

**TOWN OF BERTHOUD ORDINNANCE  
NUMBER 1335  
(SERIES 2024)**

**AN ORDINANCE ADDING SECTION 3 TO THE BERTHOUD MUNICIPAL CODE CHAPTER  
30, TO SUPPORT THE 2023 ADOPTION OF THE INNOVATION DISTRICT/1<sup>ST</sup> STREET  
COORDOR GUIDELINES**

**WHEREAS**, the Town of Berthoud is a municipal corporation possessing all powers granted to a statutory town by Title 31 of the Colorado Revised Statutes; and

**WHEREAS**, the Town wishes to implement the vision and values expressed in the 2021 update to the Comprehensive Plan, including strengthening the Town's sense of place, enhancing community identity, supporting community resilience and sustainability touchstones; and

**WHEREAS**, the Town Board of Trustees adopted the 1<sup>st</sup> Street Corridor/Innovation District Guidelines at their public hearing on April 25, 2023 and wishes to reference these guidelines in the Land Development Code; and

**WHEREAS**, the Planning Commission, after proper notice, has held a public hearing on February 8, 2024 on this ordinance providing for a recommendation of approval from the Town Board of Trustees; and

**WHEREAS**, the Board of Trustees, after proper notice introduced this Ordinance at their meeting on February 20, 2024 and heard the proposal at a public hearing on March 12, 2024 on this ordinance providing for the adoption of said code amendments pursuant to C.R.S. Section 31-16-203; and

**WHEREAS**, the Development Code and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that such code and amendments thereto should be adopted as herein set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE  
TOWN OF BERTHOUD, COLORADO:

Section 1. The attached Ordinance 1335 (Series 2024) shall be amended as presented in Appendix A and adopted into Chapter 30 of the Berthoud Municipal Code.

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 thirty (30) days following the date of public hearing.

READ, ADOPTED, AND APPROVED on this 12<sup>th</sup> day of March, 2024.

**TOWN OF BERTHOUD**

By

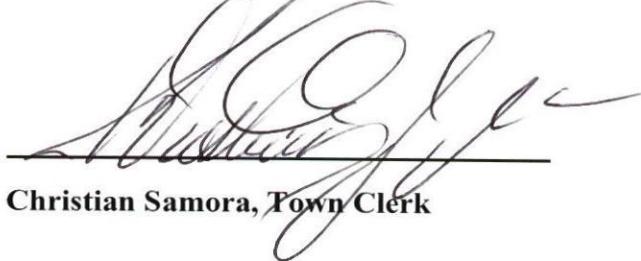


William Karspeck

**William Karspeck, Mayor**

**ATTEST:**

By:



Christian Samora

**Christian Samora, Town Clerk**



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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 thirty (30) days following the date of public hearing.

[INTENTIONALLY LEFT BLANK]

INTRODUCED on this 20<sup>th</sup> day of February, 2024.

**TOWN OF BERTHOUD**

By \_\_\_\_\_

**William Karspeck, Mayor**

**ATTEST:**

By: \_\_\_\_\_

**Christian Samora, Town Clerk**

READ, ADOPTED, AND APPROVED on this 12<sup>th</sup> day of March, 2024.

