



Planning Commission Regular Meeting

**Town Board Room
807 Mountain Avenue
Berthoud, Colorado 80513
Thursday, March 12, 2026, at 6:00 PM**

This is an **In-Person** meeting at the location and time noted above.

This meeting will be streamed live on YouTube. The live stream is accessible by visiting www.berthoud.org/stream.

- 1. Call to Order**
- 2. Approval of Meeting Minutes**
 - A. February 26, 2026 Meeting Minutes**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Public Hearing(s)**
 - B. Comprehensive Plan update, Water Element**
- 6. Report by Staff**
- 7. Adjourn**

Individuals needing special accommodation may request assistance by contacting the Town Clerk at 807 Mountain Avenue, Berthoud, Colorado 80513, 970-532-2643 at least 24 hours in advance.



**Garden
Spot of
Colorado**

**Town of Berthoud Planning Commission
Town Hall
Board Room
807 Mountain Avenue, Berthoud, CO 80513
February 26, 2026, at 6:00 p.m.**

1. Meeting called to order – Chairperson Anderson at 6:00 p.m.
2. Pledge of Allegiance
3. Roll Call

The following Planning Commission members were present:

Karen Anderson, Chair
Marc Hofmans, Commissioner
Nick Semedalas, Commissioner
Bryce Filho, Commissioner
David Pond, Commissioner

The following Planning Commission members were absent:

Stacy Sigman, Commissioner
Abigail Smith, Vice Chair

The following staff members were present:

Anne Johnson, Community Development Director
Tawn Hillenbrand, Planning Manager
Bella Manzo, Planner
Luke Seeber, Engineer

4. Approval of Minutes from February 12, 2026, were moved for approval by Commissioner Semedalas and a second to the motion was made by Commissioner Filho.
5. Public Hearing: Heron Lakes 21st Filing Preliminary Plat
A Public Hearing to consider a request for a Preliminary Plat, known as Heron Lakes 21st Filing, located off TPC Parkway, approximately 500-feet north of the TPC Parkway and Grand Market Avenue Intersection.
 - a. Planning Manager Tawn Hillenbrand provided a staff presentation at 6:05 p.m.
 - b. The applicant was represented by Jim Birdsall. They provided a presentation at 6: 21 p.m.
 - c. Public testimony opened at 6:42 p.m. and closed at 6:42 p.m. No members of the public provided testimony.
 - d. Planning Commissioners deliberated and discussed the proposed Preliminary Plat. Discussion opened at 6:42 p.m. and closed at 6:45 p.m.
 - e. Commissioner Pond moved to send a recommendation of approval to the Town Board of Trustees of the Preliminary Plat as proposed. A second to this motion was made by Commissioner Semedalas.

f. The public hearing closed at 6:46 p.m.

6. Report by Staff:

- a. At their meeting on February 24, the Town Board of Trustees heard a request for a removal of conditions of the Use by Special Review permit for the Caring Pathways Pet Crematorium. The request was approved. At this meeting, the Town Board also accepted the Annexation Petition for the Lewis Valley Annexation, which will come before the Planning Commission at an upcoming meeting.
- b. At the March 12, 2026 meeting of the Planning Commission, there will be a public hearing for the addition of a Water Element in the Comprehensive Plan as required by State legislation. Planning Intern Lakin Dickson and Water Resources Administrator Alex Tennant will present this item.
- c. Planning Manager Tawn Hillenbrand gave an update on the Public Art Master Plan process. Commissioners Hofmans and Filho expressed interest in participating in an initial, small-group stakeholder meeting to be held on March 18. Additional outreach opportunities will be available as the plan progresses.

7. Adjourn

The meeting was adjourned by Motion of Commissioner Semed alas seconded by Commissioner Pond at 6:54 p.m.

8. Work Session: Open Discussion with Town Attorneys

- a. Planning Commissioners had an open discussion with Town Attorneys Kathryn Sellars and Nick Hartman, beginning at 6:55 p.m.

Chairperson

Secretary

Planning Commission Information

Community Development



Meeting Date: March 12, 2026

Agenda Title/Subject: Comprehensive Plan update, Water Element

Type of Item: Regular Item

Purpose: Consideration of an update to the 2021 Comprehensive Plan for inclusion of a Water Conservation Element required by SB-24-174/State Statute prior to December 31, 2026

Presented by: Lakin Dickson, Anne Johnson

Attachments:

1. 01 Comprehensive Plan Addendum Water Supply Element
2. 02 (Printable) Water Element Action Plan 2026_Uilities
3. 03 Ordinance xx 2026
4. 04 Colorado Revised Statutes
5. 05 Staff Presentation

Background:

With the passage of SB24-174, Colorado Revised Statutes now require municipal, county, and regional comprehensive plans include a water supply element, and these elements must be updated, in consultation with water providers, on no less than a 5-year basis. There are no exemptions for the water supply element in statute, and this must be completed by December 31, 2026.

When developing a water supply element in local or regional comprehensive plans, Colorado Revised Statutes 30-28-106(3)(a.5)(II) and 31-23-206(1.5)(c) require that the community must:

- Consult and coordinate with local water provider(s),
- Include water conservation policies, and
- Estimate a range of water supplies and facilities needed to support the potential public and private development described in the comprehensive plan.

This water supply element addendum incorporates water conservation policies, including principles, goals, and strategies; encompasses the Town's current water supplies and facilities, considering population growth, future needs, and projected demands; and acknowledges water and land use principles from the Town's 2024 Water Efficiency Plan.

This addendum is comprised of components from Berthoud's 2020 Growing Water Smart Workshop, the 2021 Comprehensive Plan, the 2021 Open Space Plan, the 2023 Water and Wastewater Master Plan, and the 2024 Water Efficiency Plan.

Community Development staff has collaborated closely with the Operations staff to ensure close alignment with their goals, objectives and programming. Community Development has also coordinated closely for the past six months with representatives from the Division of Local Affairs (DOLA) who is managing SB24-174 requirements. The draft presented to the Planning Commission is the latest draft approved by DOLA.

A work session was presented to the Planning Commission on February 12, 2026.

Notice of the public hearings was published on March 6, 2026.

Update/Next Steps:

The Planning Commission heard the final draft at a public hearing on March 12, 2026, followed by a public hearing before the Board of Trustees on April 14, 2026, for approval and adoption into the Town’s 2021 Comprehensive Plan as a new Section 5.

