose only one from below if applicable):
 - 1. Five (5) feet or greater, but less than ten (10) feet: 250 points
 - 2. Ten (10) feet or greater, but less than 15 feet: 300 points
 - 3. Fifteen (15) feet or greater, but less than 20 feet: 350 points
 - 4. Twenty (20) feet or greater: 400 points
- b. Garages will not be placed along public street frontages: 150 points

13. Fencing and Walls

All fencing within multi-family residential development shall be a uniform design for each type of fence provided. (See Westminster Municipal Code regarding privacy fencing and fencing abutting public or private open space). Although perimeter fencing or walls is not always required, it is recognized that fencing or walls is often proposed around the perimeter of multi-family residential projects. Landscape materials, earth berming, and walls are the preferred (and many times required) methods of providing a buffer, but well-designed fences are acceptable in certain circumstances.

Minimums:

- a. When used or required, perimeter fencing or walls shall be constructed in accordance with City standards and shall include brick or stone columns (two-foot minimum width and depth) spaced a maximum of 65' apart. In some cases, such as adjacent to parks or in special streetscape situations, fencing may be modified to include low profile, split rail, or wrought iron fencing. Chain link and barbed wire fencing is not permitted.
- b. All horizontal-supporting structures of all solid wood and vinyl fencing shall be constructed toward the interior of the project or lot to reduce visibility of the support structures from streets and other public areas.
- c. Off-sets (min. 5-foot depth and 10-foot length) for landscaping (trees and shrubs required) in perimeter fencing or walls shall be provided every 200 feet or less for at least a distance of 400 feet.

14. Trash Enclosures

Every effort should be made to locate trash enclosures internally on the site to avoid visibility of these enclosures from adjacent streets and residential developments.

Minimums:

- a. All trash containers shall be contained within permanent, opaque, masonry trash enclosures that match the building materials and colors of the residential buildings and shall have opaque gates.
- b. All trash enclosures shall be a minimum height of six (6) feet and maximum height of eight (8) feet. The height of all contents within an enclosure shall not exceed the height of the enclosure wall. Enclosures must be roofed if contents are visible from adjacent streets or residential land uses.
- c. Any trash enclosure visible from adjacent streets or residential developments shall be screened with landscaping.

15. Mechanical Equipment

Locations of all exterior mechanical and utility equipment such as compressors, air conditioners, antennas, heating and ventilating equipment, satellite dishes, utility boxes etc. must be shown on the Official Development Plan for the project. All equipment should be clustered whenever possible.

Minimums:

- a. No mechanical equipment shall be placed on sloped roofs.
- b. Ground-level mechanical and utility equipment and lines shall be screened with year-round landscaping, or walls that match the materials and color of the buildings.
- c. All electric and communication utility lines and services and all street lighting circuits shall be installed or relocated underground both within and adjacent to the subdivision or development.

16. Mitigation of Environmental Effects

Developer/owner-installed screening and/or buffering will be required for all proposed residential developments along U.S. 36, I-25, and all arterial streets. Consult the City's Arterial Streets and Highways Buffering Standards for minimum requirements.

Minimum:

Developer/owner-installed walls, earth berming (4:1 max. slope), and landscaping shall be required to reduce adverse environmental effects on the residential development adjacent to U.S. 36, I-25, and all arterial streets, and in certain circumstances, further mitigation measures may be required.

17. Neighborhood Notification

The City of Westminster places high priority and importance on contact with adjacent property owners and existing neighborhoods that could be effected by a new development proposal. Project developers/owners are required to contact the surrounding neighborhoods regarding their proposed developments and are responsible for all public notifications, researching and providing property ownership information, and if applicable, organizing and conducting neighborhood meeting(s). (See Neighborhood Contact Requirements handout for more information). The extent of the neighborhood notification must be discussed and approved with City Staff.

II. ARCHITECTURAL DESIGN

- A. The architectural design of multi-family projects should create visual variety and, at the same time, promote an integrated character for the project. Multi-family projects should be designed with a residential, rather than institutional style.
- B. Buildings should provide interest through the use of varying forms, architectural detail, and positioning on the site while still maintaining continuity as one project.

1. Exterior Design Elements

a) Building Design

Minimums:

1. Architectural detailing, horizontal off-sets, architectural window details and other features shall be provided on all sides of the building to avoid blank walls. All sides of all buildings shall be designed with quality materials (360 degree architecture).

2. Vertical and horizontal elements shall be used in contrast to one another. Contrast and depth are preserved by offering exterior selections that emphasize a dominant building material but include contrasting complementary materials and colors.
3. Buildings shall incorporate visually heavier and more massive elements at their bases, and lighter elements above these components. Upper stories shall not appear heavier or demonstrate greater mass than lower stories of the buildings.
4. For projects with multiple buildings, variety shall be used in site orientation and among buildings to avoid a “barracks” appearance.
5. The architectural style of the building shall exhibit a residential rather than institutional character.
6. Two or more distinct building models shall be designed for projects with more than four primary buildings.
7. For projects with more than 10 primary buildings, a minimum of three distinct building models shall be required.
8. Fireplace “box-outs” shall extend vertically from ground level to meet the roofline and avoid the “tacked-on” look.

Incentives:

1. Buildings will have a variety in horizontal off-sets (staggering or change in plane surface) of at least eight feet on both the front and rear of the buildings: 50 points
2. A covered and lighted structure will be provided over external mailbox units for the project or internal mailbox units will be provided. If an external structure is provided, the materials, colors, and style will match the primary buildings: 150 points
3. Choose one from below (if applicable):
 - a) 25% or more ranch units or two-story units with a first-floor master bedroom and bath with a shower or tub will be built: 25 points
 - b) 50% or more ranch units or two-story units with a first-floor master bedroom and bath with a shower or tub will be built: 50 points

18. Building Height

Minimum:

1. Building heights of two-story (or taller) buildings shall be stepped down at the edges of the structure(s) by one story at a minimum to aid transition between buildings and reduce the mass of the buildings. Vertical planes greater than two stories on taller buildings shall be avoided.

Incentive:

1. Building heights will not exceed (choose only one from below if applicable):
 - a) Two stories in height: 200 points
 - b) Two stories in height for all buildings adjacent to public streets: 150 points
 - c) 35 feet in height: 75 points

19. Building Entrance

Minimum:

A covered entry area shall be designed at the main entry area of each building.

20. Windows

Incentive:

Bay or box windows will be provided on the front facade of at least 50% of the units: 75 points

21. Roof Design

Minimums:

1. A roof pitch of 5 in 12 or greater shall be provided on all buildings. All roofs shall have one-foot minimum overhanging eaves. Exceptions may be made, at the City's discretion, for unique architectural designs.
2. Quality roof materials shall be used on all buildings (includes tile, concrete tile, slate, architectural metal, dimensional asphalt or fiberglass shingles (which provide shadow effect)).
3. Building roofs will be broken into smaller planes or roof elements. A minimum of two roof breaks (roofs that turn a corner or change elevation) will be provided on all buildings. Large expanses of roof surfaces or long, uninterrupted ridge and eave lines shall be avoided. Dormers, roof breaks, cupolas or other roof features shall be employed as mitigation measures.

Incentive:

Tile (terra cotta, concrete, or slate) roofs will be used on all buildings: 400 points

22. Garages

Adequate interior garage space is essential to ensuring future residents have sufficient space to park vehicles and store recreational items within the garage area if garages are proposed as part of a project. Minimums are specified below to help reduce the future need for outdoor storage of these items.