**TOWN OF BERTHOUD**

By \_\_\_\_\_

**William Karspeck, Mayor**

**ATTEST:**

By: \_\_\_\_\_

**Christian Samora, Town Clerk**

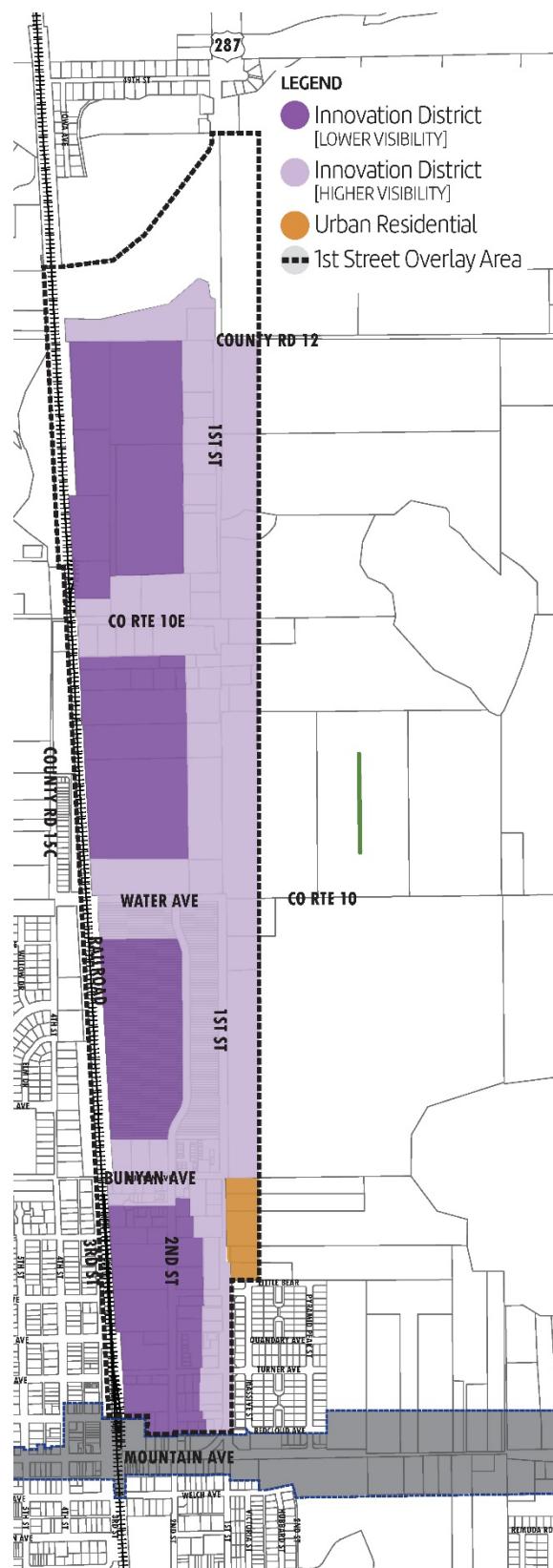
**Berthoud 1<sup>st</sup> Street Corridor Overlay District**

**Section 30-3-115 1<sup>st</sup> Street Corridor Overlay District**

1. *Intent.* The 1<sup>st</sup> Street Corridor Overlay District focuses on directing the general character of new development and redevelopment within the 1<sup>st</sup> Street corridor, in accordance with the 1<sup>st</sup> Street Corridor Plan adopted by Resolution 2023-09.
2. *Boundaries.*
  - A. *General.* The boundary of this 1<sup>st</sup> Street Corridor Overlay District (herein referred to as the 1<sup>st</sup> Street Overlay) shall be the area so labeled and depicted in Figure 3.24, and as approved in the official zoning map, which is incorporated herein by reference. The 1<sup>st</sup> Street Overlay is applicable to all properties within the 1<sup>st</sup> Street corridor within Town Limits.
  - B. *Districts.* As depicted in Figure 3.24, the 1st Street Overlay is comprised of two Character Districts: The Innovation District and the Urban Residential District. The Innovation District is a distinct business district encompassing a majority of the 1st Street Overlay area. The Urban Residential District supports potential commercial and employment opportunities in the Innovation District.
  - C. *Visibility Areas.* As depicted in Figure 3.24, the Innovation District is comprised of a Higher Visibility Area and a Lower Visibility Area.
    - a. Higher Visibility Areas are defined within 300 feet of the centerline of 1st Street, Bunyan Avenue, Water Avene, CR10, CR10E, and CR12.
    - b. Lower Visibility Areas are the remaining areas outside the Higher Visibility Areas.

