

TOWN OF JOHNSTOWN, COLORADO

ORDINANCE NO. 2022-220

**ORDINANCE AMENDING SUBSECTION 16-302(d) CONCERNING
PLANNED UNIT DEVELOPMENT MIXED USE DISTRICTS**

WHEREAS, the Town of Johnstown, Colorado (the “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 the authority to administer the affairs of the Town; and

WHEREAS, Article XVII of Chapter 16 of the Johnstown Municipal Code regulates zoning of planned use developments, and Subsection 16-302(d) contained therein regulates planned unit development mixed use (“PUD-MU”) districts; and

WHEREAS, PUD-MU districts allow the integration of residential, commercial and employment/light industrial development within an area so as to facilitate the formation of self-sustaining development projects; and

WHEREAS, the vast majority of developers seek PUD-MU zoning because the district provides flexibility with respect to development projects; and

WHEREAS, to reflect the Town Council’s desire to minimize, where appropriate, high-density development and to better delineate the type of residential units permitted in PUD-MU districts, the Town Council desires to amend Subsection 16-302(d); and

WHEREAS, Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of the public health, welfare, peace, safety and property and that this Ordinance is in the best interests of the citizens of the Town.

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

Section 1. Subsection 16-302(d): Subsection 16-302(d) of the Johnstown Municipal Code is hereby amended to: (i) revise the first sentence of Subpart (1) of Subsection 16-302(d) and (ii) revise in its entirety Sub-subpart (f) of Subpart (1) of Subsection 16-302(d)(1), which shall read as follows:

Sec. 16-302. Permitted uses

- (d) PUD-MU, Planned Unit Development Mixed-Use District:
 - (1) Intent. The PUD-MU Mixed Use District is created to allow the integration of mixed-density residential, commercial and employment/light industrial development within an area so as to facilitate the formation of a self-sustaining project. . . .

...

- f. The following residential unit types are allowed in a PUD-MU: any residential unit type allowed in the SF-1 District; any residential unit type allowed in the SF-2 District; any residential unit type allowed in the MF-1 District; and, in commercial areas of a PUD-MU, residential uses above the first floor.

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Section 2. Retroactive Application. With respect to properties previously zoned PUD-MU, this Ordinance shall be retroactively effective to allow single-family residential (SF-1) district unit types in PUD-MU districts.

Section 3. Effective Date and Publication. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk and by the Certificate of Publication. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

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 _____, 2022.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor