

**HUERFANO COUNTY  
 PLANNED UNIT DEVELOPMENT  
 (PUD) REGULATIONS  
 SECTION 3.00**



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3.01 INTRODUCTION

The authority, purpose and legal standing of these Planned Unit Development (PUD) regulations is contained in Section 24-67-101, et seq., Colorado Revised Statutes.

Users of these regulations should also refer to the appropriate sections on common procedures, application fees, submittal requirements, enforcement provisions and definitions when making use of the PUD regulations contained herein.

3.02 OBJECTIVES OF PUD DEVELOPMENT

These PUD regulations are intended to allow flexibility in the development of medium and large scale sites in a manner varying from the constraints upon innovative design and creative land use that might otherwise be imposed by zoning and subdivision regulations, when narrowly construed. These PUD regulations are provided in order to, a) protect and preserve with adequate mitigation measures critical wildlife habitat and migration corridors, historical and archeological features, scenic views and other aspects of the physical environment of Huerfano County, and b) foster development that groups various land uses in appropriate relationships to each other, to commonly shared open space, recreational, commercial, employment or cultural facilities.

3.03 GENERAL PROVISIONS

3.03.01 Title

The title of these Planned Unit Development regulations shall be the Huerfano County Planned Unit Development (PUD) Regulations and may be so cited.

3.03.02 Repeal

All planned unit development regulations, resolutions and amendments to such regulations and resolutions of Huerfano County in effect prior to the adoption of these PUD regulations are hereby repealed. The repeal of any of these prior regulations or resolutions does not revive any other regulation or resolution or portion thereof. This repeal shall not affect or prevent the prosecution or punishment for the violation of any resolution or regulation hereby repealed for any offense committed prior to the repeal. Nor shall adoption of these regulations or repeal of all prior planned unit development regulations, resolutions and amendments thereto invalidate, modify or otherwise compromise planned unit developments approved by the Board of County Commissioners prior to the adoption of these regulations. Such prior planned unit developments shall be considered to be in conformity and compliance with the provisions of these regulations. Planned unit developments established as PUD zoning districts created before the adoption of these regulations shall be considered to have met the provisions and requirements for the issuance of a PUD approval.

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3.03.03 PUD Applications

Applicants wishing to create a PUD shall be required to make an application for PUD approval, for which approval shall be required in addition to any other approvals required herein before a planned unit development may be constructed. Applications for a PUD approval shall be accompanied by an application on an appropriate form provided by Huerfano County, payment of the required filing fees and submittal of the required information.

3.03.04 Comprehensive Plan Compliance

All planned unit development application materials, site design characteristics and other PUD characteristics shall be in compliance with the goals, objectives and policies of Huerfano County.

3.03.05 Relationship of These Regulations to the Zoning Regulations

Planned unit developments can be approved in any zoning districts established within Huerfano County, and the issuance of a PUD approval shall not change the zoning district(s) within which such PUD is established.

Planned unit developments may include all uses allowed by right and any conditional uses allowed by the zoning regulations in the district(s) in which the PUD would be located. Approval of a PUD application by the Board of County Commissioners and the granting of a PUD approval shall be considered de facto approval of the proposed conditional uses, and the applicant shall not be required to apply for or receive approval for a conditional use when such use is within the approved PUD proposal.

Upon written request by the applicant, the Planning Commission may recommend to the Board of County Commissioners that specific provisions of the County Zoning Regulations be waived or amended, if determined by majority vote that such waiver or amendment would promote the health, safety, welfare and convenience of the residents of Huerfano County.

3.03.06 Guarantee of Improvements

1. No final plat shall be approved by the Board of County Commissioners until the applicant has submitted a Subdivision Improvements Agreement acceptable to the Board of County Commissioners, or a similar acceptable contract setting forth the plan, parties responsible, and method for the construction of all required public improvements shown on the final plat documents. The agreement or contract shall adhere to design standards of the County or prevailing engineering practices and shall, in the judgment of the Board of County Commissioners, make reasonable provisions for completion of the specified improvements in a specified time period, with appropriate phasing, as a condition for acceptance by the Board. Suitable collateral in an amount stipulated in the Subdivision Improvements Agreement shall accompany the final plat submission to ensure completion of the public improvements according to design and time specifications. Such collateral shall be in the form of a payment and performance bond.

