

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS

Minutes of Meeting

August 27, 2019

The Board of Morgan County Commissioners met Tuesday, August 27, 2019 at 9:02 a.m. with Chairman James Zwetzig and Commissioner Jon Becker in attendance and Commissioner Mark Arndt absent and excused. Chairman Zwetzig asked Kevin Kuretich, Colorado Department of Homeland Security and Emergency Management, to lead the meeting in the Pledge of Allegiance.

CITIZEN'S COMMENT

There was no citizen comment provided.

ADOPTION OF THE AGENDA

Commissioner Becker made a motion to adopt the agenda as presented, with Chairman Zwetzig seconding the motion. Motion carried 2-0.

CONSENT AGENDA

1. Ratify the Board of County Commissioners approval of meeting minutes dated July 25, 2019
2. Ratify the Board of County Commissioners approval of meeting minutes dated August 20, 2019
3. Ratify the Board of County Commissioners approval of Contract 2019 CNT 107, Don Heer, Brush Coroner Facilities, Term of Contract August 1, 2019 through July 31, 2020
4. Ratify Chairman James P. Zwetzig's signature on Town of Wiggins Resolution No. 08-2019, signed August 13, 2019
5. Ratify Chairman James P. Zwetzig's signature on Abstract of Assessment (CRS 39-5-123), Colorado Department of Local Affairs-Division of Property Taxation, signed August 21, 2019
6. Ratify Chairman James P. Zwetzig's signature on CCI 2019 Legislative Committee Member Appointment and RSVP for Legislative Committee Meeting October 11, 2019, signed August 21, 2019
7. Ratify the Board of County Commissioners approval of request from the Fall Harvest Car Show representative, Dave Cornwell, for temporary use of the Administration Parking Lot beginning 4:00 p.m. September 20 through September 22, 2019
8. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 002, Town of Wiggins, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
9. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 003, Weldon Valley School District RE-20J, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
10. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 004, Weld County School District RE-10J, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
11. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 005, Aims College District, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
12. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 006, Buffalo School District RE-4, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
13. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 007, City of Brush, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
14. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 008, Brush School District RE-2J, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
15. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 009, City of Fort Morgan, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
16. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 010, Fort Morgan School District RE-3, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
17. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 011, Wiggins School District RE-50J, Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
18. Ratify the Board of County Commissioners approval of Intergovernmental Agreement 2019 IGA 012, Morgan Strong, Inc., Coordinated Election Cost, Term of Contract Upon Commencement Through December 31, 2019
19. Ratify the Board of County Commissioners approval of the waiver of fees at the fairgrounds for Colorado Department of Transportation, dated August 22, 2019
20. Ratify the Board of County Commissioners approval of the waiver of fees at the fairgrounds for District 14 FFA – Big Conference, dated August 22, 2019

Commissioner Becker made a motion to approve items 1-20 as presented, Chairman Zwetzig seconded the motion and motion carried 2-0.

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Commissioner Becker amended his motion to correct item #18, noting it should state “as an agreement between Morgan County and Morgan Strong, Inc.” rather than an “intergovernmental agreement” as written. Chairman Zwetzig seconded the motion and amended motion carried 2-0.

NATIONAL WEATHER SERVICE PRESENTATION – STORM READY DESIGNATION

Morgan County Emergency Manager, Roger Doll along with Greg Hanson, with the National Weather Service, in Boulder, CO and Kevin Kuretich with Colorado Department of Homeland Security and Emergency Management presented to the Board a storm ready designation. Mr. Doll explained this is the renewal of the storm readiness designation for Morgan County and summarized the services provided with the National Weather Service as well as the services that are provided by Colorado Department of Homeland Security and Emergency Management. Mr. Hanson presented a plaque of recognition recognizing Morgan County as a storm ready county which will be effective for three years. Mr. Hanson also provided a summary of the program speaking on behalf of the collaboration and good working relationship they have with Morgan County.

Mr. Kuretich spoke regarding the collaboration his office has with the eleven counties that are recognized as storm ready in the State of Colorado and further summarized the programs that he will be working with Mr. Doll in the next year that will benefit the citizens of Morgan County, which can offer a possible discount on flood insurance by being considered storm ready.

Mr. Doll further spoke about the ways that storm alerts are received and the importance of getting the information to the citizens of Morgan County and stated the program the County uses is called Hyper Reach and explained how the program works.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – Agreement Regarding November 5, 2019 Election and County Sales Tax Ballot Question

Chairman Zwetzig presented to the Board the Agreement Regarding the November 5, 2019 Election and County Sales Tax Ballot Question. Chairman Zwetzig summarized the agreement that has been drafted to represent the November 5, 2019 election by and between Morgan Strong, Inc. and the County of Morgan. County Clerk Susan Bailey provided an explanation of the required deposit of \$33,500.00 and how that figure was derived and further provided an overview of the upcoming coordinated election indicating ballot certification date as September 6, 2019 with Chairman Zwetzig noting the deposit of \$33,500.00 will be due to be deposited no later than September 6, 2019.

Commissioner Becker made the motion to approve the Agreement Regarding November 5, 2019 Election and County Sales Tax Ballot Question between Morgan Strong, Inc. and County of Morgan as presented by both Chairman Zwetzig and County Clerk Susan Bailey. Chairman Zwetzig seconded the motion. Commissioner Becker noted this matter has already been discussed and agreed upon by both parties and this is the formality executing this agreement and thanked all for their efforts in getting this taken care of. At this time, Rob Carruth, representative from Morgan Strong, Inc. thanked everyone and explained how the special district formation will work. At this time, Chuck Miller, 26060 County Road S, Brush, CO 80723, spoke asking about the mention of an Intergovernmental Agreement and Chairman Zwetzig clarified the language. At this time, the motion carried 2-0.

Commissioner Becker amended his motion to include the action to authorize the chairman to sign the agreement, with Chairman Zwetzig seconding the motion and motion carried 2-0.