Minimums:

- (1) Garage Interior – minimum dimensions:
 - Depth – Single- and double-car garages: 22 feet
 - Width – Single-car garage: 12 feet
 - Width – Double-car garage: 20 feet
- (2) Garage Door – minimum dimensions:
 - Height: 7 feet
 - Width:
 - Single-car garage door: 8 feet
 - Double-car garage door: 16 feet

22. Patios/Balconies

Patio and balcony areas must include the minimum open area and depth as defined below, unobstructed by columns, rails, box or bay windows, fireplaces, steps, etc.

Minimums:

- a. When included in the design, balconies shall be opaque and architecturally integrated with walls on at least two sides. Cantilevered balconies are generally not permitted but will be reviewed on a case-by-case basis.
- b. Private patios (unobstructed 120 S.F. minimum) and/or balconies (unobstructed 80 S.F. with six-foot min. depth) shall be provided on at least 50% of the units.

Incentive:

Private patios (unobstructed 120 S.F. minimum) and balconies, (unobstructed 80 S.F. in area with six-foot minimum depth) will be provided on: (Choose only one from below if applicable):

- a. At least 75%, but less than 100% of all units will have a private patio and/or balcony area: 100 points
- b. 100% of all units will have a private patio and/or balcony area: 200 points

23. Site Considerations Related to Architecture

When multiple buildings are proposed, developers are encouraged to vary the building in order to provide a variety of views, provide opportunities for landscaping and open areas, and provide interest in the relationship of the buildings to one another. Although the buildings can be varied in their orientation, street scenes may be unified and articulated through the use of style, similar forms, roof systems, details, and architectural materials.

Minimums:

- a. Garages, carports, attached parking structures, and other accessory buildings shall all relate to the building architecture and demonstrate similar compatible forms, scale, materials, colors, and detail.
- b. Garages and carports shall not exceed six (6) side-by-side parking spaces unless parking spaces are designed back-to-back allowing a maximum of 12 parking spaces per carport or garage structure.

24. Exterior Building Materials and Colors

Building materials for multi-family developments should be of a high quality as approved by the City. Suggested exterior wall materials include natural wood, stucco, brick, and stone. In general, due to the imposing nature of many multi-dwelling unit buildings, the exterior materials should reflect subdued colors and muted tones. In general, roof material colors should be darker and warm, earth-toned hues that accent and complement other building colors.

Minimum:

Thirty percent (30%) or more of all non-window/door surfaces on all sides of all primary and accessory buildings shall be finished with masonry (brick or stone).

Incentive:

Choose only one from below (if applicable):

- a) At least fifty percent (50%), but less than 75% of all non-window/door surfaces on all sides of all primary buildings will be finished with masonry (brick or stone): 250 points
- b) At least seventy-five percent (75%), but less than 100% of all non-window/door surfaces on all sides of all primary buildings will be finished with masonry (brick or stone): 500 points
- c) 100% of all non-window/door surfaces on all sides of all primary buildings will be finished with masonry (brick or stone): 750 points

III. LANDSCAPING DESIGN

- A. Landscaped areas within multi-family developments are crucial to help counteract the potential dominance of the hardscape elements such as driveways, parking areas, buildings, concrete pathways, etc. Water-conserving landscaping designs are highly encouraged. (Consult the City's Landscape Regulations for information regarding water-conserving plant materials and irrigation methods).
- B. Landscaping can add to the overall visual appearance and function of the development by providing shade, complementing both passive and active recreation areas, providing visual interest and relief both apart from and next to the buildings, and presenting an aesthetically pleasing streetscape. (See the City's Landscape Regulations for further information).

1. Private Landscaping

- a) Common Areas

Minimums:

1. A minimum of 40% of the overall site area (excluding right-of-way landscape area) shall be landscaped. This includes detention pond areas and parking lot landscaping but excludes all hardscape areas.
2. A minimum of 75% of the landscaping shall be covered by living plant materials such as groundcover, shrubs, and grass within three (3) years following installation and thereafter.
3. Within the required landscape area, one tree (2 1/2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.
4. At least 20% of the required trees shall be a min. of 3-inch caliper deciduous and 8-foot min. evergreen height.
5. All landscaping shall be installed, irrigated, and maintained by the project developer and/or owner.
6. A wide variety of plant materials shall be used in landscaped areas to add interest.

Incentives:

1. Private landscaped area will be increased above the minimum 40% requirement (choose only one from below if applicable):
 - a) Greater than 40% to 45%: 200 points
 - b) 45% to 50%: 250 points
 - c) 50% or more: 300 points
2. Choose only one from below (if applicable):
 - a) A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the private landscaped areas: 50 points
 - b) A minimum of one tree and three shrubs per 450 square feet of landscaped area will be provided in the private landscaped areas: 100 points
 - c) A minimum of one tree and three shrubs per 400 square feet of landscaped area will be provided in the private landscaped areas: 150 points
3. Choose only one from below (if applicable):
 - a) At least 50%, but less than 75% of all trees will be a minimum of 3-inch caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 50 points
 - b) At least 75%, but less than 100% of all trees will be a minimum of 3-inch caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 75 points
 - c) 100% of all trees will be a minimum of 3-inch caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 100 points

2. Detention Pond Area

Minimum:

The developer/owner shall be responsible for landscaping the detention pond area and other common areas at a rate of one tree and three shrubs per 550 square feet of landscaped area. Plant materials should be concentrated around the perimeter of the detention pond and distributed elsewhere throughout the site. The property owner shall be responsible for the maintenance of these areas.

Incentive:

Detention area will be designed as a permanent water feature (e.g. water retention area with fountain): 100 points

3. Landscaped Islands / Medians

Landscaped islands and/or peripheral landscaping are encouraged along drive entries and are required at major entrances. Additionally, medians and landscaped islands are encouraged on local and collector streets.

Minimum:

Installation and maintenance of all medians/islands shall be the responsibility of the developer/property owner.

Incentive:

A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the project entry area: 50 points

4. Parking Lots

Minimums:

- a) Parking lots shall not be located within the required landscape setback.
- b) Parking lots of 50 or more spaces shall be required to be landscaped with internal landscaped parking lot islands.
- c) Landscaped islands in parking lots shall be no smaller than two standard parking spaces and shall alternate periodically with larger islands for variety and interest.
- d) Landscaped islands shall occur approximately every 30 spaces within parking lots.
- e) A minimum of two (2) shade trees and 12 shrubs shall be required per island. If the island is larger than 400 square feet, the landscape shall include one (1) additional shade tree and six (6) additional shrubs for every additional 200 square feet or fraction thereof.
- f) Continuous landscape strips (min. ~~nine~~ twelve -foot width) separating every three rows of parking shall be required for parking lots with 300 or more parking spaces.
- g) Landscaped berms shall be required to screen parking (including covered parking structures) from adjacent developments and streets.

5. Right-of-Way Landscaping

Developers are responsible for the installation of landscaping in the right-of-way areas of all streets within and abutting their developments, and the developer/owner or homeowners group is responsible for maintenance and irrigation of the right-of-way landscaping along streets within and abutting multi-family projects. See City street cross-sections for typical landscaping area location for the applicable street classification(s).

Although fencing between the local and collector street right-of-way and residential projects is often proposed to provide buffering and security, the use of landscape materials and earth berming either in lieu of, or in conjunction with, fencing is highly preferred and shall be required in many instances.

Minimums:

- a. The maximum slope of berms shall not exceed 4:1.
- b. Within the required right-of-way landscaped area, one tree (2 1/2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.
- c. At least 20% of deciduous trees shall be 3-inch caliper and 8-foot min. evergreen tree height.
- d. Automatic sprinkler systems shall be required within all right-of-way landscaped areas.

