

ORDINANCE NO. 10021

AN ORDINANCE AMENDING ZONING RESTRICTIONS FOR  
THE NORTH VISTA MASTER PLAN, PLANNED UNIT  
DEVELOPMENT GUIDE, ADDENDUM #1

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

The zoning restrictions for the North Vista Master Plan, Planned Unit Development Guide, upon passage of this Ordinance are hereby amended and shall apply to the following described property:

A PARCEL OF ALND LOCATED IN SECTIONS 5, 6, 7 AND 8, TOWNSHIP 20 SOUTH, RANGE 64 WEST OF THE 6<sup>TH</sup> p.m. ALL OF LOTS AND BLOCKS IN FOUNTAIN LAKE SUBDIVISION, ALL OF NORTH VISTA HIGHLANDS, FILING NO. 1 ACCORDING TO THE RECORDED PLAT THEREOF FILED FOR RECORD ON NOVEMBER 15, 2019 AT RECEPTION NO. 2159276 IN THE PUEBLO COUNTY RECORDS, AND ALL OF NORTH VISTA HIGHLANDS, FILING NO. 2 ACCORDING TO THE RECORDED PLAT THEREOF FILED FOR RECORD ON AUGUST 20, 2021 AT RECEPTION NO. 2240803 IN THE COUNTY OF PUEBLO AND STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Section 5: Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$ , and Southwest  $\frac{1}{4}$

Section 6: Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , and South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$

Section 7: Northwest  $\frac{1}{4}$ , and Northeast  $\frac{1}{4}$

Section 8: Northwest  $\frac{1}{4}$ , and Northeast  $\frac{1}{4}$

EXCEPTING THEREFORM:

All of Lots 1 thru 28 both inclusive in Block 86 in Fountain Lake Subdivision

Containing 1,186.48 ACRES, MORE or LESS

SECTION 2.

With the recommendation of the Planning and Zoning Commission the North Vista Master Plan, Planned Unit Development, Addendum #1, attached hereto, is hereby approved.

SECTION 3.

The officers and staff of the City are authorized to perform any and all acts consistent with the intent of the Ordinance to implement the policies and procedures described herein.

SECTION 4.

This Ordinance shall become effective immediately upon final action by the Mayor and City Council.

**Action by City Council:**

Introduced and initial adoption of Ordinance by City Council on September 27, 2021.

Final adoption of Ordinance by City Council on October 12, 2021.

  
\_\_\_\_\_  
President of City Council

**Action by the Mayor:**

Approved on October 14, 2021.

Disapproved on \_\_\_\_\_ based on the following objections:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Mayor

**Action by City Council After Disapproval by the Mayor:**

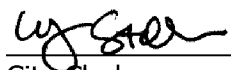
Council did not act to override the Mayor's veto.

Ordinance re-adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_

Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
President of City Council

ATTEST

  
\_\_\_\_\_  
City Clerk



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**North Vista Master Plan  
Planned Unit Development  
Addendum #1  
Pueblo, Colorado**

**Applicant/Owners' Representative:**

Jevin Investments, Inc.  
David Resnick  
4068 Crystal Court  
Boulder, CO 80304

**Prepared by:**

Planmark Design, LLC  
P.O. Box 202411  
Denver, CO 80220  
Date: July 21, 2021

North Vista PUD-Addendum #1



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Addendum #1 Description

**Addendum #1**

**Background:**

With the first subdivision filing North Vista Highlands Community Association, Inc was formed and recorded Declarations of Covenants, Conditions and Restrictions as amended and restated per the original North Vista PUD. In addition, the North Vista Highlands Metropolitan Districts 1-5 were formed for the purpose of developing and maintaining public improvements within the North Vista Highlands community. Having both a metro district and a community company created unnecessary costs for the residents of the community and at a board meeting held on July 9, 2021 the members of North Vista Highlands Community Association voted unanimously to terminate the community company and transfer the management and enforcement of the Declarations of Covenants, Conditions and Restrictions over to the North Vista Highlands Metropolitan District. Subsequently the Amended and Restated Declaration of Covenants, Conditions and Restrictions for North Vista Highlands Community and Termination Agreement was recorded July 13, 2021 at reception 2234574 and the North Vista Highlands Community Association, Inc. was terminated and dissolved and the management and enforcement of the Declarations of Covenants, Conditions and Restrictions was transferred to the North Vista Highlands Metropolitan Districts 1-5.

Therefore the language in paragraph 4.1 of the North Vista PUD is revised as shown below under Revised Sections.

**Background:**

Both the City of Pueblo and the Property Owners of the North Vista PUD area have the similar goal to develop a community that promotes conservation of water resources. This is reflected in the plant materials list maintained by the City of Pueblo and included in the North Vista Highlands Design Guidelines.

Revisions to the following two sections in the PUD Guide under 6.4 Landscaping help to provide flexibility in landscape design that allows for low water use in public tree lawns and right-of-ways and flexibility in screening materials for utility boxes.

6.4.4.b: Revise percentage of required living ground cover from 75% to 25%.

6.4.4.c: Revise language for screening requirement to not be limited to plants but other materials that would not require water to maintain.

Therefore the language for these sections are revised below:

Date: July 21, 2021

North Vista PUD-Addendum #1

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Revised Sections

The following sections shown in bold/underline replace the sections in North Vista PUD Guide dated December 11, 2020:

4.1 North Vista Highlands Metropolitan Districts:

**With the first subdivision filing for the rezoned property as acted upon herein and legally described in this ordinance, action was taken to establish and record the Declarations of Covenants, Conditions and Restrictions, as amended and restated from time to time. All building restrictions, covenants, and other associated conditions attached to the North Vista PUD shall be made to also apply to said property. The North Vista Highlands Metropolitan Districts 1-5 are responsible for the ongoing upkeep and maintenance of any common grounds, structures, signs, etc., as outlined in the Declarations and any other specific development improvements noted as their responsibility in this ordinance.**

6.4.4. Single Family Use Landscape Requirements:

Requirements must be satisfied prior to the issuance of certificate of occupancy. This includes landscaping in the street right-of-way in all planning area. Street trees along public streets in this Master Plan will be provided by the developer. Builders will reimburse the developer for landscaping in adjacent right-of ways and maintain the landscaping in these areas. In addition:

- a. Street trees along arterial and collector streets shall be required at a quantity calculated at one (1) tree for every 35 lineal feet. The minimum size for all street trees on arterial, collectors, and local streets is 2.0 inch caliper.
- b. **Tree lawns (area between back of curb and detached sidewalk) must be minimum of 8' wide and 25% of area must have living ground cover.**
- c. **Service areas and utility cabinets must be screened from view of street and adjacent properties by appropriate materials.**
- d. Adjacent property owners will maintain all landscaping to the curb unless provisions for their maintenance are established by the Metropolitan District.
- e. Native and drought tolerant plant materials shall be used whenever possible.