

[TABLE OF CONTENTS](#)[ARTICLE I General Provisions](#)[ARTICLE II Performance Standards](#)[ARTICLE III PUD Application Procedures](#)[ARTICLE IV PUD Sketch Plan: Step One](#)[ARTICLE V PUD Change of Zone: Step Two](#)[ARTICLE VI Development Guide Requirements](#)[ARTICLE VII PUD Final Plan: Step Three](#)[ARTICLE VIII Supplemental Procedures](#)[ARTICLE IX PUD Mapping Requirements](#)[ARTICLE X Cluster PUD](#)

ARTICLE X

Cluster PUD

Sec. 27-10-10. Purpose.

The purpose of this Article is:

A. To recognize the current thirty-five-acre exemption law and implement the provisions of Section 30-28-401 et seq., C.R.S., the definition of *Rural Land Use Process* found in Section 30-28-402 et seq., C.R.S., and the conditions for Cluster Development found in Section 30-28-403 et seq., C.R.S.

B. To preserve and protect critical areas in the County by recognizing inherent qualities of individual properties. Such qualities may include agricultural land, regional preserves, parks and trails, distinctive landscapes, ecosystems, riparian zones, wetlands, view corridors, watersheds, wildlife habitat, historic and archeological sites, and to encourage development respectful of these inherent qualities.

C. To encourage development which fosters continued agricultural land uses and protects the County's rural character, agricultural heritage and the character of existing communities while recognizing private property rights.

D. To recognize Weld County's Right to Farm in Chapter 22, Appendix 22-E, Chapter 23 and all applicable County ordinances in effect.

E. To promote the goal of contiguous land preservation.

F. To develop new methods and incentives to encourage the retention of agricultural and critical lands as productive, nonrenewable resources.

G. To consider the impact of the development on infrastructure and the environment.

H. To encourage partnerships of the public/private communities to retain the County's rural character.

I. To respond to the needs of the agricultural land owner.

J. To evaluate the impact on surrounding properties.

K. To establish rural development standards while encouraging innovative subdivision design technologies.

L. To recognize and respect both individual rights and community interests and values when development is proposed. (Weld County Code Ordinance 2001-1; Weld County Code Ordinance 2003-10)

Sec. 27-10-20. Standards.

A. If the Cluster PUD is proposed on agricultural lands, the land shall be currently used or capable of being used for agricultural production such as farming and ranching operations for the next forty (40) years from the date of final approval.

B. The outlot shall be restricted to operations and be free from development for any other uses for a period of forty (40) years from the date of final approval.

C. A minimum of two-thirds (2/3) of the total area of the tract must be reserved for the preservation of contiguous land.

D. The outlot may be used for all agricultural uses by right, as passive view corridors, recreation or the preservation of environmentally sensitive features such as wildlife habitat or critical areas.

E. Public access to the outlot is not a requirement. The outlot may be substituted for the common open space requirement used in the traditional Planned Unit Development application.

F. The intent of the A (Agricultural) Zone District as outlined in Chapter 23 and the Comprehensive Plan, Chapter 22 of this Code, including Weld County's Right to Farm, Appendix 22-E, shall be met.

G. A Cluster PUD may be used in urban and nonurban areas. A Cluster PUD shall follow the procedures as outlined in this Code.

H. The number of single-family residential units must not exceed two (2) per thirty-five-acre increment. The residential lots created by this option may not be further subdivided in the future. This ratio is illustrated in the table below.

| <i>Initial Parcel Size in Acres</i> | <i>Total Number of Residential Lots</i> | <i>Maximum Combined Size of Residential Building Site</i> | <i>Minimum Size of Agricultural Outlot Site (Open Space) in Acres</i> |
|--|--|---|---|
| 80 | 4 | 26.6 acres | 53.3 acres |
| 160 | 9 | 53.3 acres | 106.6 acres |
| 240 | 13 | 80 acres | 160 acres |
| 320 | 18 | 106.6 acres | 213.3 acres |
| Additional increments of 80 acres, not to exceed 640 acres | The equivalent of 2 Residential Lots per 35 acres, not to exceed 36 Residential Lots | The equivalent of one-third of the entire site acreage | The equivalent of two-thirds of the entire site acreage |

(Weld County Code Ordinance 2001-1; Weld County Code Ordinance 2003-10)

Sec. 27-10-30. Application process and time parameters.

The Cluster PUD is a three-step process following the established PUD process of this Chapter. (Weld County Code Ordinance 2001-1)