

## ORDINANCE 959

**Summary:**

This proposed ordinance would require the Board of Trustees to document adequate public facilities and services prior to approval of any development plans. These public facilities will include: Water, sanitary sewer, storm water, recreation, traffic/circulation, police protection, fire protection and schools. It would require the Town to continue to negotiate development agreements including the number of building permits per year; continue to: Collect impact fees to pay for infrastructure required by development; Follow traditional neighborhood design guidelines; Obtain open space buffers. The Town will also continue to uphold current development standards for the I-25 area as previously outlined in the Town's documents and complete the master plan for the I-25/Highway 56 area.

Be it ordained by the Town of Berthoud, Larimer and Weld Counties, Colorado:

**Section 1.      Adequate Public Facilities**

Prior to approval of any development plans the Town Board shall be required to certify the availability of adequate public facilities and services to serve the proposed development. These public facilities will include: Water, Sanitary Sewer, Storm water, Recreation, Traffic/Circulation, Police Protection, Fire Protection, and Schools. In the case of water, sanitary sewer, storm water, and recreation, the criteria shall be that adequate infrastructure exists to serve the new development without system extensions beyond those normally installed by the developers or paid for with impact fees. For Traffic/Circulation, police protection, and fire protection, the criteria shall be the ability to maintain an adequate level of service without the need for major new facilities not normally installed by the developers. For Schools, the criteria will be the ability of the school district to absorb anticipated new students without necessitating unusual school schedules or classroom overcrowding as determined by the school districts master plan.

**Section 2.      Growth Management**

The Town Board shall be required to continue the Town's growth management practices as follows:

1. Negotiating signed Development Agreements with developers limiting the number of residential building permits per year and requiring they pay for all infrastructure required for their development;
2. Impact fees including those for Water Plant Investment, Raw Water Acquisition, Wastewater Plant Investment, Park Land Acquisition, Park Development, Public Facilities, Density Transfer, Transportation. All fees must be updated and evaluated yearly by the Town Board.
3. Design Regulations encouraging or requiring: traditional grid street neighborhood layout; variety of architectural designs; pedestrian and bike paths; tree lawns and street trees; front porches; compatibility with surrounding uses; and a neighborhood park within reasonable proximity of all new houses. The Town Board may adjust some of these design standards, where applicable, for outlying areas.
4. Open Space buffers between neighboring communities and agricultural protection surrounding Berthoud, including I-25 and Hwy 56.
5. The Town of Berthoud's Comprehensive Plan, Land Use Plan and Design Regulations will be updated by the Town Trustees every 4 years at a minimum, with extensive opportunities for public input.

Section 3. I-25 and Hywy 56

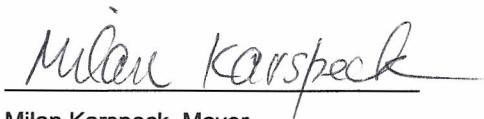
The Town Board shall continue to uphold the intent of the current development standards for the I-25 Planning Area as outlined in Resolution 24-01: a significant amount of open space, a balanced and appropriate mix of residential and commercial; and a master plan for the entire Berthoud I-25 development area prior to any development approvals. In addition, the Town Board will continue to abide by the guidelines in the I-25 Corridor Study and the I-25 design guidelines as adopted or amended by the Board of Trustees.

After the public hearing, this ordinance was read, passed, and ordered published by the Board of Trustees at its meeting this 25th day of March 2003.



Mary K. Cowdin, Town Clerk

Published: April 3, 2003



Milan Karspeck, Mayor