Incentives:

Choose only one from below (if applicable):

- a) A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the right-of-way areas: 100 points
- b) A minimum of one tree and three shrubs per 450 square feet of landscaped area will be provided in the right-of-way areas: 150 points

- c) A minimum of one tree and three shrubs per 400 square feet of landscaped area will be provided in the right-of-way areas: 200 points

Street trees (deciduous, shade trees with 40-foot max. spacing) will be planted in the landscape area between the curb and the sidewalk along a min. of 75% of the local and private street lengths on both sides of the streets: 350 points

6. Plant Materials for All Landscaped Areas

Minimum:

The selection of trees and shrubs shall be a mix of evergreen and deciduous types.

IV. SUSTAINABLE DESIGN

- A. Purpose: The sustainable design of residential projects should reduce the environmental impacts while improving the quality of development.

1. Landscaping and Water Conservation

- a. Tree Lawns

Minimum:

The minimum tree lawn width is 6 feet.

- b. Landscaped Strips / Medians

Minimum:

Landscaped islands and medians in parking areas must be a minimum of 12' wide.

Incentives:

Increasing the size of the islands increases a tree's health and subsequent canopy coverage of the paved area, thus reducing the heat island effect.

- (1) Parking area landscape islands are minimum 15' wide: 25 points
- (2) Parking area landscape islands are minimum 19' wide: 50 points

- c. Water Conservation

Minimum:

The maximum turf area cannot exceed 40% of the common landscaped area not in right-of way. Highly efficient irrigation systems and methods must be incorporated, including ET or soil moisture based controllers and rain sensors to reduce consumption.

Incentives:

- (1) Turf area will be reduced to 30 - 35% of landscaped area to reduce water consumption: 75 points
- (2) Turf area will be reduced to 25 - 29% of landscaped area to reduce water consumption: 100 points

- d. Site Design/Stormwater

Incentives:

Use of vegetative swales or bio-retention is incorporated to diffuse infiltration, reduce the impact on detention areas, and recharge ground water. Vegetated swales shall be long and narrow with a high end and a low end to allow water to flow. Often check dams are used to create several small pools of water to slow, filter and infiltrate water into the ground. Often,

bioswales are vegetated with rushes and other ornamental grasses. These features may not necessarily reduce detention pond areas.

- (1) Vegetative swale or bio-retention area of 5% of total detention square feet: 100 points
- (2) Vegetative swale or bio-retention area of 10% of total detention square feet: 200 points

e. Paving Materials

Incentives:

Integrally colored permeable hardscape is used throughout the site to reduce glare, heat island effects, and storm water runoff. Permeable hardscape includes but is not limited to colored concrete pavers and porous concrete. Permeable hardscape use shall be limited to non-right-of-way areas including but not limited to internal walkways, driveways, and patios.

- (1) 20% of non-right-of-way hardscape area is permeable: 25 points
- (2) 30% of non-right-of-way hardscape area is permeable: 50 points
- (3) 40% or more of non-right-of-way hardscape area is permeable: 75 points

f. Pedestrian Circulation

Minimum:

Enhance pedestrian and bicycle infrastructure for internal connections, connections to all multi-modal transportation nodes and connections to adjacent neighborhoods, schools, commercial centers to reduce auto dependence by encouraging walking and biking.

- (1) Site amenities such as bus shelters, benches, trash receptacles, and pervious decorative paving are incorporated at all bus stops adjacent to the development
- (2) Incorporation of an internal pedestrian and bicycle corridor network including punch-throughs, 12-foot wide with a 6-foot walkway.

2. Building Construction

a. Pro-active Solar Construction

Incentives:

Points will be awarded for installation of solar water heating and photovoltaic system or pre-plumbing and pre-wiring homes for future installation to make it easier for homeowners to install the desired systems at a low cost. Roof design will also accommodate future installation of such systems.

- (1) 25 points for each 10% of pre-plumbed and pre-wired housing units for a maximum of 250 points, or
- (2) 50 points for each 10% of housing units with installed roof-mounted solar water heating systems and/or photovoltaic systems for a maximum of 500 points

b. Dwelling Unit Energy Efficiency

Incentives:

Dwelling units will be constructed to meet one of the following insulation and energy efficiency standards: 500 points

- (1) Performance rating: 25% better than minimum performance criteria required by the 2009 IECC
- (2) Prescriptive rating: From R-38 to R-49 roof insulation, R-30 to R-38 floor insulation; triple-pane windows
- (3) UA trade-off: Building must be a minimum of 5% above 2009 IECC per ResCheck

c. Community Facilities

Incentives:

- (1) Install solar water heating and/or photovoltaic systems on the clubhouse/meeting/recreational facility buildings: 250 points
- (2) Community buildings will be LEED Silver or higher: 300 points
- (3) Mail kiosk will be covered and incorporate solar-powered lighting: 50 points



WESTMINSTER
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City of Westminster

Senior Housing Design Guidelines

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Senior Housing Design Guidelines**

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SENIOR HOUSING DESIGN GUIDELINES
City of Westminster, Colorado

PURPOSE AND INTENT OF SENIOR HOUSING DESIGN GUIDELINES

The following Design Guidelines have been prepared to provide minimum criteria for new senior housing developments in the City of Westminster. These minimum standards are intended to establish quality appearance, compatibility of character, variety of design, and enhanced community values. In addition to minimum criteria, optional (incentive) criteria are also listed which further enhance sound residential planning, architectural quality, and landscape design.

The minimum and optional criteria are the basis for awarding service commitments to developers in accordance with the City of Westminster Growth Management Program. The Program establishes various service commitment categories for all types of new development, and each year City Council allocates service commitments to the different categories. Category E is the designation for all existing and new senior housing projects. Within this category, City Council allocates a specific number of service commitments for new senior housing projects that must be awarded through a competitive system based on criteria adopted periodically through City Council resolution. These Design Guidelines are the basis for the competitions to be held periodically for new senior housing projects. In addition, these guidelines apply to all new senior housing build-out development projects (as defined in the Growth Management Program).

All minimum requirements in these Design Guidelines must be met in order to be eligible to compete for service commitments, and no points are given in the competition for these items. Competition applicants receive points by agreeing, in advance, to provide certain incentive items listed in the design guidelines. The applicant determines which incentive items will be offered as part of a proposed project, and the total of these items is the score designated to that project. Senior housing for low-income seniors will be reviewed on a case-by-case basis. The Growth Management Program does not permit City Staff to review and process development plans, plats, construction drawings, etc. unless City Council has awarded service commitments to the project through the competition process.

Once a project is awarded Service Commitments and begins the development review process, the City Staff may consider incentive item substitutions if requested by the applicant. City Staff does not have the authority to waive any incentive items agreed to through the competition process. A written request detailing the substitution(s) must be submitted with plans during the development review process for the project, and there is no guarantee a request will receive City Staff support. Total revised incentive points must meet or exceed the project point total received in the competition process.

The 1997 Senior Housing Market Study for the City of Westminster and the Westminster Municipal Code identify four types of senior housing facilities: Independent Living, Congregate Care, Assisted Living, and Skilled Nursing Facilities. Each of these types of development must be specifically designed for, and targeted to, seniors in order to be eligible to enter any competition for Category E Service Commitments. Proposed single-family detached housing developments targeting the senior housing or “empty-nester” markets must compete in the single-family detached competition and are not eligible in this category.

The Design Guidelines are divided into ~~three~~ **four** categories: Site Design, Architectural Design, ~~and~~ **Landscaping Design, and Sustainable Design**. The Site Design section addresses overall site planning considerations, vehicular and pedestrian circulation, setbacks, public and private open space, and other site amenities. The Architectural Design section addresses general design principles, exterior design, and exterior building materials and colors. The Landscaping Design section addresses general landscape design principles, landscape treatment of development edges and entrances, project landscaping, plant materials, and irrigation. **The Sustainable Design section incorporates sustainable design principles for landscaping, water conservation, and building construction.**

I. SITE DESIGN

Senior housing sites should encourage resident interaction and participation with the surrounding community.

