



**TOWN OF WINTER PARK  
PLANNING COMMISSION  
Tuesday, March 9, 2021 8:00 AM  
Online Meeting (instructions below)**

**A G E N D A**

- I. **Meeting Call to Order**
- II. **Roll Call of Commission Members**
- III. **Town Hall Meeting** (time for anyone from the public to speak about items not on the agenda)
- IV. **Minutes** – February 23, 2021
- V. **Conflicts of Interest**
- VI **Action Items:**
- VII. **Planning Commission Items for Discussion:**
  - A. Unified Development Code – Chapters 6 (6D and 6E)
- VIII: **Director’s Report**

**Online Meeting Log-In Instructions – See next page**

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**TOWN OF WINTER PARK  
PLANNING COMMISSION  
Tuesday, February 23, 2021 8:00 AM**

**MINUTE**

- I. Meeting Call to Order is at 8:03 am.
- II. Roll Call indicated present Chairman Brad Holzwarth, Commissioners George Stevens, Roger Kish, Doug Robbins, Dave Barker and Jonathan Larson are present. Community Development Director James Shockey and Town Planner Hugh Bell are also present. Commissioner Angela Sandstrom is absent today.
- III. Town Hall Meeting (time for anyone from the public to speak about items not on the agenda). No one comes forward.
- IV. Minutes for Review: February 16, 2021. Commissioner Barker makes a motion to approve the minute. Commissioner Robbins seconds. The minute is approved 6, 0.
- V. Conflicts of Interest. No one comes forward.
- VI. Action Items:
  - A. Design Review Single-Family – 117 Cedar Drive – Attached Single-Family

Planner Bell starts his presentation about the Staff report related to this project. Some of the highlights of his presentation are:

- There is not title submitted yet. This condition is no longer applicable.
- There is not HOA for this lot.
- The applicant said that the exterior lights will not be continuously lit.
- The Staff is satisfied with the setbacks.
- The top foundations elevations are missing.
- The applicant needs to confirm that the hot tub will not encroach further into the rear and side yard setbacks. This has been confirmed by the applicant.
- Although a LTZ is not required, the Staff is recommending to “Use a coordinated landscape palette to establish a sense of visual continuity within a site” and “Use landscaping to enhance pedestrian facilities”.
- The snow storage is exceeding by 8% approximately.
- The driveway slope percentage is not present.

Commissioner Stevens asks if there are any snow guards. Planner Bell says that he cannot see any on the side elevations.

Mr. Dan Hackett (architect) and Mr. Tyler Wilcox (builder) come forward. Mr. Hackett informs the Commission and the Staff that the driveway slope is about 4% or 5%. He also says that they can add the snow guards. Mr. Wilcox adds that they did not show the snow guards on the house across the street but they were added during construction. Mr. Wilcox affirms that those snow guards will be installed if needed. Planner Bell asks to the Commission if this would be a required condition. Mr. Hackett says that they can

go ahead and install them.

Top foundation and top slab are the same and they will be added to the set according to Mr. Hackett.

Director Shockey says that this application was submitted under old Design Guidelines, the upcoming UDC will require some sort of landscape transition zone. Director Shockey would like to know the Commission's opinion to determine if the applicant should be in compliance with the upcoming LTZ guidelines. Commissioner Kish would like to recommend that the applicant is in compliance with the upcoming LTZ requirements. Commissioners Stevens and Robbins agree and they suggest to establish this as a condition and not just a recommendation in order to be approved.

About the encroachment of the hot tub pads into the setbacks, Commissioner Kish wants to make sure that the dimensions from the property line are in compliance with the setbacks for both units. Mr. Hackett replies that the hot tub pad for unit A is deep enough for the hot tub and he can add the dimensions so the Commission can see those. Planner Bell just checked the encroachment using the Code and it will be permitted. Commissioner Kish is satisfied with that.

Commissioner Robbins makes a motion to approve with Staff recommendations and adding the LTZ condition. Commissioner Kish seconds. The Residential Design Review is approved 6,0.

