



Town of Johnstown

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO
Monday, August 02, 2021 at 7:00 PM

MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.

AGENDA

CALL TO ORDER

Pledge of Allegiance

ROLL CALL

AGENDA APPROVAL

SPECIAL PRESENTATIONS

1. Business of the Month -Presented by Sarah Crosthwaite, Economic Development Manager

PUBLIC COMMENT

Members of the audience are invited to speak at the Council meeting. Public Comment is reserved for citizen comments on items not contained on the printed agenda. Citizen comments are limited to three (3) minutes per speaker. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position.

CONSENT AGENDA

The Consent Agenda is a group of routine matters to be acted on with a single motion and vote. Council or staff may request an item be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

- [2.](#) Minutes July 19, 2021
- [3.](#) Ordinance 2021-204: Annexing Certain Unincorporated Lands Located in the Northwest Quarter of the Southeast Quarter of Section 22, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, Consisting of Approximately 36.971 Acres and Known as the North Ridge Annexation
- [4.](#) Second Reading Ordinance 2021-205: Approval of PUD-MU Zoning of the Property Known as North Ridge Annexation Located in the Northwest Quarter of the Southeast Quarter of Section 22, Township 5 North Range 68 West of the 6th P.M., County of Larimer, State of Colorado and Consisting of Approximately 36.971 Acres
- [5.](#) Resolution 2021-23 A Resolution Finding Substantial Compliance for Initiating Annexation Proceedings and Setting A Public Hearing Date for the Held Farm Annexation
- [6.](#) Resolution 2021-24 A Resolution Finding Substantial Compliance for Initiating Annexation Proceedings and Setting a Public Hearing Date for the Whitehall Annexation

TOWN MANAGER REPORT

- [7.](#) Town Manager's Report

TOWN ATTORNEY REPORT

NEW BUSINESS

- [8.](#) Resolution 2021-25 Resolution Amending the Consolidated Town Fee Schedule

COUNCIL REPORTS AND COMMENTS

MAYOR'S COMMENTS

EXECUTIVE SESSION

9. An executive session regarding matters subject to negotiation, developing a strategy for negotiations and instructing negotiators pursuant to C.R.S. 24-6-402(4)(b) related to railroad crossing license agreement.

INFORMATIONAL ITEMS

ADJOURN

WORK SESSION

- [10.](#) Work Session - Lot Diversity, Size and Neighborhood Character

AMERICANS WITH DISABILITIES ACT NOTICE

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (970) 587-4664 within 48 hours prior to the meeting in order to request such assistance.

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Town of Johnstown

TOWN COUNCIL REGULAR MEETING
450 S. Parish, Johnstown, CO
Monday, July 19, 2021 at 7:00 PM

MINUTES

CALL TO ORDER

Mayor Lebsack called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT

Mayor Gary Lebsack
 Councilmember Damien Berg
 Councilmember Troy Mellon
 Councilmember Jesse Molinar
 Councilmember Chad Young

ABSENT

Councilmember Bill Stevens
 Councilmember Amy Tallent

Staff Present: Matt LeCerf, Town Manager, Avi Rocklin, Town Attorney, Chief Brian Phillips, Kim Meyer, Planning Director, Mitzi McCoy, Finance Director, Marco Carani, Public Works Director and Sarah Crosthwaite, Economic Development Manager.

AGENDA APPROVAL

Motion made by Councilmember Berg, seconded by Councilmember Mellon to approve the agenda. Motion carried with a unanimous vote.

SPECIAL PRESENTATIONS

2020 Financial Audit Presentation – Mr. John Cutler of Cutler and Associates presented the 2020 Audit to the Town Council.

CONSENT AGENDA

Motion made by Councilmember Berg, seconded by Councilmember Mellon to approve the Consent Agenda. Motion carried with a unanimous vote.

- Minutes July 7, 2021
- June 2021 Financial Statements
- List of Bills - July 2021
- Second Reading: Ordinance No. 2021-202 An Ordinance Authorizing the Issuance of Revenue Bonds to Provide for Improvements to the Wastewater System and Establishing Covenants in Connection with the Financing for the Payment of the Bonds from Wastewater Revenues; and Approving Other Matters in Connection with the Financing.

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- Second Reading: Ordinance 2021-203 Disconnecting portions of the Maxfield Annexation No. 1 from the Town of Johnstown
- Water Sewer Service Agreement - Johnstown Plaza Apartments 5150 Ronald Reagan Boulevard

PUBLIC HEARING

1. Ordinance 2021-204 Annexing property known as the North Ridge Annexation - Mayor Lebsack opened the public hearing at 7:16 p.m. and heard from staff. The Town received a petition for annexation from Ridge Co II, LLC for the North Ridge Annexation. The property encompasses approximately 36.971 acres. Representatives of the applicant Mr. Mark Hunter and Mr. Roy Bader were present to answer questions from Council. Having no public comments, the hearing was closed at 7:27 p.m. Motion made by Councilmember Berg, seconded by Councilmember Molinar Jr. to approve Ordinance 2021-204 Annexing the 36.971-acre North Ridge Annexation on First Reading. Motion carried with a unanimous vote.
2. Ordinance 2021-205 Approving the Establishment of PUD-MU Zoning for the North Ridge Annexation – Mayor Lebsack opened the public hearing at 7:28 p.m. and heard from staff. This is a request to establish zoning for the 36.971-acre to PUD-MU (Planned Unit Development-Mixed Use). There being no public comments, the hearing was closed at 7:33. Motion made by Councilmember Young, seconded by Councilmember Molinar Jr. to approve Ordinance 2021-205 approving PUD-MU Zoning for the property known as North Ridge Annexation on First Reading. Motion carried with a unanimous vote.
3. Ordinance 2021-206 Approving the North Ridge P.U.D. Outline Development Plan- Mayor Lebsack opened the public hearing at 7:34 p.m. and heard from staff. The North Ridge Outline Development Plan encompasses the 36.971 acres along with additional land for a total of 60 acres. The additional acreage is land previously annexed into Johnstown known as the 402 Exchange-Business Park Annexation. The proposed ODP clarifies and identifies the proposed mix of uses and densities. Councilmember Mellon expressed concerns with the number of access points along the Frontage Road proposed on the ODP along with the compatibility with the existing residential that borders the property. Councilmember Berg also stated concerns with making sure the residential portion of the project provides options for homebuyers. Councilmember Young would like to see the proposed residential blend with the surrounding properties. Mr. Tom Powell, resident in Thompson River Ranch stated he would like to see the residential development be compatible to the existing residential development that borders the project. He also had concerns about the height limit being proposed for the commercial portion, and the reflection of the lights from the commercial area. Marsha Buckley, property owner neighboring the development also expressed concerns with the number of access points, increase in traffic, and reminded Council of the existing farming uses around the development. The applicant's representatives Mark Hunter, Roy Bader and Amber Morris were present to answer questions. Having no further comments, the public hearing closed at 8:20 p.m. Motion made by Councilmember Berg, seconded by Councilmember Mellon to reopen the public hearing at 8:30 p.m. due to additional comments. Motion carried with a unanimous vote. Councilmember Berg stated he would like to see things in place to protect surrounding properties. Councilmember Young also would like to see a

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variety and the standard small lots are not a variety. Mr. Powell again address Council and stated he does not have a problem with the 1 or 2 story homes he does not want the 3-story carriage home product in this project. Having no further comments, the public hearing closed at 8:46 p.m. Motion made by Councilmember Mellon, seconded by Councilmember Berg to continue the public hearing on Ordinance Number 2021-206 until August 16, 2021 at 7:00 p.m. Motion carried with a unanimous vote.

NEW BUSINESS

1. North Ridge Annexation Agreement – Motion made by Councilmember Mellon, seconded by Councilmember Young to approve the Annexation Agreement for the North Ridge Annexation. Motion carried with a unanimous vote.
2. 2021 Old Town Street and Drainage Rehabilitation Project – This is a request to award the construction contract for the 2021 Old Town Street and Drainage Rehabilitation project. The project includes the installation of a storm drainage system in North Greeley from 1st Street to 2nd Street, in the alley from N Greeley Avenue to N Estes Avenue, and N Estes Avenue from Charlotte Street to North 2nd Street. The project will also include replacement of street paving, curb and gutter, sidewalk, landscaping and sanitary sewer main replacement. The Town advertised the project and received 3 bids. After review of the bids, staff is recommending awarding the project to DeFalco Construction Co. Motion made by Councilmember Berg, seconded by Councilmember Mellon to award DeFalco Construction Co., as the Contractor for the 2021 Old Town Street and Drainage Rehabilitation in an amount not to exceed \$2,693,750 budgeted for the project and authorize the Mayor to sign the contract in final form after it is approved by the Town Attorney and Town Manager. Motion carried with a unanimous vote.
3. Resolution 2021-22 A Resolution of the Town of Johnstown, Colorado, Amending Revenues for the Fiscal Year 2021 Budget. Councilmember Mellon made a motion seconded by Councilmember Molinar Jr. to approve Resolution 2021-22 Amending Revenues for the Fiscal Year 2021 Budget. Motion carried with a unanimous vote.
4. Application Requesting a Fractional Water Share Sale for 5 S. Raymond Avenue -Council approved Resolution 2020-42 which establishes a water bank designating 16-acre feet of water which can be used by persons who are required to dedicate a relatively small amount of raw water to the Town. The applicant who owns the property at 5 So. Raymond is requesting a fractional water share for the purposes of connecting to water and sewer on the property. Motion made by Councilmember Mellon, seconded by Councilmember Young to approve the Application of Fractional Water Sale to be attached to 5 S. Raymond Avenue parcel number 105905400012 consisting of 0.33-acre feet of water in the amount of \$23,250.00. Motion carried with a unanimous vote.

ADJOURN

The meeting adjourned at 9:29 p.m.

Mayor

Town Clerk



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE: August 2, 2021

SUBJECT: Ordinance 2021-204 Annexing property known as the North Ridge Annexation

ACTION PROPOSED: Consider Ordinance 2021-204 Annexing 36.971 Acre North Ridge Annexation on Second Reading

ATTACHMENTS: 1. Ordinance 2021-204

PRESENTED BY: Kim Meyer, Planning & Development Director

AGENDA ITEM DESCRIPTION:

The Town has received a petition for annexation from RidgeCo II, LLC, et al, for the North Ridge Annexation (Attachment 2). This proposed parcel to be annexed meets the eligibility and contiguity requirements of CRS 31-104 and 105, and is surrounded by Johnstown on all sides. (See Attachment 4). A Resolution to this effect was approved by Council on June 7, 2021. The property encompasses approximately 35.32 acres, located east of the I-25 frontage road, adjacent to the Thompson River Ranch subdivision, and south of the Abundant Life Tabernacle Church. (See Attachment 3).

The Planning & Zoning Commission (PZC) held a public hearing on June 9, 2021, to consider the North Ridge Annexation (Case ANX20-0004). Public comment was given by two neighbors in the area, with concerns for how the existing ditch will be addressed in development, and requesting a privacy fence along property lines, adjoining the proposed development area. A Thompson River Ranch neighbor is concerned for his mountain views, density, impact on his very low water pressure, and his property value. Concern was also expressed regarding the increase in traffic on CR 18. Staff indicated that the development-level details are noted and will be further addressed at subdivision and development planning. The Applicant spoke of the intent to “culvert” the ditch and that there are existing agreements with the Gard Lateral Ditch Co.; also indicated that likely both parties would likely want perimeter fencing for screening and buffering between these uses.

The Planning & Zoning Commission Agenda Memorandum attached (See Attachment 5) provides background and historical use of the property. The property has been undeveloped agricultural land until recently. The memo also describes notification and a remote Neighborhood Meeting held on April 27, 2021, which no neighbors attended.

The Johnstown Review Committee reviewed this project and provided redlines and comments, which have been addressed by the Applicant. Referrals of this Annexation were sent to Loveland and Larimer County. Loveland indicated their preference that development adjacent to this interchange reflect the guiding principles of their 402 Corridor Plan, and to receive copies of Traffic studies for this area, which Staff has provided. Larimer County noted a small triangular parcel that is not included in the annexation – that is a separate parcel of land deeded by Warranty Deed (Rec #20180039394) to CDOT, so therefore not right-of-way, which would be simple to include in an annexation, but a fee simple parcel that would require difficult-to-coordinate CDOT approvals and signatures. Full referral packets, required per C.R.S.,

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were sent via registered mail to the Larimer County Board of County Commissioners, the County Attorney, and all Special Districts.

Based upon the materials submitted, analysis, and findings, the PZC approved a motion (4-0) to recommend to Town Council approval of this annexation request.

This petition and application for annexation is accompanied by companion requests, on this Council agenda, for Establishment of Zoning to PUD-MU (Planned Unit Development – Mixed Use), an Annexation Agreement, and a PUD Outline Development Plan (ODP) for a larger area that encompasses this annexation area.

LEGAL ADVICE:

Ordinance was prepared by the Town Attorney.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION:

Approve Ordinance 2021-204 Annexing the 36.971-acre North Ridge Annexation on Second Reading.

Reviewed and Approved for Presentation,



Town Manager

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2021-204

**ANNEXING CERTAIN UNINCORPORATED LANDS LOCATED IN THE
 NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW ¼ OF
 SE ¼) OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE
 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO,
 CONSISTING OF APPROXIMATELY 36.971 ACRES AND KNOWN AS
 THE NORTH RIDGE ANNEXATION**

WHEREAS, by Resolution No. 2021-18, the Town Council of the Town of Johnstown, Colorado found a petition for annexation of certain property situated in the Northwest Quarter of the Southeast Quarter (NW ¼ of SE ¼) of Section 22, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 36.971 acres, known as the “North Ridge Annexation,” being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, after notice pursuant to C.R.S. § 31-12-108, on July 19, 2021, the Town Council has held a public hearing on the proposed annexation to determine if the annexation complies with C.R.S. §§ 31-12-104 and 105; and

WHEREAS, the Town Council has determined that the requirements of C.R.S. §§ 31-12-104 and 105 have been met, that an election is not required and that no additional terms or conditions are to be imposed on the annexed area.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The annexation of certain unincorporated property situated in the Northwest Quarter of the Southeast Quarter (NW ¼ of SE ¼) of Section 22, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 36.971 acres, being more particularly described on Exhibit A, be and the same is hereby approved and said unincorporated area is hereby incorporated and made a part of the Town of Johnstown, Colorado.

Section 2. That the annexation of such unincorporated area to the Town of Johnstown, Colorado shall be complete and effective on the effective date of this Ordinance, except for the purpose of general property taxes, and shall be effective as to general property taxes on and after the first day of January, 2022.

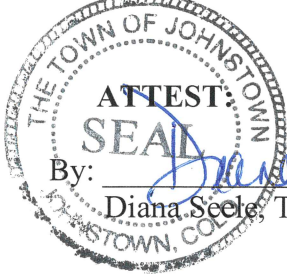
Section 3. That, within thirty (30) days of the effective date of this Ordinance, the Town Clerk be and is hereby authorized and directed to:

- A. File one copy of the annexation map with the original of the annexation ordinance in the office of the Town Clerk; and

- B. File two certified copies of the annexation ordinance and map of the area annexed containing a legal description of such area with the Larimer County Clerk and Recorder.

Section 4. This Ordinance shall take effect as provided by State law.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this 19th day of July, 2021.



By: _____

Diana Seele, Town Clerk

TOWN OF JOHNSTOWN, COLORADO

By: _____

Gary Lebsack, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2021.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____

Diana Seele, Town Clerk

By: _____

Gary Lebsack, Mayor

Exhibit A
LEGAL DESCRIPTION

The Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Twenty-two (22), Township Five North (T.5N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado,

EXCEPT THOSE PARCELS DESCRIBED IN THE FOLLOWING DOCUMENTS:

Reception No. 20180039394, Book 712, Page 186, and being more particularly described by metes and bounds as follows:

COMMENCING at the Center Quarter corner of said Section 22 and assuming the North line of said NW1/4SE1/4 as bearing North 89°31'03" East, as monumented as shown on this plat, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 1320.19 feet, and with all bearing contained herein relative thereto;

THENCE North 89°31'03" East along said North line a distance of 75.00 feet to the East line of said Book 712, Page 186 and to the POINT OF BEGINNING;

THENCE North 89°31'03" East continuing along said North line a distance of 1245.19 feet to the Northeast corner of the NW1/4SE1/4;

THENCE South 00°33'46" East along the East line of the NW1/4SE1/4 a distance of 1311.33 feet to the Southeast corner of the NW1/4SE1/4;

THENCE South 89°29'02" West along the South line of the NW1/4SE1/4 a distance of 1038.10 feet;

THENCE along the Westerly lines of said Reception No. 20180039395 the following three courses:

THENCE along the arc of a curve, non-tangent to the aforesaid line, concave to the Northeast a distance of 325.89 feet, having a Radius of 1255.00 feet, a Delta of 14°52'41" and is subtended by a Chord that bears North 34°24'06" West a distance of 324.97 feet;

THENCE South 63°02'02" West along a line non-tangent to the aforesaid curve a distance of 42.17 feet to the East line of Book 712, Page 186;

THENCE North 00°03'59" East along said East line a distance of 1061.12 feet to the POINT OF BEGINNING;

Said parcel contains 1,610,450 Square Feet or 36.971 Acres more or less by this survey.



Town of Johnstown

TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE:	August 2, 2021
SUBJECT:	Ordinance 2021-205 Approving the Establishment of PUD-MU Zoning for the North Ridge Annexation
ACTION PROPOSED:	Consider Ordinance 2021-25 on Second Reading
ATTACHMENTS:	1. Ordinance 2021-205
PRESENTED BY:	Kim Meyer, Planning & Development Director

AGENDA ITEM DESCRIPTION:

In conjunction with a Petition for Annexation for the North Ridge Annexation, the Town has received a request to establish zoning on this 35.32 acres of PUD-MU (Planned Unit Development – Mixed Use). A separate Outline Development Plan is being proposed to further define the PUD zoning for a larger 60-acre area, which included this 36.971-acre property.

The property is located east of the I-25 frontage road, adjacent to the Thompson River Ranch subdivision, and south of the Abundant Life Tabernacle Church. (See Attachment 2).

The Planning & Zoning Commission (PZC) held a public hearing on June 9, 2021, to consider the North Ridge Zoning (Case ZON20-0005). Public comment was given by two neighbors in the area, with concerns for how the existing ditch will be addressed in development, and requesting a privacy fence along property lines, adjoining the proposed development area. A Thompson River Ranch neighbor is concerned for his mountain views, density, impact on his very low water pressure, and his property value. Concern was also expressed regarding the increase in traffic on CR 18. Staff indicated that the development-level details are noted and will be further addressed at subdivision and development planning. The Applicant spoke of the intent to “culvert” the ditch and that there are existing agreements with the Gard Lateral Ditch Co.; also indicated that likely both parties would likely want perimeter fencing for screening and buffering between these uses.

The Planning & Zoning Commission Agenda Memorandum attached (See Attachment 3) provides background and historical use of the property. The property has been undeveloped agricultural land until recently. The memo also describes notification and a remote Neighborhood Meeting held on April 27, 2021, which no neighbors attended.

Based upon the materials submitted, analysis, and findings, the PZC approved a motion (4-0) to recommend to Town Council approval of this zoning request.

LEGAL ADVICE:

Ordinance was prepared by the Town Attorney.

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FINANCIAL ADVICE:

NA

RECOMMENDED ACTION:

Approve Ordinance 2021-205 approving PUD-MU Zoning for the property known as North Ridge Annexation on Second Reading.

Reviewed and Approved for Presentation,

A handwritten signature in blue ink, appearing to be 'WJL', is written over a horizontal line.

Town Manager

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2021-205

**APPROVAL OF PUD-MU ZONING OF THE PROPERTY KNOWN AS
 NORTH RIDGE ANNEXATION LOCATED IN THE NORTHWEST
 QUARTER OF THE SOUTHEAST QUARTER (NW ¼ OF SE ¼) OF
 SECTION 22, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M.,
 COUNTY OF LARIMER, STATE OF COLORADO AND CONSISTING OF
 APPROXIMATELY 36.971 ACRES**

WHEREAS, the Town Council of the Town of Johnstown approved annexation of certain property situated in the Northwest Quarter of the Southeast Quarter (NW ¼ of SE ¼) of Section 22, Township 5 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, consisting of approximately 36.971 acres, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, known as the North Ridge Annexation ("Property"); and

WHEREAS, the property owners applied for Planned Unit Development – Mixed Use ("PUD-MU") zoning of the Property in conjunction with annexation; and

WHEREAS, pursuant to state law, upon annexation, the Town Council must zone the Property within ninety (90) days; and

WHEREAS, the Town Planning and Zoning Commission held a hearing and recommended approval of PUD-MU zoning on the Property; and

WHEREAS, on July 19, 2021, the Town Council held a public hearing to determine appropriate zoning for the Property and, based upon the evidence received at the hearing, finds that the requested zoning of the Property to PUD-MU conforms to the Town's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

1. Zoning of the Property known as the North Ridge Annexation and more particularly described on the attached Exhibit A shall hereby be designated as PUD-MU.
2. The Town Clerk is hereby directed to publish this Ordinance as required by the Town's Home Rule Charter and state law and file this Ordinance with the real estate records of the Larimer County Clerk and Recorder.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this 19th day of July, 2021.



By: _____

Diana Seele, Town Clerk

TOWN OF JOHNSTOWN, COLORADO

By: _____

Gary Lebsack, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2021.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____

Diana Seele, Town Clerk

By: _____

Gary Lebsack, Mayor

Exhibit A
LEGAL DESCRIPTION

The Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Twenty-two (22), Township Five North (T.5N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado,

EXCEPT THOSE PARCELS DESCRIBED IN THE FOLLOWING DOCUMENTS:

Reception No. 20180039394, Book 712, Page 186, and being more particularly described by metes and bounds as follows:

COMMENCING at the Center Quarter corner of said Section 22 and assuming the North line of said NW1/4SE1/4 as bearing North 89°31'03" East, as monumented as shown on this plat, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 1320.19 feet, and with all bearing contained herein relative thereto;

THENCE North 89°31'03" East along said North line a distance of 75.00 feet to the East line of said Book 712, Page 186 and to the POINT OF BEGINNING;

THENCE North 89°31'03" East continuing along said North line a distance of 1245.19 feet to the Northeast corner of the NW1/4SE1/4;

THENCE South 00°33'46" East along the East line of the NW1/4SE1/4 a distance of 1311.33 feet to the Southeast corner of the NW1/4SE1/4;

THENCE South 89°29'02" West along the South line of the NW1/4SE1/4 a distance of 1038.10 feet;

THENCE along the Westerly lines of said Reception No. 20180039395 the following three courses:

THENCE along the arc of a curve, non-tangent to the aforesaid line, concave to the Northeast a distance of 325.89 feet, having a Radius of 1255.00 feet, a Delta of 14°52'41" and is subtended by a Chord that bears North 34°24'06" West a distance of 324.97 feet;

THENCE South 63°02'02" West along a line non-tangent to the aforesaid curve a distance of 42.17 feet to the East line of Book 712, Page 186;

THENCE North 00°03'59" East along said East line a distance of 1061.12 feet to the POINT OF BEGINNING;

Said parcel contains 1,610,450 Square Feet or 36.971 Acres more or less by this survey.



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: August 2, 2021

SUBJECT: Resolution 2021-23 regarding Finding Substantial Compliance for Initiating the Held Farm Annexation (Case# ANX21-0002)

ACTION PROPOSED: Approve Resolution 2021-23 Finding Substantial Compliance for Initiating the Held Farm Annexation

ATTACHMENTS:

1. Resolution 2021-23
2. Vicinity Map
3. Annexation Plat

PRESENTED BY: Kim Meyer, Planning & Development Director

AGENDA ITEM DESCRIPTION:

An annexation petition and application materials were received by the Town in March of 2021 to annex approximately 122.71 acres in Weld County, located east of Parish Ave/CR 17, and south of CR 48½. These materials have been reviewed for completeness and eligibility per C.R.S. 31-12-104 and 105, and have been found by Town Staff and the Town Attorney to be in substantial compliance and eligible for annexation.

Review referrals were emailed to the county and neighboring municipalities with initial submittal. State-required referral packets will be sent to the Weld County BOCC and Attorney and applicable special districts prior to hearings on the annexation ordinance.

This resolution sets the hearing date for this annexation request.

LEGAL ADVICE:

Resolution was prepared by the Town Attorney.

FINANCIAL ADVICE:

NA

The Community That Cares

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RECOMMENDED ACTION:

Approve Resolution 2021-23 regarding Finding Substantial Compliance for Initiating the Held Farm Annexation.

SUGGESTED MOTIONS:**For Approval**

I move to approve Resolution 2021-23 regarding Finding Substantial Compliance for Initiating the Held Farm Annexation.

For Denial

Based on information presented in this hearing, I move to deny Resolution 2021-23 with the following findings...

Reviewed and Approved for Presentation,



Town Manager

TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2021-23

**A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR
INITIATING ANNEXATION PROCEEDINGS AND SETTING A
PUBLIC HEARING DATE FOR THE HELD FARM ANNEXATION**

WHEREAS, Platte Land & Water, LLC, a Delaware limited liability company, submitted a Petition for Annexation; and

WHEREAS, the Town Council of the Town of Johnstown has reviewed the Petition for Annexation, and, finding substantial compliance as set forth below, desires to initiate annexation proceedings in accordance with the law and set a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council of the Town of Johnstown finds that a Petition for Annexation of certain property situated in the Southwest Quarter of Section 4, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, known by site address as 8062 County Road 48 ½, County of Weld, State of Colorado, consisting of approximately 122.71 acres, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, filed with the Town Clerk on or about March 9, 2021, to be known as “The Held Farm Annexation,” is in substantial compliance with §31-12-107(1), and that a public hearing should be held to determine if the proposed annexation complies with §§31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility pursuant to §31-12-101, *et seq.*

Section 2. The Town Council hereby sets a public hearing for such purposes on September 20, 2021, at 7:00 p.m., at 450 South Parish Avenue, Johnstown, Colorado.

Section 3. The Town Clerk shall publish notice of the hearing once per week for four (4) consecutive weeks in the *Johnstown Breeze*, with the first publication at least thirty (30) days prior to the date of the hearing. The Town Clerk shall also send a copy of the published notice, together with a copy of this Resolution and the Petition for Annexation, by registered mail to the Weld County Board of County Commissioners and to the Weld County Attorney and to any special district or school district having territory within the area to be annexed at least twenty-five (25) days prior to the date fixed for such hearing.

Section 4. This Resolution shall be effective on the date hereof.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS ____ day of _____, 2021.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

Legal Description

LEGAL DESCRIPTION:

A portion of the Southwest 1/4 of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado being more particularly described as follows:

Considering the East Line of the Southwest 1/4 of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado as bearing S 01°13'11" E, with all bearings contained herein, relative thereto.

COMMENCE at the Center 1/4 Corner (aka the Northeast corner of the Southwest 1/4) of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado.

thence S 01°13'11" E for a distance of 30.02 feet along the East line of said Southwest 1/4 to the South right of way line of Weld County Road 48-1/2, said point being the POINT OF BEGINNING;

thence S 01°13'11" E for a distance of 2581.00 feet continue along said East line of Southwest 1/4 to the North right of way line of the Great Western Railroad;

thence N 89°09'34" W for a distance of 1359.94 feet along said North right of way line to the East line of Book 228, Page 4, public records of Weld County, Colorado;

thence N 01°15'59" W for a distance of 1286.61 feet along said East line to the North line of said Book 228, Page 4;

thence S 89°05'51" W for a distance of 1391.47 feet along said North line to the East right of way line of the aforesaid Great Western Railroad;

thence N 01°13'27" W for a distance of 1340.18 feet along said East right of way line to the aforesaid South right of way line of Weld County Road 48-1/2;

thence S 89°05'20" E for a distance of 2753.57 feet along said South right of way line to the Point of Beginning. Excepting, that certain parcel of land described in deed recorded August 23, 1926 in Book 807 at Page 76.

Containing 122.71 acres, more or less.

Written by M. Bryan Short, Colorado LS 32444

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

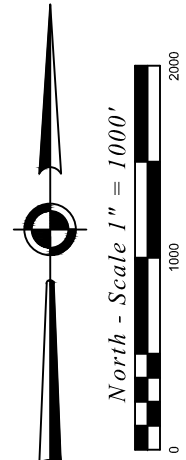
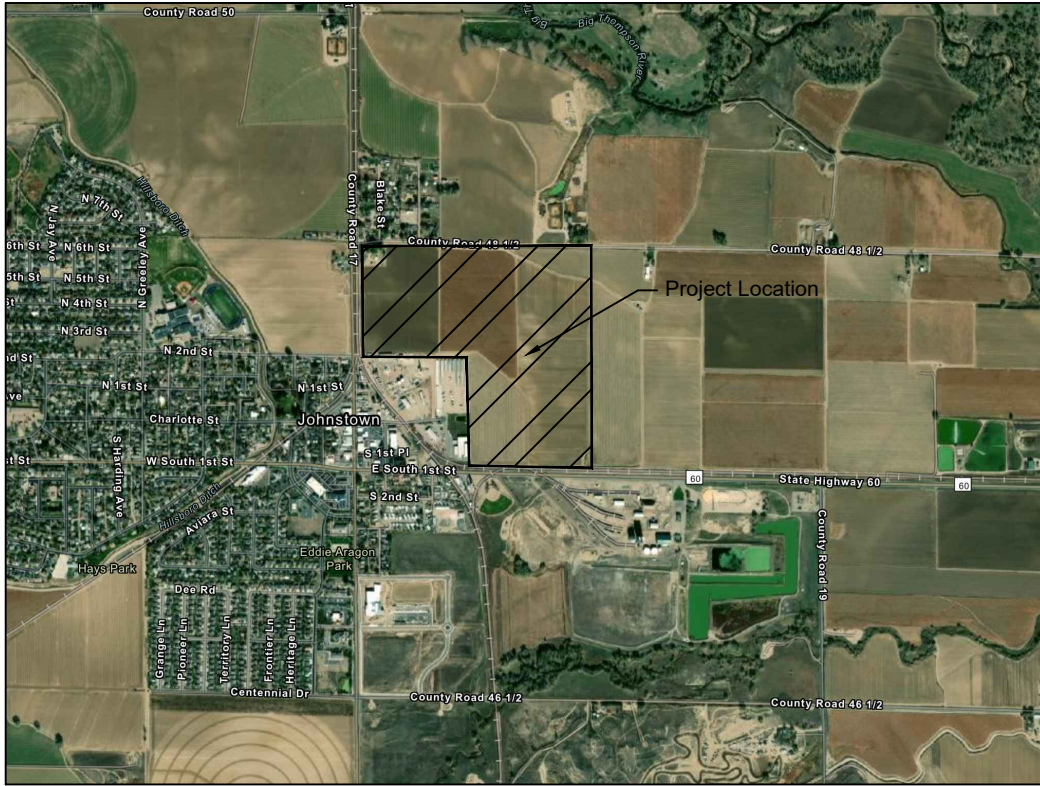
C:\Users\plsgc\OneDrive\for Brett\20062A\dwg\20062d004a_rev.dwg July 19, 2021 - 1:04pm

#	Date	Revisions	Field Date n/a	Prepared for:	Project#: 20062.004
			Party Chief n/a	Platte Land & Water  PLS Corporation 532 West 66th Street Loveland, Colorado 80538 Office 970.669.2100 - Info@plscorporation.com 	
			Survey Tech BAB		
			Proj. Manager MBS		

Vicinity Map

Southwest $\frac{1}{4}$ of Section 4, Township
West of the 6th P.M.,
County of Weld, State of Colorado

County of Weld, State of Colorado

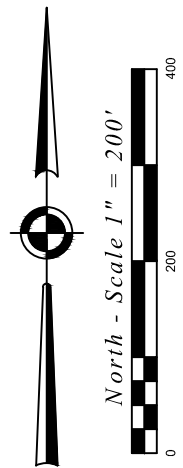


NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

C:\Users\plsge\OneDrive\for Brett\20062\20062d004.dwg February 22, 2021 - 4:05pm

#	Date	Revisions	Field Date n/a	Prepared for:	Project#: 20062.004	Platte Land & Water
			Party Chief n/a			
			Survey Tech BAB	 PLS Corporation 532 West 66th Street Loveland, Colorado 80538 Office 970.669.2100 - Info@plscorporation.com 		
			Proj. Manager MBS			

Being a part of the Southwest $\frac{1}{4}$ of Section 4, Township 4 North, Range 67 West of the 6th P.M.,
Weld County, State of Colorado



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

M. Bryan Short
Colorado Professional Surveyor #32444

REVISIONS Date _____ By _____ Description _____ Date _____ By _____ Description _____ Date _____ By _____ Description _____			Field Date <u> n/a </u> ST <u> BAB </u> Party Chief <u> n/a </u> PM <u> BAB </u> Print Date <u> July 26, 2021 </u> PLS <u> MBS </u>			CLIENT Platte Land & Water			 PLS Corporation 532 West 66th Street, Loveland, Colorado 80538 Phone: 970.669.2100 - info@plscorporation.com			TITLE Annexation Plat Held Farm Section 4, Township 4 North, Range 67 West, 6th P..M., Weld County, Colorado			PROJECT NO. 20062.004	SHEET NO. 1	NO. OF SHEETS 1
--	--	--	---	--	--	--	--	--	---	--	--	--	--	--	--	--	--



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: August 2, 2021

SUBJECT: Resolution 2021-24 regarding Finding Substantial Compliance for Initiating the Whitehall Annexation (Case# ANX21-0003)

ACTION PROPOSED: Approve Resolution 2021-24 Finding Substantial Compliance for Initiating the Whitehall Annexation

ATTACHMENTS:

1. Resolution 2021-24
2. Vicinity Map
3. Annexation Plat

PRESENTED BY: Kim Meyer, Planning & Development Director

AGENDA ITEM DESCRIPTION:

An annexation petition and application materials were received by the Town in July of 2021 to annex approximately 240.96 acres in Weld County, located west of Colorado Blvd/CR 17, and north of CR 46. These materials have been reviewed for completeness and eligibility per C.R.S. 31-12-104 and 105, and have been found by Town Staff and the Town Attorney to be in substantial compliance and eligible for annexation.

Review referrals were emailed to the county and neighboring municipalities with initial submittal. State-required referral packets will be sent to the Weld County BOCC and Attorney and applicable special districts prior to hearings on the annexation ordinance.

This resolution sets the hearing date for this annexation request.

LEGAL ADVICE:

Resolution was prepared by the Town Attorney.

FINANCIAL ADVICE:

NA

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

RECOMMENDED ACTION:

Approve Resolution 2021-24 regarding Finding Substantial Compliance for Initiating the Whitehall Annexation.

SUGGESTED MOTIONS:**For Approval**

I move to approve Resolution 2021-24 regarding Finding Substantial Compliance for Initiating the Whitehall Annexation.

For Denial

Based on information presented in this hearing, I move to deny Resolution 2021-24 with the following findings...

Reviewed and Approved for Presentation,



Town Manager

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2021-24**

**A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR
INITIATING ANNEXATION PROCEEDINGS AND SETTING A
PUBLIC HEARING DATE FOR THE WHITEHALL ANNEXATION**

WHEREAS, Sauer-Whitehall, LLC, a Colorado limited liability company, and Sauer Phantom 5, LLC, a Colorado limited liability company, submitted a Petition for Annexation; and

WHEREAS, the Town Council of the Town of Johnstown has reviewed the Petition for Annexation, and, finding substantial compliance as set forth below, desires to initiate annexation proceedings in accordance with the law and set a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council of the Town of Johnstown finds that a Petition for Annexation of certain property situated in the East half of the Southwest Quarter and Southeast Quarter of Section 12, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado, known by site address as 5631 County Road 46, County of Weld, State of Colorado, consisting of approximately 240.96 acres, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, filed with the Town Clerk on or about July 26, 2021, to be known as “Whitehall Annexation,” is in substantial compliance with §31-12-107(1), and that a public hearing should be held to determine if the proposed annexation complies with §§31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility pursuant to §31-12-101, *et seq.*

Section 2. The Town Council hereby sets a public hearing for such purposes on September 20, 2021, at 7:00 p.m., at 450 South Parish Avenue, Johnstown, Colorado.

Section 3. The Town Clerk shall publish notice of the hearing once per week for four (4) consecutive weeks in the *Johnstown Breeze*, with the first publication at least thirty (30) days prior to the date of the hearing. The Town Clerk shall also send a copy of the published notice, together with a copy of this Resolution and the Petition for Annexation, by registered mail to the Weld County Board of County Commissioners and to the Weld County Attorney and to any special district or school district having territory within the area to be annexed at least twenty-five (25) days prior to the date fixed for such hearing.

Section 4. This Resolution shall be effective on the date hereof.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS ____ day of _____, 2021.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

EXHIBIT A

Item #6.

240.96 ACRE TRACT TO BE REZONED BEING PORTIONS OF THE
E/2 OF SW/4 AND SE/4, SECTION 12, AND N/2 OF N/2, SECTION 13, T4N, R68W
6TH P.M., WELD COUNTY, COLORADO

A 240.96 ACRE TRACT OF LAND BEING THE PROPERTY OF SAUER PHANTOM 5 LLC (RECEPTION NO. 3480479) AND PORTION OF SAUER WHITEHALL LLC (RECEPTION NO. 4657171), AND PORTION OF COUNTY ROAD 46 RIGHT OF WAY, IN THE EAST HALF OF THE SOUTHWEST QUARTER (E/2 OF THE SW/4) AND SOUTHEAST QUARTER (SE/4) OF SECTION 12 AND THE NORTH HALF OF THE NORTH HALF (N/2 OF THE N/2) OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 68 WEST, 6TH/ P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS A FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 4, BEING MARKED BY A FOUND 3 INCH ALUMINUM CAP IN A MONUMENT BOX (ILLEGIBLE Scription), LOCATED IN THE CENTER OF THE INTERSECTION OF COLORADO BOULEVARD/COUNTY ROAD 13 AND COUNTY ROAD 46, THENCE SOUTH 44°31'21" WEST, 42.50 FEET TO THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF COLORADO BOULEVARD/COUNTY ROAD 13 AND THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 46, BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT;

THENCE SOUTH 89°25'38" WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 46, GRAVEL ROAD WITH A 60 FOOT RIGHT OF WAY, 2620.78 FEET TO AN ANGLE POINT OF HEREIN DESCRIBED TRACT;

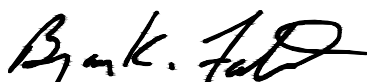
THENCE SOUTH 89°25'53" WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 46, GRAVEL ROAD WITH A 60 FOOT RIGHT OF WAY, 1325.43 FEET TO THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE NORTH 00°24'05" WEST, 2657.61 FEET TO THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT;

THENCE NORTH 89°29'13" EAST, 1324.43 FEET TO A POINT ON THE WESTERN LINE OF SOUTHEAST QUARTER OF SAID SECTION 12, FOR AN ANGLE POINT OF HEREIN DESCRIBED TRACT, AND FROM WHICH THE SAID CENTER QUARTER CORNER OF SECTION 12 BEARS, NORTH 00°25'16" WEST, 30.00 FEET, BEING MARKED BY A FOUND 2.5 INCH ALUMINUM CAP (ILLEGIBLE Scription);

THENCE NORTH 89°13'51" EAST, 2652.66 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF COLORADO BOULEVARD/COUNTY ROAD 13, FOR THE NORTHEAST CORNER OF HEREIN DESCRIBED TRACT, MARKED BY A 5/8 INCH REBAR WITH ALUMINUM CAP STAMPED "PLS 38702", SET ON WESTERN RIGHT OF WAY LINE OF COLORADO BOULEVARD/COUNTY ROAD 13 FOR AN OFFSET MONUMENT;

THENCE SOUTH 00°22'56" EAST, ALONG THE WEST RIGHT OF WAY LINE OF COLORADO BOULEVARD/COUNTY ROAD 13, ASPHALT ROAD WITH A 60 FOOT RIGHT OF WAY, 2665.32 FEET TO THE POINT OF BEGINNING, BEING THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT, AND CONTAINING 240.96 ACRES (10,496,081 SQ. FT.) MORE OR LESS, WHICH INCLUDES 5.435 ACRES (236770 SQ. FT.) OF PUBLIC RIGHT OF WAY COUNTY ROAD 46.