Consideration of Approval – RESOLUTION 2019 BCC 19 – A Resolution Amending The Morgan County Subdivision Regulations Concerning Planned Unit Developments And Major Subdivisions And Amending The Morgan County Zoning Regulations Concerning Private Covenants And Development Plans For Planned Developments

MORGAN COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2019BCC 19

A RESOLUTION AMENDING THE MORGAN COUNTY SUBDIVISION REGULATIONS CONCERNING PLANNED UNIT DEVELOPMENTS AND MAJOR SUBDIVISION AND AMENDING THE MORGAN COUNTY ZONING REGULATIONS CONCERNING PRIVATE COVENANTS AND DEVELOPMENT PLANS FOR PLANNED DEVELOPMENTS

WHEREAS, the Board of County Commissioners (“Board”) desires to clarify the process for the subdivision of land involving more than four lots;

WHEREAS, the Board desires to retain the Planned Unit Development process in the County’s Zoning regulations;

WHEREAS, the Board further desires to amend the role of the County in the approval and amendment of private covenants;

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WHEREAS, on May 13, 2019, the Planning Commission held a duly noticed public hearing on the proposed amendments and recommended approval of the amendment with additional proposed revisions;

WHEREAS, on August 2, 2019, the Board of County Commissioners held a duly noticed public hearing on the proposed amendments;

WHEREAS, the Board of County Commissioners has complied with all relevant provisions for amending the Morgan County Subdivision and Zoning Regulations; and

WHEREAS, after considering public testimony received and the recommendation of the Planning Commission, the Board of County Commissioners finds the amendments to be in the best interest of the citizens of Morgan County.

NOW THEREFORE BE IT RESOLVED by the Morgan County Board of County Commissioners as follows:

Section 1. Section 1-120 of the Morgan County Subdivision Regulations is hereby renamed and subsection (C) amended to read as follows:

1-120 Interpretation and Effect of Approval

- (C) These Subdivision Regulations are not intended to abrogate or annul any valid subdivision plats, easements, covenants, building permits, legally established lots, established, approved and/or issued before the effective date of these Subdivision Regulations. An approval issued under these Subdivision Regulations does not guarantee compliance with any applicable easement, covenant, or other private agreement. Property owners are responsible for complying with any applicable easement, covenant, or other private agreement.

Section 2. Section 1-130 of the Morgan County Subdivision Regulations is hereby renamed and amended to read as follows:

1-130 Deviations from Subdivision Regulations

- (A) General. The Board, upon a specific request, may hear the request for a deviation from the standards and decide to accept or reject the request, or accept the request with modifications. As provided for in this Section, except for minor subdivisions for which a request shall only be considered by the Board, the Planning Commission shall consider the request for a deviation and make recommendations to the Board. The Board shall not approve any deviation unless, based upon the evidence presented to it in each specific case, that:
- (1) Extraordinary non-economical hardships or practical difficulties may result from strict compliance with these Subdivision Regulations and the purposes of these Subdivision Regulations may be served to a greater extent by an alternative proposal.
 - (2) Such deviation shall not have the effect of nullifying the intent and purpose of these Subdivision Regulations.
 - (3) The granting of the deviation will not be detrimental to the public safety, health or welfare or injurious to other property that is located adjacent to the subdivision.
 - (4) The conditions upon which the request for a deviation is based are unique to the property for which the deviation is sought and are not applicable generally to other property.
 - (5) The deviation sought will be in harmony with the Morgan County Zoning Regulations, Comprehensive Plan, Building Code and Official Map.
- (B) Conditions. In approving any deviation, the Board may require such conditions as will, in its judgment, substantially secure the objectives of the standards or requirements of these Subdivision Regulations. Each petition for a deviation from these Subdivision Regulations shall be considered separately and on its merits.
- (C) Procedures. A petition for any such deviation shall be submitted in writing by the subdivider at the time when the preliminary plan is filed for the consideration of the Planning Commission. If there is no preliminary plan, the petition shall be made at the time of the final plat is submitted for consideration by the Board. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. As applicable, the Planning Commission and the Board shall hold a public hearing on the request. Notice of any public hearing shall be given at least 14 days prior to the hearing by publication and mail to landowners within 1320 feet of the boundary of the proposed subdivision.

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Section 3. Section 1-145(A) of the Morgan County Subdivision Regulations is hereby amended to read as follows:

It shall be the duty of the County Commissioners, or their duly appointed representatives, to enforce the provisions of these Subdivision Regulations. No Final Plat of a Subdivision shall be approved by the County Commissioners unless it conforms to the provisions of these Subdivision Regulations and the Morgan County Zoning Regulations.

Section 4. Section 1-145(D) of the Morgan County Subdivision Regulations is hereby deleted and the remaining subsections re-lettered accordingly.

Section 5. Section 1-145(E) of the Morgan County Subdivision Regulations is hereby amended to read as follows:

No person may submit an application for subdivision approval to the County unless the subdivision plan or plat ensures, pursuant to C.R.S. § 43-2-147, that all lots and parcels created by the subdivision will have access to the state highway system in conformance with the state highway access code.

Section 6. Section 2-215 of the Morgan County Subdivision Regulations is hereby renamed as follows: Plat (Final).

Section 7. Section 2-230 of the Morgan County Subdivision Regulations is hereby amended by the deletions of subsections (A), (I) and (N) and the Section shall be re-lettered accordingly. Section 2-230 the Morgan County Subdivision Regulations is hereby amended by the deletion of the final paragraph of that Section.

Section 8. Section 2-235 of the Morgan County Subdivision Regulations is hereby deleted.

Section 9. Section 2-245 of the Morgan County Subdivision Regulations is hereby amended to read:

Any parcel of land in Morgan County, which is to be used for condominiums, apartments, or any other multiple-dwelling units, unless such land when previously subdivided was accompanied by a filing which complied with the provisions of these Subdivision Regulations with substantially the same density, or which is divided into two or more parcels, separate interests, or interests in common, unless exempted under these Subdivision Regulations. This term shall not include the following:

* * *

Section 10. Chapter 2, Definitions, of the Morgan of the Morgan County Subdivision Regulations is hereby amended by the addition of the following definition:

2-257 Subdivision, Major

Any subdivision which is not a Minor Subdivision or an exemption under these Subdivision Regulations.

Section 11. Section 3-105 of the Morgan County Subdivision Regulations is hereby amended by the deletion of the phrase "or Planned Development" and the replacement of the term "developer" with "subdivider". Section 3-105 of the Morgan County Subdivision Regulations is further hereby amended by the deletion of subsections (C) and (D).

Section 12. The initial paragraph of Chapter 4 of the Morgan County Subdivision Regulations is hereby amended to read:

When designing a subdivision, particular attention shall be given to the existing zoning category in which the proposal is located. The allowed use, density, lot area, lot width, setbacks, open space requirements, and maximum building heights are listed for each particular zoning category in the Morgan County Zoning Regulations, except as provided in an approved Planned Development plan. Improvements are to be made by the subdivider at the subdivider's expense.