#### B. Design Review Single-Family – 2225 Lakota Trail – Detached Single-Family

Planner Bell gives a summary of the Staff report to the Commission. The main points of this report are:

- The Lakota Architectural Review Committee reviewed and approved the plans.
- The applicant needs to clarify if any exterior lighting fixtures will be continuously lit.
- The top of foundation elevations for the structure's four main corners needs to be provided.
- The applicant needs to indicate if any slopes are greater than 25%.
- This property is not subject to the Town's Landscape Design Regulations regarding Landscape Transition Zones (LTZs) because it is in the R-2 zone.
- The snow storage exceeds the 25% area minimum of all hardscaped surfaces at ~71%.

The applicant is not present during the meeting.

Commissioner Robbins makes a motion to approve with Staff recommendations. Commissioner Barker seconds. Commissioner Kish has technical difficulties to make a vote (he lost power in his home). 5, 0.

#### C. Design Review Multi-Family – 377 Lions Gate Drive – Braidwood Condominiums

Planner Bell gives a summary about this project. Mr. Kenneth Cilia (architect) is proposing a renovation for the Braidwood Condominiums, which burned down in early 2020. The renovation comprises 12 units and 20 off-street parking spaces. The design is a modern update to the former 1983 building. No administrative variances are related to this project. These are some relevant points Planner Bell mentions during his Staff report:

- A title commitment is in the process of being created. The applicant will submit this to the Staff when it is ready.
- The Braidwood Condominium HOA is an applicant so no approval letter is necessary.
- The proposed exterior lighting fixtures are all dark-sky compliant. However, the applicant needs

to indicate the mounting height for the S2 fixture.

- The applicant needs to revise elevation exhibits to include existing and proposed grades for each building profile.
- The applicant needs to indicate top of foundation elevation for each unit's four main corners on site plan.
- Snow guards need to be added to the roof portions above the two entrances on the north elevation.
- Yard setbacks do not apply to this property as it is not directly adjacent to an R-1, R-2, R-2-O, M-E, R-C, or C-1 district.
- The applicant needs to clarify the number of uncovered parking spaces.
- It is not required to submit a landscaping plan since this is a renovation.
- Snow storage is not required as the site is not being altered outside of the foundation wall perimeter.
- The Staff requests clarification if new trash enclosure is proposed, or if an existing trash enclosure will be utilized. If new trash enclosure is proposed, the applicant needs to indicate the proposed location on site plan.
- The fencing needs clarification in case the applicant is proposing to install one.

Commissioner Larson asks about the siding material since he is not very familiar with the type of product the applicant is proposing. Planner Bell gives a description of the material which is similar to IPE wood.

Mr. Kenneth Cilia and Josh Boyles come forward. Mr. Cilia gives a short background of the fire that damaged this building. Because of the nature of the fire, it was decided to it was better to bring the building down to the garage level and redesign the building. Mr. Cilia mentions how the roof lines were modified taking into account the role of the insurance companies and the current Town Code.

Commissioner Barker asks about the parking lot layouts. Mr. Cilia says that what it is being shown on the screen is an old plat. He indicates that the plan submitted recently is more accurate in terms of parking. Since this is a rebuild, no improvements adjacent to the building are proposed. Commissioner Barker asks about access to the parking lot. Mr. Boyles replies that originally Braidwood was platted to be three sets of condo units. Any new developer that proposes to develop on that property needs to get the approval of the HOA for a design or for a re-plat.

There is a discussion about the ownership of the land in the plat and the easement. Mr. Boyles mentions that they only have control over what development is so they can maintain parking spots. Director Shockey adds that when the parcel was developed, they calculated the parking and make sure this is appropriate for the project.

Mr. Cilia adds that some confusion regarding the ownership, the number of owners and the existing HOA is what is delaying the title commitment.

Chairman Holzwarth asks about the north elevation and the roof line. The applicant says that this is a new element.

Commissioner Robbins makes a motion to approve this Design Review with Staff recommendations. Commissioner Barker seconds. 5, 0. Commissioner Kish is still unavailable at this point.

#### D. Design Review Commercial – 78436 US Highway 40 – Reunion Station

Planner Bell begins this presentation about this project. The applicants are proposing two buildings comprised of 8 two-bedroom units, one restaurant space, and one retail space. Two administrative variance requests are included with the application. One for snow storage and the other for land use transition zones. This property is located in a D-C district and there are two owners involved.