**Figure 3.24: 1<sup>st</sup> Street Overlay Boundaries**

## Berthoud 1<sup>st</sup> Street Corridor Overlay District



## Berthoud 1<sup>st</sup> Street Corridor Overlay District

3. *Applicability.* All of the regulations and requirements of this Section shall fully apply when any of the following occur on property within the 1st Street Overlay:
  - A. Construction of any new principal structure.
  - B. Parking area reconfiguration.
  - C. Structural Alterations. Any structural alteration shall follow the 1st Street Overlay regulations as follows:
    - a. Exterior Walls. When any change is made to the façade or an exterior wall of an existing structure within a Higher Visibility Area, all of the façade shall be brought into full compliance with the 1st Street Overlay found herein.
    - b. Addition(s): Any addition to an existing structure within a Higher Visibility Area must be in full compliance with this 1st Street Overlay.
  - D. Sign Permits. Any expansion, change, or removal of any existing signage shall be brought into compliance with Section 7 Signs.
  - E. Change of Use. Any change of use will necessitate land development review and require compliance with applicable standards of this Code and the 1st Street Overlay regulations.
4. *Exemptions.* The following exemptions to the regulations and requirements of this Section are applicable to property within the 1st Street Overlay:
  - A. General property maintenance and/or general property repair, such as roof repairs, interior remodels and repair, exterior painting, parking lot repair/striping, and any other non-structural repair, or;
  - B. The maintenance, repair, upgrading or replacement of any water, sewer, HVAC, or electrical facilities will not trigger a requirement that such property or structure be brought into compliance with this 1st Street Overlay.
  - C. Existing single-family residential uses are exempt from the requirements of this 1st Street Overlay and shall follow the development standards of the underlying zoning district.
5. *Legal Nonconformities.* Except as provided in this 1st Street Overlay to the contrary; all nonconforming uses, nonconforming structures and nonconforming lots, shall be governed by Section 30-3-107 *Nonconforming use/buildings*.
6. *Architectural Standards/Guidelines.* All applicable development within the 1st Street Overlay shall be in accordance with the architectural standards of this Code and the Architectural Design Guidelines.
  - A. All applicable development within the Urban Residential District shall be in compliance with Section 30-2-116 *Residential design standards*.
    - a. During the land development approval process, and specifically Section 30-6-112 *Site plan* and Section 30-3-106 *Use by Special Review* as applicable, an applicant proposing development within the Urban Residential District shall illustrate how the development will comply with the requirements set forth in the Architectural Design Guidelines for the Urban Residential Character District.
  - B. All applicable development within the Innovation District shall be in compliance with Section 30-2-117 *Commercial and industrial standards*.

## Berthoud 1<sup>st</sup> Street Corridor Overlay District

- a. During the land development approval process, and specifically Section 30-6-112 *Site plan* and Section 30-3-106 *Use by Special Review* as applicable, an applicant proposing development within a Higher Visibility area shall illustrate how the development will comply with the requirements set forth in the Architectural Design Guidelines for the Urban Industrial Character District.
- b. During the land development approval process, and specifically Section 30-6-112 *Site plan* and Section 30-3-106 *Use by Special Review* as applicable, an applicant proposing mixed use development shall illustrate how the development will comply with the requirements set forth in the Architectural Design Guidelines for the Urban Downtown Character District.

7. *Use and Dimensional Standards.* All applicable development within the 1st Street Overlay shall be in accordance with the land use and dimensional standards in Table 3.9:

**Table 3.9: 1<sup>st</sup> Street Corridor Overlay District Use and Dimensional Standards**

Uses Allowed	Per Underlying Zoning
Mixed-Use Standards	Per R-4 Zoning
Maximum Density	Per Underlying Zoning
Maximum Building Height: Innovation District	3 Stories (40 feet)
Maximum Building Height: Urban Residential District	Per Underlying Zoning
Minimum Lot Size	Per Underlying Zoning
Minimum Lot Width	Per Underlying Zoning
Building Setbacks	Per Underlying Zoning
Building Orientation	Parallel to Front lot line
Maximum Parking and Driveway Frontage	40% of lot frontage