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2. If the improvements required to be installed are not constructed in accordance with the required specifications, the County shall notify the applicant of the noncompliance and establish schedules for the correction of the noncompliance. If the Board of County Commissioners determines that any or all of the improvements will not be constructed in accordance with the specifications, the County shall have the power to annul the Subdivision Improvements Agreement, either fully or in part, and withdraw from the deposit of collateral such funds as are necessary to construct the improvements in accordance with the specifications previously established. Should an applicant not provide suitable collateral to insure completion of the required public improvements, no final plat shall be accepted by the Office of the County Clerk and Recorder until said improvements are constructed and approved by the Board of County Commissioners. As the required public improvements in a subdivision are completed, the applicant may apply in writing to the Board of County Commissioners for a partial or full release of the collateral. Upon receipt of such requests, the Board of County Commissioners or its appointed agent shall inspect the public improvements that have been completed. If the Board determines from such inspection that the improvements have been made in accordance with the final plat and the Subdivision Improvement Agreement, a portion of the collateral shall be released, provided that the Board of County Commissioners retains sufficient collateral to cover the cost of the uncompleted improvements.

3.03.07 Approval of a PUD Application

No PUD application shall be recommended for approval by the Planning Commission or be approved by the Board of County Commissioners unless and until it conforms with the appropriate provisions contained within these Planned Unit Development regulations unless such provisions are explicitly exempted in this PUD regulation.

3.03.08 Building Permits

No building or other structure shall be erected, nor shall a building permit be issued within a Planned Unit Development, until all approvals have been granted by Huerfano County.

3.03.09 Permitted Uses Within a PUD

Any use that is not specifically prohibited within the zoning district(s) in which a PUD is to be located may be an allowed use within a PUD.

3.03.10 Amendments to an Approved PUD

Any change in the size, type, location of uses or other significant characteristics of an approved PUD for which an approval has been issued shall be considered a proposed amendment to the previously approved PUD. Such proposed amendments shall require review and recommendation by the Planning Commission, review at a public hearing and the granting of approval by the Board of County Commissioners before such change(s) to a previously approved PUD application may be authorized and implemented.

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3.04 WAIVER PROVISIONS

Following a recommendation from the Planning Commission, the Board of County Commissioners may authorize waivers of the provisions contained within these PUD regulations.

3.05 PUD DESIGN STANDARDS AND SPECIFICATIONS

The following design standards and specifications shall apply to all PUDs to be proposed, reviewed, accepted or approved in Huerfano County, following the adoption of these regulations, except as otherwise provided for within the provisions of these regulations.

3.05.01 General Design Standards and Specifications

1. Planned unit developments shall be designed in such manner that wherever possible they protect and enhance the environmental assets of the site and the surrounding area. Such assets shall include but need not be limited to vegetation, wildlife, watercourses, scenic vistas, prominent physical landmarks, historical and archeological features and agricultural production.
2. The design and layout of a PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, rights-of-way, roadways, driveways, access for the purposes of egress and ingress, off-street parking and loading space, and related requirements as specified in BOCC Resolution No: 12-20, "Huerfano County Roadway Design and Construction Standards"
3. The PUD design shall bear a carefully thought out relationship to the surrounding area in order to avoid adverse affects to the proposed development caused by natural or man-made conditions.
4. Visual screening and buffers of an appropriate height and construction shall be provided to separate incompatible uses and to block from view unattractive features of the manmade and natural environment.
5. Parking and off-street loading spaces shall be provided in connection with every residential, commercial, recreational, industrial and other use within a PUD concurrent with the completion of said PUD element.
6. All utilities, except major power transmission lines, transformers, switching and terminal boxes, meter cabinets and other facilities necessarily appurtenant to such utilities, shall be placed beneath the ground, buried to a depth specified in the design plan, and acceptable to the Planning Commission, except in cases where, upon application in writing to the Board of County Commissioners and the showing of excessive hardship that would so result, the Board of County Commissioners may grant an exemption from this requirement of underground placement of utilities.
7. The construction, installation and repair of right-of-way openings for subsurface utilities require the issuance of a permit from Huerfano County, the posting of an appropriate bond, and evidence of adequate insurance. All applicants and excavators who, for any reason, cut, disturb or otherwise deface any County property being a public right-of-way for purposes of constructing,

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installing or repairing or for any other reason pertaining to the presence of an underground utility or structure shall comply with the terms and provisions of BOCC Resolution No: 12-20, “Huerfano County Roadway Design and Construction Standards”.

3.05.02 Density Requirements

1. Common Open Space

A minimum of Ten (10) percent of the area within a PUD shall be devoted to useable open space, which shall be defined as open areas designed and developed for use by the residents of or visitors to the proposed development or by other persons for uses including but not limited to recreation, parks, gardens, bodies of water, green belts and walkways. The term shall not include private institutional uses nor space devoted to streets, roads, loading areas or land dedicated to the County or other public or quasi-public entities for schools, fire or police facilities or other related institutional needs. Land dedicated for parks, open space, scenic easements and water and erosion control facilities may be used to satisfy this useable open space requirement so long as such lands are so designed and developed that they provide adequate access and adequate opportunity for open space use.

2. Residential Density

The overall net residential density in a PUD shall be the density allowable in the zoning district(s) in which the PUD is to be located, plus an additional Twenty (20) percent density bonus for the establishment of a PUD.

Residential density within a PUD shall be calculated by dividing the number of proposed residential units into the land area of the PUD excluding all property to be used for other than residential uses, as well as all land to be used for streets, rights-of-way, parking and loading facilities and for institutional uses and open space areas associated with nonresidential uses.

3. Density of Other Uses

The overall average net density of that portion of the PUD devoted to uses other than residential shall not be less than a land-to-building perimeter area ratio of two to one (2:1). The land-to-building perimeter area ratio shall be calculated by dividing the proposed footprint of all non-residential uses into the land area of the PUD excluding all property to be used for residential purposes as well as land to be used for streets, rights-of-way and parking and open space areas associated with residential uses.

4. Parking and Loading Requirements

The parking and load space requirements for a PUD shall be the same as those required for various uses under the Zoning Regulations (see Resolution 12-14 section 1.08.(01), (02)).



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3.06 MAINTENANCE OF PUBLIC OPEN SPACES AND COMMON AREAS

Public open spaces and common areas, including those spaces used or to be used as public or private recreation sites, shall be protected by adequate covenants or deed restrictions running with the land, or by conveyances, homeowner association provisions or dedications, or other appropriate legal instruments acceptable in form and content to the Board of County Commissioners.

3.06.01 Public Open Space

Public open space proposed to be dedicated to the County or other public or quasi-public entity, and the legal description of the land proposed to be so dedicated shall be described at the final submission state of review on the plat, plan or other PUD drawings submitted by the applicant for consideration of acceptance by the Board of County Commissioners. Such dedication and acceptable provisions on the plat, plan or drawings shall include provision for dedication by the applicant or the applicant's legally appointed representative(s) and acceptance by the Board of County Commissioners.

3.06.02 Common Areas

The applicant for a PUD approval shall provide for and shall establish or provide for the establishment of an organization for the ownership and maintenance of all common open space and the construction of improvements, for the benefit of the residents, occupants and owners of the PUD. Such organization shall not be dissolved and shall not dispose of the common open space without first offering to dedicate the common open space to Huerfano County as public open space.

In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after establishment of the PUD fail to maintain the common open space or any portion thereof, in reasonable order and condition or fail to establish or maintain said common open space in accordance with the PUD plan or other application materials, the Board of County Commissioners may serve written notice upon such organization or upon the residents or owners of the PUD. Such written notice shall set forth the manner in which the organization has failed to maintain the common open space in reasonable condition or failed to comply with the PUD plan or other application materials.

Said notice shall include a demand that the deficiencies of maintenance or improvements be remedied within Sixty (60) days thereof and shall state the date and place of a public hearing thereon, which shall be held within Ten (10) days of the notice. At such hearing the Board of County Commissioners may, at its discretion, modify the terms of the original notice as to the deficiencies previously described and may grant an extension of time up to an additional One Hundred Twenty (120) days within which time the deficiencies shall be corrected.

If the deficiencies set forth in the original notice or in the modifications thereto are not corrected within the original Sixty (60) day time period or any extensions granted thereto, the Board of County Commissioners or their duly appointed agents, in order to preserve the taxable value of the



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properties contained within the PUD and to prevent the common open space from becoming a public nuisance, may enter upon said common open space, and maintain it for a period of up to One (1) year or take such measures as are necessary to bring it into compliance with the PUD plan and other submittal materials. Said entry, improvement or maintenance shall not vest in the public any right to use the common open space, except when the common open space has been dedicated to the public by the owner(s) of the PUD or their duly established association or by the original applicant.

