

ORDINANCE NO. 1319

AN ORDINANCE AMENDING THE BADER FARM PLANNED UNIT DEVELOPMENT (PUD) FOR PARCEL 7 TO ADD A PROVISION IN PERNITTED USES TO ALLOW GOVERNMENT FACILITIES THE OPPORTUNITY TO APPLY FOR AN ADMINISTRATIVE LAND USE PROCESS FOR CONSIDERATION BY THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO.

WHEREAS, the Town of Berthoud, Colorado is a statutory municipality duly organized and existing as a body corporate and politic on the laws of the State of Colorado; and

WHEREAS, the Town of Berthoud has adopted a Land Use Code to guide future development, establish land use procedures and criteria for approval, and has a vision for the future development of the community as outlined in the 2021 update to the Comprehensive Plan; and

WHEREAS, the 2021 update to the Comprehensive Plan includes a Future Land Use Map which identifies the property under consideration for a PUD amendment as appropriate for Suburban Business; and

WHEREAS, the Bader Farm Annexation and Overall Development Plan was approved by the Town of Berthoud on September 11, 2007 and uses contemplated at that time did not include Public Facilities [governmental facilities] as defined in Section 30-1-116 of the municipal code; and

WHEREAS, the original approval for Bader Farm Overall Development Plan precedes the 2021 Comprehensive Plan update; and

WHEREAS, Public Facilities are a use contemplated in the Commercial Zone Districts found in Table 3.3 of the municipal code; and

WHEREAS, the applicant has submitted an application for consideration and paid the applicable land use fees; and

WHEREAS, the applicant has requested that Public Facilities be included as a use to be contemplated through the administrative land use process [Site Plan] as they are working with the Berthoud Fire Protection District regarding construction of a new facility at this location; and

WHEREAS, the Berthoud Planning Commission, at their May 11, 2023 public hearing found the request to be consistent with the vision of the 2021 Comprehensive Plan update, the criteria for approval in the land use code, and voted unanimously to forward their recommendation to the Town Board of Trustees; and

WHEREAS, the Town Board of Trustees considered the applicant's request at their May 23, 2023 public hearing.

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

Section 1. PUD Amendment Approval. The requested amendment to the Planned Unit Development for Parcel 7 is hereby amended to allow Public Facilities to apply for an administrative Site Plan Review process on the property described in Exhibit A.

Section 2. Interpretation. This Ordinance shall be so interpreted and construed to effectuate its general purpose.

Section 3. Effective Date: The provisions of this Ordinance shall take effect upon recording the Amended PUD Plat.

INTRODUCED, READ, ADOPTED, AND APPROVED on this 23<sup>rd</sup> day of May, 2023.

TOWN OF BERTHOUD

By   
William Karspeck, Mayor

ATTEST:

By:   
Christian Samora, Town Clerk



**EXHIBIT "A"**

Parcel 7, Bader Farm Planned Unit Development.

The above described parcel contains 7.44 acres, more or less, and is subject to any existing easements and/or rights of way of record.