Fiscal Impact and Fund Source:

There is no negative fiscal impact to the Town in amending this document. Due to staff performing these tasks in-house, there was a cost savings.

Community Touchstones:

Consideration of the amendment request does not negatively impact community touchstones. Consideration of approval of the request does provide support for encouraging mindful water stewardship, promoting the Town’s sustainability and resiliency goals, and offering continued community-wide engagement and collaboration when strengthening the connection between water and land use planning.

Recommended Action(s):

Staff recommends the Planning Commission approve Section 5 of the Comprehensive Plan and forward their recommendation of approval to the Town Trustees.



SECTION 5

Water Conservation Element

Today, Berthoud provides water service to more than 26,000 individuals, including residents and non-residents. The Town consulted and coordinated with Little Thompson Water District regarding water conservation, water efficiency, water and land use planning, and actions to protect water in environmentally sensitive areas. Little Thompson Water District did not have any objections and confirmed this plan is in line with state priorities and current water planning activities in the area.

Town of Berthoud's planning department is committed to updating the water supply element every five years to ensure water conservation policies are being met and current water supplies, projected demands, and future needs are up to date.

Water Conservation Policies

Principles

1. Town of Berthoud will promote the wise use of water in public spaces to support the transition to climate-appropriate landscapes encouraging mindful water stewardship.
2. Town of Berthoud will sustainably manage its water resources to enhance community resilience and protect environmentally sensitive areas.
3. Town of Berthoud will align development codes, zoning, guidelines and policies, specifications and standards, with the Water Efficiency Plan, Open Space Plan, and other municipal plans to ensure new development is designed to be water efficient.
4. Town of Berthoud will promote water efficiency and conservation through community-wide engagement and collaboration with customers, local water providers, local government, and stakeholders.

Goals and Strategies

Measurement and Management

1. Goal: Conduct an annual water loss audit.
 - a. Strategy: Complete AWWA M36 Audit with water loss volume, values, and validity and report these findings to the board.
2. Goal: Improve data to refine water management; granularity, normalization, demand profiles, and communication options.
 - a. Strategy: Develop a multi-year plan, budget and timeline to complete water meter upgrades – 12 - 24 months.
 - b. Strategy: Install Advanced Metering Infrastructure (AMI) meters to help analyze water use patterns, support more accurate billing, identify leaks and inefficiencies, and improve overall water demand management.

Sustainable and Efficient Operations

1. Goal: Implement water efficiency in current and future public spaces.
 - a. Strategy: Plan to implement water conservation and efficiency projects in Town parks and facilities as demonstration areas as well as functional areas.
 - b. Strategy: Develop a communications plan regarding the benefits of water efficiency and water wise landscaping options.
 - c. Strategy: Conduct a work study session to illustrate water wise land use practices in Colorado for the Town Board and Planning Commission.
2. Goal: Develop water quality protection standards for waterbodies and wetlands.

- a. Strategy: Coordinate with relevant agencies and organizations to identify priority wetlands, floodways, floodplains, water edges and water courses to inform site planning.
- 3. Goal: Plan for anticipated growth and increase in water demands as the town develops.
 - a. Strategy: Initiate the expansion of the current 4 million gallons per day (MGD) Water Treatment Plant (WTP) to 5 MGD in the coming year.
 - b. Strategy: Continue developing the non-potable water supply system to expand the community-wide supply.
 - c. Strategy: Develop a method to capture and reuse legally reusable return flows, including portions of the town's ditch water rights and Windy Gap Project supplies.

Integrating Water and Land Use

- 1. Goal: Integrate water efficiency into land use ordinances and development policies to reflect and support the Town's long-term vision and community value.
 - a. Strategy: Incorporate water efficiency standards into the Town's development code with a focus on outdoor water use/landscaping.
 - b. Strategy: Promote new development standards that limit the need for irrigation to help reduce the demand for water. This includes clustered development with shared green spaces and protection of natural areas.
 - c. Strategy: Execute workshops around building codes to educate builders, developers, and landscapers and encourage the landscaper certification program offered by Northern Water.
- 2. Goal: Promote sharing rights for agricultural purposes.
 - a. Strategy: Retain water rights on conserved lands through Alternative Transfer Methods, water sharing agreements, or other methods.
 - b. Strategy: Evaluate town drought supplies.
 - c. Strategy: Continue to work with ditch and irrigation companies to maintain effective operations.
- 3. Goal: Ensure the comprehensive plan update addresses land-use policies impacting water demand.
 - a. Strategy: The next comprehensive plan update will contain water inclusive elements and ensure water demand and supply are considered in land use plans.
 - b. Strategy: Continue to protect and enhance existing waterways, lakes/reservoirs, riparian corridors, and floodplains.
 - c. Strategy: Continue to collaborate with the Town Board and Planning Commissioners on future land use and water demand goals for the Town.

Water Supplies and Facilities

Population Growth

The Town's current estimated population of 14,988 people in 2025 will increase to approximately 27,285 people by 2040 according to a consistent projection by the 2021 Comprehensive Plan, 2023 Water and Wastewater Master Plan, and the 2025 Housing Diversity Plan. As the Town tracks local and regional growth trends over time, it must navigate a course between not overbuilding and making sure it has adequate treatment capacity on a rolling 5-year horizon. Figure 1 presents the Town's 2043 projection of 26,216 people, developed during Berthoud's 2023 Water and Wastewater Master Planning process to inform future expansions of Berthoud's water treatment facility.