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Section 13. Sections 4-100(A), (B), (C), (F) and (G) of the Morgan County Subdivision Regulations are amended by the deletion of the phrase “Planned Development” and “Planned Developments”. Section 4-100(I) of the Morgan County Subdivision Regulations is hereby deleted.

Section 14. Section 4-100(D) of the Morgan County Subdivision Regulations is hereby amended to read as follows:

Self-Imposed Restrictions: If the owner places restrictions or covenants on any of the land contained in the subdivision greater than those required by the Zoning Regulations or these Subdivision Regulations, such restrictions or covenants or reference thereto shall be required to be indicated on the subdivision plat. The County will require that restrictive covenants be recorded in the office of the Morgan County Clerk and Recorder.

Section 15. Section 4-110(A) of the Morgan County Subdivision Regulations is hereby amended by the deletion of the phrase “Planned Development”.

Section 16. Section 4-110(B) of the Morgan County Subdivision Regulations is hereby amended to read as follows:

Lot dimensions shall conform to the minimum requirements of the Zoning Resolution or as determined in a final Planned Development plan.

Section 17. Section 4-110(E) of the Morgan County Subdivision Regulations is hereby amended to read as follows:

The subdividing of the land shall be such as to provide each lot with access to a public street, although the lots are not required to front the public street. Residential lots are to be fronted on local class streets, if possible. Frontages on higher order street are discouraged.

Section 18. Section 4-135(A)(1) of the Morgan County Subdivision Regulations is hereby amended to read as follows:

Land within an existing 100-year flood plain or land which is subject to inundation shall not be platted for occupancy unless the flooding condition is alleviated according to plans that comply with the County’s Floodplain Regulations and are approved by the Floodplain Administrator or adequately addressed on the final plat.

Section 19. Sections 5-100(A) and (D) of Morgan County Subdivision Regulations are hereby amended to read as follows:

- (A) When the applicant proposes to use public or quasi-public water, he must submit evidence to the effect that he and the service agency are mutually bound to the proposal and proof of the capability to serve the development. In the event that a water supply system of a private nature is proposed, the applicant will be required to submit formal plans to the County which will be reviewed by the Staff and the Health Department.
- (D) If, in the opinion of the County, construction or extension of an existing or proposed water system may service the proposed area within a reasonable time, the County may require the subdivider to make adequate provisions for the installation of water mains and house connections or escrow funds for same in addition to the installation of a domestic well. This requirement will generally apply to any proposed subdivision within one thousand (1,000) feet of a water system.

Section 20. Section 5-110(D) of Morgan County Subdivision Regulations is hereby amended to read as follows:

At a minimum, local, arterial and collector roads in the subdivision are to be designed and constructed for dedication to the County as public roads. Whether such roads will be accepted by the County as public roads shall be in the County’s sole discretion.

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Section 21. Section 5-120(A) of Morgan County Subdivision Regulations is hereby amended by the replacement of the term “Planning Commission” with “County”.

Section 22. Sections 5-120(G)(1) and (2) of Morgan County Subdivision Regulations are hereby amended to read as follows:

- (1) For property which has not been subject to a previous subdivision plat, the County may require the dedication, reservation, or conveyance of land areas or sites suitable for public purposes such as open space and/or parks, scenic areas and greenbelts of six percent (6%) or the total area of the subdivision. Such dedication may only be applied to subdivisions of 25 lots or greater.
- (2) In the case of a subdivision of land into multiple dwelling units on land which has not been previously approved as a subdivision or on land where no previous public facilities dedications were made or fees-in-lieu paid, the subdivider shall dedicate six percent for open space and/or parks.

Section 23. Chapter 6 of the Morgan County Subdivision Regulations is hereby repealed and reenacted as follows:

MAJOR SUBDIVISIONS

6-100 Purpose

The purpose of the major subdivision process to address the division of land which is not a minor subdivision but which may have a greater impact on existing infrastructure and neighboring properties and to ensure such impacts are mitigated through the major subdivision process.

6-110 Overview of Major Subdivision Process

A major subdivision consists of two steps: (1) preliminary plan and (2) the final plat. The purpose of the preliminary plan is to evaluate the proposed subdivision, including design, ability to obtain water/sanitation; source of required services; vehicular and pedestrian circulation; relationship to surrounding land use; conformance with the Comprehensive Plan, the Zoning Regulations and these Subdivision Regulations; and review of preliminary level engineering studies, plans, and reports. The purpose of the final plat is to review of all final engineering plans, subdivision improvement agreements, and other legal requirements.

Both the preliminary plan and the final plat involve the submittal of an application, an application fee, required plans and reports, referrals of the proposal to other agencies, staff analysis and public hearings/meetings. Approval at any step in the process does not ensure approval at the next step. The preliminary plan shall be reviewed by the Planning Commission and by the Board at public hearings. The final plat shall be reviewed by the Board.

The applicant is responsible for understanding the requirements and procedures contained in these Subdivision Regulations and the Comprehensive Plan and is responsible for attending all hearings or meetings at which the application is considered. Failure to attend the hearings or meetings may result in the application being tabled and a new hearing or meeting date scheduled. The applicant is responsible for submitting the information requested by staff and for the review of the application.

The applicant shall be responsible for payment of reasonable review fees established by a referral agency, or outside consultant engaged by the County to review the application.

6-120 Preliminary Plan

(A) Pre-Application Conference

- (1) Prior to actual submission of the preliminary plan, each applicant shall attend a pre-application conference with the County Planning Department. The general concept of the major subdivision and the applicable design standards are to be considered at this conference. After the pre-application conference, the Planning Department may furnish the applicant with written comments regarding the proposed major subdivision to inform and assist the applicant prior to the

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preparation of the major subdivision application.

- (2) Based upon the Planning Department's review of proposed subdivision and due to the nature, size and location of the proposed subdivision, the Planning Administrator may waive the submission requirements in Sec. 6-120(B)(7)(d) and (f).

