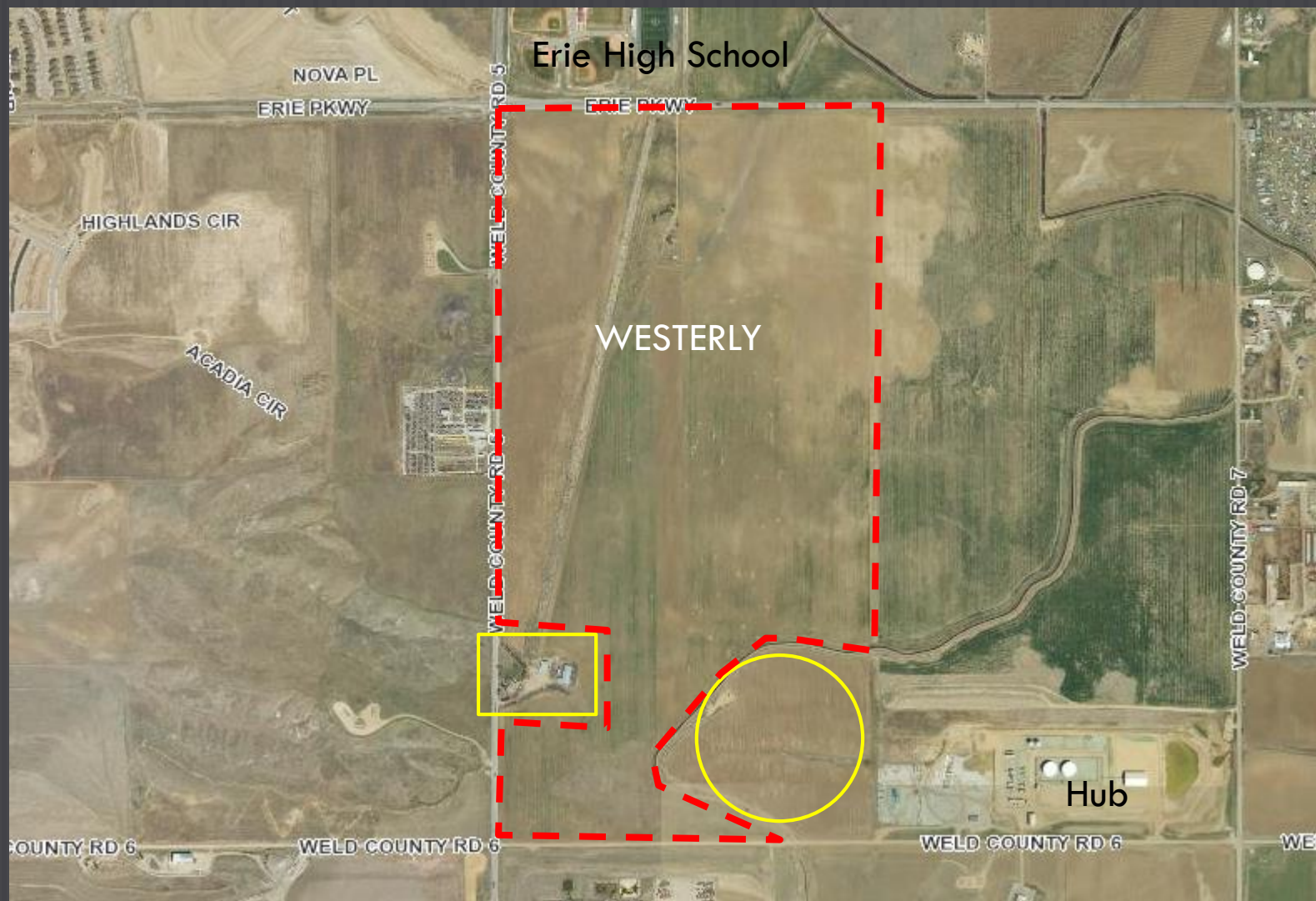


WESTERLY

- PLANNED UNIT DEVELOPMENT
(PUD OVERLAY ZONE)
- PRELIMINARY PLAT

Location



Zoning

NMU –
NEIGHBORHOOD
MIXED USE

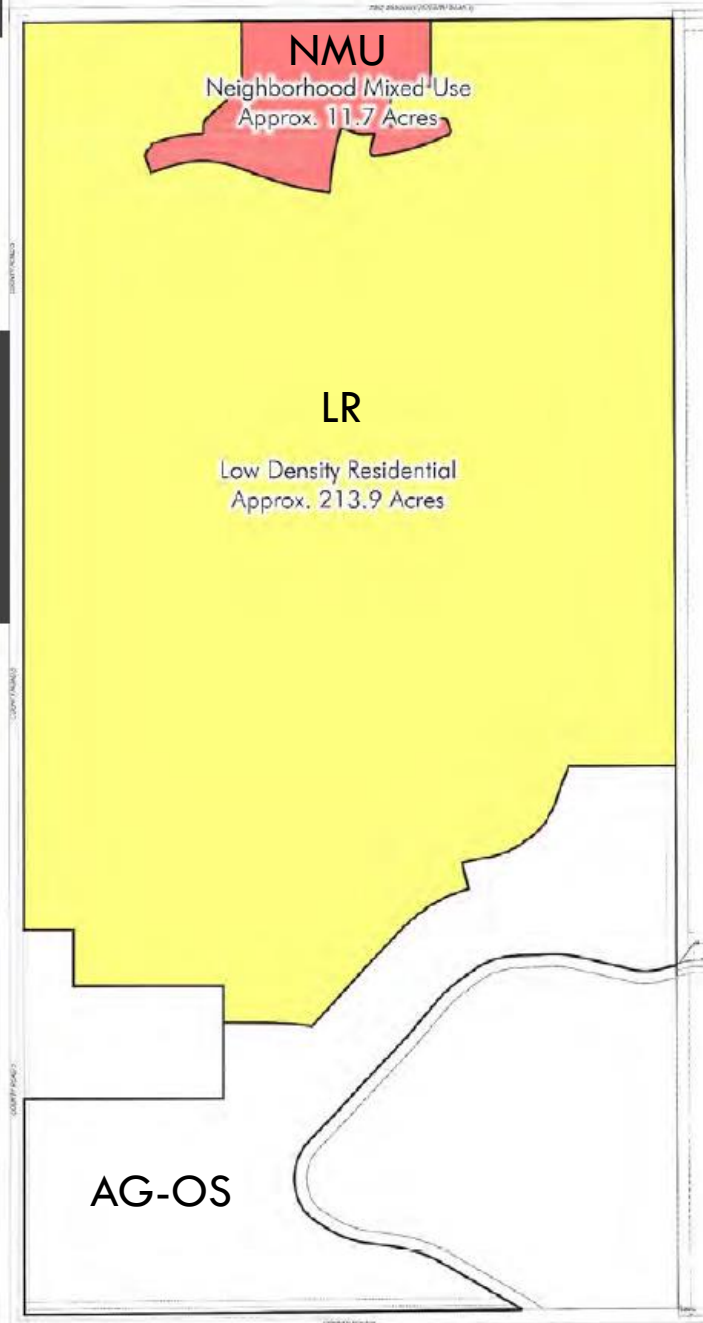
LR – LOW DENSITY
RESIDENTIAL

AG-OS –
AGRICULTURAL –
OPEN SPACE