BENJAMIN K. FONTENOT, PLS

COLORADO PROFESSIONAL LAND SURVEYOR NO. 38702
COFFEY ENGINE
ERING & SURVEYING
4045 ST. CLOUD DRIVE, LOVELAND, CO. 80538
MAIN (970) 622-2095





COFFEY
ENGINEERING & SURVEYING
902 S. 3rd St., Laramie, WY 82070
[P] 307-742-7425 [F] 307-742-7403

VICINITY MAP
**SAUER WHITEHALL LLC &
SAUER PHANTOM 5 LLC**
SEC. 12, T4N, R68W, 6TH P.M.
WELD COUNTY, COLORADO

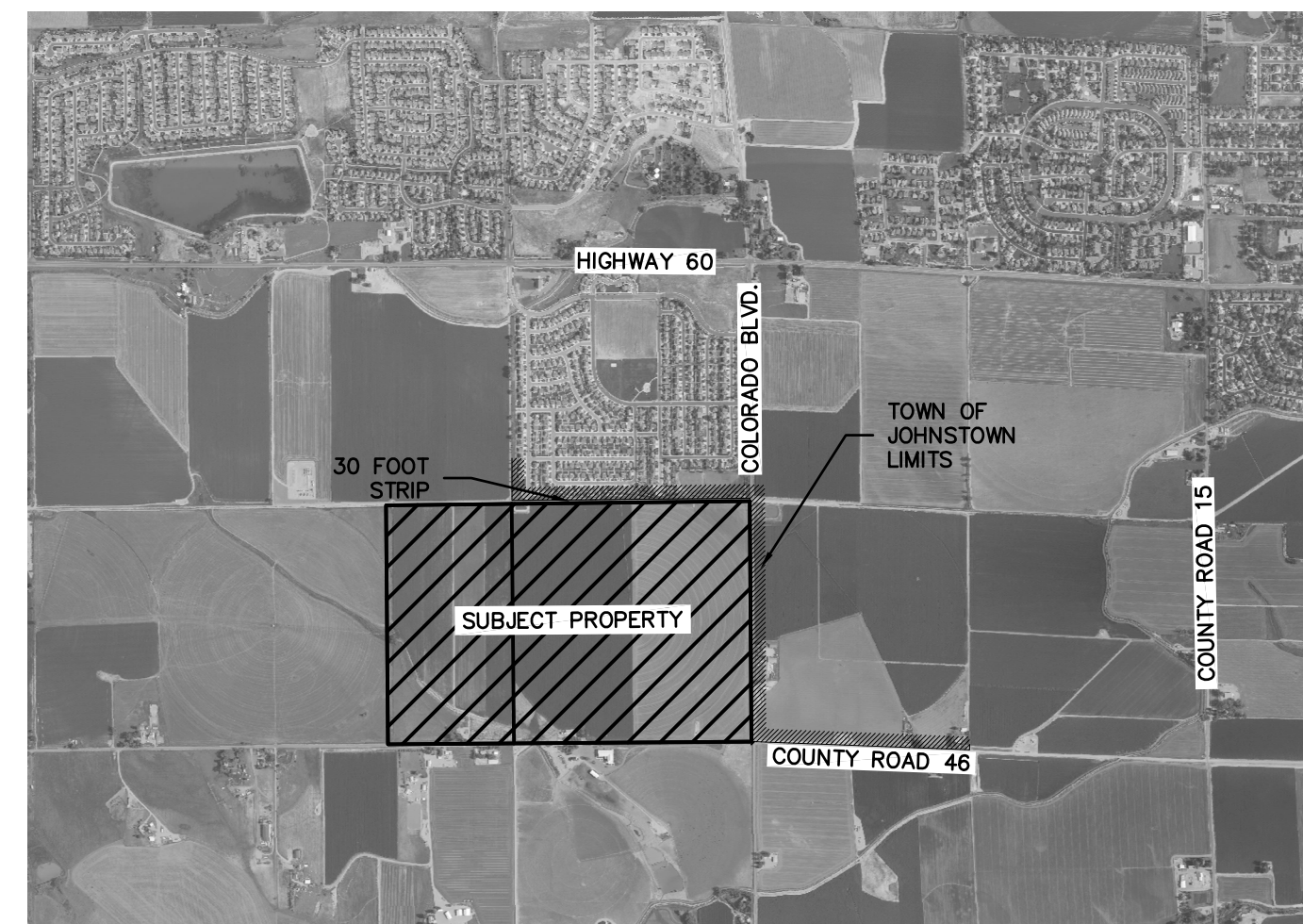
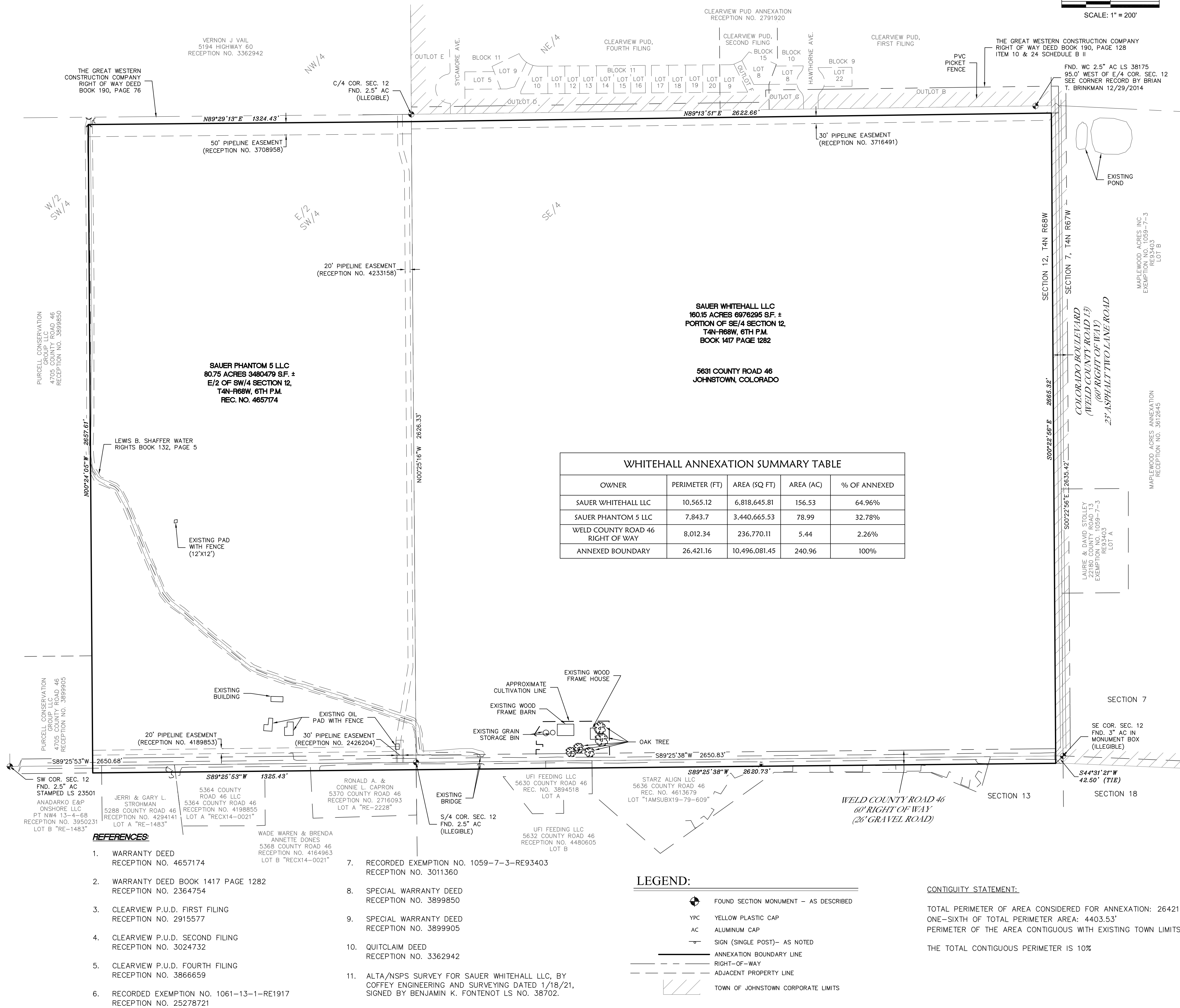
Project: 1958.01
Drawing: ANNEX
Drafted By: PJK
Date: 3/31/21
Rev. Date:
Check By: BKF

Sheet: 1 / 1

Item #6.

WHITEHALL ANNEXATION PLAT

EAST HALF OF SOUTHWEST QUARTER AND SOUTHEAST QUARTER OF SECTION 12,
TOWNSHIP 4 NORTH, RANGE 68 WEST, 6TH P.M.
COUNTY OF WELD, STATE OF COLORADO



OWNERS:
SAUER WHITEHALL LLC

CYNTHIA I. SAUER

STATE OF _____ }
COUNTY OF _____ } SS

THE FOREGOING DEDICATION OF PLAT WAS ACKNOWLEDGED BEFORE ME BY CYNTHIA I. SAUER
ON THIS _____ DAY _____, 2021

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

OWNERS:
SAUER PHANTOM 5 LLC

CYNTHIA I. SAUER

STATE OF _____ }
COUNTY OF _____ } SS

THE FOREGOING DEDICATION OF PLAT WAS ACKNOWLEDGED BEFORE ME BY CYNTHIA I. SAUER
ON THIS _____ DAY _____, 2021

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

TOWN COUNCIL APPROVAL:

THIS MAP TO BE KNOWN AS WHITEHALL ANNEXATION PLAT IS APPROVED AND ACCEPTED
TO THE TOWN OF JOHNSTOWN, COLORADO BY ORDINANCE NUMBER
PASSED AND ADOPTED ON FINAL READING AT A REGULAR MEETING OF THE TOWN
COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, HELD ON THE _____ DAY
OF _____, 20____

GARY LEBSACK, MAYOR

DATE

ATTEST: TOWN CLERK

DATE

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS ANNEXATION PLAT OF AREA AS DEPICTED
ON THE PROPERTY HEREON WAS PREPARED FROM SURVEY DATA AND
FIELD NOTES FROM SURVEY PERFORMED IN THE FIELD AND ON THE
GROUND AND COMPLETED FEBRUARY 8 UNDER MY DIRECT SUPERVISION,
TO BE COMPLETE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE.

Benjamin K. Fontenot 07/12/2021

(SIGNATURE OF SURVEYOR)

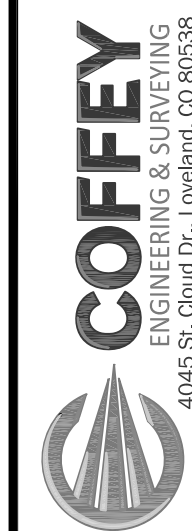
BENJAMIN K. FONTENOT

(PRINTED NAME)

REGISTERED SURVEYOR: BENJAMIN K. FONTENOT, LS
STATE OF: COLORADO
REGISTRATION NUMBER: 38702

WHITEHALL ANNEXATION PLAT

E/2 SW/4 AND SE/4 SEC. 12, T4N, R68W, 6TH P.M.
WELD COUNTY, COLORADO



Sheet:

1



Town of Johnstown

MEMORANDUM

TO: Honorable Mayor and Town Council Members

FROM: Matt LeCerf, Town Manager

DATE: August 2, 2021

CC: Town Staff
Local Media

SUBJECT: Town Manager's Report

Upcoming Town Council Work Sessions – If there are topics that the Council would like staff to schedule for discussion, please let me know. The following topics are recommended for Council discussion (all meetings will be held in the Town Council Chambers unless otherwise indicated):

- 08/16/2021 – Regular Town Council Meeting
- 09/08/2021 – Regular Town Council Meeting

Administration, Finance, Planning, & Human Resources

- *Municipal Court* – The Court Clerk processed 161 summonses in the month of June.
- *Liquor Licenses* – Renewal applications for The Black Sheep, LLC and Red Barn Liquors have been submitted to the State for final approval.
- *Johnstown Cash Program* – There are currently 49 businesses are signed up for the Johnstown Cash Program and over \$47,000 has been redeemed in certificates. The program will run until December 31, 2021 and certificates will no longer be valid after that date.
- *Business of the Month* – July's Business of the Month is Hiroshi Teriyaki Grill located at 4904 Larimer Parkway. Hiroshi Teriyaki Grill was officially announced during the July 5, 2021 Town Council meeting.
- *Biz Walk* – July's Biz Walk included the Town Manager and Economic Development Manager who visited with Connected Chiropractor and J-Town Nutrition. Biz Walks are scheduled monthly by the Economic Development Department.

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- *CDOT Revitalize Main Street Grant* – The Economic Development Department engaged with downtown restaurants and bars to determine areas of the need that are compatible with the CDOT grant program. A new grant application was submitted to CDOT in July requesting funding for a Parklet Program. Staff expects a response regarding the grant application end of July or early August.
- *Economic Development Webpage* – Staff continues to update the Economic Development webpages with relevant content and resources for businesses. New updates include a workforce resource tab which provides job seekers and employers resources and programs available to them both locally and State wide. Additionally, a “How to Start a Business in Johnstown” resource guide is available to assist entrepreneurs and businesses looking to start or expand their business in Johnstown. The updates and resources should be made available on the Town website by end of July or early August.
- *DOLA Energy Impact Grant Status* – The State has awarded an \$80,000 grant to assist with the Town’s pending Land Use Code Update. We received the state grant contract paperwork and will be moving forward with contracting with a consultant for that work in August.
- *Planning & Zoning Commission* – The PZC will be interviewing applicants for two open positions at their July 28 regular meeting. The August 11 meeting has a tentative agenda for two new annexation requests.
- *Hiring* – A new part-time Customer Service Technician started in July. We have made an offer to an Assistant Finance Director. There are four open positions in the interview process. We are continuing to develop onboarding processes and training to benefit new employees.
- *Sewer Bonds* – Town staff participated in the bond rating call with Standard & Poor’s on July 22, 2021. Work on the Preliminary Official Statement is continuing with a final document expected soon.
- *Enterprise Fund Pro Forma* – Town staff updated the pro forma financial statements for both the water and sewer funds so that all growth projections, capital projects and debt service numbers are current and have been included in the financial models. These models are used to assist in establishing utility rates and tap fees.
- *Training* – Staff attended multiple sessions of the Government Finance Officers Association Virtual 2021 Annual Conference.
- *HRIS* – Staff has selected an HRIS system and plan to sign a contract soon.
- *Compensation Study* – We are conducting a compensation study to determine internal and external equity as we prepare the 2022 budget.
- *Retirement Plans* – We are evaluating retirement plans and are close to a final selection that will provide lower plan fees for participants and a lower tax burden for the Town.
- *Warburg HOA Agreement* – Town Staff is working on the final details of an agreement of understanding for the Chapman Reservoir to permit the Warburg HOA and its residents access to Chapman Reservoir. The Town jointly owns this facility with Mountain View Farms.

- *16 N. Parish Property Sale* – Staff is completing the RFP for the sale of the 16 N. Parish property. The delay has been due to the desire to replat the property and for it to include parking space allocations and a permanent ingress/egress easement. The bid will include a proposed price and a narrative request for the intentions of the property and a timeline to bring it to an applicable use. The proposals will be presented to Council with a recommendation when the bids are received.

Police Department

Training

- *Field Training* – Officer Jaramillo was sworn in as a Police Officer with the Johnstown Police Department. Officer Jaramillo had previously been the Code Enforcement Officer. He will soon begin his 16-week field training program.
- *Glock Armorer* – Officer Morgan went to Glock Armorer School hosted by Fort Collins Police Services. Officer Morgan is now certified to inspect and fix issues within the Glock firearm platform.

Public Works Department

Streets, Stormwater, Fleet & Parks

- *Grading* – County Roads 44, 42, 46, 3, 20C and 44 were all graded.
- *Weeds* – Weeds were sprayed along County Road 17 and Johnstown Farms and the right of way area was mowed on County Road 50.
- *Parks* – All Town parks continue to be disinfected and cleaned weekly. We are still fine tuning the park irrigation schedule as many of the parks are dry. The Children at Play sign in Rolling Hills was relocated to Rolling Hills Ranch Dr.
- *Streets* – Crack seal was completed on Idlewood and Pinewood Court.
- *Drainage* – Staff excavated dirt on the west side of Rolling Hills to allow proper drainage to the detention pond.

Water Plant & System

- *Shut Down* – On Monday July 19, high turbidities were noticed at the WTP. Pump failures required Staff to switch to interconnects and flush the system overnight. The failing pump resulted in a Tier 2 violation. While there was a violation, the water continued to meet State Drinking Water Requirements.
- *GAC Update* – Contractor made final connections and installed a sample line to complete project. Evoqua was onsite to assist in system start up. Staff is coordinating Geosmin/MIB testing for verification.
- *Taste and Odor Issues* – Staff has received an increased number of taste and odor complaints and has reduced flow from Johnstown Lake to 30% and the remaining balance from Lone Tree Reservoir. Due to burn scar runoff from the Cameron Peak and East Troublesome fires we are unable to take water directly from the ditch. GAC and Ultrasonic Vessels should help with this issue.

- *Water Main Break* – On July 14 Staff responded to a water main break in the southeast area of County Road 17 and Highway 60. Residents in the area were without water briefly with services restored fully the same evening.

Development & Project Updates

- *I25 Waterline Project* – Construction has started on the 12” waterline along south SH60. DeFalco is working through material sourcing backorders on fittings.
- *South Tank Project* – Staff is coordinating the drainage discharge location while our engineer is working through tank drainage design and location.
- *Sewer Interceptor Project* – Lift station excavation is fighting groundwater as they work to reach the final depth of the lift station wet wells.
- *Charlotte St. Project* – The 2nd public open house is scheduled for July 27. The engineer plans to move forward with design work after the public open house.



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: August 2, 2021

SUBJECT: Amending the Consolidated Town Fee Schedule

ACTION PROPOSED: Adopt Resolution 2021-25

ATTACHMENTS: 1. Resolution 2021-25
2. Town of Johnstown Fee Schedule – Exhibit A

PRESENTED BY: Mitzi McCoy, Finance Director

AGENDA ITEM DESCRIPTION:

The Town Consolidated Fee Schedule in its present form was adopted by the Town Council on December 7, 2020 in Resolution 2020-38.

The fee schedule is a comprehensive fee schedule that includes not only administrative fees, but also utility rates, permitting fees, business licenses, court surcharges, cemetery fees, etc. The fee schedule was created with the intent of: decreasing future costs for publishing ordinances, decreasing costs associated with revising the municipal code, creating a document that is easy for people to use and access, and creating a document that encourages an annual review of the fees that the Town is charging. Fines and penalties have not been included in this fee schedule due to the subjective nature of the fine structure.

While generally the fees included in the proposed fee schedule are unchanged, there are a few that have been changed or restructured. Those fees include the following:

Sec. 2-44 – General Fees.

Proposed changes to this section include a decrease in fee costs to print maps; an increase in park reservation fees to cover Public Works staff time when a park is rented; the addition of the fishing license fee as it was omitted from the current version; and the restructuring of titles and simplification of the damage deposits for the Johnstown Community Complex.

Sec 6-202 – Licenses Required.

A license fee for outdoor vendors was added.

Sec 7-62 - Persons Served by water taps to receive service....

Refuse collection costs were updated to rates that will cover the costs of trash service and recycling from Waste Connections. The standard 95-gallon tote residential rate increases from \$11.81 to \$14.50 for trash and recycling services. The smaller 65-gallon tote residential rate

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increases from \$8.68 to \$12.50 for trash and recycling services. There is a non-recycling option included for both tote sizes with a \$2.00 a month lower rate for customers who are not interested in the recycling service. Staff proposes that the proposed rate increases should be sufficient to cover contractual increases with the provider and should not need to be increased again until 2026. The proposed rates for this section of the fee schedule will not go into effect until September 1, 2021.

Sec. 13-53 – Sewer service charges.

This section includes proposed rate increases to meet the upcoming capital and debt service needs. Critical projects include the unfunded mandates to meet more stringent effluent requirements at the Waste Water Treatment Plants that discharge into the receiving streams in Town. Other key projects include the expansion of the Low Point Waste Water Treatment Plant, and the design and construction of the Central Waste Water Treatment Plant. The Town does not currently have any debt service; however, the Town is currently working to issue revenue bonds which will create a debt service obligation.

The proposed rate increases include a five-year span, from 2022 through 2027. The proposed increases include an annual 5% increase to both user and base rates for all sewer customer classes. Revenue from this rate increase should enable the Sewer Fund to successfully meet the 110% rate maintenance requirement specified in the upcoming bond issuance.

Rate changes in this section will not go into effect until January 1, 2022.

Sec. 13-54 - Sewer Tap Fees.

Fees for tap sizes larger than 3” were added to the tables to provide additional clarity to developers and customers interested in larger tap sizes. Also included are proposed changes for all sizes of sewer taps for the years 2022 through 2027. The proposed increase includes a 4.2% increase in 2022, followed by a 3% increase each year for the years 2023 through 2027. Again, the revenue from this rate increase should enable the Sewer Fund to successfully meet the 110% rate maintenance requirement specified in the upcoming bond issuance.

Rate changes in red in the box to the right of the existing rates will not go into effect until January 1, 2022.

Sec. 13-73(a) - Water Tap

Fees for tap sizes larger than 3” were added to the tables to provide additional clarity to developers and customers interested in larger tap sizes. Additional changes include proposed water tap rate increases to meet upcoming capital requirements in the Water Fund. Critical projects include water plant expansion, trunk line construction, GAC maintenance, and securing water shares. Proposed water tap fees include increases for the years 2022 through 2027. The proposed increase includes a 4.2% increase in 2022, followed by a 3% increase in years 2023 through 2027.