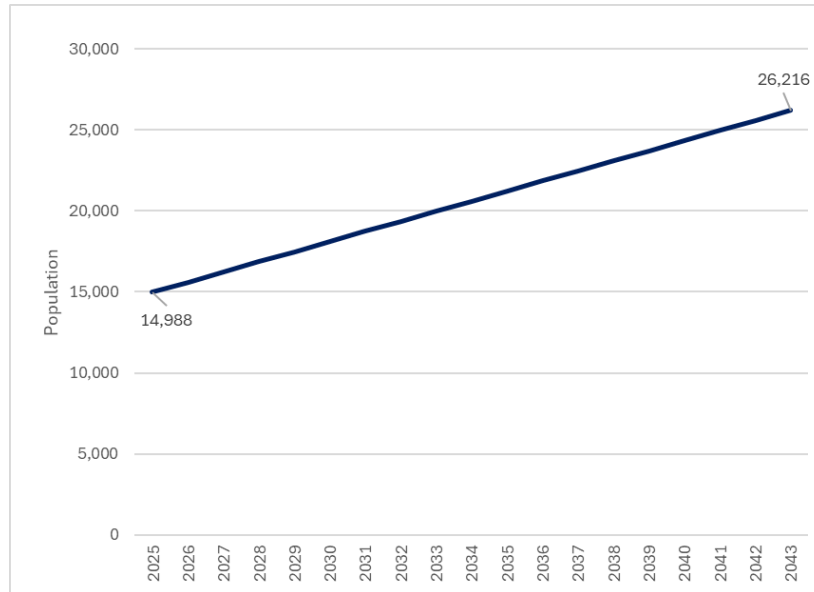


Figure 1. Projected Future Population

Current Water Supplies

Water facilities that the Town of Berthoud utilizes are Berthoud Reservoir, Loveland Reservoir, Historic water tower, Northern Water, and Little Thompson Water District. These facilities support the potential public and private development described in Berthoud's 2021 Comprehensive Plan. Water facilities that the Town may utilize in the future are Bacon Lake, Newell Lake, Hummel Reservoir, DeFrance Reservoir, and Sunnyslope Reservoir. While it would be beneficial to Berthoud to deliver non-potable water from these reservoirs as development spreads east, the town has not looked into storage and capacity for these facilities.

The Town of Berthoud provides both potable and non-potable water supplies. Potable water is treated to meet drinking water standards at the Berthoud Water Treatment Plant (WTP), while non-potable water consists of untreated raw water delivered through designated irrigation systems. Non-potable supplies may be stored in Loveland Lake, Carter Lake, and Welch Reservoir through an agreement with the Handy Ditch Company prior to distribution. Berthoud's water rights portfolio is diverse, encompassing decrees for 1) municipal indoor and outdoor use, 2) outdoor irrigation only, and 3) combined municipal and irrigation purposes. While leases with new water facilities is not guaranteed, Berthoud's current water facilities will be able to accommodate a large portion, if not all, of the non-potable water demand that the town will build out in the future. Berthoud's water supplies are summarized below:

Big Thompson River – Berthoud has utilized Big Thompson River water since its founding. These senior water rights, including a portion of the No. 1 priority right on the river, provide a reliable supply. Historically diverted through the Handy Ditch to Berthoud Reservoir for treatment, this source can also be delivered through the Colorado-Big Thompson (C-BT) Project system via agreements with the U.S. Bureau of

Reclamation. Today, the C-BT system is the primary delivery mechanism, with Handy Ditch serving as a backup.

Colorado-Big Thompson (C-BT) Water – C-BT water is Berthoud’s second largest supply source, suitable for both municipal and irrigation use. This transbasin water originates on Colorado’s west slope and is conveyed through the Adams Tunnel beneath Rocky Mountain National Park to the eastern slope reservoirs. Berthoud began using C-BT water in the 1980s and has since acquired 1,088 units with an average yield of 0.7 acre-feet. C-BT water provides a consistent, reliable supply and is especially critical during winter months when Big Thompson rights are unavailable. Deliveries are made directly from Carter Lake to the Berthoud WTP.

Windy Gap Water – Berthoud holds 10 units of Windy Gap water, another west-slope transbasin supply conveyed through the C-BT system. Although unavailable during wet cycles due to upstream storage limitations, Windy Gap water is reusable to extinction—unlike C-BT water—which enhances its potential yield. Berthoud may capture reusable portions by capturing wastewater effluent or through augmentation of junior rights on the Little Thompson River. To fully realize this potential, additional local storage will be required.

Berthoud Reservoir – Berthoud Reservoir, 513 acre-feet, stores multiple Town water rights, including a dedicated storage decree for municipal and irrigation use. Historically used for winter storage prior to construction of the Carter Lake pipeline, the reservoir now primarily functions as a flow regulator for the WTP.

Ditch Company Water Rights – The Town owns various ditch company shares originally developed for agriculture, including 37.83 shares in the Handy Ditch system, of which a portion has been converted for municipal use. Additional ditch systems in Berthoud’s portfolio are held in the McIntyre Lateral Ditch, Loveland Lake and Ditch, Ryan Gulch Reservoir, Consolidated Home Supply Ditch, and Welch Contract systems. Some of these rights are in the water court process to change from irrigation to municipal use.

Little Thompson Water District – Through an intergovernmental agreement, Berthoud purchases supplemental potable supplies from the Little Thompson Water District during summer peak demand periods. This water is treated at the Carter Lake Filter Plant and delivered via metered interconnects to Berthoud’s distribution system.

Berthoud’s 2007 Water Conservation Plan estimated a per capita water use of approximately 125 gallons per capita per day (GPCD) between 2002 and 2004, based on an analysis of water demand per dwelling. In comparison, the recent average per capita water use from 2012 to 2024 is significantly lower, at 109.9 GPCD. This reduction is likely due to a combination of Berthoud’s ongoing water efficiency initiatives and new development trends in the community, such as smaller irrigated yards and newer homes built with water-efficient fixtures that meet updated codes and water standards.

Water Supply Reliability and Future Needs

Berthoud currently maintains a highly reliable water supply portfolio and has not experienced any historical water shortages, even during periods of drought. The Town's existing supplies are sufficient to meet current and near-term water demands. However, Town staff are working to address several ongoing challenges and limitations:

- a. Develop a reliable accounting of non-revenue water and water loss associated with infrastructure.
- b. Address periodic taste and odor issues that arise when Carter Lake levels are low and the Town relies more heavily on Berthoud Reservoir, which receives local runoff.
- c. Replace or rehabilitate aging infrastructure.
- d. Manage the impacts of rapid population growth.

Berthoud is proactively planning for anticipated growth and the resulting increase in water demands as the Town continues to develop. To guide these efforts, the Town has adopted both a Water Resources Master Plan and a Water and Wastewater Master Plan (WWWMP). These planning documents evaluate the additional water supplies, infrastructure, and operational strategies needed to meet future demands and ensure reliable service delivery to customers. The Town's water master planning process incorporates a water supply model that evaluates Berthoud's water rights portfolio, accounts for annual climatic and hydrologic variability, and considers the long-term uncertainties posed by climate change.