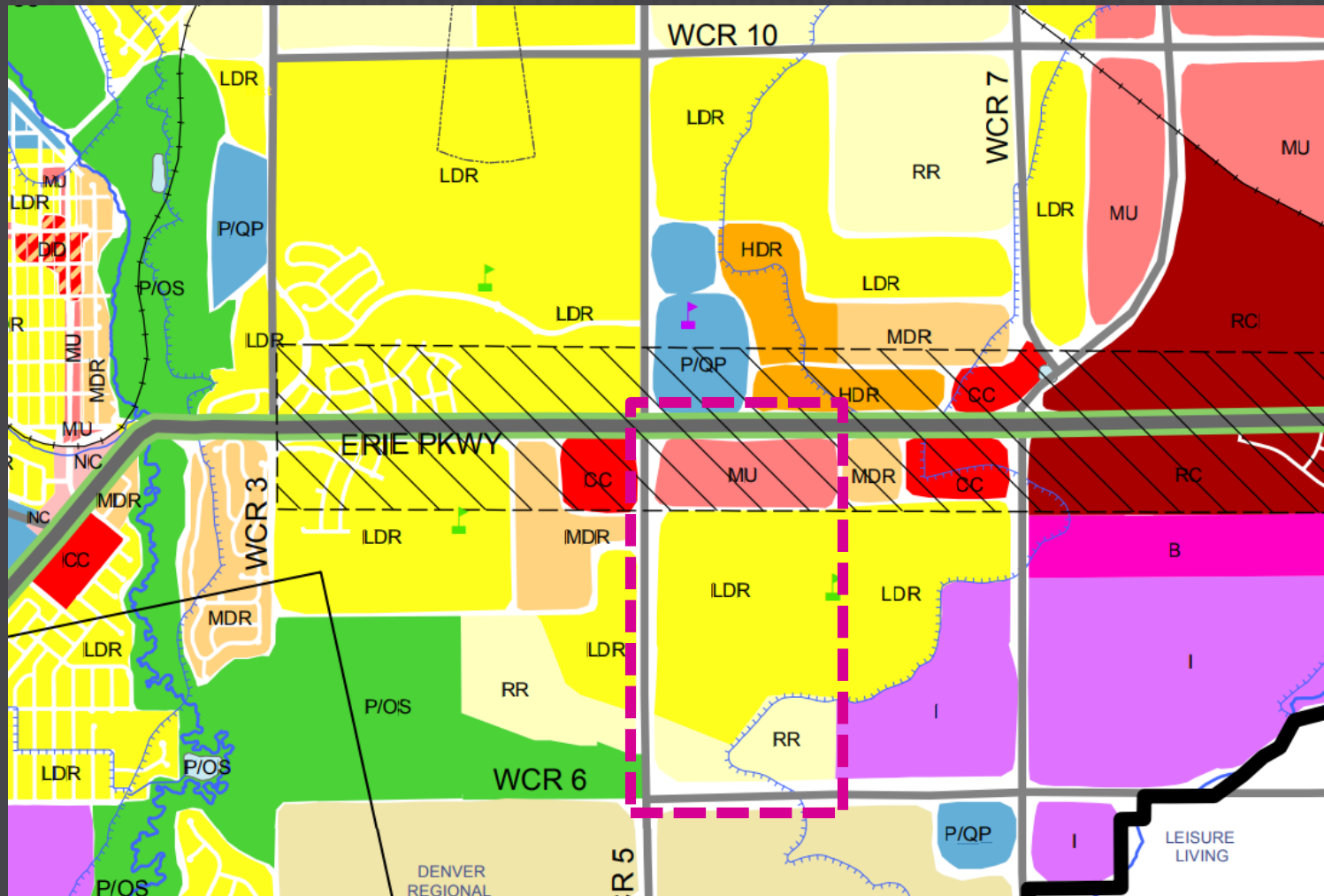
ERIE PARKWAY

COUNTY RD. 5

COUNTY RD. 6



Comprehensive Plan



VILLAGE

PERMITTED PRINCIPAL USES

LR

VILLAGE 1

SINGLE FAMILY FRONT LOAD

SINGLE FAMILY ALLEY LOAD ¹

DUPLEX ALLEY LOAD ¹

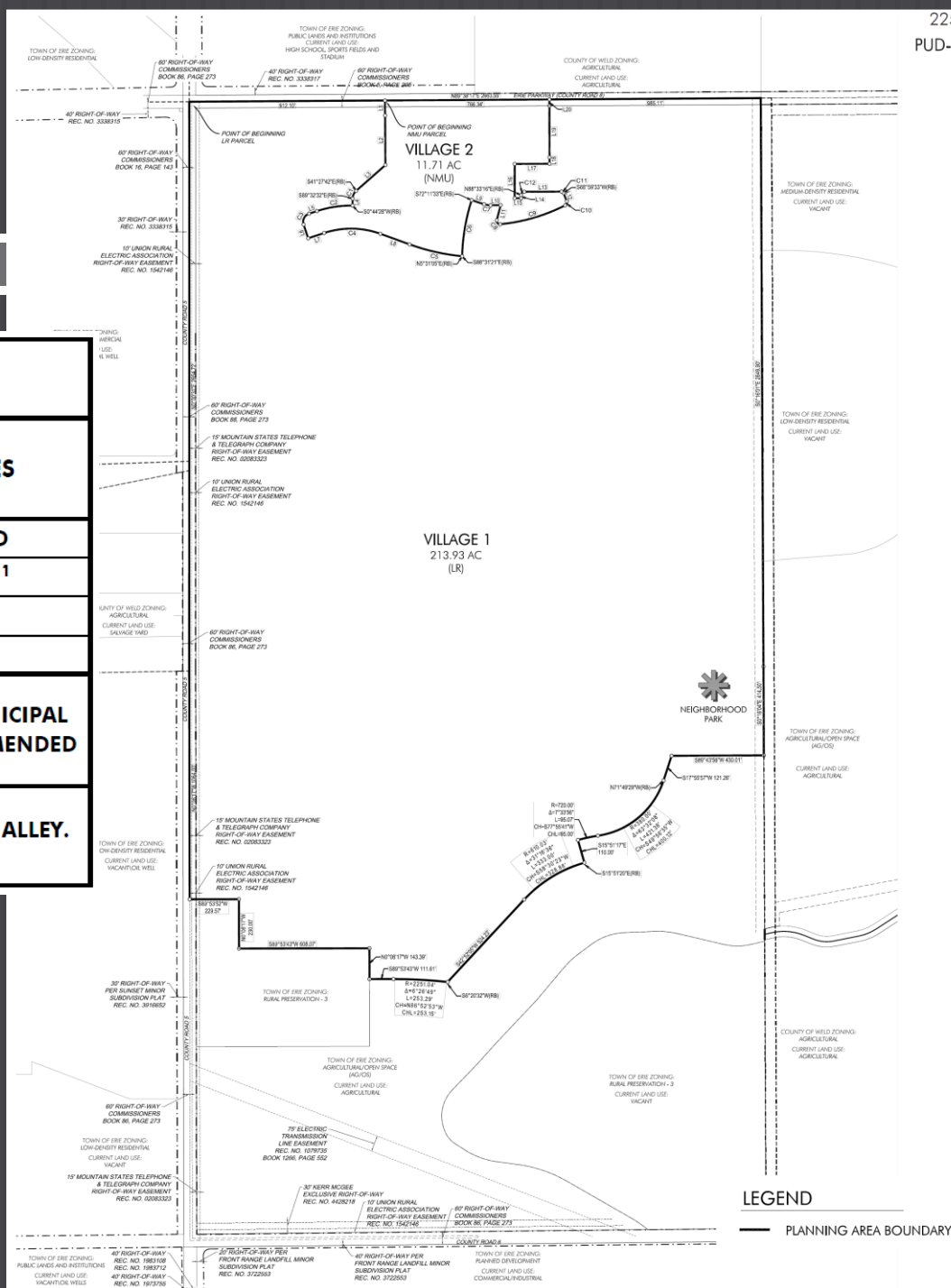
TOWNHOME ALLEY LOAD ¹

NMU

VILLAGE 2

**ALL USES PERMITTED BY THE MUNICIPAL
CODE IN THE NMU DISTRICT AS AMENDED**

1. ACCESSORY STRUCTURES ARE NOT PERMITTED ON LOTS WHERE VEHICULAR ACCESS IS PROVIDED TO THE REAR OF THE LOT BY AN ALLEY.



Density bonuses are available as an incentive to encourage a mix of dwelling unit types)