Rate changes in red in the box to the right of the existing rates will not go into effect until January 1, 2022.

Sec. 13-73(b) - Raw Water Development Fee

This section was segregated from the Water Tap section to provide greater clarity to users. Fees for larger tap sizes larger than 3" were added to the tables. Other changes include raw water development fees proposed increases for the years 2022 through 2027. The proposed rate increase includes a 4.2% increase in 2022, followed by a 3% increase in years 2023 through 2027.

Rate changes in red in the box to the right of the existing rates will not go into effect until January 1, 2022.

Sec. 13-77 - Water service charges.

The fees for water service charges (both base and usage) were added for tap sizes larger than 4". This section also includes proposed rate increases in the amount of 3% annually to base and usage rates for all customer classes beginning in 2022 and extending to 2027. These increases are recommended based on the capital needs of the fund and to ensure going concern. Rate changes in red in the box to the right of the existing rates will not go into effect until January 1, 2022.

Sec. 13-78 - Bulk potable water for construction.

The proposed rate increases in this section include a 3% increase in bulk water charges each year for the next five years.

Rate changes in this section will not go into effect until January 1, 2022.

Sec. 17-230 - Fire and emergency service provider facilities development fee

The increase in this section has been requested by the fire department and is a pass thru fee.

Sec. 18-121 – Fees and Charges

A sentence doubling fees for any construction that begins before a building permit has been issued was added.

LEGAL ADVICE:

The resolution was prepared by the Town Attorney.

FINANCIAL ADVICE:

The updated fee schedule provides financial stability and sustainability in the enterprise funds.

RECOMMENDED ACTION:

Staff recommends approving Resolution 2021-25

SUGGESTED MOTIONS:

For Approval

I move to approve Resolution 2021-25 Amending the Consolidated Town Fee Schedule.

For Denial

I move to deny Resolution 2021-25 Amending the Consolidated Town Fee Schedule.

Reviewed and Approved for Presentation,



Town Manager

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2021-25**

RESOLUTION AMENDING THE CONSOLIDATED TOWN FEE SCHEDULE

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, the Town Council has authority to establish a schedule of the fees, rates and charges levied and assessed for municipal services in the Town; and

WHEREAS, the Town Council finds that the fees, rates and charges set forth in the Town Fee Schedule, attached hereto and incorporated herein by reference as Exhibit A, are equitable and just; and

WHEREAS, the Town Council desires to amend the Town Fee Schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

1. The Town Council hereby amends the Town Fee Schedule.
2. This resolution and attached Exhibit A shall become effective immediately, and may, except as provided below, be amended from time to time by resolution of the Town Council.
3. The general fees contained in the Town Fee Schedule that are associated with Section 2-44 of the Johnstown Municipal Code, which are administrative in nature, may be amended from time to time by the Town Manager unless otherwise provided by law.
4. The fees, rates and charges set forth in the Town Fee Schedule shall supersede and replace any fees, rates or charges previously set or adopted by the Town Council for the same purpose. However, the same shall not be deemed to release, extinguish, alter, modify or change in whole or in part any liability which shall have been previously incurred, and the superseded or replaced provisions shall be treated and held as remaining in full force and effect for the purpose of sustaining any judgment, decree, order or lien.
5. If any portion of this resolution is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions.

PASSED, SIGNED, APPROVED, AND ADOPTED this ____ day of _____, 2020.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

Town of Johnstown - Fee Schedule

Item #8.

Chapter 2 - Administration and Personnel

ARTICLE II

Sec 2-44

General Fees

Reproductions:			
Xerox copies (agendas, minutes, etc.) - (per page)	\$0.25		
Certified Copies (per page)	\$1.25		
Verbatim Transcripts	Cost + \$15.00		
Voice Recorded Audio	\$10.00		
CD/DVD (each)	\$20.00		
Bound Reports and Publications:			
Any/All items	Cost +10%		
Project Plans and Bid Specifications:			
Small Projects	\$10.00		
Large Projects	\$25.00		
Town Maps (blueprints)	-\$40.00	\$15.00	
Black & White Maps - 24x36	-\$25.00	\$10.00	
Special Services:			
CORA (first hour is free - fee is per hour after)	\$30.00		
Postage	Standard Postal Rate		
Non-sufficient funds (return check) fee	\$25.00		
Park Reservations:			
No Alcohol:			
All Parks	-\$5.00	\$20.00	
With Alcohol:			
Hays Park	\$25.00		
Fishing License:			
Resident		\$5.00	
Non-resident		\$25.00	
Johnstown Community Complex:			
Room Rental Fees, Damage Deposits & Equipment Rentals:			
Class I: Government Agency/Schools			
Class II: Non-Profit/Civic and Service Organizations			
Class III: Private Groups - Johnstown Town Limits			
Class IV: Private Groups - Outside Johnstown Town Limits			
	<u>Large Room</u>	<u>Small Room</u>	
Class I	No Charge/Negotiated	No Charge/Negotiated	
Class II	No Charge/Negotiated	No Charge/Negotiated	
Class III	\$30.00/hr	\$15.00/hr	
Class IV	\$50.00/hr	\$25.00/hr	
Damage Deposits			
Kitchen	No charge		
Large Room (No Alcohol) - 1 to 50 People (inside RE-5J district)	\$200.00		
Large Room (No Alcohol) - 51 to 200 people (inside RE-5J district)	\$300.00		
Large Room (No Alcohol) - 1 to 200 people (outside RE-5J district)	\$400.00		
Large Room (No Alcohol) 1 to 50 People (In Johnstown Limits)	\$200.00		
Large Room (No Alcohol) 51 to 200 People (In Johnstown Limits)	\$300.00		
Large Room (No Alcohol) 1 to 200 People (Outside Johnstown Limits)	\$400.00		
Large Room (With Alcohol)	\$500.00		

~~Damage Deposits:~~

Town of Johnstown - Fee Schedule

Item #8.

Kitchen:	
Class I - IV (includes all but dishwasher)	\$50.00
Alcohol:	
Class I - IV (4hr maximum - stop serving by 12:00 am)	\$200.00
General:	
Class I - III	\$20.00
Equipment Rentals:	
TV, VCR, Overhead projector, Extension cords and screen may be used if available	

ARTICLE III Municipal Court

Sec. 2-74 Fines imposed by the Municipal Court

Parking Citations - Surcharge	\$10.00
Traffic Citations - Surcharge	\$25.00
All other citations - Surcharge	Up to 10% of fine

Chapter 4 - Revenue and Finance

ARTICLE IV Sales Tax

Sec. 4-55 (8) License for retail sale of tangible property

Business License	\$50.00
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ARTICLE VI Development Cost Reimbursement

Sec. 4-91 Funds deposit agreement

Development Deposit	Per cost agreement
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ARTICLE VII Lodging Tax

Sec. 4-103 Tax Levied*

Lodging Tax	3%
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Sec. 4-112 Administrative review; appeals

Docket fee	\$50.00
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* - Taxes are set and changed by voter approval only. They are included in this schedule for convenience only.

Chapter 5 - Franchises and Communication Systems

ARTICLE III Telephone Occupation Tax

Sec. 5-91 Levy of tax; amount*

Per telephone account/monthly	\$.30/month/line
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ARTICLE IV Franchise Expenses

Sec. 5-111 Application

Franchise Deposit	\$5,000.00
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Chapter 6 - Business Licenses and Regulations

ARTICLE I Licenses and Permits Generally

Sec. 6-6 Fees

Business Licenses	\$50.00
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ARTICLE II Fireworks Permit

Sec. 6-42 Application

Application Fee (to Fire Chief)	\$10.00
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Town of Johnstown - Fee Schedule

Item #8.

Sec. 6-46 Cleanup bond
Pyrotechnic display \$200.00

ARTICLE III Fireworks Public Display Permit

Sec. 6-63 Application
Fireworks Public Display Permit \$10.00

ARTICLE IV Auction and Auctioneers

Sec. 6-83 Fee
Auction/Auctioneer \$5/day
Auction House \$5/Year

ARTICLE V Skating Rinks, Merry-Go-Rounds, Shows and Exhibitions

Sec. 6-102 Fees
License Fee \$50.00

ARTICLE VI Skating Rinks, Merry-Go-Rounds, Shows and Exhibitions

Sec. 6-111 License fee; when payable
Coin operated game machines \$20.00/each machine

ARTICLE VII Peddlers and Solicitors

Sec. 6-133 Application; application fee
Solicitor's/Peddler's \$10.00

Sec. 6-135 License fee
Solicitor's/Peddlers License \$2.50/Day
\$10.00/Week
\$25.00/Month
\$50.00/Annual

ARTICLE VIII Tree Trimmers

Sec. 6-161 Application and licensing required for tree trimmers
License \$5.00

ARTICLE IX - Liquor Licensing

Sec. 6-174 Application for liquor license; fee.
License fee state liquor law license fee
Application fee Fee is equal to maximum amount set by state liquor laws

ARTICLE X Contractor Licenses

Sec. 6-186 Forms; fees; validity
Contractor license - per year \$100.00

Sec. 6-189 Disciplinary procedures, violations and penalties
Docket fee \$50.00

Town of Johnstown - Fee Schedule

Item #8.

ARTICLE XI Outdoor Vendors

Sec. 6-202 Licenses Required.

Outdoor Vendor License

50.00

Chapter 7 - Health, Sanitation and Animals

ARTICLE III Garbage and Refuse

Sec. 7-43 Accumulation of refuse; abatement

Abatement of property

Actual Cost + 10%

Sec 7-62 Persons Served by water taps to receive service...

Refuse Collection (per month):

Standard service—95 gallon tote

\$11.81

95 gallon with recycling

95 gallon without recycling

Senior service—65 gallon tote

\$8.68

65 gallon with recycling

65 gallon without recycling

As of September 1, 2021				
2021	2022	2023	2024	2025
14.50	14.50	14.50	14.50	14.50
12.50	12.50	12.50	12.50	12.50
12.50	12.50	12.50	12.50	12.50
10.50	10.50	10.50	10.50	10.50

ARTICLE V Weeds

Sec. 7-82 Abatement by Town; assessment of costs

Abatement of weeds

Actual Cost + 5%

ARTICLE VI Trees

Sec. 7-106 Failure to remove trees upon notice; removal by Town; costs to be charged to owner

Tree removal

Actual Cost + 5%

Sec. 7-107 Cost for removal of trees on lots or blocks along sidewalk

Tree removal/tree trimming

Actual Cost + 5%

Sec. 7-108 Failure to pay assessment; lien created

Lien surcharge

Actual Cost + 10%

ARTICLE VII Animal Control

Sec. 7-128 License Fee

Spayed/Neutered (per year)

\$4.00

Not spayed/neutered (per year)

\$10.00

Sec. 7-131 License; duplicate tags; ownership changes

Duplicate tag

\$1.00

Ownership change:

Spayed/Neutered

\$4.00

Not spayed/neutered

\$10.00

Town of Johnstown - Fee Schedule

Item #8.

Chapter 8 - Vehicles and Traffic

ARTICLE VI Golf Cars

Sec. 8-87 Inspection and permitting requirements (every 3 years) \$20.00

Chapter 11 - Streets, Sidewalks and Public Property

ARTICLE III Sidewalks, Curbs and Gutters

Sec. 11-42 Notice and order to install sidewalk, curb, gutter or curbwalk...
Improvement work Actual Cost

ARTICLE VI Cemetery

Sec. 11-106 Price of burial spaces.

Grave Space:
Resident - with perpetual care \$1,600.00
Non resident - with perpetual care \$3,000.00
Resident - Infant \$100.00
Non resident - Infant \$200.00
Resident - urn space with perpetual care \$850.00
Non resident - urn space with perpetual care \$1,350.00

Niche in Columbarium (includes opening and engraving) \$1,500.00

Sec. 11-115 Cemetery fees.

Openings - Grave Space:
Weekdays \$700.00
Weekend or holiday openings \$1,200.00

Openings - Urn Space:
Weekdays \$350.00
Weekend or holiday openings \$700.00

Disinterment charges \$250.00

Chapter 13 - Municipal Utility

ARTICLE I General

Sec. 13-7. Billing procedure

Late fee \$10.00
NSF check fee \$25.00
Duplicate bill (per month) \$2.00
New user account set up fee \$10.00
County special assessment fee 10% of balance due
Recording Lien on property Actual cost

Sec. 13-8. Remedies for non payment.

New service connection fee \$10.00
Restoration fee \$40.00

ARTICLE II Sewer

Sec. 13-44. Private waste water disposal

Permit and inspection fee:
Residential and Commercial Set by Council or \$1,000
Industrial Set by Council or \$1,000

Town of Johnstown - Fee Schedule

Item #8.

Sec. 13-45. Sanitary sewers, building sewers and connections.

Building sewer permits:

Residential	\$100.00
Commercial	\$500.00

Sec. 13-51. Administrative review; appeals process.

Docket fee	\$50.00
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Sec. 13-53. Sewer service charges.

Customer Class - In Town:

	Base	Usage*
Residential	\$31.56	\$0.00
Multi Family	\$31.56/unit	\$0.00
Nonresidential	\$31.56	
Nonresidential (Usage charges)		\$3.63/1000g
RV facility with disposal station(s)(per pad)	\$12.62	

*Usage amount calculated by averaging water use during the months of December, January, and February

As of January 1, 2022						
2022	2023	2024	2025	2026	2027	
\$33.14	\$34.79	\$36.53	\$38.36	\$40.28	\$42.29	
\$33.14/unit	\$34.79/unit	\$36.53/unit	\$38.36/unit	\$40.28/unit	\$42.29/unit	
\$33.14	\$34.79	\$36.53	\$38.36	\$40.28	\$42.29	
\$3.81/1000	\$4.00/1000	\$4.20/1000	\$4.41/1000	\$4.63/1000	\$4.86/1000	
\$13.25	\$13.91	\$14.61	\$15.34	\$16.11	\$16.91	

Customer Class - Outside Town:

	Base	Usage*
Residential	\$47.34	\$0.00
Multi Family	\$47.34/unit	\$0.00
Nonresidential	\$47.34	
Nonresidential (Usage charges)		\$5.45/1000g
RV facility with disposal station(s)(per pad)	\$18.93	

*Usage amount calculated by averaging water use during the months of December, January, and February

As of January 1, 2022						
2022	2023	2024	2025	2026	2027	
\$49.71	\$52.19	\$54.80	\$57.54	\$60.42	\$63.44	
\$49.71/unit	\$52.19/unit	\$54.80/unit	\$57.54/unit	\$60.42/unit	\$63.44/unit	
\$49.71	\$52.19	\$54.80	\$57.54	\$60.42	\$63.44	
\$5.72/1000g	\$6.00/1000g	\$6.31/1000g	\$6.62/1000g	\$6.96/1000g	\$7.30/1000g	
\$19.88	\$20.87	\$21.91	\$23.01	\$24.16	\$25.37	

Surcharge for solids and irregular concentrations

BOD	\$.0698/lb
Suspended solids	\$.107/lb

Industrial Users - domestic treatment only

Calculation

Sec. 13-54. Sewer Tap Fees

Sewer tap fees:

Single Family, Duplex, Town Homes (per unit)

≤ 3/4"	\$5,280.00
1"	\$7,650.00
1.5"	\$14,850.00
2"	\$23,850.00
3"	\$52,650.00
4"	\$94,500.00
6"	\$194,850.00
8"	\$419,850.00
10"	\$630,000.00

Multi Family (per Unit)

	\$2,640.00
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Water Meter Size - Out of Town Rates

≤ 3/4"	\$7,920.00
1"	\$11,475.00
1.5"	\$22,275.00
2"	\$35,775.00
3"	\$78,975.00
4"	\$141,750.00
6"	\$292,275.00
8"	\$629,775.00
10"	\$945,000.00

Multi Family (per Unit)

	\$3,960.00
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As of January 1, 2022						
2022	2023	2024	2025	2026	2027	
\$5,502	\$5,667	\$5,837	\$6,012	\$6,192	\$6,378	
\$9,353	\$9,634	\$9,923	\$10,220	\$10,527	\$10,843	
\$18,156	\$18,701	\$19,262	\$19,840	\$20,435	\$21,048	
\$29,159	\$30,034	\$30,935	\$31,863	\$32,819	\$33,804	
\$64,371	\$66,302	\$68,291	\$70,340	\$72,450	\$74,624	
\$115,537	\$119,003	\$122,573	\$126,250	\$130,038	\$133,939	
\$238,226	\$245,373	\$252,734	\$260,316	\$268,125	\$276,169	
\$513,314	\$528,713	\$544,575	\$560,912	\$577,739	\$595,072	
\$770,246	\$793,353	\$817,154	\$841,669	\$866,919	\$892,926	
\$2,751	\$2,833	\$2,918	\$3,006	\$3,096	\$3,189	
As of January 1, 2022						
2022	2023	2024	2025	2026	2027	
\$8,253	\$8,500	\$8,755	\$9,018	\$9,288	\$9,567	
\$14,030	\$14,450	\$14,884	\$15,330	\$15,790	\$16,264	
\$27,234	\$28,051	\$28,893	\$29,759	\$30,652	\$31,572	
\$43,739	\$45,051	\$46,403	\$47,795	\$49,229	\$50,705	
\$96,557	\$99,453	\$102,437	\$105,510	\$108,675	\$111,935	
\$173,306	\$178,505	\$183,860	\$189,376	\$195,057	\$200,909	
\$357,339	\$368,059	\$379,101	\$390,474	\$402,188	\$414,254	
\$769,971	\$793,070	\$816,862	\$841,368	\$866,609	\$892,607	
\$1,155,369	\$1,190,030	\$1,225,731	\$1,262,503	\$1,300,378	\$1,339,389	
\$4,126	\$4,250	\$4,378	\$4,509	\$4,644	\$4,784	

Town of Johnstown - Fee Schedule

Item #8.

Sec. 13-55. Regional Sewer Fee.

Sewer Regional Improvement Fee:

Per Single Family Equivalent	\$9,500.00
Duplex and Triplex (per unit)	\$7,500.00
Town Homes <12 units/acre (per unit)	\$6,500.00
Town Homes >12 units/acre (per unit)	\$6,000.00
Multi-Family (per unit)	\$5,000.00
Commercial, Industrial and Other (per SFE)	\$9,500.00

ARTICLE III Water

Sec. 13-72. Water meters.

Meter Cost*:

5/8" Meter	\$475.00
3/4" Meter	\$495.00
1" Meter	\$630.00
1.5" Meter	\$875.00
2.0" Meter	\$1,150.00
2.5" <	To be individually calculated

* Meter yokes, meter pits, meter domes, including lid and inner lid are the responsibility of the contractor. All items must be listed on the approved material list.

Meter Testing fee	\$100.00
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Sec. 13-73(a). Water Tap Fee

Potable water tap fee:

Water Meter Size - In Town Rates

		<u>2022</u>	<u>2023</u>	<u>As of January 1, 2022</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
≤ 3/4"	\$6,437.00	\$6,707	\$6,909	\$7,116	\$7,329	\$7,549	\$7,776		
1"	\$10,247.98	\$11,403	\$11,745	\$12,097	\$12,460	\$12,834	\$13,219		
1.5"	\$19,893.14	\$22,134	\$22,798	\$23,482	\$24,187	\$24,912	\$25,660		
2"	\$31,949.59	\$35,549	\$36,615	\$37,714	\$38,845	\$40,011	\$41,211		
3"	\$70,530.23	\$78,476	\$80,830	\$83,255	\$85,753	\$88,325	\$90,975		
4"	\$126,588.00	\$140,854	\$145,080	\$149,432	\$153,915	\$158,533	\$163,289		
6"	\$261,012.40	\$290,428	\$299,141	\$308,116	\$317,359	\$326,880	\$336,686		
8"	\$562,412.40	\$625,796	\$644,570	\$663,907	\$683,824	\$704,339	\$725,469		
10"	\$843,920.00	\$939,030	\$967,200	\$996,216	\$1,026,103	\$1,056,886	\$1,088,593		

Water Meter Size - Out of Town Rates

		<u>As of January 1, 2022</u>						
≤ 3/4"	\$9,655.50	\$10,061	\$10,363	\$10,674	\$10,994	\$11,324	\$11,663	
1"	\$15,371.97	\$17,104	\$17,617	\$18,145	\$18,690	\$19,250	\$19,828	
1.5"	\$29,839.71	\$33,201	\$34,197	\$35,223	\$36,280	\$37,368	\$38,490	
2"	\$47,924.39	\$53,323	\$54,923	\$56,571	\$58,268	\$60,016	\$61,817	
3"	\$105,795.35	\$117,714	\$121,245	\$124,883	\$128,629	\$132,488	\$136,463	
4"	\$189,882.00	\$211,282	\$217,620	\$224,149	\$230,873	\$237,799	\$244,933	
6"	\$391,518.60	\$435,643	\$448,712	\$462,173	\$476,038	\$490,320	\$505,029	
8"	\$843,618.60	\$938,694	\$966,855	\$995,861	\$1,025,736	\$1,056,509	\$1,088,204	
10"	\$1,265,880.00	\$1,408,544	\$1,450,801	\$1,494,325	\$1,539,154	\$1,585,329	\$1,632,889	

Town of Johnstown - Fee Schedule

Item #8.

Sec. 13-73(b). Raw Water Development Fee

Raw Water Development Fee:

Water Meter Size - In Town Rates

≤ 3/4"

1"

1.5"

2"

3"

4"

6"

8"

10"

Out of Town Rates:

≤ 3/4"

1"

1.5"

2"

3"

4"

6"

8"

10"

	As of January 1, 2022					
\$5,441.96	\$5,671	\$5,841	\$6,016	\$6,196	\$6,382	\$6,574
\$9,251.32	\$9,640	\$9,929	\$10,227	\$10,534	\$10,850	\$11,175
\$17,958.45	\$18,713	\$19,274	\$19,852	\$20,448	\$21,061	\$21,693
\$28,842.37	\$30,054	\$30,955	\$31,884	\$32,841	\$33,826	\$34,841
\$63,670.88	\$66,345	\$68,335	\$70,386	\$72,497	\$74,672	\$76,912
\$114,281.16	\$119,081	\$122,653	\$126,333	\$130,123	\$134,027	\$138,047
\$235,636.87	\$245,534	\$252,900	\$260,487	\$268,301	\$276,350	\$284,641
\$507,734.87	\$529,060	\$544,932	\$561,279	\$578,118	\$595,461	\$613,325
\$761,874.40	\$793,873	\$817,689	\$842,220	\$867,487	\$893,511	\$920,317
	As of January 1, 2022					
\$8,162.94	\$8,506	\$8,761	\$9,024	\$9,294	\$9,573	\$9,861
\$13,876.98	\$14,460	\$14,894	\$15,340	\$15,801	\$16,275	\$16,763
\$26,937.68	\$28,069	\$28,911	\$29,778	\$30,672	\$31,592	\$32,540
\$43,263.56	\$45,081	\$46,433	\$47,826	\$49,261	\$50,739	\$52,261
\$95,506.32	\$99,518	\$102,503	\$105,578	\$108,746	\$112,008	\$115,368
\$171,421.74	\$178,621	\$183,980	\$189,499	\$195,184	\$201,040	\$207,071
\$353,455.31	\$368,300	\$379,349	\$390,730	\$402,452	\$414,525	\$426,961
\$761,602.31	\$793,590	\$817,397	\$841,919	\$867,177	\$893,192	\$919,988
\$1,142,811.60	\$1,190,810	\$1,226,534	\$1,263,330	\$1,301,230	\$1,340,267	\$1,380,475

Sec. 13-75. Meter obstruction.

Meter obstruction fee (per incidence)

\$100.00

Sec. 13-76. Disconnection of Service.

Service restoration fee

\$40.00

Sec. 13-77. Water service charges.

Water Usage Rates:

Residential - Single Family Equivalent - In Town:

Base

Volume charge is per thousand gallons:

Volume charge - 0 - 5,000 gallons

Volume charge - 5,001 - 10,000 gallons

Volume charge - 10,001 - 15,000 gallons

Volume charge - 15,001 - 20,000 gallons

Volume charge - 20,001 - 25,000 gallons

Volume charge - >25,000 gallons

	As of January 1, 2022					
	2022	2023	2024	2025	2026	2027
\$21.53	\$22.18	22.84	23.53	24.23	24.96	25.71
\$3.00	\$3.09	3.18	3.28	3.38	3.48	3.58
\$3.45	\$3.55	3.66	3.77	3.88	4.00	4.12
\$3.97	\$4.09	4.21	4.34	4.47	4.60	4.74
\$4.56	\$4.70	4.84	4.99	5.14	5.29	5.45
\$5.25	\$5.40	5.57	5.73	5.91	6.08	6.27
\$6.03	\$6.22	6.40	6.59	6.79	7.00	7.20

Residential - Single Family Equivalent - Outside Town:

Base

Volume charge is per thousand gallons:

Volume charge - 0 - 5,000 gallons

Volume charge - 5,001 - 10,000 gallons

Volume charge - 10,001 - 15,000 gallons

Volume charge - 15,001 - 20,000 gallons

Volume charge - 20,001 - 25,000 gallons

Volume charge - >25,000 gallons

	As of January 1, 2022					
	2022	2023	2024	2025	2026	2027
\$32.30	\$33.26	34.26	35.29	36.35	37.44	38.56
\$4.50	\$4.64	4.77	4.92	5.06	5.22	5.37
\$5.18	\$5.33	5.49	5.65	5.82	6.00	6.18
\$5.95	\$6.13	6.31	6.50	6.70	6.90	7.11
\$6.84	\$7.05	7.26	7.48	7.70	7.93	8.17
\$7.87	\$8.11	8.35	8.60	8.86	9.12	9.40
\$9.05	\$9.32	9.60	9.89	10.19	10.49	10.81

Town of Johnstown - Fee Schedule

Item #8.

			As of January 1, 2022					
			2022	2023	2024	2025	2026	2027
Residential - Multi-Family - In Town:								
Base (per dwelling unit)		\$10.77	\$11.09	11.42	11.76	12.12	12.48	12.85
Volume charge is per thousand gallons:								
Volume charge - 0 - 100,000 gallons		\$3.00	\$3.09	3.18	3.28	3.38	3.48	3.58
Volume charge - 100,001 ≤		\$4.56	\$4.70	4.84	4.98	5.13	5.29	5.44
Residential - Multi-Family - Out of Town:								
Base (per dwelling unit)		\$16.15	\$16.63	17.13	17.64	18.17	18.72	19.28
Volume charge is per thousand gallons:								
Volume charge - 0 - 100,000 gallons		\$4.50	\$4.64	4.77	4.92	5.06	5.22	5.37
Volume charge - 100,001 ≤		\$6.84	\$7.05	7.26	7.47	7.70	7.93	8.17
Nonresidential/Commercial/Industrial - In Town:								
By meter size:	Base	Usage	2022	2023	2024	2025	2026	2027
Commercial - 5/8"	\$21.53		\$22.18	22.84	23.53	24.23	24.96	25.71
Commercial - 1"	\$36.60		\$37.70	38.83	39.99	41.19	42.43	43.70
Commercial - 1.5"	\$71.06		\$73.19	75.39	77.65	79.98	82.38	84.85
Commercial - 2"	\$114.12		\$117.54	121.07	124.70	128.44	132.30	136.27
Commercial - 3"	\$251.92		\$259.48	267.26	275.28	283.54	292.04	300.81
Commercial - 4"	\$452.17		\$465.74	479.71	494.10	508.92	524.19	539.91
Commercial - 6"	\$932.25							
Commercial - 8"	\$2,008.75							
Commercial - 10"	\$3,014.20							
Commercial - 5/8"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g
Commercial - 1"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g
Commercial - 1.5"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g
Commercial - 2"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g
Commercial - 3"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g
Commercial - 4"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g
Commercial - 6"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g
Commercial - 8"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g
Commercial - 10"		3.86/1000 gallons	3.98/1000g	4.10/1000g	4.22/1000g	4.34/1000g	4.47/1000g	4.60/1000g

Item #8.

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Town of Johnstown - Fee Schedule

Item #8.

Sec. 13-175. Administrative review; appeals process.

Docket fee	\$50.00
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Chapter 15 - Annexation

Sec. 15-4 Procedure prior to approval or denial of petition; approval or denial

Annexation filing fee	\$100.00
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Chapter 16 - Zoning

ARTICLE V Amendments

Sec 16-62 Procedure

Amendment fee	\$25.00
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ARTICLE XX Sign Code

Sec 16-363 Permit Requirements

Sign Permit	Varies based on project valuation
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Chapter 17 - Subdivisions

ARTICLE II Applicability of Regulations

Sec. 17-13 Fees

Preliminary Plat	\$500.00
Final Plat	\$500.00
Each filing	\$25.00
Recording Fee	Actual Cost

ARTICLE IV Dedication and Reservation of Land

Sec. 17-51 Dedication

Park Fee	\$500.00/lot
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ARTICLE XII Impact Fees*

Sec. 17-224 Transportation Facilities Development Fee

Residential:	
Detached Housing	2,777.00
Attached Housing	2,363.00
Nonresidential Development by Type:	
Retail	\$4.92/SF
Office	\$2.98/SF
Industrial/Other	\$1.92/SF

Sec. 17-225 Parks and Recreation Facilities Development Fee

Residential:	
Single-family detached	1,194.00
All other dwelling units	1,016.00

Sec. 17-226 Public Facilities Development Fee

Residential:	
Detached Housing	1,589.00
Attached Housing	1,352.00
Nonresidential Development by Type:	
Retail	\$.74/SF
Office	\$.74/SF
Industrial/Other	\$.74/SF

Town of Johnstown - Fee Schedule

Item #8.

Sec. 17-227 Library Facilities Development Fee

Residential:	
Single-family detached	1,148.00
All other dwelling units	977.00

Sec. 17-228 Police Facilities Development Fee

Residential:	
Detached Housing	733.00
Attached Housing	624.00
Nonresidential Development by Type:	
Retail	\$.68/SF
Office	\$.25/SF
Industrial/Other	\$.25/SF

Sec. 17-230 - Fire and emergency services provider facilities development fee

Loveland Fire Rescue Authority	
Residential	Fee Per Dwelling Unit
Single Family	1,000.00
Multi Family	692.00
Nonresidential	
Commercial (per square foot)	0.60
Industrial (per square foot)	0.12
Front Range Fire Rescue Fire Protection District	
Residential	Fee Per Dwelling Unit
Single Family or Two-Family	1,087.00
Multi Family	692.00
Nonresidential (per square foot)	0.60

Sec. 17-247 Payment of Costs

Site specific development plan based on external costs including:	Actual costs
Development Review	Actual costs
Publication and Printing	Actual costs
Public Hearings & Reviewing	Actual costs

Sec. 17-288 Administrative review; appeals

Docket fee	\$50.00
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* Impact fees are set by ordinance but for convenience have been included in this document.

Building Permit Fees

Sec. 18-121 Fees and Charges

IBC/IRC Building Permit Fee Table:

Total Valuation (in dollars)	Base Fee	Additional fee (or fraction thereof)
1 - 500	23.50	0
500 - 2,000	23.50	\$3.05 per \$100 of value
2,000 - 25,000	69.25	\$14.00 per \$1000 of value
25,000 - 50,000	391.25	\$10.10 per \$1000 of value
50,000 - 100,000	643.75	\$7.00 per \$1000 of value
100,000 - 500,000	993.75	\$5.60 per \$1000 of value
500,000 - 1,000,000	3,233.75	\$4.75 per \$1000 of value
1,000,000 +	5,608.75	\$3.65 per \$1000 of value

Fees will be doubled if construction begins before a building permit has been issued.

Building Plan Submittal/Review Fees:

Non-residential	65% of Permit Fee
Residential	30% of Permit Fee
Residential - new home or new stock plan review	\$500.00
Residential - new stock home, basement, alteration	\$50.00
Residential - addition, detached garage, shed, etc	\$100.00
Residential - miscellaneous, deck, arbor	\$20.00
Plan resubmittal fee	\$50.00
Cost of external consulting reviews	Actual cost

Electrical Fees:

Meter (temporary & permanent) - each	\$38.00
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Commercial, Solar & Non-living Residential spaces:

Total Valuation (in dollars)	Base Fee	Additional fee (or fraction thereof)
≤ \$2,000	77.00	n/a
≥ \$2,000	77.00	\$6.00 per \$1000 of value

Residential Living Space:

Total Valuation (in square feet)	Base Fee	Additional fee (or fraction thereof)
≤ 1,000	77.00	n/a
1,001 - 1,500	116.00	n/a
1,501 - 2,000	155.00	n/a
2,001 +	155.00	\$6.00 per 100 square feet

Development and Other Fees:

Johnstown Use Tax	3.50%
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Inspection & Miscellaneous Fees:

Backflow Preventer	\$47.00
Building Re-inspection, After Hours, Plan Resubmittal (per hour)	\$47.00
Electrical Re-inspection (per hour)	\$50.00
Temporary Certificate of Occupancy (6 month expiration)	\$600.00



Town of Johnstown

INFORMATIONAL ITEMS ONLY

These items are for Town Council information. Any of these items can be discussed if a Councilmember desires.

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141



Town of Johnstown

Building Permit Statistics

June, 2021

Single Family Residential

Issued ytd 103

Commercial

*New Building Issued ytd 10

Other Residential

(basements/alterations/additions)

Issued ytd 69

Other Commercial

* (tenant finish/alterations/additions)

Issued ytd 9

Fees collected at permit issuance**Residential YTD****Commercial YTD**

Construction Valuation	(\$32,820,093)	(\$29,992,623)
Building permit fees	\$277,683	\$183,615
F&F or <u>F&F Credit</u>	\$0	\$0
Paving	\$0	\$0
Water Upgrade	\$250	\$0
Water & Sewer Reimbursement	\$3,262	\$0
Raw Water Development Fee	\$561,912	\$168,700
Water Meter	\$50,965	\$5,526
Water Tap	\$663,011	\$185,088
Sewer Tap	\$543,840	\$63,280
Regional Sewer Development fee	\$446,500	
Sewer Inspection Fee	\$10,300	\$1,000
Park	\$51,500	\$0
Use Tax	\$529,867	\$467,676
Larimer Use Tax	\$61,893	\$90,023
Open Space Impact Fee	\$122,982	\$0
Library Impact Fee	\$118,244	\$0
Public Facilities Impact Fee	\$163,667	\$235,777
Police Facilities Impact Fee	\$75,499	\$82,894
Transportation Facilities Impact Fee	\$286,031	\$805,627
Traffic Signal	\$558	\$0
School District Fee	(\$58,266)	N/A

TOTAL FEES (YTD)

\$3,967,964

\$3,493,808

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Building permits issued for individual dwelling units - 1991 to (date)

Single family, duplex, 4-plex					
Year	Issued	Month avg		Year	Issued Month avg
*1961 - 90	165	0.0		2016	132 11.00
1991	2	0.17		2017	140 11.67
1992	5	0.42		2018	126 10.50
1993	7	0.75		2019	87 7.25
1994	47	3.92		2020	108 9.75
1995	106	8.83		2021	103 17.16
1996	145	12.00			
1997	143	11.92			
1998	175	14..58			
1999	145	12.08		TOTAL	5209
2000	134	11.92			
2001	152	12.67			
2002	262	21.92			
2003	284	24.17			
2004	331	27.67			
2005	375	31.33			
2006	180	15.75			
2007	160	133.42			
2008	97	8.00			
2009	89	7.42			
2010	124	10.33			
2011	184	15.34			
2012	310	25.84			
2013	378	31.50			
2014	272	22.67			
2015	162	13.50			

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RIVERVIEW PK-8 SCHOOL GRAND OPENING CEREMONY



You are cordially invited to the **Grand Opening Ceremony** for
Thompson School District's new **Riverview PK-8 School**.

A ceremony followed by activities for kids, tours, treats
and giveaways will take place on

Thursday, August 12th from **5:00 to 7:00 p.m.**

at the campus, located at **3550 Barkwood Drive in Johnstown.**

Please RSVP to Kate in the TSD Communications and Community Resources
Department at kate.kennedy@thompsonschoools.org,

or by calling (970) 613-5015.





Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS WORK SESSION

AGENDA DATE: August 2, 2021

SUBJECT: Lot Diversity, Size, & Neighborhood Character

ATTACHMENTS:

1. DRAFT Future Land Use Plan & Descriptions (Comp Plan)
2. Plans for nearby Master Planned neighborhoods
3. Current relevant Johnstown Municipal Code excerpts

PRESENTED BY: Kim Meyer, Planning & Development Director

Legal Note: A current land use Public Hearing remains Open, and continued to August 16th. No specific discussion of this pending agenda item may occur outside that formal public hearing forum. The intent of this Work Session is only to discuss and clarify broader general development issues, revisit existing code sections, and provide guidance to Staff for future land use proposals.

AGENDA ITEM DESCRIPTION:

The purpose of this work session is to obtain more clarity on the desired direction of the Town Council as it relates to future land use and development policy, and guidance that Staff can offer our development community. Recent discussions on several land use items have prompted Staff to request a more robust policy conversation related to desired character and development standards. The desired result is clear guidance from Council that will help ensure Town Staff is providing appropriate guidance early in the process to our development community, such that they feel confident moving forward with development in the Town, and through our review and approval processes.

Staff is currently working with multiple projects that are pending reviews and hearings. Projects currently submitted and in review remain subject to existing codes and policies. Significant desired changes may warrant an interim code update, to ensure that new applicants meet any updated code requirements.

The Community That Cares

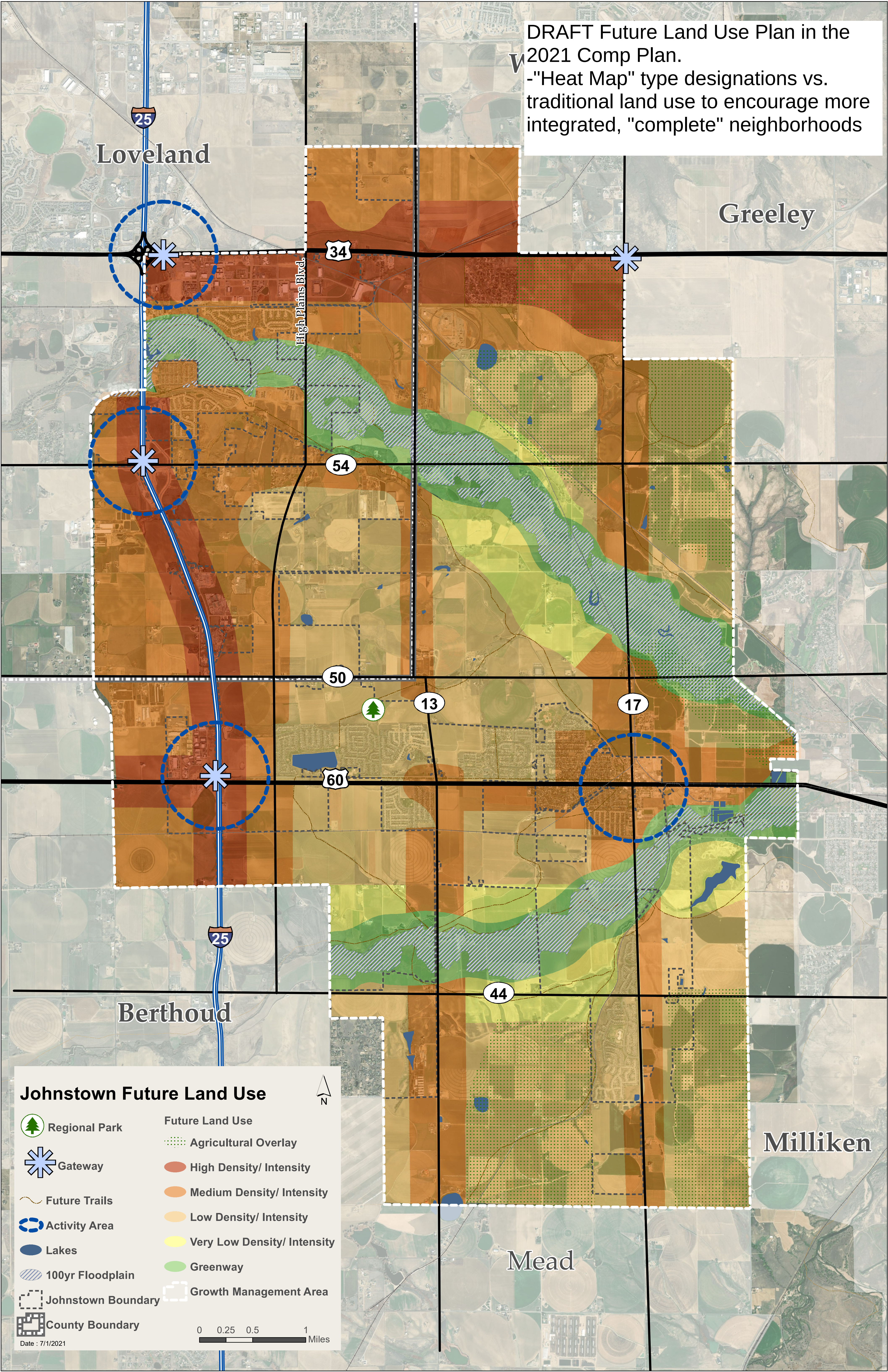
johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

Discussion Prompts:

1. What are the components and specifications that Council feels create great neighborhoods? A short list, to spur thoughts...
 - Lot Size – minimums, diversity, % mix
 - Housing Type – min/max acreage or % to one type
 - Architectural design - Massing, orientation, differentiation
 - Min # of models, elevations, “styles,” or builders
 - Location & scale of garage & driveways
 - Setbacks – front and side
 - Overall scale of streets
 - Sizes of individual yards vs yard reductions to aggregate as common open space
 - Pocket parks, playgrounds; oversized multi-modal trails; other amenities
 - Proximity and accessibility to schools, regional parks, employment, commercial areas, transportation corridors
 - Tie density to certain or extra amenities / additional open space
 - a. Is it a combination of these that creates that ideal character?
 - b. Are any of these make-or-break?
 - c. Would a point system be an option? Point values that are weighted and assigned, creating some minimum point value that must be hit to proceed, or get certain incentives.
2. Does the Town want a variety of densities and intensities of development, located in different areas and generally correlated to the scale of transportation corridors (as is being proposed in the current Comp Plan draft) – or is a more consistent, suburban/auto-urban look and feel desired throughout the Town?
 - a. Do we want to incentive or require a wider range of minimum lot sizes and housing types – accommodating apartments to townhomes to large estate lots?
 - b. How does residential fit into existing PUD-MU “mixed use” areas, where residential uses may be placed adjacent to, or integrated with, commercial uses?
3. As the Town develops and begins to fill in, there will be developing property adjacent to existing neighborhoods.
 - a. Is the “mirroring” concept of like-next-to-like to be implemented in all cases?
 - b. Are there other acceptable methods of compatibility and mitigating impacts? Such as % +/- of adjacent lot size or building height, berming, expanded landscape buffers, fencing, a buffer of less-intense/dense uses.