(B) Submission Requirements

The following are required to be submitted as the preliminary plan:

- (1) Completed land use application provided by the County.
- (2) Application fee.
- (3) A project narrative which, at a minimum, provides the following information:
 - (a) The total land area to be subdivided.
 - (b) Current zoning of property; current use of property; use of surrounding properties.
 - (c) The total number of lots and proposed use by lot.
 - (d) The residential density and/or estimated nonresidential floor area.
 - (e) The total number of proposed off-street parking spaces, excluding those associated with single-family development.
 - (f) The total land area to be preserved as open space, parks and other public facilities.
 - (g) Roads (including proposed surface type).
 - (h) Existing and proposed utility and easements; irrigation facilities.
 - (i) Flood or drainage impacts and mitigation.
 - (j) Land dedications for schools, if applicable.
 - (k) Provision of water and sewer services.
 - (l) Provision of fire protection.
 - (m) Phasing of the proposed subdivision, if any.
 - (n) Proposed zoning change, if applicable.
 - (o) Any information necessary to address the standards and requirements of Chapters 4 and 5 of these Subdivision Regulations.
- (4) Proof of ownership that includes an updated or current title information binder or insurance policy issued no more than thirty days prior to the date of application.
- (5) If applicable, a notarized letter of authorization from the landowner permitting a designated representative to process the application.
- (6) Plat drawing in conformity with Sec. 6-130 of these Subdivision Regulations.

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(7) Development Reports:

- (a) Preliminary Drainage Plan and Report. A report prepared by a professional engineer that gauges increased storm water and water quality impacts associated with new development. Include a hydrologic analysis for peak flow rates of storm water entering, passing through, and leaving the site for the minor and major storm events. The report shall address the design standards for drainage in Chapter 4 of these Subdivision Regulations. If approved by the Planning Department, a simplified drainage narrative may be submitted as an alternative to the drainage plan and report.
- (b) Preliminary Soils Report. Evidence establishing soil suitability in the form of a report prepared by a registered professional engineer or professional geologist. The report shall minimally include: a description of site soil types, locations, and characteristics with supporting soil maps, soil logs and other information needed to determine soil suitability for proposed development; depth to water table and an engineer's recommendation of how to handle the subsurface drainage (i.e.: sump pumps, trench drains, etc.); constraints on development based on the findings; and analysis and evaluation of such information with recommendations regarding structural constraints, and a determination of the adequacy of the structural characteristics of the soil as they relate to the proposed development. The report shall address the design standards regarding geology and soils in the Chapter 4 of these Subdivision Regulations.
- (c) Preliminary Utility Plan.
 - (i) Evidence of the physical and legal capability to provide adequate water and sanitation in conformity with Chapter 5 of these Subdivision Regulations, including the Water Supply Information Summary. Evidence of adequate water may include, at the request of the County, evidence of ownership or right of acquisition of or use of existing and proposed water rights; historic use and estimate yield of claim water rights, amenability of exiting rights to a change in use, and evidence concerning the potability of the proposed water supply for the subdivision. The plan should include estimates concerning the total number of gallons per day of water system requirements where a distribution system is proposed and the estimated total number of gallons of sewage to be treated where a central sewage treatment facility is proposed. The plan shall include any estimated costs for the water and sanitation systems and proposed method of financing of such facilities.
 - (ii) Plans for all other utility distribution systems within in the subdivision demonstrating reliable and adequate service. This requirement may be satisfied by a letter of agreement between the subdivider and utility serving the site.
- (d) Preliminary Traffic Impact Study. A report prepared by a professional engineer to analyze the short and long term impacts of vehicular traffic associated with new development and identification of any improvements necessary to mitigate the impacts. The study should describe the circulation of traffic within the subdivision and access to the subdivision from the County's road system. The study shall include estimated costs of construction of streets and related facilities and the proposed method for financing such streets and facilities.
- (e) Revegetation and Erosion Control Plan. This plan is required if the undeveloped property is presently cultivated or does not have an adequate ground cover. Prepared by a qualified professional, the plan should address erosion control both during any development and after the completion of such development. The plan should also outline the type of revegetation and any irrigation that will be established on the property.
- (f) Wildlife Impact Mitigation Plan. A wildlife impact mitigation plan may be required to address the impacts of development. Applications will be referred to Colorado Parks and Wildlife for review as soon as possible. The subdivider will work with the County and CPW to determine the impacts on wildlife as a result of the subdivision. Based upon the recommendations from CPW, subdivision which impact high-value wildlife habitats or other critical wildlife areas, a wildlife impact mitigation plan will be required. For subdivisions which do not impact these areas, the County may waive the requirement of the plan.

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6-130 Preliminary Plan Drawing

The preliminary plan drawing, required under Sec. 6-120(B)(6), shall contain the following information if applicable:

- (A) Project Name, Scale and North Arrows. The name cannot be a duplicate and cannot be changed after approval of the preliminary plat. The name of the subdivision should include the words "Preliminary Plan". Scales must be both numerical and with a bar graph.
- (B) Owner Information. Name, Address and Phone Number of owner or owners.
- (C) Drawing. The preliminary plan should be at a size of 24" x 36" and at a scale of 1" = 100", 1" = 200" or other scale approved by the Planning Administrator. The preliminary plan shall meet the following requirements:
 - (1) Each sheet shall include the name of the proposed subdivision.
 - (2) A vicinity map that depicts the area to be subdivided and the area that surrounds the proposed subdivision within a minimum one-mile radius.
 - (3) Legal description of the subdivision.
 - (4) The boundary of the proposed subdivision shall be depicted in a heavy line. Note areas not included in the subdivision.
 - (5) Acreage of total development and acreage of developable land.
 - (6) All easements, including existing and proposed, public and private one and adjacent to the proposed subdivision, their use, principal dimensions (including width), the owners or rightholders of the easement along with the recorded book and page number and the name of the entity responsible for construction and maintenance.
 - (7) Delineation of all 100-year floodplains, all existing and proposed watercourses, retention and detention areas, wetlands and riparian areas, aquifer recharge areas, streams, lakes, inlets, storm sewers and culverts on and within 100' of the affected property.
 - (8) Location of all proposed lots, tracts, and when appropriate, existing buildings, proposed building envelopes or no-build zones, providing accurate dimensions for each. Lots should be numbered consecutively, tracts shall be lettered alphabetically.
 - (9) Location of any public facility or areas proposed for dedication to a public entity.
 - (10) Location of all lands to be dedicated or reserved in deeds or easements for the use of landowners, residents, or the general public. Include notes to indicate the purpose, disposition and maintenance responsibility for all such tracts and easements.
 - (11) The total square footage for all defined lots, open spaces and public facility areas.
 - (12) The zoning classification and ownership of adjacent land. The zoning classification(s) within the entire subdivision and the proposed zoning, if applicable.
 - (13) Location and dimension of all street rights-of-way and include name in compliance with these Subdivision Regulations. Indicate the classification of road, as defined in these Subdivision Regulations, and the maintenance responsibility, road percentage grades, centerline radii and other pertinent roadway information such as distance between intersections.
 - (14) Location of any potential geological hazards and/or significant wildlife habitat areas.
 - (15) Location of proposed buffers, landscape, and fencing.

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6-140 Review of Preliminary Plan

- (A) After the preapplication conference required by Sec. 6-120(A), the applicant shall submit the required submittal information to the Planning Department. Staff shall review the submittal information within 15 working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review. An incomplete submittal will not be processed.
- (B) As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and identify which referral agencies are regulatory and which are advisory.
- (C) If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed. After the 21 calendar days, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and Board. All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 21-day referral period by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is encouraged to meet with referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies. Failure of a referral agency to respond shall be deemed an approval of the preliminary plan.
- (D) Following receipt of the applicant's written response to comments, including the submittal of any revised exhibits and plans, the Planning staff will provide additional comments to the applicant as necessary.
- (E) Staff will schedule a public hearing before the Planning Commission and notify the applicant in writing of the hearing date and time. At least 14 days prior to the hearing, Staff shall send notice of the hearing to landowners within 1320 feet of the boundary of the proposed subdivision and publish notice in newspaper of general circulation. Applicants are required to send notice, by certified mail, return receipt requested the notice to mineral estate owners in accordance with C.R.S. § 24-65.5-103, thirty days prior to the hearing. Applicants must file with the Planning Department a certification of notice to mineral estate owners on a form provided by the County. Failure to file certification may result in a continuation of the hearing.
- (F) Staff will provide a staff report to the Planning Commission. The Planning Commission shall evaluate the preliminary plan, staff report, referral comments, applicant responses, public comment and testimony, and, based upon the criteria in Sec. 6-150 of these Subdivision Regulations, make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the preliminary plan. The Planning Commission's decision shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.
- (G) Following the recommendation by the Planning Commission, staff shall schedule a public hearing before the Board and notify the applicant in writing of the hearing date and time. At least 14 days prior to the hearing, Staff shall send notice of the hearing to landowners within 1320 feet of the boundary of the proposed subdivision and publish notice in newspaper of general circulation.
- (H) The Board shall evaluate the preliminary plan, staff report, referral agency comments, applicant responses, Planning Commission recommendations, public comment and testimony, and, based upon the criteria in 6-150 of these Subdivision Regulations, shall either approve, approve with conditions, table for further study, remand to the Planning Commission, or deny the preliminary plan. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.
- (I) The preliminary plan shall be effective for a period of 3 years from the date of approval, unless stated otherwise in such approval. Requests for extensions may be granted by the Board. An extension request shall include a narrative stating the reasons for the applicant's inability to comply with the specified deadlines, listing any changes in the character of the neighborhood, any changes in the County's Comprehensive Plan, the Zoning Regulations or these Subdivision Regulations that have occurred since approval of the plan as these changes affect the plan and the anticipated time schedule for completing the platting process.

6-150 Criteria for Preliminary Plan

- (A) In considering a preliminary plan, the Planning Commission and Board must apply the following review

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criteria and find that each criterion has been met or determined to be inapplicable:

- (1) The proposed subdivision is compatible with existing and allowed land uses in the surrounding area;
 - (2) The proposed subdivision conforms with the goals, objects and policies of the Comprehensive Plan;
 - (3) The proposed subdivision addresses the design standards of these Subdivision Regulations;
 - (4) The proposed subdivision provides for a public wastewater collection and treatment system and, if other methods of wastewater collection and treatment are proposed, such systems comply with State and local laws and regulations;
 - (5) The proposed subdivision identifies all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions and the proposed uses of these areas are compatible with such conditions;
 - (6) The applicant has established that definite provision has been made for water supply that is sufficient in terms of quantity, dependability, and quality to provide an appropriate supply of water for the type of subdivision proposed;
 - (7) The recommendations of referral agencies have been considered; and
 - (8) Approval of the proposed subdivision will not result in a substantial adverse impact on other property in the vicinity of the proposed subdivision.
- (B) If applicable, the Planning Commission and Board shall also review the wildlife mitigation plan and consider the amount of vegetation/habitat removal or alteration within the development site; the amount of habitat of similar type and quality within the development site that remains contiguous; the existing and proposed amount of lot coverage; the existence of contiguous habitat of similar type and quality on adjoining land; and mitigation efforts that directly address the potential adverse impacts of the proposed land use on wildlife species, including, but not limited to clustering of development to avoid intrusion into or fragmentation of habitat; creation of buffers around critical areas; limits on the amount of disturbance on a site; restrictions on vegetation removal; and enhancement or restoration of equivalent habitat on or adjacent to the site. Particular attention shall be given to areas critical to the survival of a wildlife species.

6-160 **Final Plat**

(A) Pre-Application Conference

Prior to actual submission of the final plat, each applicant shall attend a pre-application conference with the County Planning Department. Resolution of any outstanding issues from the approval of the preliminary plan are to be considered at this conference.

(B) Submission Requirements

- (1) Completed land use application provided by the County.
- (2) Application fee.
- (3) Narrative of how the application meets all of the criteria in these Subdivision Regulations.
- (4) Plan exhibit in conformity with Sec. 6-170 of these Subdivision Regulations.
- (5) Final Declaration of Covenants, if applicable.
- (6) Final Development Reports:
 - (a) Final plans and drainage report based upon the approved preliminary concepts are to be submitted as follows:

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- (1) Detailed, engineered and stamped plans for the storm drainage system including construction details and alignment of storm sewers, catch basins, manholes, ditches, channels, slope protection, dams, energy dissipaters, and detention ponds.
 - (2) Flow line profiles and natural ground elevations at minimum on hundred (100) foot stations and at all significant breaks in grade for all proposed conduits, channels, and other structures.
 - (3) Cross sections for each facility showing high water elevations and adjacent features that may be affected thereby.
 - (4) Construction details of curb, gutter, cross pans, inlets, driveway aprons, walks, and culverts.
 - (5) Written approvals may be required by the County from agencies or parties that will be affected by the drainage proposal.
- (b) Final Utility Plans. Sewage collection, water supply and distribution systems and other utility layouts are to be prepared and stamped by a professional engineer, plus profiles and specifications based upon the approved preliminary concepts, with written approvals thereof by the agency providing the services and the Northeast Colorado Health Department, as required.
 - (c) Final Traffic Impact Study, if applicable.
 - (d) Final Revegetation and Erosion Control Plan.
 - (e) Final Wildlife Impact Mitigation Plan, if applicable.
- (7) Final Copy of Restrictive Covenants, if applicable.
 - (8) Executed Subdivision Improvement Agreement, if applicable.