DIMENSIONAL STANDARDS SUMMARY CHART								
	MINIMUM LOT STANDARDS		MINIMUM LOT SETBACKS (FT.)					
LOT TYPE	WIDTH (FT.)	AREA (S.F.)	FRONT ON STREET	FRONT ON GARDEN COURT	SIDE (TO ABUTTING STREET)	SIDE (TO INTERIOR LOT)	REAR	HEIGHT
VILLAGE ONE								
SINGLE FAMILY FRONT LOAD	45'	4,500	PRIN. - 15' GARAGE - 20'	NOT APPLICABLE	8'	5'	PRIN. - 15'	PRIN. - 35' ACC. 25'
	48' CORNER LOTS		ACC. - 25'				ACC. - 5'	
SINGLE FAMILY ALLEY LOAD	34'	3,000	8'	5'	8'	5'	PRIN. - 0'	
	37' CORNER LOTS							
DUPLEX ALLEY LOAD	24'	1,700	8'	5'	8'	5'	PRIN. - 0'	
	27' CORNER LOTS							
TOWNHOME ALLEY LOAD	20'	1,200	8'	5'	8'	5'	PRIN. - 0'	
	28'							

Density bonuses are available as an incentive to encourage a mix of dwelling unit types)

		Minimum Lot Standards		Minimum Setbacks (ft.) ^②				Max Height (ft)
District	Max/Min Density (DU/Acre)	Width (ft)	Net Area ^③ (sq ft)	Front	Street (all uses)	Interior Lot Line	Rear	
NMU	na	25		0	0	0	Principal: 20 Accessory: 5	45 3 stories

DIMENSIONAL STANDARDS SUMMARY CHART								
	MINIMUM LOT STANDARDS		MINIMUM LOT SETBACKS (FT.)					
LOT TYPE	WIDTH (FT.)	AREA (S.F.)	FRONT ON STREET	FRONT ON GARDEN COURT	SIDE (TO ABUTTING STREET)	SIDE (TO INTERIOR LOT)	REAR	HEIGHT
VILLAGE TWO								
LIVE WORK	20'	1,000	5'	NOT APPLICABLE	8'	5'	PRIN. - 0'	PRIN. - 45' ACC. 25'
	28' CORNER LOTS							

Encroachment Provisions

1. ZERO LOT LINE SETBACKS SHALL BE PERMITTED FOR ATTACHED BUILDINGS PROVIDED THAT THE BUILDING MEETS THE ZONE DISTRICT INTERIOR LOT LINE SETBACK ON THE SIDE OF THE BUILDING THAT IS NOT ATTACHED.

2. MULTIPLE PRINCIPAL BUILDINGS ON A SINGLE LOT SHALL BE SEPARATED BY A DISTANCE EQUAL TO THE DISTANCE THAT WOULD BE REQUIRED IF THEY WERE SEPARATED BY A LOT LINE.

3. FRONT, SIDE, AND REAR SETBACKS SHALL ALLOW FOR ENCROACHMENTS INTO THE SETBACK OF UP TO 2 FEET FOR ABOVE-GRADE FEATURES INCLUDING EAVES, AND OVERHANGS, EXCEPT WHERE THE SETBACK IS 0', THEN NO ENCROACHMENT IS ALLOWED.

4. SIDE AND REAR SETBACKS SHALL ALLOW FOR ENCROACHMENTS INTO THE SETBACK OF UP TO 3 FEET FOR WINDOW WELLS, EXCEPT WHERE THE SETBACK IS 0', THEN NO ENCROACHMENT IS ALLOWED. WINDOW WELLS ARE REQUIRED TO HAVE A COVER.

5. ON SINGLE FAMILY FRONT LOADED LOTS, REAR SETBACKS SHALL ALLOW FOR AN ENCROACHMENT INTO THE SETBACK OF UP TO 6 FEET FOR A ROOF TO BE CONSTRUCTED OVER AN AT GRADE PATIO OR OVER A DECK WHICH IS LESS THAN 30 INCHES ABOVE GRADE.

6. UTILITY EASEMENTS MAY BE MORE RESTRICTIVE THAN MINIMUM SETBACKS, THE GREATER OF THE MINIMUM SETBACK OR THE UTILITY EASEMENT SHALL GOVERN.