DRAFT Future Land Use Plan in the 2021 Comp Plan.
-"Heat Map" type designations vs. traditional land use to encourage more integrated, "complete" neighborhoods



HIGH DENSITY / INTENSITY (HDI)

INTENT & DESIRED CHARACTER

A High Density / Intensity area (HDI) will be generally characterized by a high percentage of non-residential uses, with some residential possibly integrated into larger development areas. These HDI corridors and nodes will accommodate and experience larger volume of traffic and be located along busy arterial and highway corridors, and especially at interchanges and intersections.

These areas are intended to provide high-quality, high-visibility locations for retail, office, and employment activities, with some light industrial uses that can appropriately mitigate impacts and contribute to the employment base. These areas will have taller, larger-scale structures, a wider span of business hours, large parking areas, and a mix of uses that create economic synergies. Gathering spaces, entertainment venues, and walkable and enjoyable retail areas may be located adjacent to larger “big box” retailers. Town Gateways will also benefit from these HDI locations where most travelers may first be made aware that they are in Johnstown.

While HDI areas are largely served by vehicular transportation with speeds of 35 mph or more, these areas may also serve as ideal locations for transit facilities, and multi-modal trails that allow cyclists and pedestrians to safely connect to the services offered from neighboring residential areas. Residential may be integrated into mixed-use structures, or be provided as stand-alone complexes, whereby residents can easily access employment, entertainment, and shopping opportunities, as well as the nearby transportation network and any transit facilities.

DESIRED FEATURES

Uses:

Mix of commercial, employment, and higher density residential uses to enliven the area.
Active and attractive streetscape along major corridors, with parking shared among multiple uses, and situated to the sides and rear of development to better accentuate the businesses and entryways.
Signage that is master planned for larger development for consistency and aesthetics.

RECOMMENDATIONS

Density Range:

No maximum.

Intensity:

Given range of uses, no specified floor-to-area ratio.

Approximate Land Use Balance:

80+% non-residential to a maximum of 20% residential.



MEDIUM DENSITY / INTENSITY (MDI)

INTENT & DESIRED CHARACTER

A Medium Density / Intensity area (MDI) will generally be characterized by a more balanced, and wider-ranging mix of land uses – incorporating walk-up apartment buildings, townhomes, small lot (3,500-5,000 SF) attached and detached single-family housing, in close proximity to neighborhood-scale shopping, personal services, restaurants, small medical facilities, and facilities such as libraries and recreational centers. Medium Density / Intensity areas may also occur along arterials and other major corridors, and may serve as the next layer away from the High Density / Intensity areas they may neighbor, as a transition to lower density neighborhoods. MDI's will offer complete neighborhoods with a diversity of shops and services, including schools and civic facilities, within walking or biking distance from residential areas; and offer good walking connections along with larger-scale multi-modal trails.

Commercial uses may be developed as stand-alone sites or be grouped in small 10 to 20-acre centers or campuses. Johnstown's Downtown would be ideal for this level of development. Reuse and redevelopment of existing structures may occur, with historic residences and structures changing to offices, boutiques, or personal services with alley-served parking. Commercial centers in an MDI will feature more walkability, perhaps offering covered arcades or awnings, pedestrian-scaled signage, shade trees and nice landscaping that helps slow traffic and break-up parking areas, and enjoyable outdoor spaces to gather. Rooftop and sidewalk patios, along with courtyard plazas offer patrons enjoyable places to meet and eat, gather and chat with friends.

Residential neighborhoods will provide a range of housing options and provide street and trail connections to adjacent neighborhoods. Housing will be encouraged to provide porches that extend closer to the sidewalks, and garages that are alley-loaded or setback to offer a safer, slower, and more interesting streetscape. Future considerations may include accessory dwelling or carriage house units to increase affordability and diversity. These are great neighborhoods to encourage and accommodate a diversity of lifestyles and income ranges, and allow active-agers to remain in Johnstown once larger family homes and yards may be less desirable.

DESIRED FEATURES

Mix of neighborhood-scaled commercial and civic areas with moderate density residential.

Attractive streetscape along major corridors, more suburban-style development, and walkable, pedestrian scale commercial areas that connect to adjacent neighborhoods.

Signage is pedestrian-scale along walking areas. Along streets, signs are monument-style or master-planned for larger development for consistency and aesthetics; large signs would serve as multi-tenant or development-scale monumentation and entry features.

RECOMMENDATIONS

Density Range:

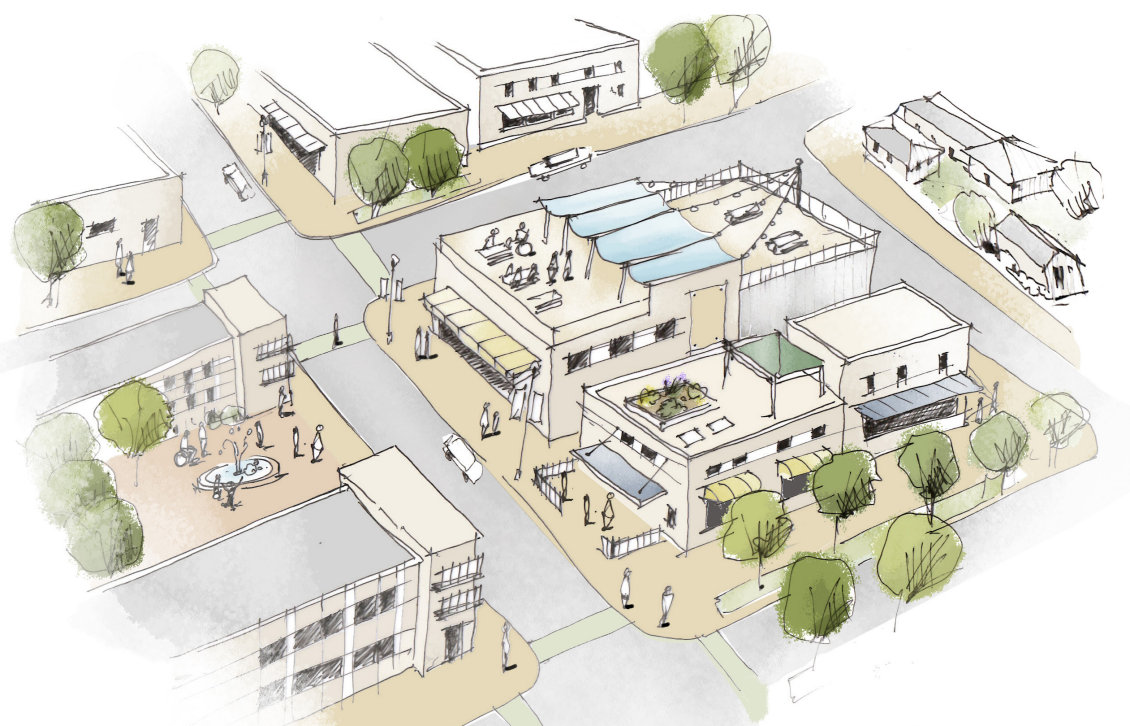
5-16 DU/Acre.

Intensity:

Max of 4 stories, 70% lot coverage, 20-foot setbacks from roadways with screened parking areas.

Approximate Land Use Balance:

30-40% non-residential to 60-70% residential uses.



LOW DENSITY/ INTENSITY

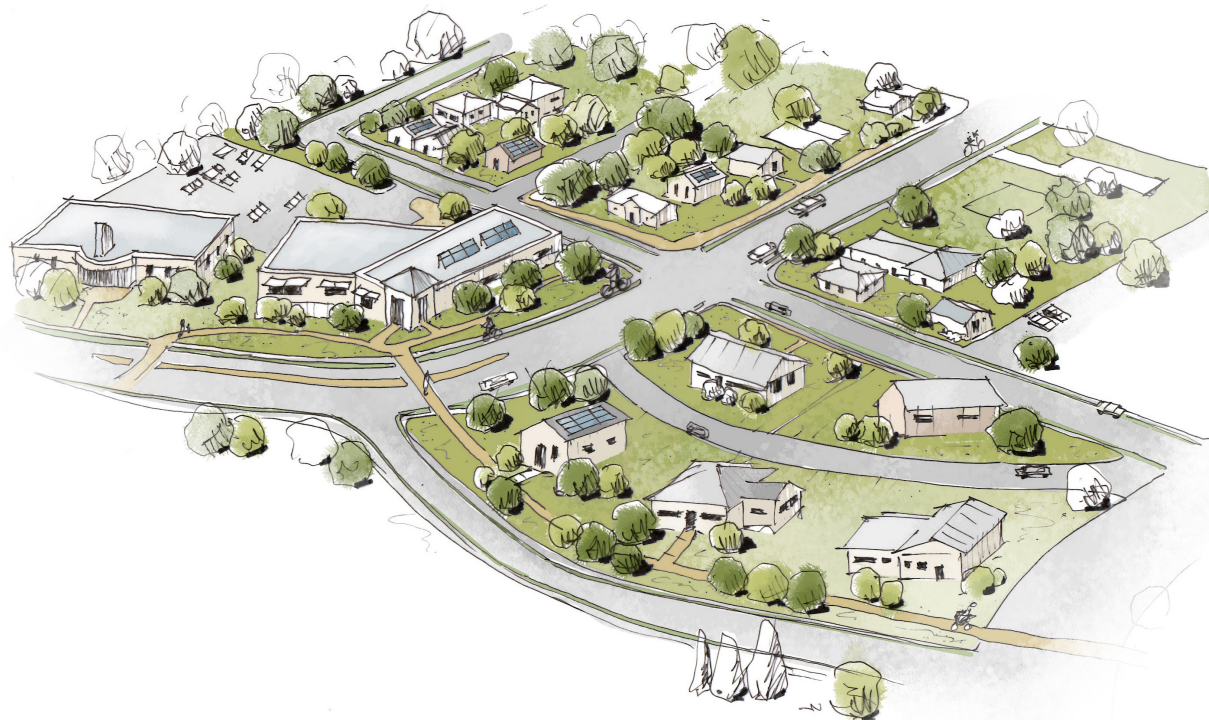
INTENT & DESIRED CHARACTER

A Low Density / Intensity area (LDI) will be generally characterized by a higher percentage of residential, predominantly lots for single-family detached homes, with some lower-density townhomes or duplex/patio homes. Commercial will be less prominent and focused on neighborhood-level services such as a convenience store, gas station, dance/karate studio, auto shop, salon, or restaurant, and civic uses (parks, library, schools).

Low Density / Intensity areas will occur along collector and local street corridors, and are likely to be adjacent to MDI and HDI areas, which serve to buffer LDIs from major street corridors and busier commercial areas. LDI's will strive to offer complete neighborhoods with easy access to neighborhood services, parks, schools, and be connected to adjacent neighborhoods and multi-modal corridors with trails and walks.

Commercial areas in LDIs will feature smaller building footprints ($\pm 3,000$ -30,000 SF), and be focused on providing smaller-scale retailers and services aimed at serving the immediate neighborhood and community, with more walkability and attractive landscaping that helps slow traffic and break-up parking areas, and enjoyable outdoor spaces to gather. Sidewalk patios and plazas offer patrons enjoyable places to meet and eat, gather and chat with neighbors. The commercial uses may occur in small commercial centers with multiple businesses, with cumulative commercial areas of around 100,000 SF.

Residential neighborhoods will provide multiple housing and lifestyle options within a more suburban setting. An LDI neighborhood may utilize winding internal streets and cul-de-sac configurations; perimeter fencing and landscaping for buffers, pocket parks and playgrounds within neighborhoods, connected to a trail system. These provide another great solution for integrating a range of lifestyles, incomes, and ages into a neighborhood.



DESIRED FEATURES

Streets and spaces support lower volumes of vehicles and people, with most homes and driveways accessing from local streets.

Attractive streetscape is presented along major corridors, with a more suburban-style development dominated by residential, but still allowing commercial uses and centers for small-scale uses that directly serve nearby neighborhoods and local residents.

Signage is pedestrian-scale along walking areas. Along streets, signs are monument-style or master-planned for commercial centers, and/or with adjacent neighborhoods, for consistency and aesthetics.

Density Range:

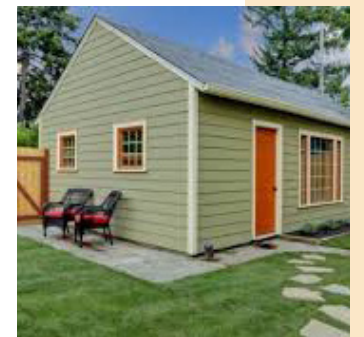
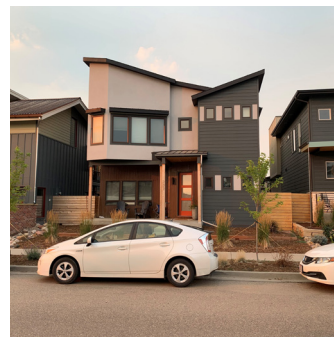
4-10 DU/Acre.

Intensity:

Maximum of 3 stories, 70% lot coverage, 20-foot setbacks from roadways with screened parking areas.

Approximate Land Use Balance:

15-20% non-residential to 80-85% residential uses.



VERY LOW DENSITY/ INTENSITY

INTENT & DESIRED CHARACTER

Very Low Density / Intensity areas will typically develop adjacent to more natural corridors of floodplains, rivers, reservoirs, prime agriculture conservation, bluffs or highly-sloped area, and other natural features to better accommodate and allow the unique features to be integrated into the design of the development.

These neighborhoods and areas will be generally characterized by a mixture of larger-lot, estate-style residential, integrated with clusters of lower-density townhomes and duplex/patio homes to create additional housing opportunities, while conserving the natural features these VLDI areas are intended to integrate with and protect. Cluster-style development allows a mix of housing types, adjacent to expansive open spaces and natural areas intended to buffer these features from more intensely-developed areas.

The Town would expect to see low volume streets, open-style fencing, trails that connect through the neighborhood, and a more native/natural landscape and plant mix. VLDI's will rely on adjacent neighborhoods and corridors for access to services, parks, schools, and nearby services.



DESIRED FEATURES

Streets and spaces support low volumes of vehicles and people, with all homes and driveways accessing from local streets.

Significant open space and natural area conservation through the use of cluster development or specific building envelopes on estate lots.

Open rail fencing, natural grasses and landscape elements, protected natural features.

Density Range:

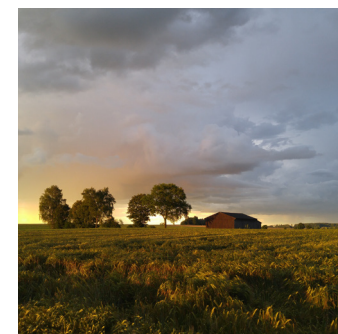
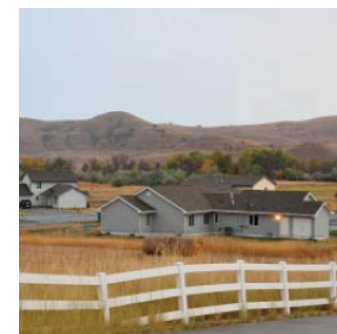
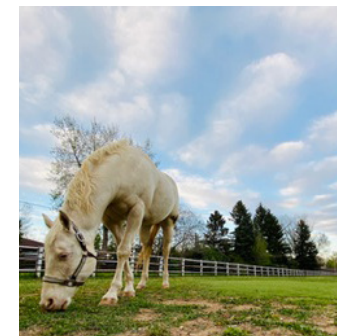
1-2 DU/Acre.

Intensity:

Maximum of 2 stories, building envelopes clarifying setbacks and intensity of development.

Land Use Balance:

100% residential uses



ACTIVITY CENTERS

INTENT & DESIRED CHARACTER

Activity centers have been identified as strategic areas that support local and regional transportation networks, living, employment, recreation, and services. These areas are intended to be mixed-use centers that make a highly efficient use of space by offering high-density residential areas supported by a diversity of shops and services and a vibrant public realm.

Activity Centers continue to develop at highway interchanges, Downtown, and generally in conformance with other characteristics of a High Density / Intensity area. While three of the four activity centers are located along the I-25 corridor making them convenient for motorized travelers, these centers should also connect to the Town's trail network, facilitating and encouraging active modes of transportation, and enhancing recreation opportunities for the community. These centers are ideal opportunities for the Town to consider future transit or other transportation services, and connections to nearby systems.

DESIRED FEATURES

See High Density / Intensity category.

Density: No maximum.

Intensity: No specified floor-to-area ratio.

Approximate Land Use Balance: 85-90% non-residential to max 15% residential uses.



GATEWAYS

GENERAL LOCATION

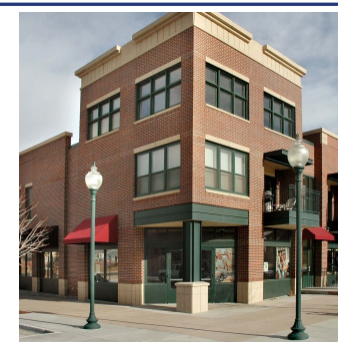
At key, high traffic entrance points.

INTENT & DESIRED CHARACTER

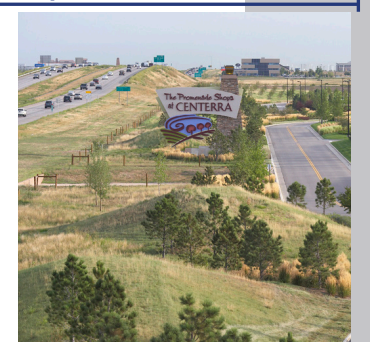
These are unique entrances into Town. Gateways are intended to define our community —both in terms of physical limits and identity, to welcome residents and visitors, and to slow traffic well outside Town limits.

These gateways should be designed and landscaped to create cohesive, attractive, and celebratory landmarks that pay homage to Johnstown's character and values.

Activity Centers



Gateways



GREENWAY/FLOODPLAIN

INTENT & DESIRED CHARACTER

This designation is primarily intended for floodplain areas, as established by the adopted FIRM/FEMA maps and studies. These areas are natural areas for flooding—to capture and channel stormwater in large storm events, offer high habitat and ecosystem value, and should be avoided when considering areas for new development or redevelopment to protect life, property, and natural assets. These areas offer opportunities for conservation of natural areas and landscapes, as well as low impact recreational trails. Greenways may also be located adjacent to irrigation ditches, reservoirs, wetlands, and other ecologically-significant areas.

The greenway/floodplain areas include natural open space, trails, and river access. While sections of this land use may be on private land, efforts should be made to increase and maintain public access and to enhance connections for regional recreation and wildlife movement.

Uses:

Passive recreation.

Density:

N/A.

Intensity:

N/A.



AGRICULTURE PRESERVATION OVERLAY

INTENT & DESIRED CHARACTER

This agriculture preservation overlay represents areas identified by the United States Department of Agriculture (USDA) as prime for agriculture. As a “Right to Farm County”, Weld County recognizes the importance of maintaining productive agricultural lands to support the economies of scale required for agricultural operations. Johnstown concurs and welcomes the continued production of agricultural products within its Growth Management Area.