To meet future water needs, the Town plans to pursue the following key strategies:

- a. Acquire additional water rights and local storage to expand overall supply and diversify water sources to increase the reliability (firm yield) of its existing water rights portfolio.
- b. Initiate the expansion of the current 4 million gallons per day (MGD) Water Treatment Plant (WTP) to 5 MGD in the coming year. Additional capacity expansions will be required as the Town continues to grow.
- c. Continue the development of its non-potable water supply system.
- d. Develop a method to capture and reuse legally reusable return flows, including portions of the Town's ditch water rights and Windy Gap Project supplies.
- e. Coordinate with regional water providers and other entities on collaborative projects including return flow replacements (2023 IGA for Regional Return Flow Replacement Coordination), storage availability, water treatment, and pipeline infrastructure.
- f. Continue to improve data for AWWA annual water audits that will provide historic and projected data reducing per capita demand (the amount of water each person uses per day), with the expectation of the future cost the Town will not have to spend on new water. Without that reduction, the Town would eventually need to purchase or secure additional water rights or supplies to meet future demand as the population grows.
- g. Promote water efficiency at both the municipal and customer levels to help reduce future demands.

Projected Demands

Berthoud aims to achieve an average system-wide per capita water use of 105 gpcd by 2032. Berthoud believes this is a reasonable goal considering historical water demands and available staff resources. The goal is portrayed in Figure 2, showing the per capita water demand target of 105 gpcd relative to historical per capita water demands with an average of 109.9 gpcd.¹

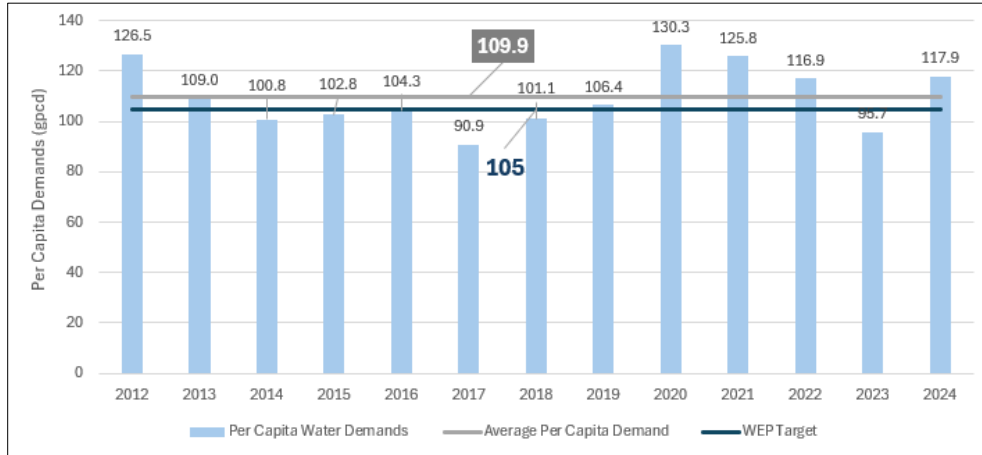


Figure 2. Per Capita Water Demand Target

Figure 3 on the following page presents projected water demands under two scenarios: the Baseline Scenario (gray line) and the Water Efficiency Program [WEP] Savings Scenario (dark blue line). The Baseline Scenario is based on the historical average per capita demand of 109.9 gallons per capita per day (gpcd) from 2012–2024. The WEP Savings Scenario reflects the targeted reduction to 105 gpcd by 2032.

Projected demands were derived by applying the population projections from Figure 1 to the respective per capita water use values. Achieving the targeted 105 gpcd would result in an estimated 4.5 percent reduction in total demand relative to the Baseline Scenario, corresponding to annual water savings of approximately 33.3 million gallons by 2032 and 46.9 million gallons by 2043.

¹ The per capita water demands in this figure have been calculated as total billed water use (not including hydrant and construction water) divided by population.

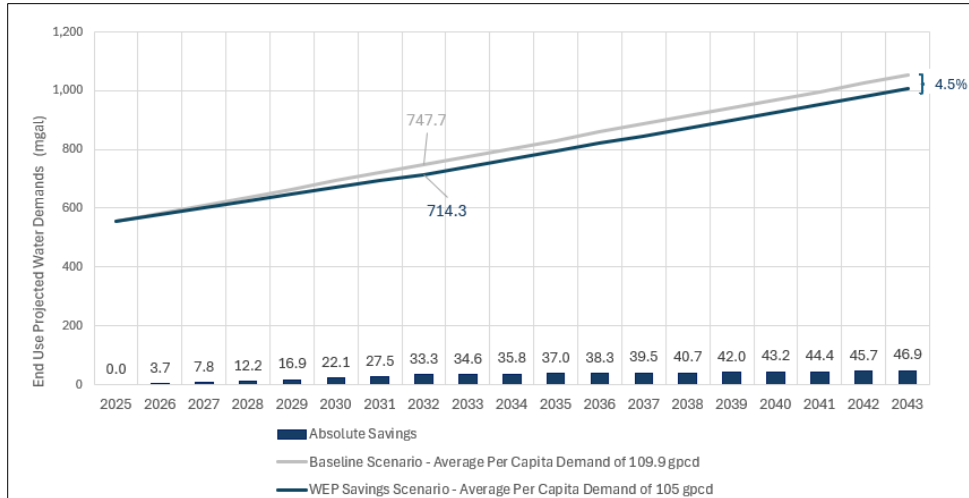


Figure 3. Projected Demand for Historical and Targeted Per Capita Water Use

Water and Land Use Planning Principles

Berthoud is anticipating significant growth in the coming decades. Land use planning and future development patterns will play a critical role in shaping the Town’s future water demands. While a portion of this growth will continue to include single-family detached housing, a broader mix of residential housing types is expected, including higher-density detached homes on smaller lots, attached homes, townhouses, and mixed-use developments that incorporate commercial and multi-family units. The design and landscaping of these developments will directly influence long-term water use across the community. To proactively address the connection between land use and water demand, Berthoud has identified the following principles to guide the integration of water and land use planning:

Support the transition to climate-appropriate landscapes - The Town will provide guidance to support the shift from traditional high-water-use landscaping toward climate-appropriate, waterwise landscapes. These alternatives are designed to use less water while maintaining aesthetic appeal, supporting a healthy tree canopy, and remaining acceptable to the public.

Balance Town regulation with community autonomy - While the Town plays a central role in promoting and requiring water-efficient landscapes through regulations and development guidelines, it also recognizes the importance of individual choice. Berthoud encourages residents and developers to make land use decisions that reflect their own values, while being mindful of water efficiency as a key component of responsible water stewardship.

