

# PLANNING COMMISSION INFORMATION

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## COMMUNITY DEVELOPMENT DEPARTMENT



<b>Meeting Date:</b>	January 8, 2026
<b>Agenda Title/Subject:</b>	<b>Berthoud Municipal Code, Chapter 30, Section 5: Subdivision and Land Use</b>
<b>Type of Item:</b>	<b>Regular Item</b>
<b>Purpose:</b>	<b>Review of Section 5, Subdivision and Land Use as a result of Ordinance 1367, repeal and replacement of the Berthoud Land Use Code, Chapter 30 of the Municipal Code</b>
<b>Presented by:</b>	<b>Anne Johnson, Community Development Director</b>

### ATTACHMENTS:

- Subdivision and Land Use Section, from Ordinance 1367

### BACKGROUND

The Land Use Chapter of the Municipal Code was amended in 2025. The Subdivision and Land Use Section will be utilized often by the Planning Commission. This Section is being presented as a reminder and overview of the new outline.

- Section 30-5-101 contains Intent Statements which replace the process-specific Criteria for Approval. Staff reports will identify how each statement has been met by the applicant. Applicants are also required to detail how each Intent statement has been complied with in application materials. These statements are guideposts for future development in the Town of Berthoud and will be addressed as early as pre-application meetings.
- Section 30-5-102 identifies general procedures for the development and division of land. Of special note:
  - Unless a project receives vesting (Use by Special Review and Final Plat), if the project does not proceed forward within 12 months of the date of the approving Resolution/Ordinance/Notice of Decision, the application shall be automatically voided.
  - Applicant shall provide the Town with finalized documents within 30 days of the final public hearing or the date found on the Notice of Decision for administrative approvals.
- Section 30-5-103 contains a narrative and tabular description of the different application processes for land development and the subdivision of land.
- Section 30-5-104 contains a simple table listing application materials in general format followed by detailed descriptions of the application materials.
- Section 30-5-105 outlines each type of subdivision process. There are expectations/procedures for each application found in subsection A.
  - Subsection B: Minor Subdivision
  - Subsection C: Neighborhood Master Plan
  - Subsection D: Preliminary Plat

- Subsection E: Final Plat
  - Those Final Plats that are not in substantial conformance with the Preliminary Plat shall go back through the Preliminary Plat process.
  - Provisions for an administrative option.
  - Procedures for vesting
  - Procedures for consideration of early grading
- Subsection F: Replat
- Section 30-5-106 provides guidelines for administrative adjustments to recorded plats
- Sections 30-5-107 and 108 outlines each type of land use application and the process of approval.
  - There are expectations/ procedures for each application found in subsection 30-5-107.B.
  - 30-5-108 describes Plot Plans, Site Plans and Uses by Special Review
  - 30-5-108 contains a Fast Track option for Site Plans containing affordable/attainable housing for the Town's commitment to Proposition 123
- Section 30-5-109 consolidates Accessory Uses and Structures into one section.
  - Subsection E addresses Accessory Dwelling Units
  - Home Occupations are addressed separately
  - Subsection F addresses Storage Buildings and Detached Garages
- Section 30-5-110 outlines the processes and procedures for the Board of Adjustment.
- Section 30-5-111 outlines the purpose of Development Agreements.
- Section 30-5-112 provides expectations for the Pre-Construction activities and responsibilities for public improvements
- Section 30-5-113 consolidates all Certification Blocks into one location.

**RECOMMENDED ACTION(S):**

The information contained in this memo is informational only.