

ORDINANCE NO. 781

**AN ORDINANCE AMENDING CHAPTERS 16 AND 17 OF THE
DACONO MUNICIPAL CODE REGARDING PLANNED UNIT
DEVELOPMENTS.**

WHEREAS, the City's zoning code contains provisions for planned unit development as an alternative to conventional land use regulations, in order to promote more creative and efficient use of land and public or private services to facilitate a more economic arrangement of buildings, circulation systems and utilities; and

WHEREAS, the City Council finds that commercial, industrial and multi-family residential are land uses that require more comprehensive planning to ensure proposed developments are both internally compatible and complement existing developments; and

WHEREAS, the Dacono Planning Commission has held a public hearing on this ordinance and forwarded its recommendation to the City Council, and the City Council has duly considered that recommendation;

WHEREAS, the City Council provided notice of its public hearing on this ordinance by publication as provided by law; and

WHEREAS, the City Council finds the amendments to the Dacono Municipal Code set forth in this ordinance will encourage the efficient and functional use of land within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF DACONO, COLORADO:**

Section 1. Section 16-621 of the Dacono Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 16-621. General provisions.

(a) An application for PUD will only be approved if it is deemed to be in accordance with the City's Comprehensive Plan and policies, and with the stated purpose of this Article.

(b) Applications for a PUD may be made for any land located within the boundaries of the City or any lands in the process of being annexed to the City. When PUD zoning is desired for land proposed to be annexed, an application for an Outline Development Plan shall be submitted concurrently with an application for annexation, and must be approved within ninety (90) days following the City's approval of the annexation petition.

(c) There shall be no minimum size for a PUD. All commercial, industrial and multi-family residential property of five (5) or more acres shall be developed as a PUD zone district or PUD overly district.

(e d) The area proposed for PUD shall be under one ownership or management as determined by the City. Land within a PUD shall not be subdivided and sold to others prior to completion of installation of required improvements.

(d e) Unless otherwise set forth in the approved Preliminary and Final Development Plans, all standards and provisions of Title 16 and 17 shall apply to PUDs.

(e f) The utilization of the PUD zone district or PUD overlay district shall be considered a privilege, not a right, when utilized for residential development or is otherwise not required by subsection (c) of this Section.

Section 2. Section 17-1 of the Dacono Municipal Code is hereby amended by the addition of a new subsection (c) to read as follows:

Sec. 17-1 Minimum requirements—conformance required.

(c) Any application to subdivide a parcel of land zoned commercial, industrial or multi-family residential and containing five (5) or more acres shall be accompanied by an application for a PUD as required by Section 16-621(c) of this Code.

Section 3. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.


Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ AND ADOPTED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE AND POSTED IN FULL this 28th day of April, 2014.

PUBLIC HEARING AND SECOND READING WILL BE THE 12th day of May, 2014, at 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

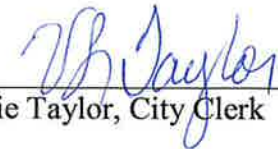
READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE this 12th day of May, 2014.

CITY OF DACONO, COLORADO



Charles Sigman, Mayor

ATTEST:



Valerie Taylor, City Clerk

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Summary of Ordinance No. 781 **“AN ORDINANCE AMENDING CHAPTERS 16 AND 17 OF THE DACONO MUNICIPAL CODE REGARDING PLANNED UNIT DEVELOPMENTS”**: Requires all commercial, industrial and multi-family residential property of five or more acres to be developed as a PUD zone district or PUD overlay district.