Promote community-wide engagement and collaboration - The Town seeks to expand its role in advancing water efficiency and conservation by 1) routinely informing customers about water planning efforts and conservation best practices, 2) providing practical support for adopting waterwise landscaping, 3) engaging stakeholders through

targeted public outreach, and 4) collaborating with nearby water providers and local partners to strengthen regional efforts.

Foster multi-level, interdepartmental coordination - Effective water efficiency planning requires collaboration across multiple departments and levels of government in leveraging resources and implementing a successful water efficiency program. Berthoud is committed to 1) encouraging interdepartmental coordination within the Town, 2) strengthening communication between staff and Town leadership/elected officials, and 3) building regional partnerships to share knowledge and align water conservation efforts.

Town of Berthoud Water in Comprehensive Plan

Action Plan Implementation Report Card

Item #	Action Item	Priority	Timeline	Completed/ Scheduled	Notes	Community Touchstones: Resilience, Sustainable, Community Identity	Potential input into Town- wide Sustainability Action Plan
Topic: Measurement and Management							
Achievable Goal: Conduct an annual water loss audit.							
1	Complete AWWA M36 Audit with water loss volume, values, and validity and report these findings to the board.	2	Started	2023	Included in Water Efficiency Plan (WEP). To be updated on an annual basis and reported to Board of Trustees	R, S	Yes
Achievable Goal: Improve data to refine water management; granularity, normalization, demand profiles, and communication options.							
2/3	Install Advanced Metering Infrastructure (AMI) meters to help analyze water use patterns, support more accurate billing, identify leaks and inefficiencies, and improve overall water demand management.	1	Not Started	2026-27	WEP: 2026-27 budget item for operations to implement and manage programming	R, S	Yes
Topic: Sustainable and Efficient Operations							
Achievable Goal: Implement water efficiency in current and future public spaces.							
4	Plan to implement water conservation and efficiency projects in Town parks and facilities as demonstration areas as well as functional areas.	2		2026	WEP	R, S, CI	
5	Develop a communications plan regarding the benefits of water efficiency and water wise landscaping options.	2		2026	WEP	R, S, CI	Yes
6	Conduct a work study session to illustrate water wise land use practices in Colorado for the Town Board and Planning Commission.	2				R, S, CI	Yes
Achievable Goal: Develop water quality protection standards for waterbodies and wetlands.							
7	Coordinate with relevant agencies and organizations to identify priority wetlands, floodways, floodplains, water edges and water courses to inform site planning.	2		Ongoing		R, S, CI	Yes
Achievable Goal: Plan for anticipated growth and increase in water demands as the town develops.							
8	Initiate the expansion of the current 4 million gallons per day (MGD) Water Treatment Plant (WTP) to 5 MGD in the coming year.	1		2026-2027	Currently in Water Utilities CIP to begin in 2026-2027	R, S	Yes
9	Continue developing the non-potable water supply system to expand the community-wide supply.	1		Ongoing	WEP	R, S	
10	Develop a method to capture and reuse legally reusable return flows, including portions of the town's ditch water rights and Windy Gap Project supplies.	1		Ongoing	Future WEP Update	R, S	Yes
Topic: Integrating Water and Land Use							
Achievable Goal: Integrate water efficiency into land use ordinances and development policies to reflect and support the Town's long-term vision and community value.							
11	Incorporate water efficiency standards into the Town's development code with a focus on outdoor water use/landscaping.	3			WEP-ALIGNMENT - The intent is to amend the landscape guidelines in 2026 to ensure alignment with House Bill 21-1229	R, S, CI	Yes
12	Promote new development standards that limit the need for irrigation to help reduce the demand for water. This includes clustered development with shared green spaces and protection of natural areas.	2				R, S, CI	Yes
13	Execute workshops around building codes to educate builders, developers, and landscapers and encourage the landscaper certification program offered by Northern Water.	1		Ongoing		R, S, CI	Yes
Achievable Goal: Promote sharing rights for agricultural purposes.							
14	Retain water rights on conserved lands through Alternative Transfer Methods, water sharing agreements, or other methods.	2		Ongoing		S	
15	Evaluate town drought supplies.	1		Ongoing		S	Yes
16	Continue to work with ditch and irrigation companies to maintain effective operations.	1		Ongoing		S	
Achievable Goal: Ensure the comprehensive plan update addresses land-use policies impacting water demand.							
17	The next comprehensive plan update will contain water inclusive elements and ensure water demand and supply are considered in land use plans.	2				R, S, CI	
18	Continue to protect and enhance existing waterways, lakes/reservoirs, riparian corridors, and floodplains.	2				R, S, CI	
19	Continue to collaborate with the Town Board and Planning Commissioners on future land use and water demand goals for the Town.	1				R, S, CI	

Ordinance No. ____
Series 2026

An Ordinance of the Town of Berthoud

Whereas, the Town of Berthoud is a municipal corporation possessing all powers granted to a statutory town by Title 31 of the Colorado Revised Statutes; and

Whereas, the Town of Berthoud, Colorado, acting through its Planning Commission, is empowered pursuant to C.R.S. Section 31-23-201, *et seq.*, to make and adopt a comprehensive plan; and

Whereas, the Town adopted Resolution 2021-19 on July 13, 2021 adopting the updated to the Town's Comprehensive Plan; and

Whereas, the Planning Commission approved the amendment to the 2021 Comprehensive Plan to include the water conservation element at their public hearing on March 12, 2026; and

Whereas, the Board of Trustees, have adopted the required Water Supply Element by reference which requires a reference note to be added to the 2021 Comprehensive Plan at their public hearing on April 14, 2026; and

Whereas, the attached Exhibit A is the only amendment thereto and has been submitted for consideration in writing to the Planning Commission and the Board of Trustees and the Board of Trustees has determined that such amendment thereto should be adopted as herein set forth;

Now Therefore, be it Ordained by the Board of Trustees of the Town of Berthoud as follows:

Section 1. That reference to the required Water Supply Element be inserted into the 2021 Comprehensive Plan shall be made as Section 5: Water Conservation Element to the Comprehensive Plan as set forth in Exhibit A, attached is hereby adopted;

Section 2. If any 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.

Section 3. Severability. If any provision of this Ordinance is determined to be invalid for any reason, such determination shall not affect the validity of the remaining provisions of this Ordinance, and the Board of Trustees hereby declares that it would have passed this Ordinance and each provision thereof irrespective of the fact that any one or more provisions may be declared invalid.