1. Land Use Compatibility and Proximity to Other Land Uses

Compatibility is achieved when adjacent land uses differing in function, scale, and intensity are mutually supporting and do not create adverse effects upon one another. In areas where different uses abut, including various residential uses and densities, a variety of measures may be employed for mitigation including: the use of adequate setbacks, landscaping, barriers or transition zones, and building heights.

In senior housing projects, because residents' physical mobility is often limited, closer proximity to certain land uses (such as medical facilities, grocery stores, etc.) is desirable. Ideal senior housing sites are within walking distance of a grocery store, drugstore, public transit stop, medical facility, church, bank, restaurant, park, college or adult education facility, community center, post office, library, senior center, book store, movie theater, retail shops, etc.

Minimums:

- a) Building setbacks shall be a minimum of 50 feet from the common property line when adjacent to a non-residential or public use.
- b) Building setbacks shall be a minimum of 40 feet from the common property line when adjacent to a residential use. Setback shall be increased an additional 10 feet for each story above two-story structures.
- c) Within the required setback areas from the property lines, a permanent 35-foot landscaped area shall be provided along each property line. No drives, detention areas, or off-street parking is permitted in this area.
- d) Earth berming (3'-6" min. height) with a maximum slope of 4:1 with evergreen and deciduous trees and shrubs shall be required in the setback areas along public streets and between differing land uses including other types of residential use.

2. Conformance with the Westminster Comprehensive Land Use Plan

Minimum:

The proposed project shall conform with the Westminster Comprehensive Land Use Plan. This includes the appropriate land use designation for senior housing facilities that includes Single-Family Attached, Multi-Family, and Office/Residential land use designations. The net proposed density of the project shall not exceed the maximum density specified for the land use category designated on the Comprehensive Land Use Plan. For facilities (such as skilled nursing projects) with beds rather than dwelling units, use 2.5 beds equal one dwelling unit to calculate the density. *(To calculate the net residential density for a project, deduct 20% from the total acreage. This percentage figure is based upon the requirements for collector and arterial street rights-of-way which tend to be 15 to 30 percent or more of a development).*

3. View Preservation

The City has many panoramic views that should be preserved and enhanced. Site planning must consider the relationship of building to natural grades. Buildings should be sited to preserve views from arterial streets. Landscaping and building placement should be used to frame and enhance view corridors.

Minimum:

View corridors as identified in the Westminster Comprehensive Land Use Plan shall be preserved. The main intent is to preserve the views that can be seen from public streets.

4. Drainageways

In most cases, drainageways should be left in as natural a state as possible without channelization or engineered structures unless required to prevent erosion or other special circumstances, or as required by other agencies. The City requires landscaping, and irrigation in these areas. In addition, the City may require a concrete path (eight-foot min. width) be constructed along significant drainageways adjacent to or within the site.

Minimum:

Significant drainageways shall be incorporated in site development as aesthetic amenities, open space/trail corridors, and wildlife areas.

5. Access, Circulation, and Parking

Because many older adults enjoy walking, extensive pedestrian pathways are important to senior housing and care communities to help provide areas for passive recreation as well as provide connections to areas within the site and, for those who are physically able, beyond the site boundaries. Wider pathways are necessary to allow at least two people to pass with wheelchairs or walkers. Additionally, concrete walking surfaces should be treated to prevent glare. This can be accomplished by lightly texturing the surfaces to create definition and shadow (this also helps create a non-slip surface) and by using darker paving colors for the concrete surfaces. Where applicable, concrete path connections from cul-de-sacs to trails will be required.

a) Access

Minimum:

Access point(s) to the site from the adjacent street(s) shall provide safe, convenient access for both pedestrians and vehicles.

b) Right-of-Way

Minimum:

All streets shall be designed according to the City's specifications for street rights-of-way.

Incentive:

Additional arterial or collector right-of-way (beyond amt. req.) will be provided for berming and additional landscape area: 100 points per additional three feet added to right-of-way section (500 max. points)

c) Pedestrian Paths

Minimums:

- (1) All internal site sidewalks shall be a minimum width of five feet unless adjacent to parking spaces (min. 7-foot width).
- (2) All internal site sidewalks shall be lightly textured (non-slip); concrete surfaces such as light-broom finished concrete.
- (3) Concrete walks (8-foot min. width) shall be constructed along arterial streets within or abutting the project.
- (4) Concrete walks (5-foot min. width on one side and 8-foot min. width on the other side) shall be constructed along collector streets within or abutting the project.
- (5) Concrete sidewalks (7-foot min. width) shall be constructed adjacent to parking spaces (includes carport spaces but not necessarily garages) that are adjacent to residential buildings.
- (6) All sidewalks along public streets must be detached from the curb the distance specified in the City of Westminster Standards and Specifications for the Design and Construction of Public Improvements.

Incentives:

- (7) All internal site sidewalks will be colored concrete to create non-glare surfaces: 100 points
- (8) All internal site paths will be a minimum width of six feet: 150 points

d) Parking

Minimums:

For all senior housing projects:

- (1) All regular parking spaces (including carport spaces) shall be a minimum 9' x 19'. No compact parking spaces are permitted.
- (2) All handicapped parking spaces shall be a minimum 9' x 19' with an adjacent 5' x 19' access aisle.
- (3) Handicapped parking spaces for senior housing projects shall be provided at a rate of one per 25 (or fraction thereof) regular parking spaces.
- (4) At least one-third of the required parking shall be within carports or garages.

For independent living dwelling units:

- (5) One parking space shall be provided for every one bedroom or efficiency unit.
- (6) 1.5 parking spaces shall be provided for every two bedrooms or larger unit.
- (7) Guest parking shall be provided at one space per 5 units.

For congregate care units:

- (8) .75 spaces per unit

For assisted living or skilled nursing facilities with beds:

- (9) One space per three patient beds

e) Bus Benches and Shelters

Close proximity to public transit access is a vital amenity for senior housing projects whose residents and visitors often may not drive and may not own vehicles. Bus benches and shelters may be required for all existing and proposed bus stops adjacent to and within the site boundaries of all proposed senior housing developments. City Staff will review this on a case-by-case basis. Any required benches and shelters shall be coordinated with the Regional Transportation District and installed by the developer/owner and maintained by the project owner. No advertising is permitted on any of these structures.

6. Site Orientation

Minimum:

Buildings shall be oriented on the site to create visual interest and variety. Whenever possible, buildings shall be set at angles from one another in order to avoid the "barracks" type appearance. This is particularly important along streets.

7. Site Amenities

a) Entrance Features

The entrance to senior housing developments should be designed to provide maximum safety for visibility and turning movements. Landscaped street medians/islands are required at entranceways. Maintenance of the median/island shall be the responsibility of the developer/owner. Evergreen trees planted behind the entry signage are encouraged to enhance the community character established with the City's monument signage.

Minimum:

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- (1) One monument sign shall be provided and constructed of permanent materials (masonry etched or metal letters/logo) with a solid masonry (brick or stone) base located in a landscaped median or on either side of the entrance drive. The size of the sign shall not exceed the City of Westminster Municipal Code requirements (Title XI, Chapter 11).
- (2) A landscaped median/island (10-foot min. width, 50-foot min. length) shall be required at the major entrance to the project and shall be the responsibility of the developer/owner.

Incentive:

Evergreen trees (a minimum of three Austrian Pine, Blue Spruce, or similar) will be planted behind the entry monument signage: 75 points

b) Site Furniture

Seating that provides safety and security to residents is encouraged. Seating which backs to building edges, walls, planters, landscaped areas, etc. helps give residents a sense of security and safety. Benches along pedestrian pathways within the site should be placed at 200-foot (max.) intervals. Outdoor seating designed with armrests and backrests is encouraged.