Then, Planner Bell gives a summary of the thirteen guidelines related to this project (included in the electronic packet) and reads the key points in the Staff report and recommendations:

- The applicant needs to submit construction schedule.
- The applicant needs to revise elevation exhibits to include existing and proposed grades for each building profile.
- The applicant needs to indicate top of foundation elevation for each unit's four main corners on site plan.
- The applicant must submit an access permit to CDOT along with submission of Building Permit Application.
- The applicant needs to confirm if the 2015 LTZ variance request should be referenced; if not, applicant shall submit a new revised LTZ variance request for this application.
- The Planning Commission needs to determine the LTZ for the east property line.
- The Planning Commission needs to review and provide a recommendation to Staff for the LTZ variance request.
- The applicant needs to provide an executed contract with a company that will provide plowing and off-site snow storage. The applicant must indicate in executed contract where snow will be transported and stored.
- The applicant needs to indicate gate material on trash enclosure.
- Fences are proposed on the west façade of Building 1 facing Lions Gate Drive. A gate is proposed for the trash enclosure on the south side of Building 1.
- The signage will be reviewed by the Staff.
- Most of the existing trees are proposed for removal.
- There is mention of windows composition.

Commissioner Robbins ask about the fence along Lions Gate in terms of materials and final look. Panner Bell checks the material board and notices that the material for the fence has not been called out. It looks that the fence could be made of some kind of welded metallic material. Commissioner Robbins suggests to have this fence material to be called out since it is a predominant feature in the construction design.

Commissioner Robbins also brings to the Commission attention the trash management. He is asking if what it is being proposed covers both the residential and the commercial units. Planner Bell is not sure about it. There is mention of the residential units having garbage receptacle inside of the garages. Commissioner Robbins thinks that the space for the trash seems insufficient. Planner Bell says that he can go back to the JVA letters to see if there any comments about this topic.

The applicant, Mr. Chris Furman comes forward. He is the partial owner and developer for this project. Mr. Furman will also be the GC on the project. Regarding the fence, Mr. Furman says that on Lions Gate was supposed to be solid in the beginning but it was decided to change it in order to match it better to the design of the property so, that is why it is metallic. He says they can work with the Town to determine what the best option would be if it needs to be modified.

About the trash enclosure, the front doors are going to be a metal type façade, bear proof and lockable. Since the trash enclosure is tight, the trash enclosure would be inside garage for the townhomes. The trash pickup would be separated from the commercial units. This will allow the trash enclosure not to get overloaded and keep the area clean.

Commissioner Robbins asks if this is something that would be called out in the HOA. Director Shockey will look into it. As long as the commercial units have trash service and, it is in compliance with the Code, it can be moved forward. Mr. Furman states that they can evaluate what could be done to be in compliance.

Commissioner Stevens asks if the Code does not allow trash enclosures on Lions Gate or if this is an HOA matter. Director Shockey replies that there is nothing that would prevent people from going off on Lions Gate. Mr. Furman says that they can add addendums addressing this. Planner Bell reads the section of the Code that addresses this topic.

Chairman Holzwarth asks about the residential units on top of the commercial ones. Mr. Furman says that those are condominium units. Their trash will go into the dumpster. There is a discussion about the size of the trash enclosure and if there is enough room for a trash dumpster for cardboard. Mr. Furman says that they can have two dumpsters side-by-side.

Commissioner Robbins would like to discuss the stairs and sidewalks and the possibility of installing a roof to protect the dumpster area from water and snow. Mr. Furman says that they can consult with the architect about this taking into account the air circulation. Commissioner Robbins says that it would be a good idea to install snow guards so the snow does not fall on the sidewalk. Mr. Furman adds that there will be snow guards where necessary.

After Planner Bell measured the trash enclosure, Mr. Furman says that they can increase the gate size to match the enclosure size. There is also a discussion about increasing the depth. Planner Bell says that he will check that. Planner Bell also opens the discussion for trash dumpster access. Mr. Furman says they might be able to stack them against the garage back wall.

Chairman Holzwarth asks if the condominiums would be sprinkled. Mr. Furman says that they will have a sprinkled domestic system. Chairman Holzwarth asks if the garage and the trash enclosure would be sprinkled as well. Mr. Furman replies yes with dry heads and bring the suppression system over.