Section 4. Repeal. Existing ordinances or provisions thereof inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 5. The provisions of this ordinance shall take effect thirty days after publication as required by law, and shall apply to all development and construction permitted after such date.

Introduced, approved and adopted this 14th day of April, 2026.

Town of Berthoud

William Karspeck, Mayor

Attest

Christian Samora, Town Clerk

[Go to Previous Versions of this Section](#) ▾

2024 Colorado Revised Statutes

Title 31 - GOVERNMENT - MUNICIPAL

(§§ 31-1-101 — 31-35-712)

POWERS AND FUNCTIONS OF CITIES

AND TOWNS (§§ 31-15-101 — 31-35-

712)

Article 23 - PLANNING AND ZONING

(§§ 31-23-101 — 31-23-316)

Part 2 - PLANNING COMMISSION (§§

31-23-201 — 31-23-227)

Section 31-23-206 - Master plan

Universal Citation:

CO Rev Stat § 31-23-206 (2024) ○

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(1) It is the duty of the commission to make and adopt a master plan for the physical development of the municipality, including any areas outside its boundaries, subject to the approval of the governmental body having jurisdiction thereof, that in the commission's judgment bear relation to the planning of the municipality. The master plan of a municipality is an advisory document to guide land development decisions;

however, the master plan or any part thereof may be made binding by inclusion in the municipality's adopted subdivision, zoning, platting, planned unit development, or other similar land development regulations after satisfying notice, due process, and hearing requirements for legislative or quasi-judicial processes as appropriate. The master plan, with the accompanying maps, plats, charts, and descriptive matter, must show the commission's recommendations for the development of the municipality and outlying areas.

(1.3)

(a) When a commission decides to adopt a master plan, the commission shall conduct public hearings, after notice of such public hearings has been published in a newspaper of general circulation in the municipality in a manner sufficient to notify the public of the time, place, and nature of the public hearing, prior to final adoption of a master plan in order to encourage public participation in and awareness of the development of the master plan and shall accept and consider oral and written public comments throughout the process of developing the master plan.

(b) The commission shall follow the procedures in section 24-32-3209. For purposes of this section, any special district that supplies water to the area covered by the master plan is a neighboring jurisdiction as defined in section 24-32-3209 (1)(h).

(c) For any master plan adopted after January 1, 2026, the commission shall consider the following, where applicable or appropriate, and any other information deemed relevant by the commission:

(I) The applicable housing needs assessments published pursuant to section 24-32-3702 (1)(b), 24-32-3703, or 24-32-3704;

(II) The statewide strategic growth report created pursuant to section 24-32-3707;

(III) The natural land and agricultural opportunities report published pursuant to section 24-32-3708; and

(IV) The Colorado water plan adopted pursuant to section 37-60-106.3.

(1.5) The master plan must include:

(a) A narrative description of the procedure used for the development and adoption of the master plan, including a summary of any objections to the master plan made by neighboring jurisdictions pursuant to section 24-32-3209 and a description of the resolution or outcome of the objections;

(b) The most recent version of the master plan required by section 31-12-105 (1) (e) or a similar master plan for areas of potential growth within three miles of the municipality's existing boundaries and a description of how the municipality intends to integrate that plan into the master plan;

(c)

(I) A water supply element developed in consultation with entities that supply water for use within the municipality to ensure coordination on water supply and facility planning. Nothing in this section requires the public disclosure of confidential information related to water supply or facilities.

(II) The water supply element must:

(A) Estimate a range of water supplies and facilities needed to support the potential public and private development described in the master plan; and

(B) Include water conservation policies, to be determined by the municipality, which may include goals specified in the Colorado water plan adopted pursuant to section 37-60-106.3 and policies to implement water conservation and other Colorado water plan goals as a condition of development approval, including subdivisions, planned unit developments, special use permits, and zoning changes.

(III) A municipality with a master plan that includes a water supply element shall ensure that its master plan includes water conservation policies at the first amending of the master plan, but not later than July 1, 2025;

(IV) Nothing in this subsection (1.5)(c) supersedes, abrogates, or otherwise impairs the allocation of water pursuant to the state constitution or any other provision of law, the right to beneficially use water pursuant to decrees, contracts, or other water use agreements, or the operation, maintenance, repair, replacement, or use of any water facility; and

(V) The department of local affairs may hire and employ one full-time employee to provide educational resources and assistance to municipalities that include water conservation policies in the water supply elements of master plans as required by this subsection (1.5)(c).

(d) A strategic growth element that integrates elements of the master plan to discourage sprawl and promote the development or redevelopment of vacant

and underutilized parcels in urban areas to address the municipality's demonstrated housing needs and mitigate the need for extension of infrastructure and public services to develop natural and agricultural lands for residential uses. The strategic growth element must include:

(I) A description of existing and potential policies and tools to promote strategic growth and prevent sprawl;

(II) An analysis of vacant and underutilized sites that:

(A) Identifies vacant, partially vacant, and underutilized land near existing or planned transit or job centers that could be used for infill development, redevelopment, and new development of housing;

(B) Assesses the general feasibility of the development or redevelopment of such sites for residential use based on existing and needed infrastructure, transportation capacity, access to public transit, and public facilities and services to serve such sites;

(C) Describes the public benefits of the development or redevelopment of such sites to the municipality as an alternative to the development of previously undeveloped natural or agricultural land; and

(D) In a manner that is consistent with the master plan, designates such sites for which development or redevelopment is deemed to be generally feasible for future uses that include residential uses in a manner that addresses the municipality's demonstrated housing needs at all income levels; and

(III) An analysis of undeveloped sites that:

(A) Identifies previously undeveloped parcels that are not adjacent to developed land, including existing natural and agricultural land, under consideration for future development, and, for a municipality in a metropolitan planning organization established under the "Federal Transit Act of 1998," 49 U.S.C. sec. 5301 et seq., as amended, land outside of census urban areas as defined by the United States bureau of the census;

(B) Assesses the general feasibility of the development of such sites for residential use based on existing and needed infrastructure, transportation capacity, access to public transit, and public facilities and services to serve such sites; and

(C) Describes the long-term fiscal impact to the municipality of the construction, ownership, maintenance, and replacement of

infrastructure and public facilities and the provision of public services to serve development of such sites; and

(e) The most recent housing action plan adopted by the municipality pursuant to section 24-32-3705.