6-170 Final Plat Drawing

- (A) The plat shall conform to all requirements of C.R.S. § 38-51-106. A workmanlike execution of the plat shall be made in every detail. A poorly drawn or illegible plat is sufficient cause for its rejection.
- (B) The first submittal of the final plat shall be a blueline copy in the following size: twenty- four (24) inches by thirty-six (36) inches. The final submittal of the final plat shall be delineated in drawing ink on mylar, or other acceptable material, in the following size: twenty-four (24) inches by thirty-six (36) inches. No portion of the final plat shall have "stick on" type material. A photo mylar with original signatures is acceptable.
- (C) Primary boundary survey control points with monument descriptions; all parcel lines dimensioned with lengths; curve data including chord lengths and bearing; basis of bearings and relation to true meridian; and similar data.
- (D) Tract boundary lines, road right-of-way lines, easements, and other sites with accurate bearings and dimensions including chord lengths and bearings, central angles, and radii of all curves. All dimensions necessary to establish the boundaries in the field.
- (E) Name and width of each right-of-way. Right-of-way width are to be shown at each leg of an intersection.
- (F) Location, dimensions, and purposes of all easements. Easement widths are to be shown on the plat. Existing easements are to be referred by recorded reception number or book and page numbers.
- (G) Location of all lands to be dedicated or reserved in deeds or easements for the use of landowners, residents, or the general public with notes indicating the purpose, disposition and maintenance responsibility for all such tracts and easements.

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- (H) Number or letter to identify each lot, tract, block and any public facility or dedication areas and common open space areas in the subdivision. All land must be accounted for and labeled. Note the total square footage or all defined lots, open spaces and public facility areas.
- (I) A 2½ x 3” vertical box in the lower right-hand corner shall be provided for use by the County Clerk and Recorder.
- (J) The following certificates and notices, which may be modified to suit special circumstances as approved by the County. Where private roads or other conditions warrant, the “certification”, “dedication”, and “notice” statements must be modified accordingly and are subject to approval by the County.

- (1) Dedication Certificate: Depending on the dedication of streets, road and tracts of land to be utilized for public use, the following dedications certificates should be placed on the final plat in the following order:

- (a) General Dedication.

(I, We), the undersigned, being the owner(s) (and holder(s) of deed of trust, if applicable) of that part of the (described quarter-section, section, township, range), Morgan County, Colorado, being more particularly described as follows, to wit: Beginning at (complete legal description); containing (to nearest one-hundredth) acres more or less; have (has) caused the same to be surveyed and subdivided into lots, tracts, blocks, streets/road, and easements to be known as the plat of (Subdivision name),

- (b) Public Streets/Roads (Add to General Dedication, if applicable):

and do hereby dedicate and convey to Morgan County, in fee simple, free of encumbrances and liens, tracts (if applicable)_____ and all streets/roads, together with all appurtenances thereto for public use.

- (c) Private Street/Road Dedication (Add to General Dedication, if applicable):

and do hereby grant and convey to Morgan County an easement over any and all private streets/roads and rights-of-way for the purpose of passage of service vehicles and pages of all vehicles and pedestrians during an emergency situation. It is expressly understood that the acceptance of the dedication of this easement is not to be construction as an acceptance by the County of said private streets/roads and rights-of-way for any other purpose including maintenance purposes.

- (d) Utility easements (Add to General Dedication, if applicable)

The utility easements shown hereon are hereby dedicated for public utilities and cable communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance and replacement of utility lines and related facilities.

- (2) Surveyor’s Certificate

I, (surveyor’s name), a duly registered land surveyor in the State of Colorado, do hereby certify that this plat of (subdivision name) truly and correctly represents the results of a survey made by me or under my direct supervision.

(surveyor's signature)

(date)

(Surveyor’s seal shall appear with this certificate)

- (3) Subdivision Improvement Agreement (if applicable):

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This plat is subject to a subdivision improvement agreement recorded at reception number _____ in the records of the Morgan County Clerk and Recorder. No building permits will be issued by the County until preliminary acceptance of the public improvements required under the subdivision improvement agreement.

(4) Acknowledgments required for all plats:

(a) Owner

Dated this ___ day of _____, 20__.

Owner

State of Colorado)

) ss.

County of Morgan)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____.

Notary Public

Acknowledgment should be adjusted to reflect any corporate or business ownership of the property.

(b) Lien Holder

The undersigned lien holder holds a valid (mortgage or deed of trust) upon the property located within the (subdivision name) which was dated the

_____ day of _____, 20_____, filed for record on the _____ day of _____, 20__, and recorded at Reception No. _____ or in Book _____, Page _____, records of the Morgan County Clerk and Recorder.

The undersigned joins in and consents to the dedication herein of the above subdivision. Further, the undersigned lien holder releases its lien upon such dedicated property and in the event of default in satisfaction of the lien, waives any foreclosure rights to the dedicated property.

Dated this ___ day of _____, 20__.

Lien holder

State of _____)

) ss.

County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____

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Witness my hand and official seal.

My commission expires _____

Notary Public

(5) Commissioners' Certificate

Approved this _____ day of _____, 20_____, by Board of County Commissioners, Morgan County, Colorado. This approval does not guarantee that the size, soil conditions, or flooding conditions of any lot shown hereon are such that a building permit, well permit, or sewage disposal permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the subdivider and not the County of Morgan. Additional language if applicable: All dedications to the County are hereby accepted. This approval does not constitute acceptance of responsibility by the County for construction, repair, or maintenance of any streets, highways, alleys, bridges, rights-of-way or other improvements designated on this plat.

Attest: _____
Chairman

Clerk to the Board
(SEAL)

(6) Clerk and Recorder's Certificate

I hereby certify that this instrument was filed in my office at ___ o'clock . P.M, this _____ day of _____, 20___, and is duly recorded in Plat File ___.