Before the expiration of the One (1) year period, the Board of County Commissioners shall, upon its own initiative or upon the written request of the organization responsible for the maintenance of the common open space, call a public hearing upon Ten (10) days written notice to such organization or to the residents, occupants and owners of the PUD. At this hearing, to be held by the Board of County Commissioners, such organization or the residents and/or owners of the PUD shall show cause as to why such maintenance by Huerfano County shall not, at the discretion of the County, continue for a succeeding year. If the Board of County Commissioners determines that such organization or a successor organization is ready and able to maintain the common open space in reasonable condition, the Board of County Commissioners shall cease to maintain said open space at the end of said year. If the Board of County Commissioners determines that such organization or its successor(s) is not ready and able to maintain said common open space in reasonable condition, the Board of County Commissioners may, at its discretion, continue to maintain said common open space during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter.

The cost of such maintenance or improvements by Huerfano County shall be assessed ratably against the properties within the PUD that have a right of enjoyment of the common open space, and shall become a tax lien on said properties. The Board of County Commissioners, at the time of entering upon said common open space for the purpose of maintenance or improvements, shall file a notice of such lien in the office of the County Clerk and Recorder upon the properties affected by such lien within the PUD and the lien shall be discharged by the County upon payment, as with other liens.

**3.06.03 Dedication and Acceptance Provisions for Rights-of-Way and Other Public Uses**

A road created through the PUD process shall have a specified right-of-way width shown on the plat, along with a dedication statement. Acceptance of the plat by Huerfano County constitutes acceptance of the right-of-way, but does not constitute acceptance of the road for maintenance. The road does not become accepted for maintenance and part of the County Road System until it is constructed according to the Huerfano County Roadway design and Construction Standards, with a minimum of a one year warranty and specifically accepted for maintenance by resolution of the Board of County Commissioners.

Areas other than rights-of-way proposed for reservation and dedication shall be accepted at the discretion of the Board of County Commissioners. Dedication of public sites to Huerfano County or another governmental entity shall be achieved through deed or other legal transfer of the

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property at the time of final plat approval and before recording of the final plat. The Board of County Commissioners shall, at their discretion, determine the intended uses of land dedicated to Huerfano County.

**3.07 SUBMITTAL REQUIREMENTS FOR PROPOSED PUDS**

Applications for a PUD approval shall include, in addition to a completed application on a form provided by Huerfano County and the appropriate filing fees, the following items. The Planning Commission may, at its discretion and upon written application by an applicant, waive any but not all of these items. The Planning Commission may also, by majority vote, add such submission items as it deems necessary and appropriate to evaluate and recommend upon any application for the issuance of a PUD approval.

**3.07.01 Non-Subdivision PUDs / Development Plan**

The following development plan submittal requirements shall be required of applicants proposing developments with multi-family dwellings, including condominiums, when no subdivision of the site into individual lots or parcels will take place.

A development plan for a non-subdivision PUD shall include the following information:

1. The name(s), address(es) and telephone number(s) of the property owner(s) and of the applicant(s), if other than the owner(s) and the name(s) of the person(s) preparing the submittal.
2. The name of the proposal.
3. The date of preparation of the plan, a north arrow and a written and a graphic scale.
4. An accurate legal description of the property included within the proposal.
5. Enumeration of the approximate acreage of the proposed subdivision.
6. A vicinity map showing the proposed PUD in relationship to the surrounding area with the names of adjacent subdivisions and property owners, along with the current land uses and zoning districts within One (1) mile of the boundaries of the proposed subdivision.
7. The proposed residential density, expressed in dwelling units per net acre, within the PUD and the density, expressed as the ratio of building area perimeter to land area, of all non-residential development within the proposed PUD.
8. The location, width, surfacing and other relevant features of all existing and proposed streets, roads, easements and other rights-of-way, including streets and roads to be used for access to and from the proposed PUD.
9. The location, dimensions and size of all proposed off-street parking and loading facilities.
10. A description of the location and characteristics of all land to be used as common open space or publicly dedicated for parks, parkways, recreation areas and common open space with evidence

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that the land to be set aside for common open space meets or exceeds the common open space provisions contained within this regulation.

11. Copies of all agreements, provisions, covenants, declarations, dedications, deed restrictions and related legal instruments that would be used to govern the use, maintenance, improvement and continued protection of all public sites or private common lands within the PUD.

12. A grading plan, drainage plan, re-vegetation plan, weed control plan erosion and sedimentation control plans, wildlife habitat and migration corridor mitigation measures and a landscaping plan, showing existing and proposed grading, drainage and landscaping and conforming to the requirements for such plans contained within the County Subdivision Regulations, Section 2.07.07. All such plans and all engineering drawings and specifications shall meet the specifications and conditions for final plats and final engineering, as specified in the County Subdivision Regulations, Section 2.09.03.