(1.7)

(a) A municipality with a master plan shall ensure that its master plan includes a water supply element and strategic growth element as required by subsection (1.5) of this section at the first amending of the master plan that occurs on or after January 1, 2026, but not later than December 31, 2026. The master plan of a municipality adopted or amended after December 31, 2026, must include a water supply element and strategic growth element as required by subsection (1.5) of this section. A municipality shall update the water supply element and strategic growth element as required by subsection (1.5) of this section no less frequently than every five years.

(b) A municipality with a master plan is not required to include a strategic growth element if the municipality has not received funding to include the strategic growth element pursuant to section 24-32-3710 and either:

(I) Has a population of twenty thousand or less and has experienced negative population change in the most recent decennial census; or

(II) Has a population of two thousand or less.

(1.9) The master plan may include, where applicable or appropriate:

(a) The general location, character, and extent of existing, proposed, or projected streets, roads, rights-of-way, bridges, waterways, waterfronts, parkways, highways, mass transit routes and corridors, and any transportation plan prepared by any metropolitan planning organization that covers all or a portion of the municipality and that the municipality has received notification of or, if the municipality is not located in an area covered by a metropolitan planning organization, any transportation plan prepared by the department of transportation that the municipality has received notification of and that covers all or a portion of the municipality;

(b) The general location of public places or facilities, including public schools, culturally, historically, or archaeologically significant buildings, sites, and objects, playgrounds, squares, parks, airports, aviation fields, military installations, and other public ways, grounds, open spaces, trails, and designated federal, state, and local wildlife areas. For purposes of this section,

"military installation" has the same meaning as specified in section 29-20-105.6 (2)(b).

(c) The general location and extent of public utilities terminals, capital facilities, and transfer facilities, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes and any proposed or projected needs for capital facilities and utilities, including the priorities, anticipated costs, and funding proposals for such facilities and utilities;

(d) The acceptance, removal, relocation, widening, narrowing, vacating, abandonment, modification, change of use, or extension of any of the public ways, rights-of-way, including the coordination of such rights-of-way with the rights-of-way of other municipalities, counties, or regions, grounds, open spaces, buildings, property, utility, or terminals referred to in subsections (1.5) (c), (1.7)(a), and (1.7)(b) of this section;

(e) A zoning plan for the control of the height, area, bulk, location, and use of buildings and premises. Such a zoning plan may protect and assure access to appropriate conditions for solar, wind, or other alternative energy sources, including geothermal energy used for water heating or space heating or cooling in a single building, for space heating for more than one building through a pipeline network, or for electricity generation; however, regulations and restrictions of the height, number of stories, size of buildings and other structures, and the height and location of trees and other vegetation shall not apply to existing buildings, structures, trees, or vegetation except for new growth on such vegetation;

(f) The general character, location, and extent of community centers, housing developments, whether public or private; the existing, proposed, or projected location of residential neighborhoods and sufficient land for future housing development for the existing and projected economic and other needs of all current and anticipated residents of the municipality; and redevelopment areas. If a municipality has entered into a regional planning agreement, the agreement may be incorporated by reference into the master plan.

(g) A plan for the extraction of commercial mineral deposits pursuant to section 34-1-304;

(h) A plan for the location and placement of public utilities that facilitates the provision of such utilities to all existing, proposed, or projected developments in the municipality;

(i) Projections of population change and housing needs to accommodate the projected population for specified increments of time. The municipality may base these projections upon data from the department of local affairs and upon the municipality's local objectives;

(j) The areas containing steep slopes, geological hazards, endangered or threatened species, wetlands, floodplains, floodways, and flood risk zones, highly erodible land or unstable soils, and wildfire hazards. For purposes of determining the location of such areas, the commission should consider the following sources for guidance:

(I) The Colorado geological survey for defining and mapping geological hazards;

(II) The United States fish and wildlife service of the United States department of the interior and the parks and wildlife commission created in section 33-9-101 for locating areas inhabited by endangered or threatened species;

(III) The United States army corps of engineers and the United States fish and wildlife service national wetlands inventory for defining and mapping wetlands;

(IV) The federal emergency management agency for defining and mapping floodplains, floodways, and flood risk zones;

(V) The natural resources conservation service of the United States department of agriculture for defining and mapping unstable soils and highly erodible land; and

(VI) The Colorado state forest service for locating wildfire hazard areas.

(2) As the work of making the whole master plan progresses, the commission may from time to time adopt and publish a part thereof. Any such part shall cover one or more major sections or divisions of the municipality or one or more of the foregoing or other functional matters to be included in the plan. The commission may amend, extend, or add to the plan from time to time.

(3) (Deleted by amendment, L. 2007, p. 613, § 2, effective August 3, 2007.)

(4)

(a) Each municipality that has a population of two thousand persons or more and that is wholly or partially located in a county that is subject to the requirements of section 30-28-106 (4), C.R.S., shall adopt a master plan within two years after January 8, 2002.

(b) The department of local affairs shall annually determine, based on the population statistics maintained by said department, whether a municipality is subject to the requirements of this subsection (4), and shall notify any municipality that is newly identified as being subject to said requirements. Any such municipality shall have two years following receipt of notification from the department to adopt a master plan.

(c) Once a municipality is identified as being subject to the requirements of this subsection (4), the municipality shall at all times thereafter remain subject to the requirements of this subsection (4), regardless of whether it continues to meet the criteria specified in paragraph (a) of this subsection (4).

(5) A master plan adopted in accordance with the requirements of subsection (4) of this section shall contain a recreational and tourism uses element pursuant to which the municipality shall indicate how it intends to provide for the recreational and tourism needs of residents of the municipality and visitors to the municipality through delineated areas dedicated to, without limitation, hiking, mountain biking, rock climbing, skiing, cross country skiing, rafting, fishing, boating, hunting, and shooting, or any other form of sports or other recreational activity, as applicable, and commercial facilities supporting such uses.

(6) The master plan of any municipality adopted or amended in accordance with the requirements of this section on and after August 8, 2005, shall satisfy the requirements of section 29-20-105.6, C.R.S., as applicable.

(7) Notwithstanding any other provision of this section, no master plan originally adopted or amended in accordance with the requirements of this section shall conflict with a master plan for the extraction of commercial mineral deposits adopted by the municipality pursuant to section 34-1-304, C.R.S.

(8) The commission shall submit the master plan and any separately approved water supply element and strategic growth element to the division of local government in the department of local affairs. The division of local government shall review master plans and may provide comments to the commission.