Commissioner Kish is able to connect back to the meeting at 9:25 am.

Commissioner Stevens asks about the trees in the property and the landscape buffer on the main street. Planner Bell says that the buffer technically is in compliance but the shrubs might not be adequate. Since there are power lines present, having tall trees is not possible. The Commission agrees that the size of the buffer is adequate.

Regarding the trees, the applicants say that they will try to preserve as many trees as possible. Which trees can be protected will be determined during the pre-disturbance phase.

There is also a discussion about a balcony.

The meeting moves now to the commercial units on the first floor and the window composition. Planner Bell says shows on the screen the elevations that show that some of the units do not have windows on them. Planner Bell explains the wall ratio to the Commission. He also explains why one of the windows is being called out. Commissioner Stevens would like to take a look at the lack of windows on some of the

buildings on the south elevation. Mr. Furman says that the reason behind it is the existence of staircases. They can consult with the architect about adding some different types of windows. There is a short discussion about this topic. Some Commissioners think that an odd-looking window might affect the design in a not so positive way. The interior staircases are the open type ones.

Commissioner Stevens asks about the balcony railing and the sunscreens on the retail windows. Mr. Furman says that the sunscreens are going to be metal (trellis type) and they do not project further than 3 ft. from the face.

Commissioner Kish talks about the long continuance of the handrail. He does not think it is appropriate with the design. Commissioner Kish also mentions the distinction between the retail level and the residential level. Commissioner Larson agrees with Commissioner Kish observations. Mr. Furman talks about the walkway. He wonders if they can extend the canopy a little bit in order to offset the railing. They would not modify the rooflines. There is a discussion with examples about this topic.

There is also a review about the board materials and colors regarding the railings and its relation to the overall design. The applicant says that part of the reason they chose this design is to separate the retail from the residential units. Commissioner Stevens says that the conflict is that the west building does not have a retail space so, for him, this looks a little off. The applicant says that they can alter the design if needed to. Commissioner Kish says that the columns may need to be projected further one the residential level. Uninterrupted railings for balconies are not typically accepted.

Mr. Furman says he will work with the Planning Division in order to improve the design and make the project to stand out in a harmonious way.

There is a short discussion about the lumen level of the fixtures. Commissioner Kish asks Director Shockey and Planner Bell to check if the upcoming UDC has specific requirements for this. Planner Bell confirms that the upcoming UDC will have detailed guidelines about this topic. The applicant is proposing to adopt that portion of the upcoming Code now. Commissioner Kish thinks that that will be perfectly appropriate.

Commissioner Stevens talks about the parking screening and the LTZ. Planner Bell reads some information about this and the role of Planning Commission. There is a conversation about the location of the trees and the proposed landscape plan. It is determined that the LTZ is adequate. Most of the trees will be removed except for five or six trees being saved. Commissioner Stevens says that the screening and the landscape needs to be adequate for the signage of the retail spaces.

Planner Bell brings the roof for building 1 to the attention of the Commission. Commissioner Robbins says that the applicant will solve that when they address the trash enclosure and the garage. There is a discussion about the snow shedding. Commissioner Robbins thinks that roof lines are almost ground level. The applicant says that they could raise it for garage next to the trash enclosure. Or they could raise the higher garage maybe another foot and have the roof of the trash enclosure be a separated one and not a continuation and, lower the roof of the trash container. There is a discussion about the different alternatives for the roof design. Commissioners Stevens and Kish think the design is on the right path.

Commissioner Stevens makes a motion to approve this Commercial Design Review with Staff recommendations, reviewing the railing of building 2, the LTZ on the east side, revising the roofs on the garages and the trash enclosure, the review of the integration between the commercial and residential dwellings and, the addition to adopt the lighting from the new UDC.



Planner Bell suggests the Commission to have this design review to come back for additional analysis as a continuance since it is a rather large project. The applicant says that he would be comfortable with that as long as he can have the exception to submit building plans and get that process moving along. He would like to get prepared since spring season is coming. Director Shockey says that he can start submitting plans to the Building Division but nothing cannot go, as far as approval in the Building Division, until the design review is completed. He could get a Footing and Foundation Permit in the meantime.

