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Summary of Initiated Ordinance:

This proposed legislation would impose density restrictions on a specific lot within the Smith Subdivision in the Town of Berthoud. The density restriction imposed by this proposed legislation would limit the gross density of residential development to one (1) unit per 2.29 acres. The restriction imposed by this proposed legislation would be placed on the property with the following legal description:

LOT 1, SMITH SUBDIVISION, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO.

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Designated representatives of proponents for the matter related to this petition:

Name and address:

Glen Buckingham
626 7th Street
Berthoud, CO 80513

Name and address:

Michael Patrick
111 E Indiana Ave
Berthoud, CO 80513

Full text of the Initiated Ordinance

INITIATED ORDINANCE NO. _____

AN INITIATED ORDINANCE REQUIRING AMENDING THE LAND DEVELOPMENT ORDINANCES
AND GUIDELINES OF THE TOWN OF BERTHOUD, COLORADO

WHEREAS, Colorado Revised Statute § 31-23-206 (1) provides that it is the duty of the {Town's Planning and Zoning} commission to make and adopt a master plan for the physical development of the municipality, including any areas outside its boundaries, subject to the approval of the governmental body having jurisdiction thereof, which in the commission's judgment bear relation to the planning of such municipality, and

WHEREAS, the same statute provides that such master plan shall be an advisory document to guide land development decisions; however, the plan or any part thereof may be made binding by inclusion in the municipality's adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations after satisfying notice, due process, and hearing requirements for legislative or quasi-judicial processes as appropriate, and

WHEREAS, The Town has properly adopted the Berthoud Comprehensive Plan, and

WHEREAS, the Berthoud Comprehensive Plan identifies most of the area within its jurisdiction on the northwest side of the intersection of Highway 287 and County Road 8 in the future land use map as part of the Mountain Avenue Overlay Corridor which was codified in Municipal Code of The Town of Berthoud, Colorado 30-3-114 and,

WHEREAS, the area annexed under Berthoud Ordinance 858 published June 16, 2000 as the Smith Addition Annexation subsequently divided and platted as SMITH SUBDIVISION LOT 1 December 15, 2003 with current Larimer County legal description of LOT 1, SMITH SUBDIVISION, BER 20030157622, Parcel Number 94153160001, Schedule Number 1627999 and,

WHEREAS, Berthoud Town Trustees formally approved the Final Development Plan and Final Plat of said lot as "Parkway Plaza" on June 29, 2010 with no residential use and,

WHEREAS, the north and west borders of this area were developed in immediate proximity to AG Agricultural District use with residential gross density levels of 1 density unit per 2.29 acres as described in Municipal Code of The Town of Berthoud, Colorado 30-3-104 (G.3.) and,

WHEREAS, this area has unique characteristics to bring in significant sales tax revenue based on its proximity to Highway 287 and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITIZENS OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO:

Section 1.

Any existing development proposal and any future proposal for the SMITH SUBDIVISION LOT 1 that contains any type of residential development; the gross density will be calculated as one (1) unit per 2.29 acres.

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Circulator's Affidavit

I, _____ (full printed name of circulator), whose street address is _____ in the town/city of _____, State of Colorado, County of _____ hereby swear and affirm that:

- I have read and understand the laws governing the circulation of a petition;
- I am eighteen years of age or older at the time the section of the petition was circulated and signed by the listed electors;
- I circulated this section of the petition;
- Each signature on this petition was affixed in my presence;
- Each signature on this petition is the signature of the person whose name it purports to be;
- To the best of my knowledge and belief, each of the persons signing the petition section was, at the time of signing, a registered elector; and
- I have not paid or will not in the future pay and I believe that no other person has paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix the signer's signature to the petition.

Date

Signature of Circulator

State of Colorado)
) ss.
County of _____)

Subscribed and sworn to before me this _____ day of _____, 2025 by

(SEAL)

Signature of Notary Public

My commission expires _____