

| PLANNING COMMISSION 6:00 P.M. | JANUARY 12, 2026 |
AMENDMENTS TO THE MORGAN COUNTY ZONING REGULATIONS
ADDITION OF A NEW SET OF REGULATIONS

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Building Permits to Certain Currently Exempt Buildings

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ZONING REGULATION AMENDMENTS

AMENDMENT SUMMARY



**MORGAN COUNTY PLANNING COMMISSION
AMENDMENT SUMMARY**

**January 6, 2026
January 12, 2026 (meeting date)**

**AMENDMENTS
MORGAN COUNTY ZONING REGULATIONS**

Included with this summary are redlines of the proposed changes as outlined below.

Overview of proposed changes:

Sec. 2-290 – Building Permits applicability.

- Increase the square footage requirement from 120 SF to 200 SF to be consistent with zoning permits.
- Remove exceptions of non-occupied structures. Currently non-occupied structures only require a zoning permit which has been problematic for Staff. It has become common for zoning permits to be granted for a non-occupied building only be for it to become a shop/house by the time it is fully built.
- Manufactured homes are still exempt as they still require a Manufactured Home Placement Permit.
- The requirements in this section shall control over any provision of the adopted building code.

Nicole Hay
Morgan County Planning Director

PROPOSED ZONING REGULATION AMENDMENTS

2-290 Applicability

(A) A building permit shall be required for the construction, placement, and/or use of any structure that ~~are is~~ roofed and ~~one hundred and twenty (120)~~ two hundred (200) square feet or larger, except as follows:

~~(A) Non-occupied structures (e.g., detached garages, pole buildings, agriculture buildings, storage buildings)~~

~~(B) Any structures expressly exempt from the building permit requirements pursuant to the building code duly adopted by the County.~~

(1C) Manufactured homes subject to the Manufactured Home Placement Permit.

(B) The requirements in this section shall control over any provision of the adopted building code.

NOTIFICATION

**NOTICE OF PUBLIC HEARING
MORGAN COUNTY PLANNING COMMISSION
JANUARY 12, 2026 AT 6:00 P.M.
VIRTUAL AND IN PERSON IN THE ASSEMBLY ROOM, MORGAN COUNTY
ADMINISTRATIVE BUILDING, 231 ENSIGN, FORT MORGAN, COLORADO**

Notice is hereby given that on the date and time above (or as soon as possible following the scheduled time) and at the location above, or at such time and place as this hearing may be adjourned, the Morgan County Planning Commission will conduct public hearings on the following proposed **Amendments to the Morgan County Zoning Regulations and Consideration of Special District Regulations**.

- 1. Public Hearing on Zoning Amendments related to the applicability of building permits to certain currently exempt buildings**
- 2. Public Hearing on Special District Regulations**

THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.

To participate remotely you may connect via Zoom at:

<https://us02web.zoom.us/j/84524653630>

Join via audio:

+1 719 359 4580 US

Webinar ID: 845 2465 3630

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. Documents will also be available on the Morgan County Website <https://morgancounty.colorado.gov>

At time of the meeting an opportunity will be given for presentation of evidence in support of or in opposition to the application and zoning amendments.

Nicole Hay

Nicole Hay

Morgan County Planning Administrator

Published: December 25, 2025

Posted to the Website: December 30, 2025

For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.

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/s/Nicole Hay

Nicole Hay

Morgan County Planning Administrator

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Published: Morgan County Times December 25, 2025 - 2148843

Prairie Mountain Media, LLC

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County of Morgan
State of Colorado

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1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Fort Morgan Times*.
2. The *Fort Morgan Times* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Morgan County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Fort Morgan Times* in Morgan County on the following date(s):

Dec 25, 2025

Melissa Nayra
Signature

Subscribed and sworn to me before me this

26th day of December, 2025.