Commissioner Stevens makes a motion to continue with this design review with the possibility to get a Footing and Foundation Permits in the meantime. Commissioner Kish seconds. The motion to continue with this design review is approved 6, 0.

VII. Planning Commission Items for Discussion:

VIII: Director's Report

No items for discussion.

The special meetings to discuss the chapters for the upcoming UDC are over. Legal council is going to release their comments on the Code as well. The next step is for the Planning Commission to review chapters 7 and 8. Chapter 7 was sent back to the consultant for additional drafting. The objective is to send Chapter 7 on March 9<sup>th</sup>, 2021 to the Commission. After that, the information will be released to the public for workshops.

Planner Bell says that they have not reviewed the lighting code with everybody during the Planning Commission meetings. He suggests that this topic could be reviewed on March 9<sup>th</sup>, 2021.

Commissioner Robbins has a question about the underpass located in the Town of Fraser. Director Shockey says that the Town of Fraser has not accepted the road yet for maintenance. This will be, hopefully solved next spring.

Commissioner Stevens asks if there is a way the Planning Commission or the Town Council can put any pressure on the Town of Fraser to get the "foam" buildings located on Highway 40 to be completed or change since they do not look safe nor aesthetically appropriate. Director Shockey says that the Town of Fraser is having some conversations with Grand Park in order to get the exterior finished at least.

Upon a previously adopted motion the Planning Commission meeting is adjourned at 10:21 am.



## MEMO

**TO** Planning Commission  
**FROM** James Shockey, Community Development Director  
**THROUGH** Hugh Bell, Planner  
**DATE** March 9, 2021  
**RE** Unified Development Code – Chap. 6 Review

**Overview:**

Staff is reviewing Chapter 6 of the draft Unified Development Code (UDC) and has highlighted significant sections of Chapters 6 below for the Planning Commissioners' review. These sections have either been significantly revised from their language in the current Code or are not in the current Code altogether.

**Chapter 6: Site Design**

- **Article 6D – Outdoor Lighting (moved from DG to UDC)**
- **Article 6E – Snow Storage**
  - Bolstered regulations for sloped sites and landscaped snow storage areas
  - Added language for off-site hauling

## Article 6.D. Outdoor Lighting

### Sec. 6-D-1 Purpose

The purpose of this Article is to:


- A. Permit the use of outdoor lighting that does not exceed the minimum levels specified in IES (Illuminating Engineering Society of North America) recommended practices for nighttime safety, utility, security, productivity, enjoyment, and commerce;
- B. Prevent the trespass of artificial light into rights-of-way and residential properties in ways that constitute a hazard to public safety or interfere the residential value of private property;
- C. Preserve the visual quality of the mountain and night sky that residents and visitors enjoy;
- D. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy; and
- E. Promote energy conservation.

### Sec. 6-D-2 Applicability

- A. **Applicability.** Except as described below, all outdoor lighting installed after the date of effect of this UDC shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.
- B. **Exemptions.** The following types of lighting are exempt from the requirements of this Article:
  1. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance.
  2. Underwater lighting in swimming pools and other water features.
  3. Temporary lighting for:
    - a. Decorative seasonal lighting provided that individual lamps have a light output of 70 lumens or less;
    - b. Emergency or nighttime work and construction; and
    - c. Theatrical, television, and performance areas, or for special events authorized through a Special Event Permit (Refer to Sec. 3-4-5, *Special Event Permits*, of the Town Code).