While many acres of Johnstown’s prior surrounding agricultural lands have been converted to development, the Town is open to working with the community to preserve and conserve areas of ongoing production and prime agricultural lands. Innovative financing and land use tools exist and should be considered to assist those interested in maintaining their agricultural businesses and way of life.

Uses:

Large lot residential, ranch, farm, pastures, stables, and arenas. Special uses may be allowed for agri-tourism purposes (lodging, demonstrations, workshops, fairs, retail farm sales, special event facilities, etc.). Additional uses may be added to land use regulations that can enable the community to protect this resource while exploiting opportunities to extract the highest value for preserved agricultural lands.

Density:

2 DU/Acre

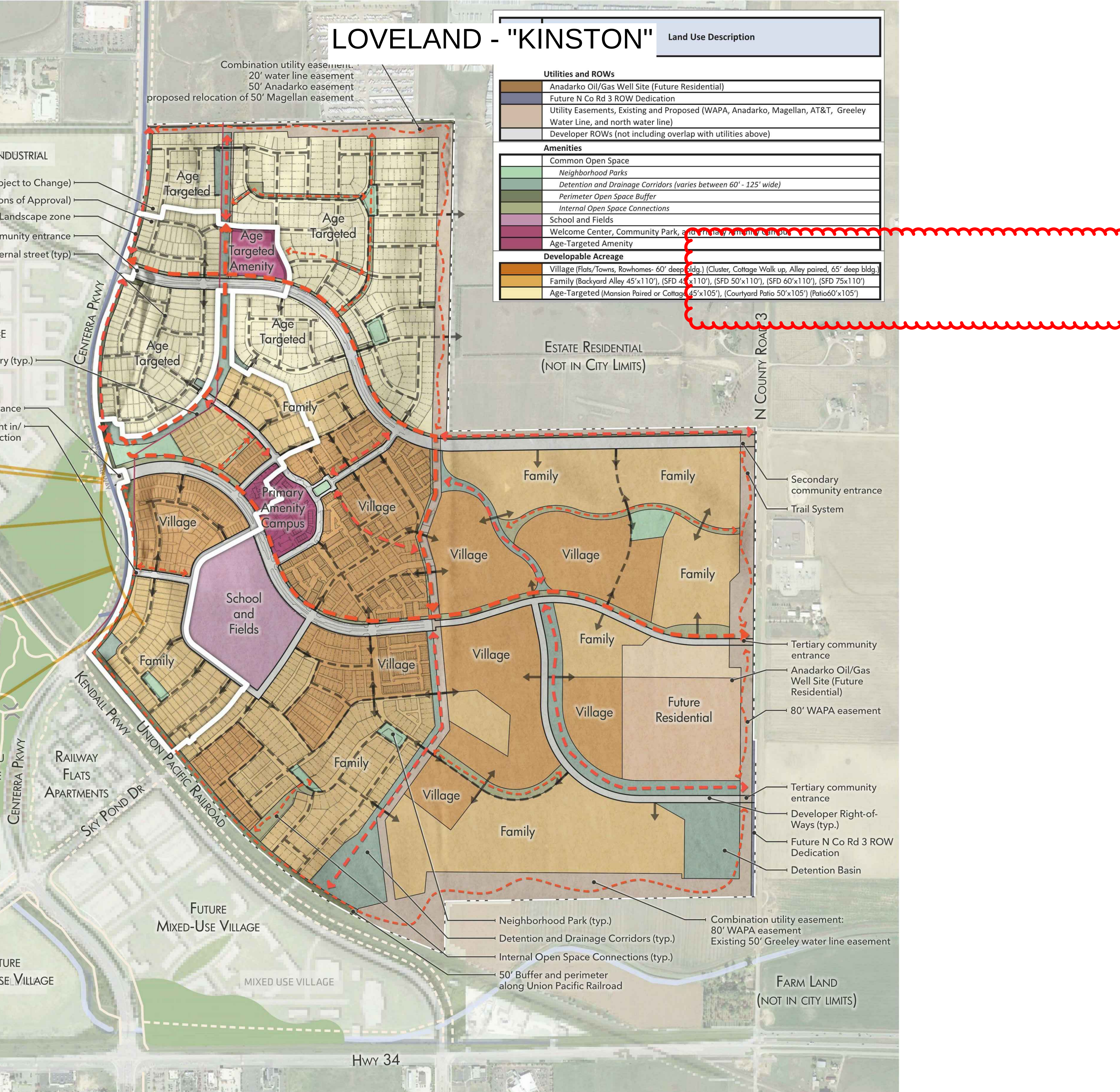
Intensity:

Accessory/additional uses in harmony with and proportion to primary functioning agricultural use.



LOVELAND - "KINSTON"

Land Use Description



Utilities and ROWs

Anadarko Oil/Gas Well Site (Future Residential)
Future N Co Rd 3 ROW Dedication
Utility Easements, Existing and Proposed (WAPA, Anadarko, Magellan, AT&T, Greeley Water Line, and north water line)
Developer ROWs (not including overlap with utilities above)

Amenities

Common Open Space
Neighborhood Parks
Detention and Drainage Corridors (varies between 60' - 125' wide)
Perimeter Open Space Buffer
Internal Open Space Connections
School and Fields
Welcome Center, Community Park, and primary community campus
Age-Targeted Amenity

Developable Acreage

Village (Flats/Towns, Rowhomes- 60' deep bldg.) (Cluster, Cottage Walk up, Alley paired, 65' deep bldg.)
Family (Backyard Alley 45'x110'), (SFD 45'x110'), (SFD 50'x110'), (SFD 60'x110'), (SFD 75'x110')
Age-Targeted (Mansion Paired or Cottage 45'x105'), (Courtyard Patio 50'x105') (Patio60'x105')

ESTATE RESIDENTIAL
(NOT IN CITY LIMITS)

N COUNTY ROAD 3

Secondary
community entrance
Trail System

Tertiary community
entrance
Anadarko Oil/Gas
Well Site (Future
Residential)
80' WAPA easement

Tertiary community
entrance
Developer Right-of-
Ways (typ.)
Future N Co Rd 3 ROW
Dedication
Detention Basin

Neighborhood Park (typ.)
Detention and Drainage Corridors (typ.)
Internal Open Space Connections (typ.)
50' Buffer and perimeter
along Union Pacific Railroad
Combination utility easement:
80' WAPA easement
Existing 50' Greeley water line easement

FARM LAND
(NOT IN CITY LIMITS)

Hwy 34

RAINDANCE | OVERALL PLAN

SUBDIVISION FILINGS AND BUILDERS

APRIL 19, 2021

NOTE: THIS GRAPHIC IS FOR ILLUSTRATIVE PURPOSES ONLY AND IS SUBJECT TO CHANGE.

1133 Acres

RAINDANCE NATIONAL GOLF CLUB

LEGEND

FILING ONE

Builder	Lot Size	Number of Lots
Horizon View	70' X 110'	88
Journey	60' X 110'	96
Journey	50' X 110'	153
		337

FILING TWO

Builder	Lot Size	Number of Lots
Dream Finders	70' X 130'	14
Bridgewater	70' X 110'	34
DR Horton	60' X 110'	106
DR Horton	50' X 110'	124
		278

FILING THREE SOUTHERN LOTS

Builder	Lot Size	Number of Lots
American Legend	70' X 130'	12
American Legend	70' X 110'	11
American Legend	60' X 110'	57
American Legend	50' X 110'	91
Journey	50' X 110'	22

FILING THREE NORTHERN LOTS

Builder	Lot Size	Number of Lots
American Legend	60' X 110'	13
Journey	50' X 110'	27
		233

FILING FIVE LOTS

Builder	Lot Size	Number of Lots
Wonderland Homes	55' X 110'/120'	53

FILING SIX LOTS

Builder	Lot Size	Number of Lots
Custom Home Lots	1 Acre	45
Bridgewater	70' X 110'	40
Bridgewater	60' X 110'	40
		125

FILING EIGHT LOTS

Builder	Lot Size	Number of Lots
Journey	60' X 110'	53
Journey	52' X 110'	52
Horizon View	60' X 110'	33
		138

FILING NINE LOTS

Builder	Lot Size	Number of Lots
Journey	60' X 110'	86
Dream Finders	60' X 110'	31
Journey	52' X 110'	90
Dream Finders	52' X 110'	32
		239

FILING ELEVEN UNITS

Builder		Number Units
Hartford Homes	Condominium	160

FILING TWELVE MULTIFAMILY

Builder		Number Units
Journey	Apartments to rent	525

FILING FIFTEEN LOTS

Builder	Lot Size	Number of Lots
Golf Lots	70' X 110'	97
Golf Lots	60' X 110'	85
Golf Lots	50' X 110'	110
		292

FILING SIXTEEN LOTS

Builder	Lot Size	Number of Lots
	60' X 110'	77

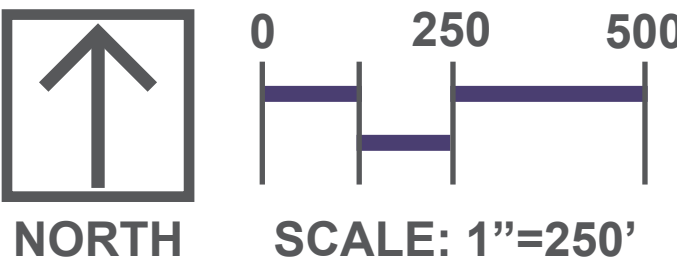
FILING SEVENTEEN LOTS

Builder	Lot Size	Number Units
	52'X110'	61

Grand Total	2,511
-------------	-------

COMMUNITY AMENITIES

1	HOMESTEAD WELCOME CENTER-FILING FOUR
2	RAINDANCE PARK AND RIVER RESORT-FILING SEVEN
3	FUTURE RECREATION AMENITY



~1360 Acres

MEAD/BERTHOUD - "WILSON RANCH"

DELANTERO PRELIMINARY P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTIONS 15 AND 16, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD #####

LAND USE CHART								
PARCEL	LAND USE	AREA (AC.)	ZONED DENSITY (D.U./AC.)	UNIT RANGE		MAXIMUM UNIT CAP	MAXIMUM F.A.R.	% OF SITE
				LOW	HIGH			
P.A. 1	COMMERCIAL/MIXED USE	54.4					0.3	6.6
P.A. 2	COMMERCIAL/MIXED USE	15.9	16-24	254	382	382	0.3	1.9
P.A. 3	COMMERCIAL/MIXED USE	18.6	16-24	298	446	446	0.3	2.3
	SUBTOTAL COMMERCIAL	88.9		552	828	828		10.8
P.A. 4	CONDOMINIUM	13.0	16-24	208	312	312		1.6
P.A. 5	TOWNHOMES	21.2	10-15	212	318	318		2.6
P.A. 6	TOWNHOMES	13.5	10-15	135	203	203		1.6
P.A. 7	TOWNHOMES	10.3	10-15	103	155	155		1.3
P.A. 8	PAIRED HOMES	17.0	8-12	136	204	204		2.1
P.A. 9	PAIRED HOMES	16.5	8-12	132	198	198		2.0
P.A. 10	PAIRED HOMES	11.0	8-12	88	132	132		1.3
P.A. 11	PAIRED HOMES	11.0	8-12	88	132	132		1.3
P.A. 12	PAIRED HOMES	11.6	8-12	93	139	139		1.4
	SUBTOTAL SINGLE FAMILY ATTACHED	125.1		1195	1792	1792		15.2
P.A. 13	SFD SMALL	23.0	7-10	161	230	230		2.8
P.A. 14	SFD SMALL	26.8	7-10	188	268	268		3.3
P.A. 15	SFD SMALL	14.0	7-10	98	140	140		1.7
P.A. 16	SFD SMALL	23.4	7-10	164	234	234		2.8
P.A. 17	SFD MEDIUM	36.1	4-6	144	217	217		4.4
P.A. 18	SFD MEDIUM	24.3	4-6	97	146	146		3.0
P.A. 19	SFD MEDIUM	24.0	4-6	96	144	144		2.9
P.A. 20	SFD MEDIUM	33.8	4-6	135	203	203		4.1
P.A. 21	SFD MEDIUM	27.6	4-6	110	166	166		3.4
P.A. 22	SFD MEDIUM	12.8	4-6	51	77	77		1.6
P.A. 23	SFD MEDIUM	22.1	4-6	88	133	133		2.7
P.A. 24	SFD LARGE	16.1	3-5	48	81	81		2.0
P.A. 25	SFD LARGE	26.3	3-5	79	132	132		3.2
	SUBTOTAL SINGLE FAMILY DETACHED	310.3		1460	2168	2168		37.8
	TOTAL FOR ALL POTENTIAL RESIDENTIAL PARCELS	524		3207	4788	4788		
P.A. 26	INDUSTRIAL MIXED USE	17.4					0.4	2.1
P.A. 27	INDUSTRIAL MIXED USE	26.9					0.4	3.3
P.A. 28	INDUSTRIAL MIXED USE	22.9					0.4	2.8
	SUBTOTAL INDUSTRIAL	67.2						8.2
P.A. 29	SCHOOL	15.2						1.8
	SUBTOTAL SCHOOL	15.2						1.8
P.A. 30	SHARED PARK SPACE	11.7						1.4
P.A. 31	DOG PARK	12.9						1.6
P.A. 32	CIVIC PARK	9.0						1.1
P.A. 33	PARK	8.8						1.1
P.A. 34	PARK	6.3						0.8
P.A. 35	PARK	10.1						1.2
P.A. 36	AG/RANCH OPEN SPACE	17.9						2.2
	SUBTOTAL PARKS/OPEN SPACE	76.7						9.3

LAND USE CHART								
PARCEL	LAND USE	AREA (AC.)	ZONED DENSITY (D.U./AC.)	UNIT RANGE		MAXIMUM UNIT CAP	MAXIMUM F.A.R.	% OF SITE
				LOW	HIGH			
P.A. 37	OIL & GAS	13.1						1.6
SUBTOTAL OIL & GAS		13.1						1.6
P.A. 38	IRRIGATION	5.4						0.7
SUBTOTAL IRRIGATION		5.4						0.7
P.A. 39	DETENTION	7.5						0.9
P.A. 40	DETENTION	9.4						1.1
P.A. 41	DETENTION	13.6						1.7
P.A. 42	DETENTION	17.2						2.1
SUBTOTAL DETENTION		47.7						5.8
ROAD RIGHT-OF-WAY								
		72.3						8.8
	SUBTOTAL R.O.W.	72.3						8.8
PROPERTY TOTAL		821.9						100.0

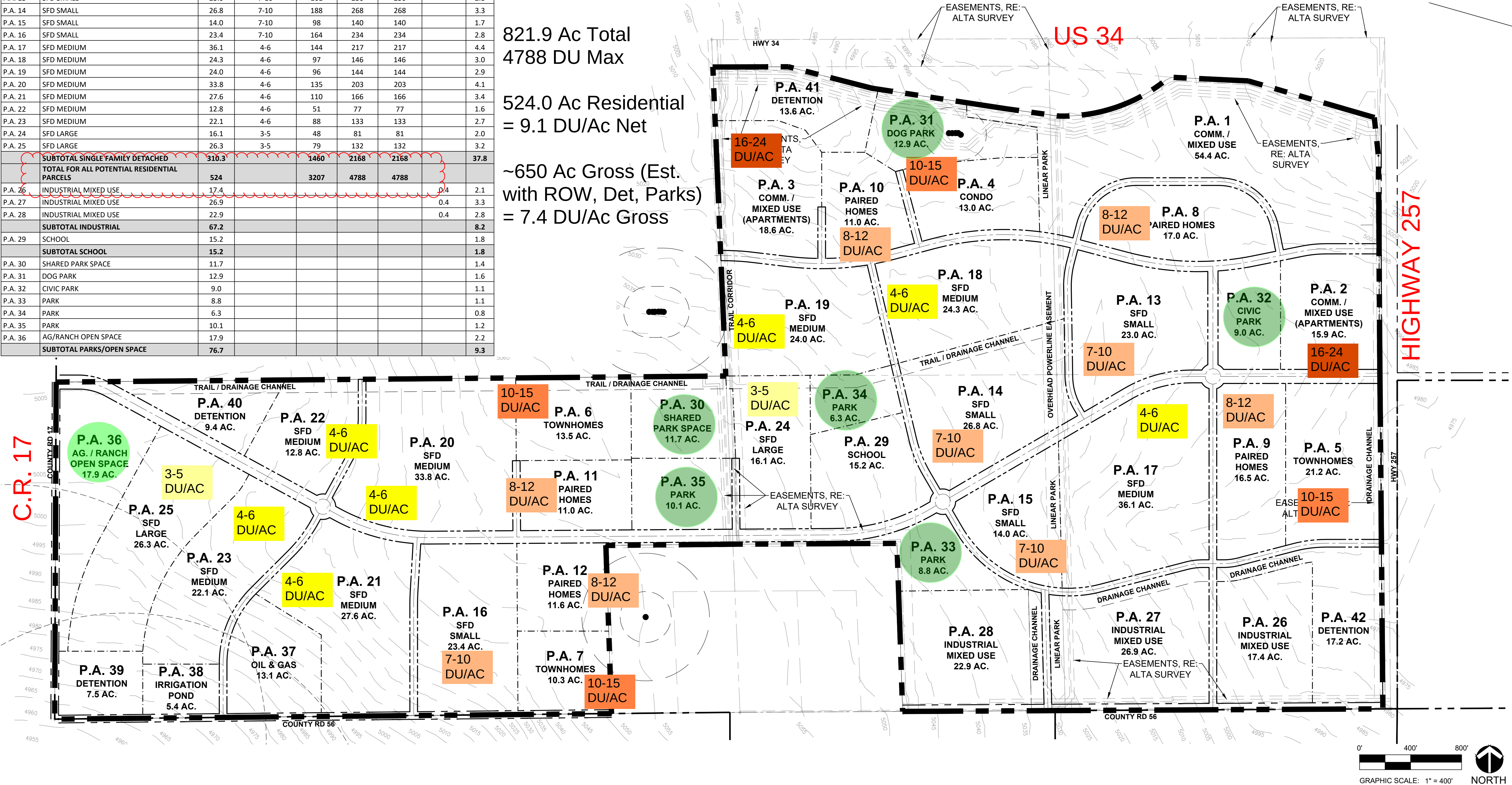
LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY
- PLANNING AREA BOUNDARY
- TRAIL OR DRAINAGE EASEMENT
- EXISTING EASEMENT
- MUNICIPAL BOUNDARY
- RIGHT-OF-WAY CENTERLINE
- 200' RADIUS SETBACK TO NEW HOUSE
- OIL AND GAS WELL LOCATION
- 500' RADIUS SETBACK TO NEW SCHOOL
- 2,000' OIL & GAS SETBACK FROM EXISTING RESIDENCE
- EXISTING CONTOURS

821.9 Ac Total
4788 DU Max

524.0 Ac Residential
= 9.1 DU/Ac Net

~650 Ac Gross (Est.
with ROW, Det, Parks)
= 7.4 DU/Ac Gross



PLANNER
LAI DESIGN GROUP
88 INVERNESS CIR E, STE J-101
ENGLEWOOD, CO 80112
PHONE: 303.734.1777



CIVIL ENGINEER

CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING
CONSTRUCTION SERVICES
9360 TEDDY LANE, SUITE 203
LOVE TREE, CO 80124
PHONE: 303.395.2700 - FAX: 303.395.2701

