

ORDINANCE NO. 921

AN ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO THAT:

Section 1. Permitted Uses Within the PUD District

Subsection 30-5-500.B of the Town of Berthoud Development Code is amended to read as follows:

B. Permitted Uses. Any combination of uses may be approved in a PUD so long as the Town Board of Trustees determines that such uses are compatible with one another and with the property that could reasonably be impacted by the development of the proposed PUD. Factors which may be considered include the type and intensity of uses, the extent to which uses complement one another, the bulk of structures, and the noise, light, traffic and other external impacts associated with each use. NOTWITHSTANDING ANY PROVISION OF THIS CODE TO THE CONTRARY, NO NEW OR EXPANDED INDUSTRIAL OR COMMERCIAL USE SHALL BE PERMITTED IN THE PUD DISTRICT UNLESS AND UNTIL A FINAL DEVELOPMENT PLAN FOR THE PROPERTY TO BE DEVOTED TO SUCH USE HAS BEEN APPROVED IN ACCORDANCE WITH CHAPTER 30-16 OF THIS CODE AND A DEVELOPMENT AGREEMENT HAS BEEN APPROVED IN ACCORDANCE WITH CHAPTER 30-3 OF THIS CODE.

Section 2. Permitted Lot Size Within the PUD District

Section 30-5-400 of the Town of Berthoud Development Code is amended by the re-lettering of subsection F thereof as subsection G and by the addition of a new subsection F, which shall read:

F. Permitted Lot Size. Notwithstanding any provision of this Code to the contrary, no property within the PUD district may be further subdivided into smaller or different lots or plots unless and until a final development plan for such property has been approved in accordance with Chapter 30-16 of this Code and a development agreement has been approved in accordance with Chapter 30-3 of this Code. It is the intention of this subsection that no entitlement exists to any lot or plot size within the PUD district unless and until the foregoing requirements have been met and all boundaries of land currently zoned PUD exist only as they were at the time of annexation or final plat, whichever occurred last.

### Section 3. Emergency Clause

The Board of Trustees of the Town of Berthoud herewith finds that the adoption of the above amendments to the Berthoud Development Code is necessary to ensure the health, safety and welfare of the Town; to ensure compliance with the Town's comprehensive plan; to ensure consistent development, review and processing of development plans; to ensure that development does not occur without the appropriate infrastructure; and an emergency exists justifying the adoption of this ordinance to take effect immediately upon passage this 19<sup>th</sup> day of March, 2002 by a vote of 6 for and 0 opposed.

TOWN OF BERTHOUD:

ATTEST:

Milan Karspeck  
Milan Karspeck - Mayor

Mary K. Cowdin  
Mary K. Cowdin - Town Clerk

Publish: 3-21-02