Shayla Najera
Notary Public

(SEAL)

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NOTARY ID 20174031965
MY COMMISSION EXPIRES JULY 31, 2029

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SPECIAL DISTRICTS

PROPOSED REGULATIONS



MORGAN COUNTY
SPECIAL DISTRICTS REGULATIONS

ADOPTED JANUARY 2026

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I. Purpose

The purpose of these regulations is to implement the Morgan County Board of County Commissioners' authority to review and approve service plans for proposed special districts and amendments of existing service plans under C.R.S. § 32-1-201, *et seq.* (the "Act"). These regulations, and the procedures herein, are intended to conform with the procedures specified in the Act and related statutes. To the extent that these procedures do not incorporate the Act and related statutes, those provisions shall still govern.

These policies are the basis for these special district standards and regulations:

- A. The creation of one (1) multi-purpose service district is preferred over the proliferation of single-purpose districts.
- B. Before any service plan for the creation of a Title 32 District will be reviewed by the County, service provision from all existing service providers should be investigated to examine if the proposed services are available from other service providers.
- C. If land development occurs in an unincorporated area, the County encourages service provision to be acquired through an existing service provider by agreement or inclusion. The County recognizes, however, that in certain circumstances a new special district may be the most logical and economical alternative for service.
- D. The County will only consider in public hearing complete service plans as defined in these standards and regulations.
- E. When a new special district is proposed in conjunction with a planned unit development or major subdivision, the proposed district formation should be coordinated with the development application.

II. Application Process

Any person or entity proposing the organization of a special district which includes property in the unincorporated area of the County shall submit a service plan to the Board of County Commissioners ("BOCC") and obtain approval of the service plan from the BOCC prior to filing a petition for the organization of the special district in district court as set forth by these regulations.

- A. Pre-application Process
 - 1. Pre-application conference. Persons proposing the formation of a special district (the applicant) shall contact the Planning and Zoning Department in the early stages of the proposal for a preapplication conference. This conference is used to identify any concerns early in the process and to evaluate the feasibility of the proposed service plan.
 - 2. Pre-application submittal. The applicant shall submit the following prior to the preapplication conference:

- a. A pre-application form.
 - b. An application fee.
 - c. A map and/or sketch at an easily readable scale showing:
 - i. The boundaries of the proposed special district.
 - ii. Relationship of the special district to surrounding topographic and cultural features such as roads, streams, and existing governmental or quasi-governmental entities.
 - iii. A draft service plan.
3. Pre-application review. The County staff shall review the draft service plan for consistency with the Colorado Revised Statutes and these standards and regulations. The County staff will forward any comments to the applicant within thirty (30) days after the preapplication conference. These comments may include suggested changes concerning format, content and adherence to the state statutes and County regulations.

B. Application Submittal

After reviewing the comments from the pre-application conference, the applicant shall submit one (1) copy of the service plan to the Morgan County Clerk and Recorder and a copy of the service plan and the required application fee to the Planning and Zoning Department. Within five (5) days of the filing of the service plan, the Morgan County Clerk and Recorder shall report to the Division of Local Affairs the name and type of the proposed special district. The applicant shall file the service plan with the state auditor as required by state law.

1. Review

The County staff will review the service plan to ensure it meets the requirements outlined in the County regulations as well as the requirements of the Colorado Revised Statutes. The service plan and associated financing plan may be referred to an independent financial advisor for review.

2. Referral

The Planning and Zoning Department shall refer the service plan to all municipalities and existing special districts, within a radius of three (3) miles from the boundaries of the proposed district. The Planning and Zoning Department and all other applicable County departments and agencies shall review the service plan and the Planning and Zoning Department shall submit all comments, findings and recommendations, including those from referral agencies, in the form of a staff report to the

applicant, the Planning Commission and the Board of County Commissioners.

C. Planning Commission Review of Proposed Service Plan

A hearing will be scheduled before the Planning Commission at which hearing the Planning Commission shall consider the service plan and recommend denial, conditional approval, or approval to the Board of County Commissioners. Such hearing shall be scheduled within thirty (30) days after submission of a complete application for a proposed service plan. Notice of the hearing shall be provided as required in C.R.S. § 32-1-204. A recommendation shall be forwarded to the Board of County Commissioners after the service plan was heard by the Planning Commission and a recommendation made. A proposed health service district, health assurance district, or early childhood development service district shall not be referred to the Planning Commission and shall instead be heard by only the Board of County Commissioners.