Minimums:

- (1) A variety of outdoor seating areas shall be offered from solitary seating areas and more intimate spaces to larger, social areas.
- (2) Outdoor seating and tables shall be included on all common, outdoor patio areas. Outdoor seating shall be of similar design, materials, and color to provide consistency throughout the project.
- (3) Project shall provide convenient, comfortable seating areas along pedestrian pathways within the site.
- (4) At least 50% of the outdoor seating areas will provide shaded and/or covered (by landscaping, trellises, canopies, etc.) seating for protection from the sun, heat, wind, etc. Protected seating is especially important near outdoor exercise areas as well as areas for observation and higher activity such as exterior mailbox areas, building entries, gardening areas, etc.
- (5) Outdoor seating will be placed to maximize viewing of outdoor activity and pedestrian areas.

c) Lighting

Minimums:

- (1) Site lighting shall be provided throughout the project and shall include lighting on buildings, garages, carports, drive aisles, parking lots, pathways, stairs, ramps, and landscaping to ensure visibility and safety for seniors within the project.
- (2) Adequate street lighting shall be provided in all senior housing projects, and lighting along all public streets shall be in conformance with Xcel Energy standards and installed at developer expense.
- (3) Ground-level site lighting will be added along all pathways, stairs, and ramps to increase visibility at night.

Incentive:

Decorative lighting with ornamental bases, armatures, fixtures, etc. relating to the architectural theme of the development will be installed along collector, local, and/or private streets with a maximum 50-foot distance between fixtures: 75 points

d) Recreation

The City encourages private recreation facilities and activities for senior housing developments for their residents in proportion to the number of senior housing units served. Such recreational facilities and activities shall be included on private open space or within the senior housing facility.

EXHIBIT D

While it may not be physically possible for many seniors to enjoy active recreational activities, many are able to enjoy more passive forms of recreation. A variety of recreational opportunities should be incorporated in all senior housing projects where some or all of the residents are physically able to benefit from the activities. For those residents who choose not to or are physically unable to participate, comfortable, convenient seating areas should be provided near areas of activity to allow others to observe those activities. Provisions for observational activities should be incorporated in or near outdoor, landscaped areas on the site and are ideal when placed where they can be viewed from both the indoor and outdoor seating areas. These include artwork (sculptures), water features, etc. as approved by the City.

Incentive:

Passive recreational activities will be provided on site for the residents as part of the project: 50 points for each applicable item (250 max. points)

- (1) Indoor or outdoor pool area
- (2) Outdoor physical therapy area
- (3) Indoor solarium
- (4) Outdoor artwork (sculpture)
- (5) Outdoor water feature such as a small pond or fountain

8. Public Land Dedication

Public Land Dedication shall be made to the City in conjunction with senior housing (and all other residential) developments and is based on residential density of the proposed project. For facilities (such as skilled nursing projects) with beds rather than dwelling units, use 2.5 beds equal one dwelling unit to calculate the density. (See Westminster Municipal Code Section 11-6-8 (A) for amount of land due). Acceptance of public lands shall be subject to review by the City. If the City determines a land dedication would not serve the public interest, the City may require payment in lieu of dedication. Developers are encouraged to dedicate public open space beyond the minimum acreage required in order to enhance the overall appearance of the community by providing open, green areas.

Incentives:

- a) Public Land Dedication will exceed the minimum requirement for:
 - (1) Non-floodplain land: 50 points per each percentage point over minimum required (500 max. points)
 - (2) Floodplain land: 10 points per each percentage point over minimum required (100 max. points)

(If this incentive is chosen, keep in mind the City has discretion whether land designated for dedication is acceptable and, during the development review process, may require an alternate location on the site or cash-in-lieu for the amount agreed to with this incentive).

9. Private Open Space

In addition to the minimum public land dedication required of residential development, private parks, open space, and recreational facilities are encouraged in senior housing projects. Private open space does not include right-of-way or other public areas. Private open space areas can provide focal points for the residents and desirable green space to accommodate local recreation needs and pedestrian circulation for the residents and the general public. Private open space can also be enjoyed by all City residents if such open space abuts or is visually related to the public right-of-way or public open space.

Minimums:

- a) A minimum of 45% of the site shall be landscaped as private open space (excludes all right-of-way, drives, and walkways). Include landscaping within the parking lot areas in this percentage.
- b) Private open space shall be landscaped and an irrigation system shall be required). Maintenance of private open space areas shall be the responsibility of the project owner.
- c) Environmentally-sensitive areas (such as wetlands) shall be maintained as private open space.

Incentives:

- d) Private open space will provide one or more focal point(s) with seating accessible by paved pathways from all areas of the project. Each focal point area must incorporate an item which encourages observational activity such as a water feature, artwork, etc.: 75 points
- e) Private landscaped area will be increased above the minimum 45% requirement (choose only one from below if applicable):
 - (1) Greater than 45% to 50%: 200 points
 - (2) 50% to 55%: 250 points
 - (3) 55% or more: 300 points
- f) Outdoor passive recreation area will be provided (.25% minimum of total site) with seating, outdoor sculptures, gardening area, fountain, or similar features: 150 points

10. Setbacks

Minimums:

- a) Building setbacks from rights-of-way
 - (1) Major highway (U.S. 36, I-25), and arterial streets: 100' from right-of-way line
 - (2) Collector streets: 1.5 times the building height or 40', whichever is greater.
 - (3) Local streets: 1.5 times the building height or 30', whichever is greater.
 - (4) Private streets: 25 feet from back of curb (increase an additional 10 feet for every story beyond two stories).
- b) Distance between buildings:
 - (1) Side to side: 20'
 - (2) Corner to side or corner: 10'
 - (3) Side to front or rear: 25'
 - (4) Front to front or rear: 30'
- c) Building setbacks to interior property lines:
 - (1) Side or rear: 20'
 - (2) Adjacent to single-family detached: 1.5 times the building height or 40', whichever is greater.
- d) Building setbacks to parking lots and drives:
 - (1) 15' with minimum 8-foot wide sidewalk (to accommodate two-foot overhang for vehicles and five-foot clearance for sidewalks) when walks are adjacent to parking spaces.
- e) Distance between buildings and detached garages or carports (if applicable):
 - (1) Front or rear of garage to building: 30'
 - (2) Front or rear of garage to front or rear of garage: 30'
- f) Parking lot setbacks:
 - (1) From interior property lines: 15'
 - (2) From adjacent single-family detached residential: 25'
 - (3) From streets: 25' (should include tall berms and landscaping)

11. Fencing and Walls

All fencing within senior housing development shall be a uniform design for each type of fence provided. (See Westminster Municipal Code regarding privacy fencing and fencing abutting public or private open space). Although perimeter fencing or walls is not always required, it is recognized that fencing or walls is often proposed around the perimeter of senior housing projects many times for security reasons. Landscape materials, earth berming, and walls are the preferred methods of providing a buffer, but well-designed fences are acceptable (and many times required) in certain circumstances.

Minimums:

- a) When used, perimeter fencing or walls shall be constructed in accordance with City standards and shall include brick or stone columns (two-foot minimum width and depth) spaced a maximum of 65' apart. In some cases, such as adjacent to parks or in special streetscape situations, fencing may be

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modified to include low profile, split rail, or wrought iron fencing. Chain link fencing is not permitted.

- b) All horizontal supporting structures of all solid wood and vinyl fencing shall be constructed toward the interior of the project or lot to reduce visibility of the support structures from streets and other public areas.
- c) Off-sets (min. 5-foot depth and 10-foot length) for landscaping (trees and shrubs required) in perimeter fencing or wall shall be provided every 200 feet or less for at least a distance of 400 feet.