Clerk and Recorder

(7) Planning Department Certificate (if subject to approval by Planning Department): Certificate of Approval by the Planning and Zoning Department

Approved this _____ day of _____, 20_____, by the Planning Administrator of Morgan County, Colorado. This approval does not guarantee that the size, soil conditions, or flooding conditions of any lot shown hereon are such that a building permit, well permit, or sewage disposal permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the subdivider and not the County.

(signature)

Attest: _____
Clerk to the Board
(SEAL)

(K) All required boundary monuments shall be placed in the field before the Final Plat is recorded. Recording of the plat shall be delayed until monumentation is completed and certification of same, monument descriptions, and ties are received from the surveyor.

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- (A) The final plat shall be in substantial compliance with the approved preliminary plan, as determined by the Planning Administrator. If not, the applicant shall submit an amended preliminary plan for review and approval by the Planning Commission and the Board. No final plat will be accepted if no preliminary plan has been approved. The final plat shall be submitted within 3 years of approval of the preliminary plan, or as may be extended by the Board. The Board may extend the submission for the final plat, upon a review of the following criteria:
- (1) Conditions in the area surrounding the property have not changed significantly since the original approval;
 - (2) The approved preliminary plat is consistent with any amendments to the Zoning Regulations or these Subdivision Regulations, adopted since the original approval; and
 - (3) The applicant demonstrates that the extension is necessary because there have been factors beyond his or her control that prevented the submittal of the final plat for this project.
- (B) Prior to submittal of a final plat application, the applicant shall contact the County's Planning Department and schedule a pre-application meeting to include staff from various County departments and, as deemed necessary, other referral agency representatives to discuss the proposal and provide information on the submittal process. The applicant shall provide basic information on the final plat in advance of the meeting. Staff shall prepare and distribute the written meeting summary to the applicant to include initial comments on the proposal and other relevant information, and place a copy in the project file.
- (C) If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant and the Board. All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 21-day referral period by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is encouraged to meet with referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies. Failure of a referral agency to respond shall be deemed an approval of the preliminary plan.
- (D) Approval of the final plat shall be administrative by the Board of County Commissioners. Staff will notify the applicant in writing of the meeting date and time and prepare a staff report for the Board. The subdivision improvements agreement shall be reviewed by staff and the County Attorney prior to the hearing on the final plat. The Board shall approve, approve with conditions, continue, table for further study, or deny the final plat.

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To approve a subdivision, the Board must consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

- (A) The final plat is consistent with the preliminary plan;
- (B) The proposed subdivision provides for a public wastewater collection and treatment system and, if other methods of wastewater collection and treatment are proposed, such systems comply with State and local laws and regulations;
- (C) The proposed subdivision identifies all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions and the proposed uses of these areas are compatible with such conditions; and
- (D) The applicant has established that definite provision has been made for water supply that is sufficient in terms of quantity, dependability, and quality to provide an appropriate supply of water for the type of subdivision proposed.

Section 24. Chapter 7 of the Morgan County Subdivision Regulations is hereby deleted in its entirety.

Section 25. Section 8-175 of the Morgan County Subdivision Regulations is hereby amended to read:

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Applicants shall submit a final version of a declaration of covenants, if applicable, for minor subdivisions.

Section 26. Sections 8-180 and 8-185 of the Morgan County Subdivision Regulations are hereby repealed and Section 8-180 shall be reenacted as follows:

The applicant shall submit a plat drawing that conforms with Sec. 6-170 of these Subdivision Regulations, with a title block with the words "Minor Subdivision Plat" in bold lettering and a line for the Morgan County case number underneath. A vicinity map that depicts the area to be subdivided and the area that surrounds the proposed subdivision within a minimum one-mile radius.

Section 27. Section 9-150(B) of the Morgan County Subdivision Regulations is hereby repealed and reenacted as follows:

The applicant shall submit a plat drawing that conforms with Sec. 6-170 of these Subdivision Regulations, with a title block with the words "Subdivision Exemption Plat" in bold lettering and a line for the Morgan County case number underneath. If the exemption is to be taken from a 40 acre tract which does not conform to U.S. Land Office nomenclature, the tract shall be shown either in the same scale as the exemption or as a clear and legible inset map. A vicinity map that depicts the area to be subdivided and the area that surrounds the proposed exemption within a minimum one-mile radius.

Section 28. Section 1-920 of the Morgan County Zoning Regulations is hereby deleted in its entirety.

Section 29. Sections 3-860 through 3-885 of the Morgan County Zoning Regulations are hereby deleted in their entirety.

Section 30. Section 3-110 of the Morgan County Zoning Regulations is hereby renamed and amended to read as follows:

3-110 Interpretation and Effect of Permit

In the interpretation and application of the provisions of these Regulations, they are not intended to abrogate or annul any permits issued before the effective date of these Regulations, or any easement, covenant, or any other private agreement. A permit or approval issued under these Regulations does not guarantee compliance with any applicable easement, covenant, or other private agreement. Applicants and permittees are responsible for ensuring compliance with any applicable easement, covenant, or other private agreement.

Section 31. Section 3-465(F) of the Morgan County Zoning Regulations is hereby amended to read as follows:

Development Schedule as required by Sec. 3-500. A final copy of declaration of covenants to be imposed on the entire PD Zone or any portion of the PD Zone, as applicable.

Section 32. Section 3-465 of the Morgan County Zoning Regulations is hereby amended by the addition of new subsection N to read as follows:

(N) Planned Development Plan (PD Plan) shall include the following as applicable:

- (1) Information required by Sec. 3-470
- (2) Legal description of property subject to the PD Plan
- (3) The name of the proposed planned development.
- (4) Permitted Uses

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- (5) Conditional Uses
- (6) Special Review Uses
- (7) Standards for Principal and Accessory Uses:
 - (a) Minimum lot area
 - (b) Minimum lot width
 - (c) Minimum setbacks
 - (d) Minimum lot coverage
 - (e) Maximum building height
 - (f) Fence height
 - (g) Buffer requirements
 - (h) Parking requirements
 - (i) Sign regulations
- (8) Land Use Table which indicates the total land use for the Planned Development for each type of land use by percentage, acreage and number of units.
- (9) The following statements:
 - (a) Relationship to County Regulations:

The provisions of this Development Plan shall prevail and govern the development of (name of development), provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the Morgan County Zoning Regulations, as amended, or any other applicable resolutions or regulations of Morgan County, shall be applicable.
 - (b) PD Plan shall run with the land.
 - (c) Enforcement

To further the mutual interest of the residents, occupants, and owners of the Planned Development and of the public in the preservation of the integrity of the Plan, the provisions of this Plan relating to the use of land and the location of common open space shall run in favor of Morgan County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law.
 - (d) Conflicts

Where there is more than one provision within the Development Plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern unless determined otherwise by Planning Administrator.
- (10) Any addition provisions required by Planning staff or the County.