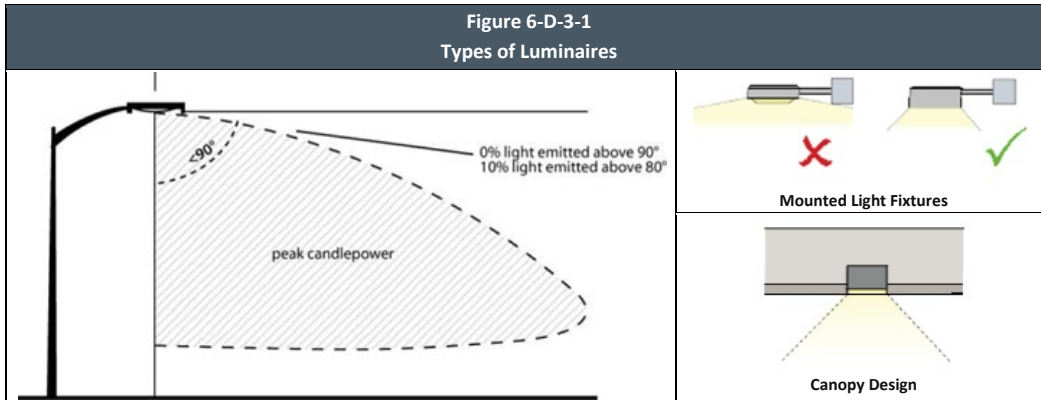
Commented [HB1]: Used to be 200 lumens

### Sec. 6-D-3 General Requirements

- A. **Generally.**
  1. All luminaires shall be IDA (International Dark Sky Association) approved. IDA-approved luminaires are readily available. Look for the IDA symbol:  

  2. All fixtures shall be shielded so as not to:
    - a. Be of excessive brightness;
    - b. Cause glare hazardous to pedestrians or drivers;
    - c. Create any public or private nuisance; or
    - d. Unreasonably interfere with an adjacent property owner's right to enjoy their property.
  3. Correlated Color Temperature (CCT) is limited to 3,000 kelvin (K) per luminaire.

4. All luminaires shall be shielded so no light rays are emitted at angles which will allow the light to be cast beyond property lines. Refer to Figure 6-D-3-1, *Types of Luminaires*.
5. All luminaires shall be shielded so no light rays are emitted at angles below a horizontal plane running through the lowest point of the luminous elements; the lamp or tube, any reflective surface or lens cover (clear or prismatic) must not be visible when viewed from above or the side.
6. All luminaires shall be mounted above the area to be illuminated.
7. Lighting shall only subtly illuminate functional and task areas such as building entrances, decks, patios, balconies, storage areas, garages, walks, address signage, and building complex signage.
8. All lighting fixtures that are mounted on a building wall facing a property line adjacent to a residential property line or public right-of-way boundary shall be fitted with a "house side shielding" reflector on the side facing the residential property line or public right-of-way boundary.

Figure 6-D-3-1  
Types of Luminaires



- B. **Prohibited Exterior Lighting:** The following types of outdoor lighting fixtures, types, and sources are prohibited in the Town:
- a. Blinking, flashing, rotating, or moving luminaires;
  - b. Landscaping and architectural spotlights;
  - c. Floodlights;
  - d. Exposed illumination sources (e.g. light bulbs); and mercury vapor and fluorescent lamps or bulbs, as their CCT (i.e., lighting temperature color) is significantly different from the daylight spectrum.
- C. **Lighting Control Requirements:**
1. Automatic Lighting Reduction Requirements:
    - a. [After 11 p.m., total outdoor lighting lumens should be reduced by at least thirty percent (30%) or extinguished]. **OR:** [Lighting for all non-residential uses shall be extinguished one hour after close of business unless there is a public safety hazard that is best mitigated using lighting. Lighting intended for security purposes shall use Adaptive Controls].
    - b. Exemptions to 6-D-3(C)(1)(a): Lighting reductions are not required for any of the following:
      1. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.
      2. Outdoor lighting consisting of only one luminaire.
      3. Code-required lighting for steps, stairs, walkways, and building entrances.



4. Lighting levels that must be maintained in the opinion of the Town.
5. Motion activated lighting.
6. Lighting governed by Special Use Permit in which times of operation are specifically identified. Refer to Sec. 2-B-2, *Limited and Special Uses*.
7. Businesses that operate on a 24-hour basis.

**Sec. 6-D-4 Non-Residential and Multi-Family Residential Lighting Requirements**

- A. A photometric plan shall be submitted unless the Administrator deems it unnecessary.
- B. Non-residential and multi-family residential properties shall be limited to 25,000 lumens per net acre plus 2,000 lumens per acre beyond the first.
- C. Each lighting fixture shall be limited to 1,500 lumens.
- D. Freestanding and structure-mounted luminaires shall not exceed the height of the eave line, parapet wall, or twenty-one feet (21'), whichever is lower.
- E. All luminaires shall have a BUG rating not to exceed:
  1. B1 rating for backlighting;
  2. U0 rating for uplighting; and
  3. G1 rating for glare.
- F. Non-residential and multi-family lighting systems shall be designed and certified by an engineer registered in the State of Colorado as conforming to all applicable restrictions of this UDC before construction commences. After installation is complete, the lighting system shall be again certified by a registered engineer in the State of Colorado to verify that the installation is consistent with the certified design.
- G.