13. The location, height and dimensions of each proposed non-residential structure within the PUD, with building footprint sites shown on the plan, and drawn to scale.

14. Description of how the structures within the proposed PUD would be provided with potable water supply, sewage collection and treatment in a manner meeting the standards and requirements for water supply and sewage disposal contained within the County Subdivision Regulations, Sections 2.07.09 and 2.07.08 respectively.

15. Description of any additional public improvements to be included within the proposed PUD along with adequate legal description and the provision for the dedication of any or all public rights-of-way to be dedicated to the County.

16. A detailed analysis of the soil types on the site, their characteristics and their development limitations, if any.

17. Drawings to scale of all private signs that would be erected within the development and their proposed location along with the location of public signs.

18. A statement by the landowner(s) whose property is included within the proposed development giving written consent for the development and the names and addresses of all adjoining landowners.

19. Applicants for an approval for a non-subdivision PUD shall be required to provide suitable collateral to ensure the completion of the construction of the proposed public improvements. The procedures and other provisions governing the collection and management of this collateral, in the form of an Improvement Agreement, shall be as specified in Section 3.03.06 of these regulations.

20. All maps provided to meet these development plan submittal requirements shall conform to the Preliminary Plan / General Submission requirements for maps contained in the County Subdivision Regulations.

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21. To scale site plans shall be filed with the Office of County Clerk and Recorder within Thirty (30) days of their approval by the Board of County Commissioners. All site plans and other map materials submitted by an applicant shall contain signature approval blocks for the Planning Commission and the Board of County Commissioners. Any proposed changes from a previously approved site plan shall be resubmitted to the Planning Commission for review and recommendation and to the Board of County Commissioners for final action prior to the start of construction.

Compliance with the provisions contained herein does not exempt an applicant from compliance with the provisions of the Colorado Revised Statutes.

**3.07.02 PUD Subdivisions / Sketch Plan Requirements**

In addition to the submittal requirements for subdivision sketch plans listed in the County Subdivision Regulations, Section 2.09.02, the following additional information shall be submitted at the Sketch Plan / Initial Submission stage for proposed subdivisions that also require a PUD approval:

1. Proposed land uses within the PUD, including the locations, size and densities of areas to be devoted to specific uses.
2. Areas which would be conveyed, dedicated or reserved as common or public open space and as sites for public facilities and services.
3. The internal traffic circulation system, off-street parking and loading areas and points of access to public rights-of-way.
4. The proportion of land to be left in a natural or semi-natural condition as common open space within the various parts of the PUD.
5. Proposed building heights, size and location.
6. A vicinity map and descriptive material showing the relationship of the proposed PUD to the land to be subdivided if the boundaries of the PUD and the proposed subdivision are noncontiguous, and an explanation of the phasing, if any, of the overall PUD design.
7. Any additional information deemed pertinent by the Planning Commission or by the applicant to aid in evaluating the proposed PUD.
8. A statement by the landowner(s) whose property is included within the proposed development, giving written consent for the development and the names and addresses of adjoining landowners.

**3.07.03 PUD Subdivisions / Preliminary Plan Requirements**

In addition to the submittal requirements for preliminary plans listed in the County Subdivision Regulations, Section 2.09.02, the following additional information shall be submitted at the Preliminary Plan / General Submission stage of review for proposed subdivisions that also require a PUD approval.

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1. A description of the objectives to be achieved by the PUD, including descriptions of the buildings and sketches and elevations, as may be required to illustrate how these objectives will be accomplished.
2. A development schedule indicating the approximate date when construction of the PUD or individual phases of the PUD can be expected to start and to be completed.
3. A description of proposed methods of snow removal and disposal or storage of snow accumulated during peak precipitation periods, along with alternate emergency off-street parking provisions for periods of high snowfall.
4. A complete description of the proposed method(s) of providing for the permanent maintenance of all public or common buildings, facilities, areas and thoroughfares.
5. Copies of all special agreements, conveyances, restrictions, declarations, covenants and related legal instruments that will govern the use, maintenance and perpetual protection of the PUD and its common and/or public areas.
6. Building plans including, but not necessarily limited to, general dimensions, floor plans, elevations and general types of construction, including materials and exterior color schemes.
7. Landscape and site improvement plans including, but not necessarily limited to, the location and size of public and private signs, exterior lighting, irrigation systems and recreation and service areas and facilities.
8. Detailed utility plans including, but not necessarily limited to, line location plans, transformer and terminal box locations, sewer profiles, and fire hydrant and manhole locations with the proposed depth of burial of all underground lines.
9. Any additional information deemed pertinent by the Planning Commission or by the applicant to aid in evaluating the proposed PUD.