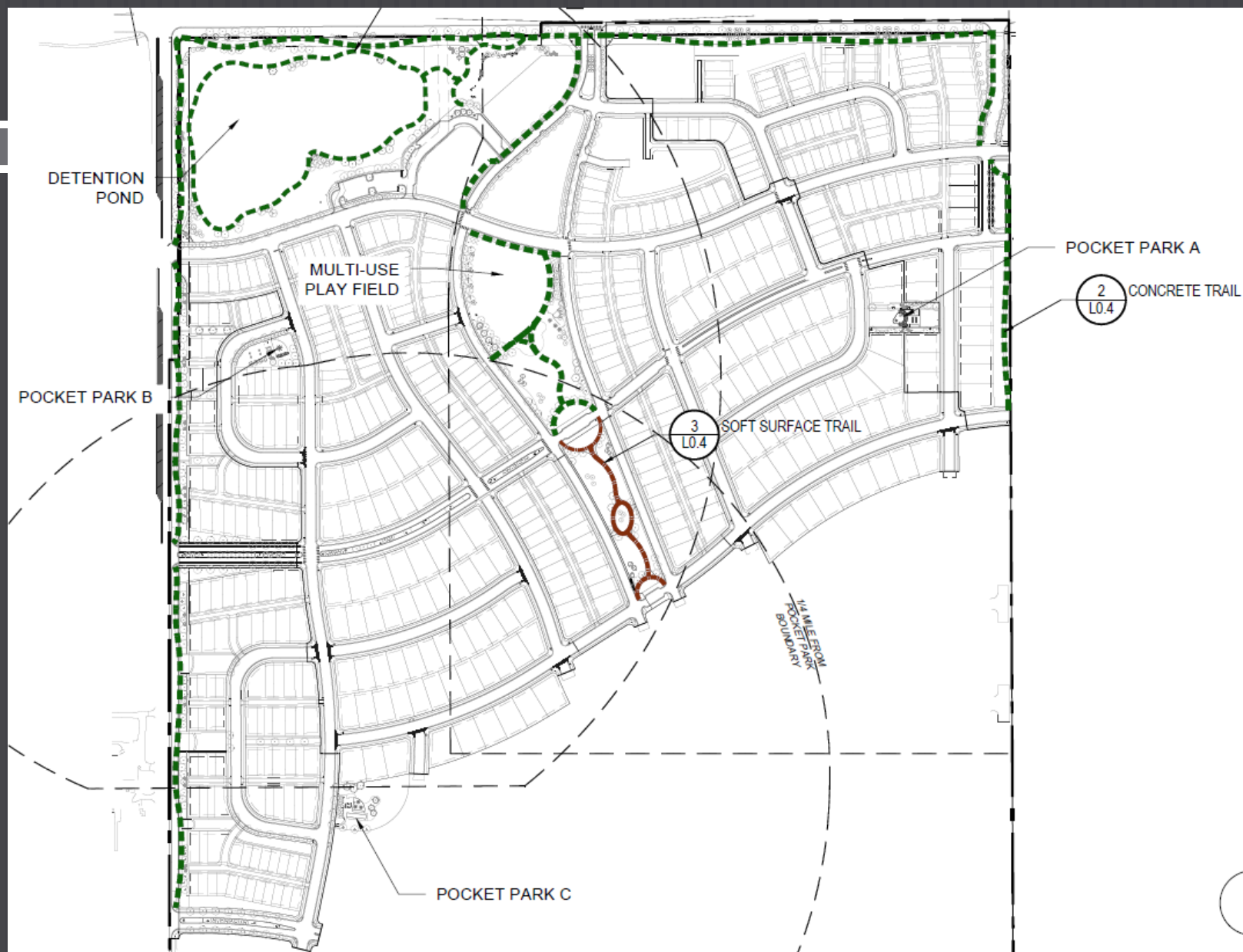
7. ALL LOTS WITHIN VILLAGE 2 EXCEPT AS MODIFIED HEREBY SHALL FOLLOW THE DIMENSIONAL STANDARDS ESTABLISHED BY THE UDC FOR NMU OUTSIDE OF OLD TOWN AS AMENDED.

Architectural Standards

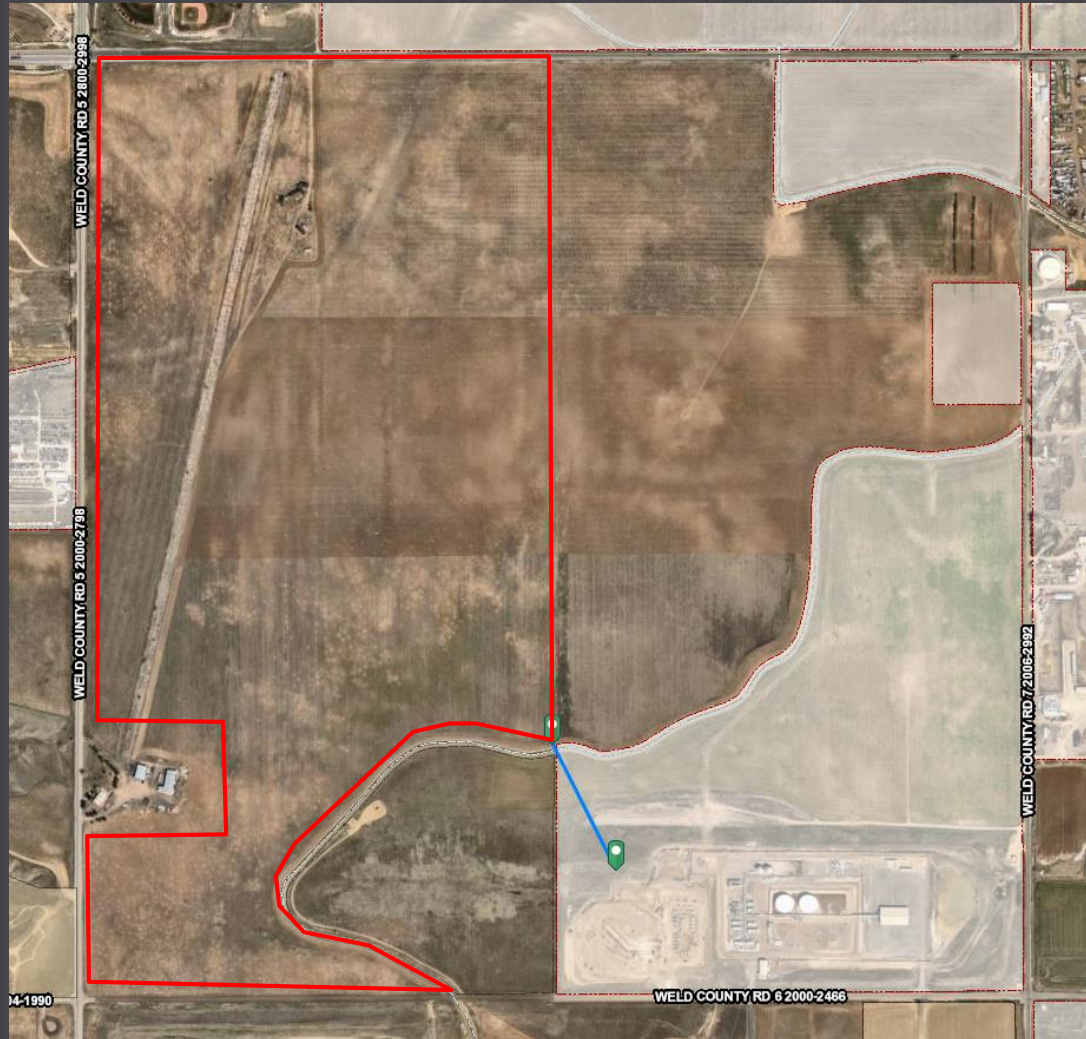
Architectural Standards are provided in the PUD for:

- Single Family Detached Homes
- Duplex Units
- Townhome Units

Other Allowed Uses allowed within the Westerly zone districts will follow our standard Unified Development Code Design Standards.

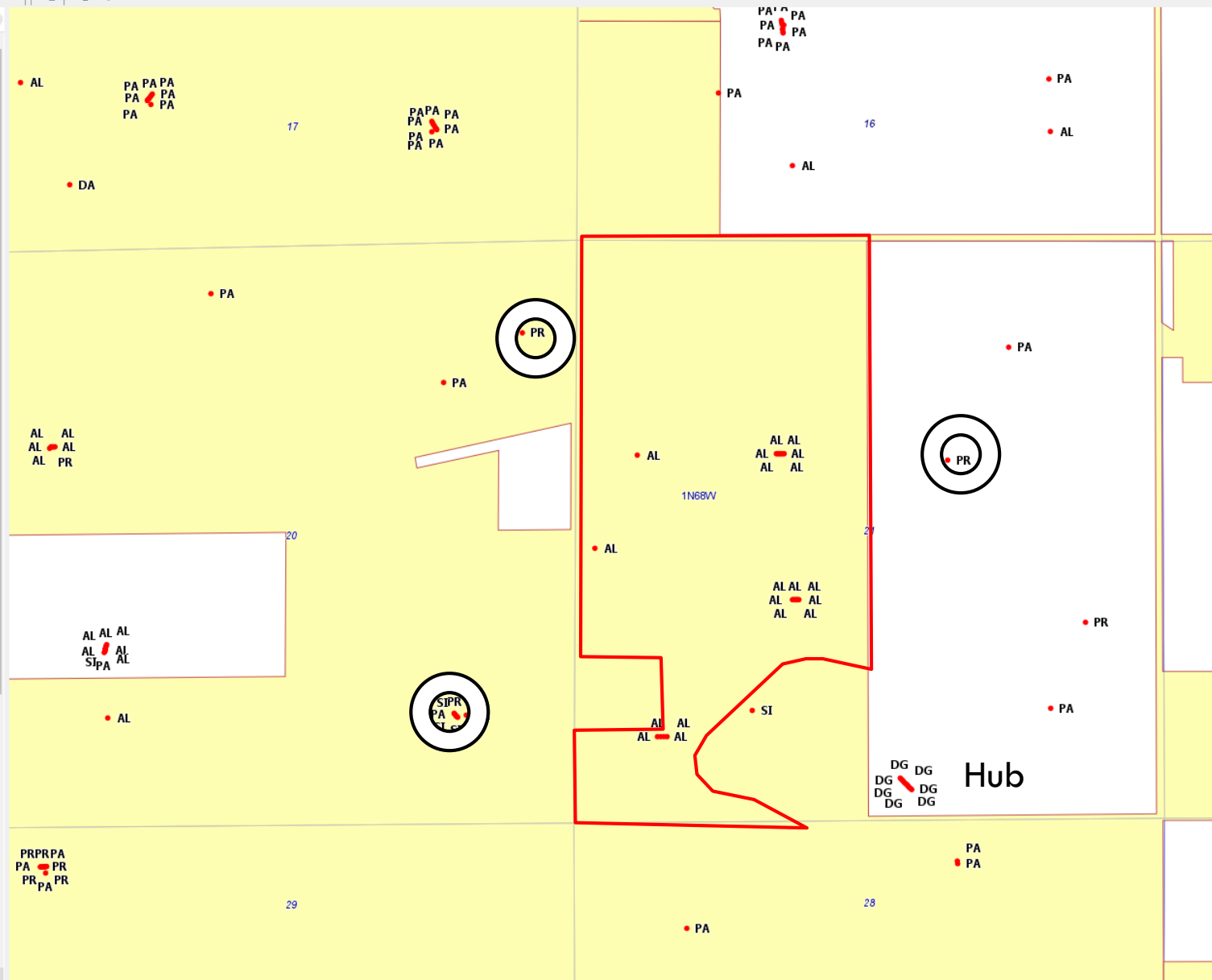


Threatened & Endangered Species



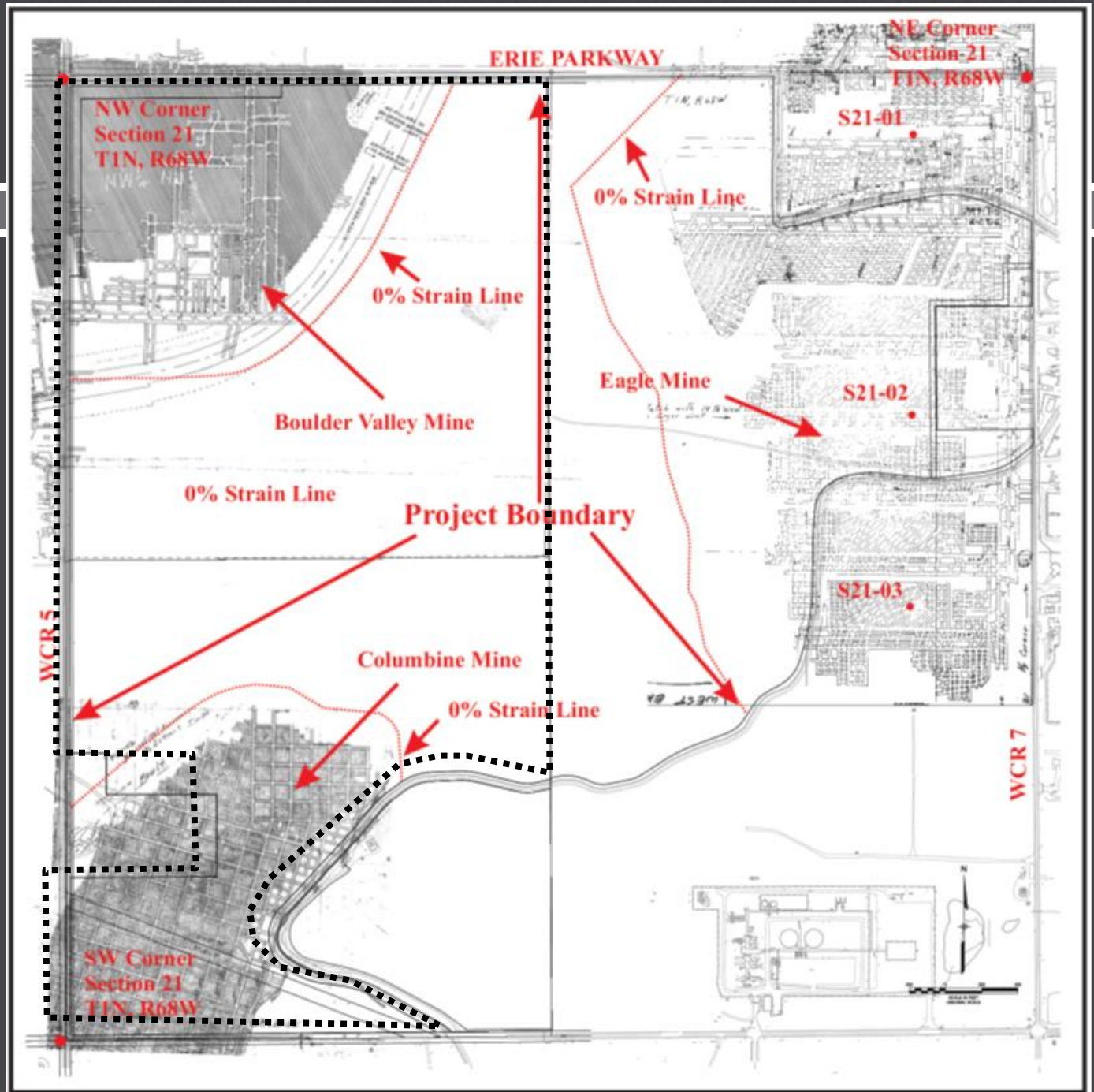
Layers

- ☒ Wells
 - ☒ Well (API Spot)
 - ☐ Well Operator
 - ☐ Well Name
 - ☐ Well API #
 - ☒ Well Status Label
 - ☒ Well Status
 - ☒ Abandoned Location (AL)
 - ☒ Active (AC)
 - ☒ Domestic (DM)
 - ☒ Drilling (DG)
 - ☒ Dry & Abandoned (DA)
 - ☒ Injecting (IJ)
 - ☒ Permitted (XX)
 - ☒ Plugged & Abandoned (PA)
 - ☒ Producing (PR)
 - ☒ Shut-In (SI)
 - ☒ Temporarily Abandoned (TA)
 - ☒ Waiting On Completion (WO)
 - ☐ Underground Injection Control (UIC)
- ☐ Locations
- ☒ Permits
 - ☐ Pending Well (Form 2) Permit
 - ☐ Approved Well (Form 2) Permit