Amended by 2024 Ch. 290, § 3, eff. 5/30/2024.

Amended by 2022 Ch. 335, § 9, eff. 8/10/2022.

Amended by 2020 Ch. 82, § 2, eff. 9/14/2020.

L. 75: Entire title R&RE, p. 1147, § 1, effective July 1. L. 79: (1)(d) amended, p. 1162, § 10, effective 1/1/1980. L. 97: (3) added, p. 414, § 2, effective April 24. L. 2000: (1) amended, p. 874, § 2, effective August 2. L. 2001, 2nd Ex. Sess.: (4) and (5) added, p. 22, § 2, effective 1/8/2002. L. 2002: (5) amended, p. 1036, § 84, effective June 1. L. 2005: (6) added, p. 223, § 3, effective August 8. L. 2007: IP(1) and (3) amended and (7) added, p. 613, § 2, effective August 3. L. 2010: (1)(b) and (6) amended, (HB 10-1205), ch. 1078, p. 1078, § 3, effective August 11. L. 2012: IP(1) and (1)(k)(II) amended, (HB 12-1317), ch. 1206, p. 1206, § 13, effective June 4. L. 2020: IP(1) and (1)(d) amended, (HB 20-1095), ch. 332, p. 332, § 2, effective September 14.

This section is similar to former § 31-23-106 as it existed prior to 1975.

2022 Ch. 335, was passed without a safety clause. See Colo. Const. art. V, § 1(3).

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Planning Commission March 12, 2026



Requirements



Colorado Revised Statutes 31-23-206(1.5)(c)

Consult and coordinate with
local water provider(s)

Include water
conservation policies

Estimate a range of water supplies and
facilities needed to support the potential
public and private development
described in the comprehensive plan

Collaboration



**Town of
Berthoud
Water**



**Department
of Local
Affairs**



**Little
Thompson
Water District**



Applicable Plans



- 2020 Growing Water Smart Workshop
- 2021 Comprehensive Plan
- 2021 Open Space Plan
- 2022 Evans Community Master Plan
- 2023 Water and Wastewater Master Plan
- 2024 Water Efficiency Plan



Water Supply Element Outline



Water Conservation Policies

- Principles
- Goals
- Strategies

Water Supplies and Facilities

- Population Growth
- Current Water Supplies
- Water Supply Reliability and Future Needs
- Projected Demands

Water and Land Use Planning Principles

Action Plan



Town of Berthoud Water in Comprehensive Plan							
Action Plan Implementation Report Card							
Item #	Action Item	Priority	Timeline	Completed/ Scheduled	Notes	Community Touchstones: Resilience, Sustainable, Community Identity	Potential input into Town- wide Sustainability Action Plan
Topic: Measurement and Management							
Achievable Goal: Conduct an annual water loss audit.							
1	Complete AWWA M36 Audit with water loss volume, values, and validity and report these findings to the board.	2	Started	2023	Included in Water Efficiency Plan (WEP). To be updated on an annual basis and reported to Board of Trustees	R, S	Yes
Achievable Goal: Improve data to refine water management; granularity, normalization, demand profiles, and communication options.							
2/3	Install Advanced Metering Infrastructure (AMI) meters to help analyze water use patterns, support more accurate billing, identify leaks and inefficiencies, and improve overall water demand management.	1	Not Started	2026-27	WEP: 2026-27 budget item for operations to implement and manage programming	R, S	Yes

Action Plan



Topic: Sustainable and Efficient Operations							
Achievable Goal: Implement water efficiency in current and future public spaces.							
4	Plan to implement water conservation and efficiency projects in Town parks and facilities as demonstration areas as well as functional areas.	2		2026	WEP	R, S, CI	
5	Develop a communications plan regarding the benefits of water efficiency and water wise landscaping options.	2		2026	WEP	R, S, CI	Yes
6	Conduct a work study session to illustrate water wise land use practices in Colorado for the Town Board and Planning Commission.	2				R, S, CI	Yes
Achievable Goal: Develop water quality protection standards for waterbodies and wetlands.							
7	Coordinate with relevant agencies and organizations to identify priority wetlands, floodways, floodplains, water edges and water courses to inform site planning.	2		Ongoing		R, S, CI	Yes
Achievable Goal: Plan for anticipated growth and increase in water demands as the town develops.							
8	Initiate the expansion of the current 4 million gallons per day (MGD) Water Treatment Plant (WTP) to 5 MGD in the coming year.	1		2026-2027	Currently in Water Utilities CIP to begin in 2026-2027	R, S	Yes
9	Continue developing the non-potable water supply system to expand the community-wide supply.	1		Ongoing	WEP	R, S	
10	Develop a method to capture and reuse legally reusable return flows, including portions of the town's ditch water rights and Windy Gap Project supplies.	1		Ongoing	Future WEP Update	R, S	Yes

Action Plan



Topic: Integrating Water and Land Use							
Achievable Goal: Integrate water efficiency into land use ordinances and development policies to reflect and support the Town's long-term vision and community value.							
11	Incorporate water efficiency standards into the Town's development code with a focus on outdoor water use/landscaping.	3			WEP-ALIGNMENT - The intent is to amend the landscape guidelines in 2026 to ensure alignment with House Bill 21-1229	R, S, CI	Yes
12	Promote new development standards that limit the need for irrigation to help reduce the demand for water. This includes clustered development with shared green spaces and protection of natural areas.	2				R, S, CI	Yes
13	Execute workshops around building codes to educate builders, developers, and landscapers and encourage the landscaper certification program offered by Northern Water.	1		Ongoing		R, S, CI	Yes
Achievable Goal: Promote sharing rights for agricultural purposes.							
14	Retain water rights on conserved lands through Alternative Transfer Methods, water sharing agreements, or other methods.	2		Ongoing		S	
15	Evaluate town drought supplies.	1		Ongoing		S	Yes
16	Continue to work with ditch and irrigation companies to maintain effective operations.	1		Ongoing		S	
Achievable Goal: Ensure the comprehensive plan update addresses land-use policies impacting water demand.							
17	The next comprehensive plan update will contain water inclusive elements and ensure water demand and supply are considered in land use plans.	2				R, S, CI	
18	Continue to protect and enhance existing waterways, lakes/reservoirs, riparian corridors, and floodplains.	2				R, S, CI	
19	Continue to collaborate with the Town Board and Planning Commissioners on future land use and water demand goals for the Town.	1				R, S, CI	