12. Mitigation of Environmental Effects

Developer/owner-installed screening and/or buffering will be required for all proposed residential developments along U.S. 36, I-25, and all arterial streets. Developer-installed walls, earth berming, and landscaping will be required, and in certain circumstances, further mitigation measures may be required to reduce adverse environmental effects on the residential development.

13. Neighborhood Notification

The City of Westminster places high priority and importance on contact with adjacent property owners and existing neighborhoods that could be effected by a new development proposal. Project developers/owners are required to contact the surrounding neighborhoods regarding their proposed developments and are responsible for all public notifications, researching and providing property ownership information, and if applicable, organizing and conducting neighborhood meeting(s). (See Neighborhood Contact Requirements handout for more information). The extent of the neighborhood notification must be discussed and approved with City Staff.

II. ARCHITECTURAL DESIGN

- A. The architectural design of senior housing projects should create visual variety and, at the same time, promote an integrated character for the project. Senior housing projects should be designed with a residential, rather than institutional style.
- B. Buildings should provide interest through the use of varying forms, architectural detail, and positioning on the site while still maintaining continuity as one project.

1. Exterior Design Elements

a) Building Design

Minimums:

- (1) Architectural detailing, horizontal off-sets, architectural window details and other features shall be provided on all sides of the building to avoid blank walls. All sides of all buildings shall be designed with quality materials (360 degree architecture).
- (2) Vertical and horizontal elements shall be used in contrast to one another. Contrast and depth are preserved by offering exterior selections that emphasize a dominant building material but include contrasting complementary materials and colors.
- (3) Buildings shall incorporate visually heavier and more massive elements at their bases, and lighter elements above these components. The second story, for example, does not appear heavier or demonstrate greater mass than that portion of the building supporting it.
- (4) For projects with multiple buildings, variety shall be used in site orientation and amongst buildings to avoid a "barracks" appearance.
- (5) The architectural style of the building shall exhibit a residential rather than institutional character.

Incentives:

- (6) Buildings will have a variety in horizontal off-sets (staggering or change in plane surface) of at least eight feet on both the front and rear of the buildings: 50 points

- (7) Choose one from below (if applicable):
 - (a) 25% or more ranch units or two-story units with a first-floor master bedroom and bath with a shower or tub will be built: 25 points
 - (b) 50% or more ranch units or two-story units with a first-floor master bedroom and bath with a shower or tub will be built: 50 points

b) Building Height

Incentives:

- (1) Building heights will not exceed (choose only one from below – if applicable):
 - (a) One-story in height: 200 points
 - (b) 35 feet in height: 75 points
- (2) Building heights of two-story (or taller) buildings will be stepped down at the edges of the structure(s) to aid transition between buildings and reduce the mass of the buildings. Vertical planes greater than two stories on taller buildings will be avoided: 100 points

c) Building Entrance

Minimum:

A covered drop-off area shall be designed at the main entry area of each building.

d) Windows

Each bedroom unit should provide at least one window for natural light, to view outdoor areas, and to help avoid an institutional appearance of the building.

e) Roof Design

Minimums:

- (1) A roof pitch of 5 in 12 or greater shall be provided on all buildings. All roofs shall have one-foot minimum overhanging eaves. Exceptions may be made, at the City’s discretion, for unique architectural designs.
- (2) Quality roof materials shall be used on all buildings (includes tile, concrete, slate, architectural metal, dimensional asphalt or fiberglass shingles (which provide shadow effect)).
- (3) Building roofs shall be broken into smaller planes or roof elements. A minimum of two roof breaks (roofs that turn a corner or change elevation) will be provided on all buildings.

Incentive:

Tile (terra cotta, concrete, or slate) roofs will be used on all buildings: 400 points

2. Garages

Adequate interior garage space is essential to ensuring future residents have sufficient space to park vehicles and store recreational items within the garage area. If garages are provided, minimums are specified below to help reduce the future need for outdoor storage of these items.

Minimums:

- (1) Garage Interior – minimum dimensions:
 - Depth – Single- and double-car garages: 22 feet
 - Width – Single-car garage: 12 feet
 - Width – Double-car garage: 20 feet
- (2) Garage Door – minimum dimensions:
 - Height: 7 feet
 - Width:
 - Single-car garage door: 8 feet

Double-car garage door:

16 feet

3. Patios/Balconies

Common patio areas with outdoor seating and tables should be provided for the residents. Ideal areas for these common patio areas are near the building entries and adjacent to interior dining rooms when applicable. Patio and balcony areas must include the minimum open area and depth as defined below, unobstructed by columns, rails, box or bay windows, fireplaces, steps, etc.

Minimum:

a) When included in the design, balconies shall be opaque and architecturally integrated with walls on at least two sides. Cantilevered balconies are generally not permitted but will be reviewed on a case-by-case basis.

Incentive:

b) At least 80% of all bedroom units will have a private patio (unobstructed 120 S.F. minimum) or balcony area (unobstructed 80 s.f. minimum area with six-foot min. depth): 150 points

4. Site Considerations Related to Architecture

When multiple buildings are proposed, developers are encouraged to vary the building orientations along the streets in order to provide a variety of views, provide opportunities for landscaping and open areas, and provide interest in the relationship of the buildings to one another. Although the buildings can be varied in their orientation, street scenes may be unified and articulated through the use of style, similar forms, roof systems, details, and architectural materials.

Minimums:

- a) Garages, carports, attached parking structures, and accessory buildings shall all relate to the building architecture and demonstrate similar compatible forms, scale, materials, colors, and detail.
- b) Detached garages that are located along the streets shall be grouped in small numbers, not lined up along the street "barracks style."
- c) Garages and carports shall not exceed six (6) side-by-side parking spaces unless parking spaces are designed back-to-back allowing a maximum of 12 parking spaces per carport or garage structure.

5. Exterior Building Materials and Colors

Building materials for senior housing development should be of a high quality as approved by the City. Suggested exterior wall materials include natural wood, stucco, brick, and stone. In general, due to the imposing nature of many multi-dwelling unit buildings, the exterior materials should reflect subdued colors and muted tones. In general roof material colors should be darker and warm, earth-toned hues that accent and complement other building colors.

Minimum:

Thirty percent (30%) or more of all non-window/door surfaces on all sides of all buildings shall be finished with masonry (brick or stone).

Incentives:

Choose only one from below (if applicable):

- a) At least fifty percent (50%), but less than 75% of all non-window/door surfaces on all sides of all buildings will be finished with masonry (brick or stone): 250 points
- b) At least seventy-five percent (75%), but less than 100% of all non-window/door surfaces on all sides of all buildings will be finished with masonry (brick or stone): 500 points
- c) 100% of all non-window/door surfaces on all sides of all buildings will be finished with masonry (brick or stone): 750 points

III. LANDSCAPING DESIGN

- A. Landscaped areas within senior housing developments are crucial to help counteract the potential dominance of the hardscape elements such as driveways, parking areas, buildings, concrete pathways, etc. Water-conserving landscaping designs are highly encouraged. (Consult the City's Landscape Regulations for information regarding water-conserving plant materials and irrigation methods).
- B. Landscaping can add to the overall visual appearance and function of the development by providing shade, complementing both passive and active recreation areas, providing visual interest and relief both apart from and next to the buildings, reducing the institutional feel of a senior housing project, and presenting an aesthetically pleasing streetscape. (See the City's Landscape Regulations for further information).

1. Private Landscaping

a) Common Areas

Minimums:

- (1) A minimum of 45% of the overall site area shall be landscaped. This includes detention pond areas but excludes all hardscape areas.
- (2) Within the required landscape area, one tree (2 1/2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.
- (3) At least 20% of the required trees shall be a min. of 3" caliper deciduous and 8-foot min. evergreen height.
- (4) All landscaping shall be installed, irrigated, and maintained by the project developer and/or owner.
- (5) A wide variety of plant materials shall be used in landscaped areas to add interest.