 - ☐ Pending Location (Form 2A) Permit
 - ☐ Approved Location (Form 2A) Permit
- ☒ Facilities
 - ☐ Directional Wellbores
 - ☐ Flowlines
- ☒ COGCC
 - ☐ Staff Contacts (Mouseover For Flyout)
 - ☒ Environmental
 - ☐ Oil & Gas Fields
 - ☐ Orders
 - ☒ Projects Rulison & Rio Blanco
 - ☒ Rules
 - ☐ Seismic Permits
 - ☐ Orphaned Well Program
 - ☒ Other Projects
- ☐ Historic Wells
- ☒ Roads & Railroads (CDOT)
- ☒ Water Resources
 - ☐ Water Well
 - ☐ Designated Groundwater Management A
 - ☐ Designated Basin
 - ☒ Planned Reservoir
 - ☐ Lake
 - ☐ River/Stream
 - ☐ Aquifer (CDPHE Regulation 42)
- ☒ Public Water System (PWS) Protection
 - ☐ Floodplains (FEMA)
 - ☐ Environmental Sites
 - ☐ Air Quality (CDPHE)
 - ☒ Section, Township, & Range (PLSS)
 - ☒ Local Government Designees (LGDs)
 - ☒ Parks & Wildlife (CPW)
 - ☒ State Land (SLR)





Geology



PUD: Approval Criteria

- a. The PUD Rezoning is generally consistent with the purpose of the PUD overlay district in Subsection 2.7.D.1;
- b. The PUD Rezoning will promote the public health, safety, and general welfare;
- c. The PUD Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
- d. The PUD Rezoning is generally consistent with the PUD standards in Subsection 2.7.D.2;
- e. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
- f. The PUD Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

PUD: Approval Criteria

- g. The PUD Rezoning is not likely to result in significant adverse impacts to significant scenic and historic features as identified in plans adopted by the Town;
- h. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
- i. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;
- j. The proposed phasing of the development is appropriate and the development can be substantially completed within the time period specified in the schedule of development or Development Agreement submitted by the applicant; and
- k. The PUD Plan provides public benefit(s).

Preliminary Plat: Approval Criteria

- a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.
- b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.
- c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.
- d. The subdivision complies with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter or this UDC. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible.

Preliminary Plat: Approval Criteria

- e. The subdivision complies with all applicable regulations, standards, requirements, or plans of the Federal or State governments and other relevant jurisdictions, including but not limited to wetlands, water quality, erosion control, and wastewater regulations.
- f. The subdivision will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.
- g. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.
- h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.
- i. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development.
- j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

Public Notice – PUD/Preliminary Plat

As required by the Municipal Code a Neighborhood Meeting was held September 4, 2019 at the Erie Community Center. Notice of the meetings was provided by in compliance with the Municipal Code.

Notice of this Public Hearing for the PUD/Preliminary Plat application was provided as follows:

Published-Colorado Hometown Weekly:	July 8, 2020
Property Posted:	July 10, 2020
Letters to adjacent property owners within 500':	July 10, 2020

PUD Overlay Zone – Recommendations

Staff recommends approval; and, Planning Commission recommends approval of the Westerly PUD Overlay Zone with the following condition:

- a. The Westerly Zoning Map that adjusted the zoning boundary between the NMU-Neighborhood Mixed Use zone district and the LR-Low Density Residential zone district shall be recorded prior to the Westerly PUD Overlay District being recorded.

Preliminary Plat – Recommendations

Staff and Planning Commission recommend approval of the Westerly Preliminary Plat with the following conditions:

- a. The Westerly Zoning Map that adjusted the zoning boundary between the NMU-Neighborhood Mixed Use zone district and the LR-Low Density Residential zone district shall be recorded for approval of the Preliminary Plat to be effective.
- b. The Westerly P.U.D. Overlay District that modified the NMU-Neighborhood Mixed Use zone district and the LR-Low Density Residential zone district shall be recorded for approval of the Preliminary Plat to be effective.
- c. The Screening Report for Federal-State Listed Threatened and Endangered Species and General Wildlife for Erie Site, Weld County, Colorado dated July 27, 2018 shall be followed by the owner/developer of the property to protect the species identified in the report. The protection measures identified focused on raptor nests, migratory birds, and western burrowing owls.

- d. The Final Plat Landscape Construction Plans shall include a tree replacement plan, that is in conformance with the Existing Vegetation sheet in the Preliminary Landscape Plans, that identifies existing trees to be removed and where required replacement trees (MC 10.6.2) are to be placed.
- e. Existing monitoring wells on the property shall be abandoned through the CDPHE process. Documentation of the approval from CDPHE shall be submitted to the Town prior to approval of a Final Plat.
- f. The Mine Subsidence Investigation dated December 15, 2018 shall be followed for development of the property. The report identifies development restrictions for areas that are undermined and within the greater than 0% strain areas. A Final Plat application submittal for lots and development within these restricted areas shall include notes on the plat that list the restrictions for the specific lots. The Final Plat shall be reviewed by Colorado Geological Survey (CGS) for verification that recommendations in the report and from CGS referral comments have been adequately addressed.
- g. Existing structures and facilities shall be removed during the first phase of construction.
- h. Existing easements that conflict with proposed development in a Final Plat shall be vacated or relinquished prior to a Final Plat submittal to the Town. The recorded vacation of relinquishment of the easement and current title with the document acknowledged shall be required with the Final Plat submittal.

- i. A Final Plat that includes the proposed lots on the east side of the property that back to the permanent oil and gas pipeline shall not be submitted to the Town until the associated 20-foot temporary construction easement no longer impacts these lots. Documentation that the temporary construction easement is no longer impacting the lots shall be submitted with a Final Plat that includes these lots.
- j. The Final Plat Landscape Construction Plans submitted to the Town shall address all requirements in the referral memo from Parks and Open Space dated June 4, 2020. Landscape Construction Plan acceptance is required for Final Plat approval to be granted.
- k. The Final Plat Construction Plans submitted to the Town shall address all requirements in the referral memo from Engineering dated June 3, 2020. Construction Plan acceptance is required for Final Plat approval to be granted.
- l. Final Plats shall meet the Town User Guide requirements for all lots and tracts to be prepared at a scale so that all survey data for a single lot or tract is located on a single sheet.
- m. Adequate easements shall be provided on the Final Plat submittal to address utility provider referral comments.