OWNER/CLIENT

STRATUS
STRATUS COMPANIES
252 CLAYTON STREET
DENVER, CO 80206
PHONE: (303) 398-0401



DELANTERO PRELIMINARY P.U.D.
GREELEY, CO
PRELIMINARY SITE PLAN

PROJECT #: 201048
DRAWN BY: ML
CHECKED BY: RH

ISSUE RECORD

1st SUBMITTAL 04-27-2021

SHEET NUMBER

L3.0

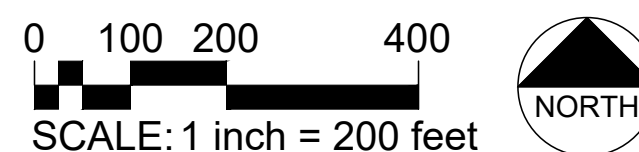
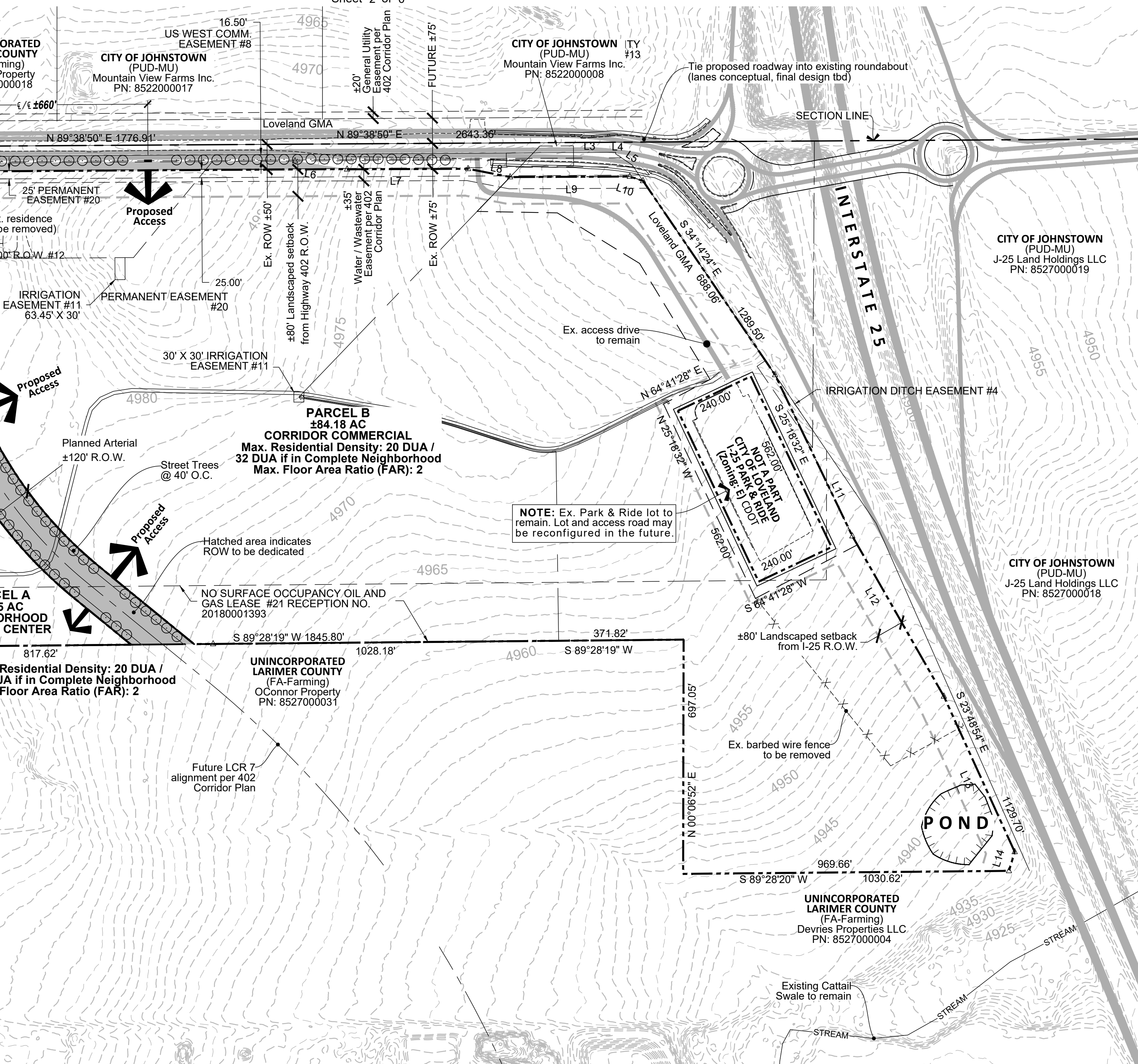
Ehrlich Addition

- for -

Loveland - Erlich PUD @ SWC 402

October 26, 2020

Sheet 2 of 6



Summary of Code Standards in Residential Zone Districts:

	SF-1	SF-2	MF-1	PUD-R	PUD-MU
JMC Section	§16-181	§16-201	§16-221	§16-302(a) +PUD	§16-302(d) +PUD
Lot Size	6,000 SF	4,500 SF	3,000 SF / Unit	No Minimum	No Minimum
Density – Maximum or Estimated (~) *PUD: §17-33(2)(b) & §16-306(1) (Code is unclear in intent)	~3-3.5 DU/Ac	~4+ DU/Ac.	~7 DU/Ac	*12 DU/Ac – based on PZC, (density increase = 50%)	*12 DU/Ac – based on PZC, (density increase = 50%)
Housing Type	SF Detached	SF Attached 2-6 Units	MultiFamily 2 or more Units	Any in SF- 1, SF-2, MF-1	Any in SF- 2, MF-1
Required “Livability Open Space”	3,000 SF	2,000 SF	900 SF		
Setbacks:					
Front	20	20	20		
Side / Corner	5	5	½ of Height		
Rear	5	5	½ of Height		
Park Dedication §17- 51	10%	10%	10%	10%	10%
Open Space Min. §17- 133(2)c	NA	NA	NA	30%	30%

Excerpts from Johnstown Municipal Code re: PUDs**Chapter 16 – Zoning & Chapter 17 - Subdivisions****§16-301 Purpose & Intent (PUD)**

The purpose of the PUD District is to facilitate greater flexibility resulting in higher quality development through more creative and imaginative design of the commercial, industrial and residential areas than is typically possible under conventional, restricted zoning regulations. Further, this Article is intended to promote more efficient and economical use of land while providing a greater number of usable and suitably located recreation facilities and other amenities. It is intended to provide measured design freedom by permitting the developer to best utilize the physical characteristics of the site by modifying minimum lot size, setbacks and other zoning and subdivision related restrictions; by encouraging high quality mixed use development; and by encouraging energy efficient design. Increased commercial and industrial floor area ratios may be permitted if such increases can be justified on the basis that the superior design makes the densities desirable with no reduction of amenities.

§16-302 Permitted Uses.

(a) PUD-R, Planned Unit Development Residential District:

(1) Intent. The PUD-R District is created to support private residential development by providing incentives encouraging the use of innovative design techniques in order to achieve high quality residential development.

(2) Size. There is no minimum size for the PUD-R District.

(3) Uses permitted. Within the PUD-R District, the following uses shall be permitted, subject to meeting all applicable criteria and regulations:

- a. Any permitted use, conditional use and accessory use allowed in the SF-1, SF-2 and MF-1 districts.
- b. Mobile home parks and subdivisions, provided that they are of not less than fifty (50) spaces and do not exceed a density of seven (7) units per acre.
- c. Consumer goods and services including neighborhood commercial, provided such uses are secondary to the permitted uses; satisfy convenience center criteria as identified in the Comprehensive Plan; are designed to serve primarily the residents of the development; and are harmoniously incorporated into the total design of the PUD.
- d. Churches, schools and other nonresidential, noncommercial uses provided such uses meet all requirements for lot area, width, height, yards and setbacks prescribed in the underlying district, or the standards of the zoning district which correspond to the land use designation of the Comprehensive Plan.
- e. If applicable, any use not identified above, however permitted in the underlying zoning district.

(d) PUD-MU, Planned Unit Development Mixed-Use District

(1) Intent. The PUD-MU Mixed Use District is created to allow the integration of higher-density residential, commercial and employment/light industrial development within an area so as to facilitate the formation of a self-sustaining project. Light industrial uses are permitted, provided that they complement the commercial uses and do not substantially negatively impact the residential uses. The following provisions apply to the PUD-MU District:

- a. The developer must establish that a special type of business and professional community will be created in which the addition of residential units would be a benefit to the business and professional development and the citizens who occupy the residential units.
- b. The land use arrangement, physical design and amenities of the PUD-MU District will be considered for their benefit to the citizens who would occupy the planned residential units.
- c. The number of residential units that may be built is flexible, but said number must achieve an acceptable proportion with commercial development to allow the development to be self-supporting. A fiscal impact study may be required to determine if the plan is self-supporting.
- d. Retail uses shall be consistent with the land use designation of the Comprehensive Plan or otherwise be consistent with the criteria for neighborhood or convenience commercial.

- e. Mixing various types of residential units and neighborhood commercial uses is typically appropriate in a PUD MU. If larger or more intensive commercial uses or warehouse or industrial uses are included, it is the intent of the Town that they have access from arterial streets that do not pass through residential neighborhoods in the PUD, that truck access be isolated from typical pedestrian and light vehicle circulation patterns, and that such uses be buffered from residential and mixed-use neighborhoods with appropriate combinations of separation, berms, landscaping, walls and fences.
- f. The following residential unit types are allowed in a PUD MU: any residential unit type allowed in the SF-2 District; any residential unit type allowed in the MF-1 District; in commercial areas of a MU PUD, residential uses above the first floor.
- g. The following commercial uses are allowed in residential or mixed residential-commercial portions of a PUD MU: any commercial use allowed in the NB District; the size limit on individual establishments set forth in the NB District shall apply in the residential or mixed residential-commercial portions of a PUD MU, but the size limits imposed on centers and the setback requirements from other uses applicable to the NB District shall not apply in these sections of the PUD MU.
- h. Commercial and industrial development within a PUD shall be located so as not to create undue traffic congestion or street hazards. Location of sufficient off-street parking and loading area shall be determined as appropriate to the particular PUD. Consideration shall be given to anticipated pedestrian, bicycle and vehicular impacts, adjacent development providing multiple use of off-street parking facilities and the types of commercial uses implicated.
- i. Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics and lighting shall be designed as integrated portions of the total PUD.

(2) Size. There is no minimum size for the PUD-MU District.

(3) Uses permitted. Within a PUD-MU District, the following uses shall be permitted subject to meeting all applicable criteria and regulations: any permitted, conditional or accessory uses allowed in PUD-R, PUD-B, PUD-NC, Gateway and Gateway Commercial Districts.

(4) Supplemental mixed use regulations:

- a. Multifamily dwellings may be constructed above commercial uses, provided that there is separate access to dwelling units.
- b. No commercial uses shall occupy the same floor as occupied by dwelling units.

§16-303. Declaration of policy; review criteria.

Planned Unit Developments provide a more flexible approach to the physical development of real property, providing an opportunity for creative development planning and building design, to the end that the public health, safety and general welfare will be better served by tailoring development to the unique or special characteristics of the subject property and surrounding area. The Town Administration, Planning and Zoning Commission and the Town Council shall evaluate all Planned Unit Development plans pursuant to the following criteria, which may be applicable to the particular circumstances, balancing and evaluating the

implementation of such criteria to maximize, to the greatest practical extent, the community interest and welfare.

(1) Comprehensive Plan and Code requirements:

- a. Is the proposed development in accordance with all elements of the Comprehensive Plan including, but not restricted to, park and school sites, street location and classification?
- b. Have all applicable provisions of the subdivision and zoning regulations been met? If not, have the exceptions/variances requested been evaluated through the PUD process and found to contribute positively to the PUD design?
- c. For PUDs including exceptions to the height standards, have the following been satisfied?
 1. Benefit to the Town has been demonstrated, including what considerations the applicant is prepared to offer in exchange for resulting increased structure height.
 2. Proposed structures' effect upon adjacent properties is minimal with respect to compatibility of use and design, alternative energy access, visual access, and rights of privacy, light and air.
 3. Public services can be provided to the site at a level currently enjoyed by the area, or at adequate levels per existing Town policies and regulations.
 4. Mix of developed area within the site is appropriate, including building coverage, parking, landscaping, pedestrian area, vehicle area and screening.
 5. Project complies with all adopted Fire District regulations and standards.
- d. Have all material and procedural requirements of the Town Code been met?

(2) Public facilities:

- a. Is there present and available adequate capacity to serve the proposed development at appropriate service levels with the following utilities and facilities without negatively impacting the service levels of the surrounding neighborhoods, or have arrangements been made for extension and/or augmentation to adequately serve the proposed development and mitigate negative impacts on surrounding neighborhoods?

Water	Streets/Transportation System
Sewer	Gas
Electric	Telephone
Storm Drainage	

- b. Does the proposed development comply with all standards, requirements and specifications for the following services, without a negative impact on existing services, or alternatively have exceptions been evaluated through the PUD process and found to contribute positively to the PUD design?

Water	Storm Drainage
Sewer	Floodplain

Electricity	Telephone
Gas	Streets/Pedestrian System
Ditch	Fire Protection
Public Transit	Cable Television
Refuse Collection	

(3) Neighborhood compatibility:

- a. Are the scale, building bulk and orientation, setbacks, landscaping and visual integrity of the proposed development appropriate for the development, sensitive to the immediate area, compatible with the character of the neighborhood and promote the stabilization of the surrounding neighborhood?
- b. Does the design and layout of the proposed development facilitate the development of adjacent property rather than limit design options for adjacent landowners?

(4) Resource protection:

- a. Does the proposed development preserve significant existing vegetation (i.e. large trees) and unique features of the site?
- b. If the project contains known areas of natural or geologic hazard, including unstable slopes, flood, high groundwater or soil conditions unfavorable to urban development, are special engineering precautions proposed to be taken to address satisfactorily those limitations, or have these areas been set aside appropriately restricted from development?
- c. Does the proposed development preserve significant scenic views from both on and off the site?
- d. Does the proposed development include design features or facilities to promote energy, water and other resource conservation?

(5) Land use:

- a. Is the land use mix appropriate given land use designations of the Comprehensive Plan, support facilities in the area, project design and PUD district intent?
- b. Do the land use specifications of the PUD meet the restrictions for permitted uses and appropriately address conditional use standards, goals and criteria for those uses which are specified in this Chapter as conditional in the underlying zoning district?
- c. Have the appropriate design standards been satisfied?
- d. Are the exceptions to standard requirements warranted by virtue of inclusion in the PUD of design elements and amenities exceeding minimum requirements?

§16-306 Design Standards.

The following design standards shall be used during the review process as guidelines for evaluation of the PUD. If any specific standard causes extraordinary hardship or if the applicant demonstrates that the intent of the standard will be better accomplished by other appropriate means, such alternatives may be considered through the review process.

- (1) Density. The allowable number of residential dwelling units per acre or maximum allowable floor area ratio (FAR) in a PUD shall be established by the underlying zoning district designation or, if no other zoning exists on the subject site, the land use designation on the Comprehensive Plan.

- a. Density increase. Density increases, as specified in the following paragraphs, may be allowed. Density increases shall not exceed fifty percent (50%) of the permitted maximum density. The Planning and Zoning Commission and the Town Council shall calculate the allowable density increase based on the sum of those items contained in the following chart, determined to be applicable for the proposed PUD. The amenities or public improvements listed below are illustrative of the kinds of factors which are eligible for density bonuses. The Planning and Zoning Commission and the Town Council may allow bonuses for other items which contribute to the public interest by providing a higher quality project. This list and the respective bonuses shall be reviewed and updated periodically to reflect the changing priorities and goals of the Town.

<i>Maximum Density Increase</i>	<i>Amenity or Public Improvement in Excess of What is Required</i>
3%	Alleys provided to access garages by means other than in front yard
3%	Sidewalk/trail to parks and public use areas
5%	"X" new jobs created by the principal use
3%	Dedicating land for a school site
3%	Dedicating land for a park site per Town standards for same
3%	If dwelling units or retail/office is located within CBD

- b. The Town Council may allow partial waiver of the park improvement fee based on a formula which determines if the park within the PUD satisfies the need to financially contribute towards neighborhood and community parks. The PUD must contain a dedication and/or development of a public park which meets the Comprehensive Plan standards.
- c. The Planning and Zoning Commission or Town Council may prohibit or limit an increase in density to avoid any of the following:
1. Inconvenient or unsafe access to the PUD.
 2. Traffic congestion in the streets which adjoin the PUD.
 3. An excessive burden on park, recreation areas, schools, police, fire protection and public facilities which serve or are proposed to serve the PUD.
- d. The developer shall submit signed statements and drawings as necessary to justify density increases.
- e. If a density increase is granted under provisions of this Section, the improvements shall be completed in accordance with a development schedule to be contained in the development plan or annexation agreement.

(2) Density transfer.

a. Density may not be transferred from:

1. Any land not under the direct legal control of the property owner at the time of review, such as ditch right-of-way.
2. Any land purchased by the Town or any other governmental entity.
3. Any church sites.
4. Any recreational facility designated to be operated as a commercial enterprise.
5. Any land outside the PUD.
6. Residential density may not be transferred from areas of the PUD set aside for commercial or industrial use.

b. Density may be transferred from:

1. Any dedicated school sites.
2. Any public open space, accepted by the Town, above the minimum requirement.
3. Any common open space owned by a homeowners' association and made available to the general public.
4. Dedicated land or easements for public sites such as water tanks, libraries, and fire stations, public greenways, detention/retention areas.

When density transfers are permitted, fees and raw water requirements which are based on land area shall be calculated, including the development area and all area from which density is transferred.

(3) Parcel size. There shall be no minimum size for a PUD except as otherwise specified in the permitted uses section; however, it must be large enough to enable its development as a complete identifiable unit and, through the flexibility allowed by the PUD process, provide bona fide benefits to the residents/users of the PUD. Recommended minimum lot size for a detached single-family residential PUD is five thousand five hundred (5,500) square feet when less than forty percent (40%) open space is provided.

(4) Open space.

- a. Residential Planned Unit Development. The minimum required open space in residential PUDs shall be thirty percent (30%) of the total site. The required open space shall be land areas not occupied by buildings, structures, parking areas, driveways, streets or alleys or required setbacks. Said open space shall be devoted to landscaping, walkways, recreational areas and uncovered facilities, and preservation of natural features.
- b. Nonresidential developments. The minimum required landscaped open space area in the nonresidential portion of any PUD shall be fifteen percent (15%) of the total area of the site as defined in the above paragraph.

- c. Physical surface characteristics. The Planning and Zoning Commission and the Town Council may determine that all or part of streams, ponds or drainage areas satisfy minimum open space requirements. In making this determination, the Town shall be guided by the following factors:
 - 1. The extent of such areas in relation to the area of the PUD.
 - 2. The degree to which these areas contribute to the quality, livability and amenity of the PUD.
- d. Dimension and location. If there exists common open space in residential PUDs, a minimum of fifty percent (50%) shall be contiguous lands generally free from obtrusions which affect the intended functionality of the open space. Common open spaces shall be distributed equitably throughout the project in relation to the dwelling units of the residents to be served, and shall be reasonably accessible to all the PUD residents.
- e. Natural amenities. The required open space may be left in its natural state if the Town determines that the natural landscape should be preserved. Areas devoted to natural flood control channels or drainage easements may be applied toward satisfying this portion of the total open space requirement.
- f. Clustering. Clustering of dwelling units, commercial and industrial uses is encouraged as long as buffer yards, open space and emergency access are adequately planned. Buffer yards shall be required to separate different uses in order to eliminate or minimize potential interference and nuisances on adjacent properties. The size of the buffer yard shall be determined through the review process, based on its ability to achieve appropriate separation.

Subsections not included herein:

- (5) Covenants.
- (6) Landscaping.
- (7) Traffic circulation.
- (8) Streets.
- (9) Parking standards.
- (10) Perimeters.
- (11) Building spacing.
- (12) Noise attenuation.
- (13) Signs.
- (14) Architectural review.

Chapter 17 – Subdivisions / Article IX Planned Unit Development

§17-131 Intent.

Planned Unit Development is provided in order to minimize the environmental impact of urban development, to enable the subdivider to make more efficient use of the site by minimizing grading and reducing the amount of land needed for streets and utilities, and to provide the consumer a wider choice of housing types and amenities.

§17-132 Procedure.

The procedure for preparing, processing and presenting a Planned Unit Development shall be the same as that specified for all subdivision of land in this Chapter except that there shall be no partial submission of a Final Plat. The Zoning procedures and requirements of Article XVII of Chapter 16 must be met.

§17-133 Requirements.

The Planned Unit Development is intended to allow originality in the planning of a community development by relaxing the minimum and maximum requirements set forth in this Chapter. It will be expected that development under the Planned Unit Development will provide for maintained open spaces and recreational areas, safety features for pedestrian and vehicular traffic, elimination of unsightly uniformity and conservation of natural features.

- (1) The following requirements as set forth in Chapter 16 can be modified as established by the Planned Unit Development plan, subject to the approval by the Planning Commission and Board of Trustees:
 - a. Minimum lot area;
 - b. Minimum lot width;
 - c. Minimum setback; and
 - d. Minimum offset.
- (2) The following additional requirements are established for Planned Unit Development:
 - a. Maximum building height not to exceed thirty-five (35) feet.
 - b. Maximum density of residential units shall be twelve (12) units per acre or less if the Planning Commission so requires. A requirement of a density less than twelve (12) units per acre must be based on the proposed land use plan.
 - c. Minimum common open space shall be thirty percent (30%) of the gross acreage of the site.
 - d. Unified ownership of site.
 - e. Where uses other than residential are proposed:
 1. Architectural elevations at a scale of not less $\frac{1}{8}" = 1'$ for all nonresidential structures.
 2. Size, type and location of all signs, other than street signs.
 - f. Covenants specifying how common areas are to be maintained.