

ORDINANCE NO. 748

AN ORDINANCE AMENDING THE DEVELOPMENT CODE FOR THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

Section 1.

The Town of Berthoud Development Code is hereby amended as follows:

a. Section 30-2-102 is amended with the addition of: **Parking Space** is an area of at least 200 square feet with the dimensions of 10 feet by 20 feet. The 200 square feet shall be exclusive of necessary driveways, aisles, or maneuvering areas and shall be suitable to accommodate one (1) motor vehicle. All parking spaces are to have direct unobstructed access to a street or alley.

b. The distance of 300 feet as currently specified in Sections 30-3-300(1), 30-16-201(B) and 30-16-201(C) shall be changed to 500 feet.

c. The time frame for publication shall be changed to "One time within 10 days of the public hearing" for Sections 30-3-300(3) and 30-5-103(4).

d. The second and third sentences of Sections 30-6-109(D) and 30-7-104(D) shall read as follows: Comments are to be received within three weeks from the referral date. Approximately two weeks following receipt of referral responses, comments are sent to the applicant by the Town. A new fourth sentence is added to both sections which shall read: The failure of a referral agency or agent to reply within the three week time frame will be considered by the Town as a favorable response to the proposal.

e. The introduction to 30-7-102 **GENERAL REQUIREMENTS**, shall read as follows: Site plan review and approval is required before a building permit may be issued in the Town for all commercial and industrial uses, schools, churches, municipal or other public or quasi-public uses, except that:

f. Subsection A of section 30-7-104 shall be amended to read: The Town Administrator and Planner shall be responsible for processing all applications for Site Plan Reviews within the Town of Berthoud. The Town's Administrator and Planner shall also have the responsibility of ensuring that all applications and submittal requirements are met prior to initiating any

official action as listed below. The authority and responsibility for making the decision to approve, disapprove, or approve with conditions all request for a Site Plan Review will rest with the Town's Administrator, Planner and other staff members as designated by the Town's Administrator and Planner.

g. Subsections E and F of section 30-7-104 are hereby deleted.

h. Paragraph C of Section 30-7-104, **SITE PLAN REVIEW AND APPROVAL PROCEDURE** shall read as follows: All applications for site plan review shall require that notification be provided in accordance with section 30-3-300 of this Code.

i. Paragraph C of Section 30-9-201 is corrected to read as follows: Required off-street parking spaces shall be located on the same lot or premises as the building or use for which they are required except for spaces which are provided collectively for two or more buildings or uses on adjacent lots and unless the total number of parking spaces supplied collectively is equal to the number of spaces required by this chapter, unless an alternative location is approved by the Town.

j. Paragraph E of Section 30-9-201 is corrected to read as follows: The property owner shall be responsible for maintaining any vehicular use area in good condition and free of refuse and all landscaping in healthy growing condition.

k. Sections (14) and (15) are deleted from paragraph A of Section 30-10-104.

l. The second paragraph of paragraph B of Section 30-10-104 shall read as follows: Upon completion of the process for which the petition was filed, the administrative expenses will be tabulated. The applicant shall be notified of the Town's actual administrative costs. The applicant shall remit the balance prior to the Board of Trustees taking final action or prior to the issuance of a Certificate of Occupancy, whichever occurs later in the process.

m. Paragraph B of Section 30-14-303 shall read as follows: Tree lawns shall consist of a lawn area a minimum of ten (10) feet in width, extending from the back of the curb to the edge of the detached sidewalk.

n. The last sentence of paragraph D of Section 30-14-303 shall read as follows: Tree selection shall be from the Recommended Trees for Plains Communities of Eastern Colorado by The Colorado Tree Coalition, which is included in the appendix of this code.

o. Sections 30-16-500(E), 30-16-601(B), 30-16-602(B), 30-16-603(B), 30-16-701(B), 30-16-702(B), 30-16-801(B), 30-16-802(D), 30-16-802(E) and 30-16-803(D) require that 24" x 36" drawings are to be submitted and shall also include that it is required that there be submitted 12 copies of all plans on a format of 11" x 17" and 1 copy on a format of 8 1/2" x 11".

Section 2. Effective Date:

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting August 27, 1996, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 10th day of September, 1996. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 10th day of September, 1996.

ATTEST:

TOWN OF BERTHOUD:


Mary K. Cowdin - Town Clerk


Richard Strachan - Mayor

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