**Commented [HB2]:** Norwood only allows 10,000 per non-res SITE

**Commented [HB3]:** Required by Norwood

**Sec. 6-D-5 Single-Family Residential Lighting Requirements**

- A. Single-family residential properties, including multiple residential properties not having common areas, shall be limited to 5,100 lumens.
- B. Single-family residential properties with an ADU shall be limited to 6,500 lumens.
- C. Each lighting fixture shall be limited to 850 lumens.
- D. Freestanding and structure-mounted luminaires shall not exceed the height of the eave line, parapet wall, or fourteen feet (14'), whichever is lower.
- E. Exemptions:
  1. Open flame gas lamps.
  2. Lighting exempt per 6-D-2(B).

**Commented [HB4]:** Norwood: 3,400 lumens per site with limitation of no more than 2,400 lumens for fixtures not on Adaptive Control.  
Ridgway: 5,100 lumens per site

**Commented [HB5]:** Required by Ridgway

**Sec. 6-D-6 Parking Lot Lighting Requirements**

- A. Parking facilities, including structured and open parking lots, spaces, drive aisles, entrances, stairways, and elevator lobbies must meet the illumination standards set out in Table 6-D-6, *Parking Lot Lighting Requirements*.
- B. Freestanding and structure-mounted luminaires shall not exceed the height of the eave line, parapet wall, or fourteen feet (14'), whichever is less.
- C. After close of business, event, or 11 p.m., whichever is later, Adaptive Controls that dim light levels by a minimum of fifty percent (50%) are required, although extinguishing the luminaires is encouraged.

**Commented [HB6]:** Currently 21'

Table 6-D-6 Parking Lot Lighting Requirements	
Standard	Footcandle Requirement <sup>1</sup>
Minimum Horizontal Illuminance <sup>1</sup>	0.2 footcandles
Average Horizontal Illuminance <sup>1</sup>	0.3 footcandles
Maximum Horizontal Illuminance <sup>1</sup>	5 footcandles



Uniformity Ratio Average to Minimum	8:1
Uniformity Ratio Maximum to Minimum Ratio	15:120:1
TABLE NOTE:	
1. Measured on the parking surface, without any shadowing effect from parked cars or trees.	

**Sec. 6-D-7 Lighting by Special Permit Only**

- A. **High Intensity and Special Purpose Lighting:** The following lighting systems are prohibited from being installed or used:
  1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
  2. Aerial Lasers.
  3. Searchlights.
  4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.
- B. **Complex and Non-Conforming Uses:** Upon special permit issued by the Administrator, lighting not complying with the technical requirements of this UDC but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:
  1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
  2. Construction lighting.
  3. Lighting for recreational sites having special requirements, such as nighttime skiing, snowmaking operations, snow grooming services, etc.
  4. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
- C. To obtain such a permit, applicants shall demonstrate to the Administrator that the proposed lighting installation:
  1. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures and a photometric plan, whose calculations show variances from the standard lighting requirements;
  2. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit; and
  3. Will not create unwarranted glare, sky glow, or light trespass.

**Sec. 6-D-8 Existing Lighting Requirements**

- A. **Existing Lighting:** Lighting installed prior to the effective date of this UDC shall comply with the following:
  1. **Amortization:** On or before [amortization date], all outdoor lighting shall comply with this UDC.
  2. **New Uses or Structures or Change or Use:** Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this UDC before the new or changed use commences.
  3. **Additions or Alterations:**
    - a. **Major Additions.** If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
      1. Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this UDC.
      2. Single or cumulative additions, modification, or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.



- b. **Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings:** For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Article shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting shall meet the requirements of this UDC.
- c. **Resumption of Use after Abandonment:** If a property with non-conforming lighting is abandoned for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Article before any further use of the property occurs.