Incentives:

- (6) Choose only one from below (if applicable):
 - (a) A minimum of one tree and three shrubs will be provided per 500 square feet of private landscaped area: 50 points
 - (b) A minimum of one tree and three shrubs will be provided per 450 square feet of private landscaped area: 100 points
 - (c) A minimum of one tree and three shrubs will be provided per 400 square feet of private landscaped area: 150 points
- (7) Choose only one from below (if applicable):
 - (a) At least 50%, but less than 75% of all trees will be a minimum of 3-inch caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 50 points
 - (b) At least 75%, but less than 100% of all trees will be a minimum of 3-inch caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 75 points
 - (c) All trees will be a minimum of 3" caliper for deciduous trees and 8-foot min. height for all evergreen trees in the private landscaped area: 100 points
- (8) Small, identical planters or window boxes which match the architectural style, materials, and color of the building will be provided on private patio or balcony areas: 50 points

b) Detention Pond Area

Minimum:

The developer/owner shall be responsible for landscaping the detention pond and other common areas at a rate of one tree and three shrubs per 550 square feet of landscaped area. Plant materials should be concentrated around the perimeter of the detention pond and distributed elsewhere throughout the site. The property owner shall be responsible for the maintenance of these areas.

Incentive:

Detention area will be designed as a permanent water feature (e.g. water retention area with fountain): 100 points

c) Landscaped Islands/Medians

Landscaped islands and/or peripheral landscaping are encouraged along drive entries and are required at major entrances. Additionally, medians and landscaped islands are encouraged on local and collector streets.

Minimum:

Installation and maintenance of all medians/islands shall be the responsibility of the developer/property owner.

Incentive:

A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the project entry area: 50 points

d) Parking Lots

Minimums:

- (1) Parking lots shall not be located within the required landscape setback.
- (2) Parking lots of 50 or more spaces shall be required to be landscaped.
- (3) Landscaped islands in parking lots shall be no smaller than two standard parking spaces and shall alternate periodically with larger islands for variety and interest.
- (4) Landscaped islands shall occur approximately every 30 spaces within parking lots.
- (5) Continuous landscape strips (min. ~~nine~~ twelve -foot width) separating every three rows of parking shall be required for parking lots with 300 or more parking spaces.
- (6) Landscaped berms shall be required to screen parking (including covered parking structures) from adjacent developments and streets.

2. Right-of-Way Landscaping

Developers are responsible for the installation of landscaping in the right-of-way areas of all streets within and abutting their developments, and the project owner is responsible for maintenance of the right-of-way landscaping along streets within and abutting senior housing projects.

Although fencing between the local and collector street right-of-way and residential projects is often proposed to provide buffering and security, the use of landscape materials and earth berming either in lieu of, or in conjunction with, fencing is highly preferred and shall be required in many instances.

Minimums:

- a) The maximum slope of berms shall not exceed 4:1.
- b) Within the required right-of-way landscaped area, one tree (2 1/2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.
- c) At least 20% of deciduous trees shall be 3-inch caliper and 8-foot min. evergreen tree height.
- d) Automatic sprinkler systems shall be required within all right-of-way landscaped areas.

Incentives:

e) Choose only one from below (if applicable):

- (1) A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the right-of-way areas: 100 points

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- (2) A minimum of one tree and three shrubs per 450 square feet of landscaped area will be provided in the right-of-way areas: 150 points
- (3) A minimum of one tree and three shrubs per 400 square feet of landscaped area will be provided in the right-of-way areas: 200 points
- f) Street trees (deciduous, shade trees with 40-foot max. spacing) will be planted in the landscape area between the curb and the sidewalk along a min. of 75% of the local or private street lengths on both sides of the streets: 350 points

3. Plant Materials for Landscaped Areas

Minimum:

The selection of trees and shrubs shall be a mix of evergreen and deciduous types.

IV. SUSTAINABLE DESIGN

- A. Purpose: The sustainable design of residential projects should reduce the environmental impacts while improving the quality of development.

1. Landscaping and Water Conservation

a. Tree Lawns

Minimum:

The minimum tree lawn width is 6 feet.

b. Landscaped Islands / Medians

Minimum:

Landscaped islands and medians in parking areas must be a minimum of 12' wide.

Incentives:

Increasing the size of the island increases a tree's health and subsequent canopy coverage of the paved area, thus reducing the heat island effect.

- (1) Parking area landscape island are minimum 15' wide: 25 points
- (2) Parking area landscape island are minimum 19' wide: 50 points

c. Water Conservation

Minimum:

The maximum turf area cannot exceed 40% of the common landscaped area not in right-of way. Highly efficient irrigation systems and methods must be incorporated, including ET or soil moisture based controllers and rain sensors to reduce consumption.

Incentives:

- (1) Turf area will be reduced to 30 - 35% of landscaped area to reduce water consumption: 75 points
- (2) Turf area will be reduced to 25 - 29% of landscaped area to reduce water consumption: 100 points

d. Site Design/Stormwater

Incentives:

Use of vegetative swales or bio-retention is incorporated to diffuse infiltration, reduce the impact on detention areas, and recharge ground water. Vegetated swales shall be long and narrow with a high end and a low end to allow water to flow. Often check dams are used to

create several small pools of water to slow, filter and infiltrate water into the ground. Often, bioswales are vegetated with rushes and other ornamental grasses. These features may not necessarily reduce detention pond areas.

- (1) Vegetative swale or bio-retention area of 5% of total detention square feet: 100 points
- (2) Vegetative swale or bio-retention area of 10% of total detention square feet: 200 points

e. Paving Materials

Incentives:

Integrally colored permeable hardscape is used throughout the site to reduce glare, heat island effects, and storm water runoff. Permeable hardscape includes but is not limited to colored concrete pavers and porous concrete. Permeable hardscape use shall be limited to non-right-of-way areas including but not limited to internal walkways, driveways, and patios.

- (1) 20% of non-right-of-way hardscape area is permeable: 25 points
- (2) 30% of non-right-of-way hardscape area is permeable: 50 points
- (3) 40% or more of non-right-of-way hardscape area is permeable: 75 points

f. Pedestrian Circulation

Minimum:

Enhance pedestrian and bicycle infrastructure for internal connections, connections to all multi-modal transportation nodes and connections to adjacent neighborhoods, schools, commercial centers to reduce auto dependence by encouraging walking and biking.

- (1) Site amenities such as bus shelters, benches, trash receptacles, and pervious decorative paving are incorporated at all bus stops adjacent to the development
- (2) Incorporation of an internal pedestrian and bicycle corridor network including punch-throughs, 12-foot wide with a 6-foot walkway.

2. Building Construction

a. Pro-active Solar Construction

Incentives:

Points will be awarded for installation of solar water heating and photovoltaic system or pre-plumbing and pre-wiring homes for future installation to make it easier for homeowners to install the desired systems at a low cost. Roof design will also accommodate future installation of such systems.

- (1) 25 points for each 10% of pre-plumbed and pre-wired housing units for a maximum of 250 points, or
- (2) 50 points for each 10% of housing units with installed roof-mounted solar water heating systems and/or photovoltaic systems for a maximum of 500 points

b. Dwelling Unit Energy Efficiency

Incentives:

Dwelling units will be constructed to meet one of the following insulation and energy efficiency standards: 500 points

- (1) Performance rating: 25% better than minimum performance criteria required by the 2009 IECC
- (2) Prescriptive rating: From R-38 to R-49 roof insulation, R-30 to R-38 floor insulation; triple-pane windows
- (3) UA trade-off: Building must be a minimum of 5% above 2009 IECC per ResCheck

c. Community Facilities

Incentives:

- (1) Install solar water heating and/or photovoltaic systems on the clubhouse/meeting/recreational facility buildings: 250 points
- (2) Community buildings will be LEED Silver or higher: 300 points
- (3) Mail kiosk will be covered and incorporate solar-powered lighting: 50 points

**WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY
WESTMINSTER CITY HALL, 4800 W. 92ND AVENUE
MONDAY, MAY 11, 2009
6:30 P.M.**

- 1. Roll Call**
- 2. Minutes of Previous Meeting** (May 4, 2009)
- 3. New Business**
 - A. Public Hearing on the Final Budget Amendment for WEDA
 - B. Resolution No.110 re Final 2008 Housekeeping Supplemental Appropriation
- 4. Adjournment**

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY
SPECIAL MEETING
MONDAY, MAY 4, 2009 AT 6:35 P.M.