Section 33. Section 3-550 of the Morgan County Zoning Regulations is hereby deleted in its entirety.

Section 34. Section 3-555(D) of the Morgan County Zoning Regulations is hereby amended to read as follows:

All private streets shall be conveyed to a private homeowners or property owners association. If the private association or person(s) owning the private streets in the PD should in the future request that any private streets be changed to public streets, the private association or owner(s) will bear the full costs of

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reconstruction or any other action necessary to make the street conform to the applicable County standards for public streets and roads. The private association or owner(s) shall also agree that these streets shall be made to conform and be dedicated to public use without any form of public compensation to the private association or owner(s). It shall be the policy of Morgan County not to accept as county roads any dead end or cul-de-sac roads. Through roads may be accepted at the sole discretion of the Board of County Commissioners if the right-of-way is at least sixty

(60) feet in width and the road is constructed to then current county standards.

Section 35. Section 3-575(B) of the Morgan County Zoning Regulations is hereby amended to read as follows:

Internal sign regulations may be approved as part of the PD plan.

APPROVED this 27th day of August, 2019.

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/James P. Zwetzig
James P. Zwetzig, Chairman

Absent
Mark A. Arndt, Commissioner

s/Jon J. Becker
Jon J. Becker, Commissioner

(SEAL)

ATTEST:

s/Susan L. Bailey
Susan L. Bailey

Morgan County Planning and Zoning Administrator, Pam Cherry, presented to the Board Resolution 2019 BCC 19, A Resolution Amending The Morgan County Subdivision Regulations Concerning Planned Unit Developments And Major Subdivisions And Amending The Morgan County Zoning Regulations Concerning Private Covenants And Development Plans For Planned Developments. Ms. Cherry summarized the amendments and the resolution. She explained that Planning Commission first reviewed the proposed amendments at their meeting on May 13, 2019. At that meeting they continued the hearing until July 8, 2019 to allow sufficient time to review the documents that had been provided on the amendments.

Ms. Cherry explained that in the packets are two different documents related to this change. The first is a redline document to show what is being deleted, changed or added to the regulations. This amendment effects both the zoning and subdivision regulations. She explained that the second document is the draft resolution which, if approved by the Board of County Commissioners, will be recorded to finalize the changes.

Ms. Cherry stated that at the Planning Commission meeting on July 8, the board unanimously recommended approval.

Ms. Cherry explained that these amendments develop a Major Subdivision process that will be applicable to subdivisions of more than four lots. Planned Developments are now zoning actions and allow the developer flexibility for uses and structures on property within the subdivision.

At this time Ms. Cherry recommended approval of the revisions.

Commissioner Becker made the motion to approve Resolution 2019 BCC 19 a Resolution Amending The Morgan County Subdivision Regulations Concerning Planned Unit Developments And Major Subdivisions And Amending The Morgan County Zoning Regulations Concerning Private Covenants And Development Plans For Planned Developments. Chairman Zwetzig seconded the motion and noted it is appropriate to note that they have been working on these amendments and the corrections that have been necessary to review applications in the appropriate manner. At this time, the motion carried 2-0.

Consideration Of Approval – RESOLUTION 2019 BCC 20 - A Resolution Calling For Special Election On November 5, 2019 To Authorize The Imposition Of A New Sales Tax Of Three Quarters Of One Percent (0.75%) For Purpose Of Funding The Morgan County Park And Recreational District’s Provision Of Recreational Services Within Morgan County With All Of Such Tax To Be Transferred To The District Provided The Eligible Electors Approve The Creation Of The District; Adopting Certain Sales Tax Provisions; And Setting The Ballot Title And Text Of The Ballot Issue For The Election

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Chairman Zwetzig presented to the Board Resolution 2019 BCC 20, a Resolution Calling For Special Election On November 5, 2019 To Authorize The Imposition Of A New Sales Tax Of Three Quarters Of One Percent (0.75%) For Purpose Of Funding The Morgan County Park And Recreational District's Provision Of Recreational Services Within Morgan County With All Of Such Tax To Be Transferred To The District Provided The Eligible Electors Approve The Creation Of The District; Adopting Certain Sales Tax Provisions; And Setting The Ballot Title And Text Of The Ballot Issue For The Election.

Commissioner Becker made the motion to table Resolution 2019 BCC 20 a Resolution Calling For Special Election On November 5, 2019 To Authorize The Imposition Of A New Sales Tax Of Three Quarters Of One Percent (0.75%) For Purpose Of Funding The Morgan County Park And Recreational District's Provision Of Recreational Services Within Morgan County With All Of Such Tax To Be Transferred To The District Provided The Eligible Electors Approve The Creation Of The District; Adopting Certain Sales Tax Provisions; And Setting The Ballot Title And Text Of The Ballot Issue For The Election until the normally scheduled meeting on Tuesday, September 3, 2019. Chairman Zwetzig seconded the motion. At this time, the motion carried 2-0.

UNFINISHED BUSINESS

There was no unfinished business.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Commissioners reviewed the calendar dated August 23, 2019 through September 3, 2019 with changes.

County Clerk Susan Bailey provided an update regarding the requirement for citizens to show ID when they conduct business with the motor vehicle department explaining the reasons why.

Chairman Zwetzig provided the weekly road and bridge report.

Chairman Zwetzig also reminded citizens they have until 5:00 p.m. on August 30, 2019 to self nominate themselves to be on the board of directors for the proposed park and recreation district being proposed by Morgan Strong, Inc. indicating there are five vacancies. At this time, Rob Carruth, representing Morgan Strong, provided information of the five vacancies and the areas in the County those board positions will represent.

Being no further business the meeting was then adjourned at 9:35 a.m.

Respectfully Submitted,

Susan L. Bailey
Clerk to the Board

(Minutes ratified September 3, 2019)

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/James P. Zwetzig
James P. Zwetzig, Chairman

s/Jon J. Becker
Jon J. Becker, Commissioner

(SEAL)

ATTEST:

s/Susan L. Bailey
Susan L. Bailey