#### Sec. 6-D-9 Enforcement and Penalties

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##### A. **Generally.**

- 1. The provisions of this Article shall be administered by the Administrator or other authorized Town officer or employee.
- 2. It shall be unlawful to violate any provision of this Article. Any continuing violation of this Article is hereby declared to be a nuisance, which may be abated by the Town in any lawful manner or enjoined by a court of competent jurisdiction.
- 3. No Building Permit or Certificate of Occupancy shall be issued for work which has nonconforming luminaires.

##### B. **Enforcement and Penalties:** **[fill in – could include the following]**

- 1. Redirection of the luminaire
- 2. Shielding of the light source
- 3. Redesign or relocation of the luminaire
- 4. Replacement of the luminaire with a conforming luminaire
- 5. Removal of the luminaire
- 6. Penalties such as fines

## Article 6.E. Snow Storage

### Sec. 6-E-1 Purpose

The purpose of this Article is to:

- A. Ensure there are adequate areas for storing accumulated snowfall until it melts; and
- B. Maintain the safety and functionality of parking and loading areas and vehicular and pedestrian circulation.

### Sec. 6-E-2 Applicability

Snow storage standards shall apply to all development in all zoning districts unless specifically exempted by the UDC.

### Sec. 6-E-3 Snow Storage Standards

- A. **Minimum Required Area.** Table 6-E-3, Snow Storage Standards, sets out the requirements for snow storage within the Town of Winter Park.

Table 6-E-3 Snow Storage Standards		
Required Area <sup>1</sup>	Standard	Zone-Specific Standard
Minimum Area	1 sf. per 4 sf. of paved area	All Zone Districts <sup>2, 3</sup>
Additions: Trees in Snow Storage	+ 30 sf. per evergreen tree + 15 sf. per deciduous tree	
Additions: Up-Sloping Snow Storage	+ % equal to average slope <sup>4</sup>	
Reductions: Down-Sloping Snow Storage	- % equal to average slope <sup>4</sup>	
Reductions: Acceptable snow melt system or a perpetual snow storage easement	To be determined by the Planning Commission	
<p>Notes:</p> <ol style="list-style-type: none"> <li>1. The required area for snow storage is equal to the minimum area + additions - reductions.</li> <li>2. In the R-C, C-1, and DC zone districts, off-site snow storage and hauling may be permitted by the Planning Commission in lieu of on-site snow storage.</li> <li>3. In the O-S-F zone district, snow storage is required only if the facility is utilized during snow months.</li> <li>4. If the average slope is less than 10% this requirement does not apply. For slopes over 10% the following example is provided for clarity - if the average slope of the snow storage area is 20 percent, the minimum area required shall be increased or decreased, as applicable, by 20 percent.</li> </ol>		

### B. Location.

1. **Snow Storage Area.** Snow storage areas shall be located adjacent to and within twenty (20) feet of the edge of the pavement area to be served. The snow storage area must have on average a minimum width of four (4) feet adjacent to the edge of pavement. An alternative snow storage location may be approved by the Administrator upon a finding that the alternative location meets all of the following criteria:
  - a. Contains enough unencumbered space to accommodate the necessary snow storage;
  - b. Is configured to adequately facilitate the proposed snow storage without damage to landscaping, sidewalks, or other site amenities; and
  - c. Snow can be moved to the alternative snow storage area on-site through the use of commonly accessible equipment or machinery.



2. *Snow Storage Setback.* Snow shall not be stored in the Water Quality Setback or Wetland Setback where polluted snowmelt can directly enter sensitive environments.

C. **Off-Site Hauling.** Off-site snow storage and snow hauling shall be permitted:

1. For maintenance purposes in all zone districts;
2. In the D-C zone district, provisions for off-site snow storage, snow hauling, and snowmelt systems in lieu of on-site snow storage is encouraged.
3. In lieu of on-site snow storage in the R-C, C-1 and D-C zone districts, hauling shall be permitted with the following:
  - a. An approved snow hauling plan that specifies haul routes, receiving sites and the frequency of hauling;
  - b. A plat note on the final plat outlining the requirements for off-site hauling; and
  - c. Language added to the Declaration of Covenants outlining the requirements for off-site hauling.