ROLL CALL

Present at roll call were Chairperson McNally, Vice Chairperson Dittman, and Board Members Briggs, Kaiser, Lindsey, Major and Winter. Also present were J. Brent McFall, Executive Director, Martin McCullough, Attorney for the Authority, and Linda Yeager, Secretary.

CONSIDERATION OF MINUTES

Board Member Briggs moved, seconded by Kaiser, to approve the minutes of the meeting of April 20, 2009 with no additions or corrections. The motion carried.

RESOLUTION NO. 109 RE INTEREST RATE EXCHANGE AGREEMENT – 2005 SERIES BONDS

Due to a conflict of interest through employment, Chairperson McNally recused herself from participation in the remaining items of business. She passed the gavel to Vice Chairperson Dittman and then left the Council Chambers.

Mr. McFall explained the need for the proposed action. Byron Farnsworth of Sherman and Howard advised of the risks and costs associated with entering into an exchange agreement with a foreign bank. The bank, Banco Bilbao Vizcaya Agentaria, was the parent company of Compass Bank and the lender, Compass Bank Mortgage Company.

Once all questions were answered, it was moved by Briggs, seconded by Major, to adopt Resolution No. 109 authorizing, approving and directing the Executive Director to execute and deliver an interest rate exchange agreement and certain other documents in connection with the Compass Mortgage Company loan to WEDA as approved by the Board on April 13, 2009. Upon roll call vote, the motion passed 6:1 with Mayor McNally abstaining.

ADJOURNMENT

There being no other business to come before the Authority, it was moved by Lindsey, seconded by Kaiser, to adjourn. The vote was unanimous and the Vice Chairperson adjourned the meeting at 6:45 p.m.

ATTEST:

Secretary

Vice Chairperson

WEDA Agenda Item 3 A&B

Agenda Memorandum

Westminster Economic Development Authority Meeting
May 11, 2009



SUBJECT: Public Hearing and Resolution No. 110 re Final 2008 Housekeeping Supplemental Appropriation

Prepared By: Karen Creager, Special Districts Accountant

Recommended Board Action

1. Hold a Public Hearing on the Final 2008 budget amendment for Westminster Economic Development Authority (WEDA).
2. Adopt Resolution No.110 authorizing a supplemental appropriation to the 2008 budget of WEDA.

Summary Statement

- When necessary, Staff prepares a resolution to appropriate unanticipated revenues received during the year and adjust the budget side of transactions that occur during the year. Typically this occurs on a quarterly basis with the final supplemental appropriation, making adjustments to transactions discovered by staff through year end audit work that had been previously recorded.
- The 4th quarter 2008 housekeeping supplemental appropriation for WEDA was presented to the Board on February 23, 2009. However, a final adjustment is necessary to comply with the Government Accounting Standards Board (GASB) statement number 36.
- Amendments:
 - \$173,887 property tax increment revenue
- A public hearing is required pursuant to Section 29-1-108 of the Colorado Revised Statutes (C.R.S.).

Expenditure Required: \$173,887 (revenue)

Source of Funds: Property tax increment

Policy Issue

Should the Board appropriate funds as set forth in the attached Resolution?

Alternative

The Board could decide not to appropriate the funds at this time. This is not recommended as this action is required in order to be in compliance with GASB Statement No. 36.

Background Information

North Huron URA

In December 2002, the City of Westminster (the “City”) issued Sales and Use Tax Revenue Bonds for the construction of the interchange at 136th Avenue and I-25 which has been completed. The 136th Avenue General Improvement District (the “GID”) annually certifies a mill levy on the assessed valuation of property in the GID to generate revenue to assist the City with the repayment of those bonds.

The GID overlaps the WEDA - North Huron Urban Renewal Area. As a tax increment financing district, WEDA receives incremental property tax revenues from the GID mill levy attributable to renewal development in the GID. Since the principal purpose for establishing the GID was to assist in the repayment of the City’s 2002 Sales and Use Tax Revenue Bonds, any incremental property tax generated by the GID was specifically excluded from revenue pledged to pay WEDA bonds. Therefore, pursuant to an intergovernmental agreement dated December 11, 2006 between WEDA and the GID, WEDA returns to the GID any incremental property tax revenue attributable to the District’s mill levy. Then annually, the GID transfers all of the net property tax revenue to the City’s Debt Service Fund.

During 2008, the amount of property tax increment attributable to the GID was recorded directly as property tax revenue for the GID. This method of recording reflects only the net revenue received on WEDA’s financial statements. GASB now requires the revenues to be fully recorded as received, and the applicable return of the revenues to the GID to be recorded as an expense. This housekeeping appropriation makes the appropriate changes to WEDA’s budget to reflect this new requirement.

In reviewing the Local Government Budget Law, Staff noted that C.R.S. Section 29-1-109(1)(b) specifies that after adoption of the budget, a local government can authorize the expenditure of unanticipated revenues or revenues not assured at the time of the adoption of the budget from any source other than the local government’s property tax mill levy. Because WEDA does not impose a mill levy but instead receives incremental property tax revenues, Staff feels that this budget adjustment is in compliance with the local government budget law.

The adjustments will amend Revenue and Expenditure accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Property tax increment	6800.43040.0182	\$1,826,460	<u>\$173,887</u>	\$2,000,347
Total Change to Revenues			<u>\$173,887</u>	

EXPENDITURES

Description	Account Number	Current Budget	Amendment	Revised Budget
Transfers to 136 th Ave GID	68010900.79800.0630	\$0	<u>\$173,887</u>	\$173,887
Total Change to Expenses			<u>\$173,887</u>	

The above adjustments will bring WEDA's accounting records up-to-date to reflect the various detailed transactions.

Respectfully submitted,

J. Brent McFall
Executive Director

Attachment

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY

RESOLUTION NO. **110**

INTRODUCED BY COMMISSIONERS

SERIES OF 2009

FINAL 2008 HOUSEKEEPING SUPPLEMENTAL APPROPRIATION

WHEREAS, the Westminster Economic Development Authority (WEDA) established the amended 2008 budget on October 8, 2007 and

WHEREAS, proper notice for this amendment was published on May 7, 2009, pursuant to the requirements of Section 29-1-106 Colorado Revised Statutes; and

WHEREAS, a public hearing for this amendment was held on May 11, 2009, pursuant to the requirements of Section 29-1-108 Colorado Revised Statutes; and

WHEREAS, as necessary Staff prepares a resolution to make necessary adjustments to the budget; and

WHEREAS, there are adjustments to be made to the 2008 budget; and

WHEREAS, the revenue adjustments consist of: an increase of \$173,887 to property tax increment; and

WHEREAS, the expense adjustments consist of: \$173,887 to transfers to 136th Avenue GID.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Westminster Economic Development Authority: The \$173,887 increase shall be allocated to WEDA Revenue and Expenditure accounts as described in the WEDA Agenda Item 3 A&B, May 11, 2009.

PASSED AND ADOPTED 11th day of May, 2009.

ATTEST:

Chairperson

Secretary