**3.07.04 PUD Subdivisions / Final Plat Requirements**

Proposed subdivisions for which a PUD approval has already been granted, or for which a PUD approval is pending, whether for a portion or for all of the subdivision, shall be required to submit the following material in addition to the final plat submittal requirements for proposed subdivisions contained in the County Subdivision Regulations, Section 2.09.03:

1. A notation prominently shown on the cover sheet of the final plat that the proposed subdivision is a PUD subdivision.
2. Inclusion of the approved phasing plan for the construction of improvements.
3. A final draft of the approved legal instruments for the preservation in perpetuity and the maintenance of all common open space, along with the location and a legal description of such public open space shown on the final plat to be dedicated.

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4. A description on the final plat of the uses to which each portion or each lot within the PUD will be devoted. This information shall be made a part of the final plat and recorded therewith and may be shown by reference to lot and block numbers or other convenient means.

**3.08 PROCESSING PROCEDURES FOR SUBDIVISION AND NON-SUBDIVISION PUDS**

The review and processing procedures for non-subdivision PUD development plans shall be as specified in the County's Common Land-use Procedures and Requirements for Preliminary Submission, of these regulations. In the event that a conflict or inconsistency exists between the procedures and requirements contained the County's Common Land-use Procedures and in these regulations, the procedures contained herein in these PUD regulations shall prevail.

**3.09 CRITERIA FOR ACTION ON PUD APPLICATIONS**

All actions by the Planning Commission in reviewing and making recommendations on PUD applications and by the Board of County Commissioners in approving or disapproving such applications shall be based in general upon the provisions of these regulations and specifically on the following criteria:

- That the application conforms to the requirements and provisions of this PUD regulation.
- That the proposed PUD would be consistent with and in harmony with neighboring land uses and future intended land uses in the area.
- That the proposed PUD would not result in overly intensive use of the land relative to current use of the surrounding land.
- That the proposed PUD would not result in unmitigated traffic congestion or hazards to vehicular or pedestrian traffic.
- That the proposed PUD would not unnecessarily scar the land on which such use would be located and that the proposed use provide all measures necessary to mitigate negative impacts upon agricultural lands, critical wildlife habitat, seasonal wildlife migration corridors, scenic views and existing cultural and historical resources.
- That the proposed PUD would meet the Objectives of PUD Developments addressed in Section 3.02.
- That the proposed PUD would not be likely to prove detrimental to the public health, safety or welfare of County residents, nor cause undue hardship for neighboring persons.

**3.10 PUD DENIAL AND REHEARING PETITION PROCEDURES**

Applicants denied approval of a PUD application shall comply with the rehearing petition procedures and provisions for a denial as set forth in County's Common Land-use Procedures.



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**3.11 VESTING OF PUD APPROVAL PROPERTY RIGHTS**

Final approval of a PUD or non-PUD final subdivision plat or a PUD development plan shall be considered approval of a site specific development plan as defined by the Board of County Commissioners Resolution 12-15, or as otherwise required by Section 24-68-101, et seq., Colorado Revised Statutes, and shall result in a vested property right for a period of Three (3) years as provided for in Section 24-68-101, et seq., Colorado Revised Statutes. Within Fourteen (14) days after final approval of a site specific development plan, the County Planner or other person authorized by the Board of County Commissioners shall publish in a newspaper of general circulation in Huerfano County notice of the creation of a vested property right as described in Section 24-68-101, et seq., Colorado Revised Statutes.

All approved site specific development plans shall contain a note stating that the vested property right is vested for a period of three (3) years from the date that the vesting notice is published. The Board of County Commissions may, by majority vote, following review and recommendation by the Planning Commission, approve vested rights for a period of more than three (3) years upon payment of the required application fee and the approval of a development agreement in accordance with the provisions of Section 24-68-101, et seq., Colorado Revised Statutes.

**3.12 COMPLAINTS**

Any person(s) aggrieved by a violation or alleged violation of any provision of this PUD regulation may file a written complaint with the County Planner or Code Enforcement Officer, who shall promptly investigate such complaint and report his findings to the Planning Commission and the Board of County Commissioners.