D. BOCC Action on Proposed Service Plan

1. Hearing date. A BOCC hearing on the proposed service plan shall be scheduled within thirty (30) days following final action by Planning Commission on the proposed service plan. In the case of proposed health service district, health assurance district, or early childhood development service district, the hearing date for the BOCC shall be scheduled within thirty (30) days following submission of a complete application for a proposed service plan.
2. The BOCC shall provide written notice of the date, time, and location of the public hearing to the Colorado Division of Local Government.
3. The BOCC shall provide written notice of the date, time, and location of the public hearing to the applicant and to the governing body of any existing municipality or special district which has levied an ad valorem tax within the preceding tax year and which has boundaries within a radius of three (3) miles of the proposed special district boundaries. The governmental units noticed shall be interested parties at the public hearing.
4. The BOCC shall publish notice of the public hearing in a newspaper of general circulation in the County at least twenty (20) days prior to the public hearing date. The publication shall constitute constructive notice to the residents and property owners within the boundaries of the proposed special district, and shall include the date, time, location, and purpose of the hearing; a general description of the land contained within the boundaries of the proposed special district; and information outlining the methods and procedures concerning the filing of a petition for exclusion of territory from the proposed special district. The residents and property owners within the special district shall be interested parties at the public hearing.

5. Not more than thirty (30) days nor less than twenty (20) days prior to the public hearing, the applicant shall send a letter notification of the hearing to the property owners within the boundaries of the proposed special district. The letter notification shall indicate that this is a notice of a hearing for the organization of a special district and shall include the date, time, location, and purpose of the hearing; a reference to the type of special district and any other requirements set forth by applicable law; a complete return address; a point of contact for the applicant; and a statement that written requests for exclusion be directed to the BOCC.
6. Hearing
 - a. The hearing held by the BOCC shall be open to the public. All interested parties shall be afforded an opportunity to be heard under the rules of procedure as may be established by the BOCC. The BOCC shall consider all relevant evidence.
 - b. The BOCC shall act on the proposed service plan after considering the proposed service plan, the evidence presented at the public hearing by the applicant and any interested party, the recommendation of the Planning Commission, and all criteria set forth by the Act and other applicable law. Specifically, the BOCC may approve the proposed service plan, disapprove the proposed service plan, or conditionally approve the proposed service plan subject to the submission of additional information related to, or the modification of, the proposed service plan.
 - c. If the BOCC approves the proposed service plan, a resolution of approval shall be issued to the proponent incorporating the findings of the BOCC.
 - d. If the BOCC disapproves the proposed service plan, the specific detailed reasons for the disapproval shall be set forth in writing.
 - e. If the BOCC conditionally approves the proposed service plan, the BOCC shall set forth in writing the conditions, changes or modifications to be made in, or the additional information relating to, the proposed service plan, together with the reasons for the changes, modifications, or additional information. The hearing shall be continued until the changes, modifications, or additional information requirements are satisfied and incorporated into the proposed service plan. If the continuation is not to a date and time specific as announced at the hearing, re-notification of interested parties and parties requesting exclusion is required. Upon incorporation of the specified conditions, changes, modifications, or additional information into the proposed service plan, the BOCC

shall issue a resolution of approval to the proponent of the special district.

- f. Within twenty (20) days following BOCC action on the proposed service plan, the BOCC shall advise the applicant in writing of the BOCC action on the proposed service plan.

E. Exclusions of Property

1. Any person owning property within the boundaries of the proposed special district may request that their property be excluded from the proposed special district by submitting the request to the BOCC no later than ten (10) days prior to the BOCC's public hearing on the proposed service plan.
2. The applicant for the proposed special district shall have the burden of proving that the exclusion of any property requested to be excluded is not in the best interests of the proposed special district.
3. The Planning Commission shall provide the BOCC with a report on any request for exclusion of property, which may be used as a basis for BOCC action on the request for exclusion of property. The BOCC shall act on all requests for exclusion before they take final action for the proposed special district and the BOCC may exclude certain properties from within the proposed boundaries of the special district.

III. Material Modifications to Final Service Plan

- A. Approval of material modifications. After a special district with territory in the unincorporated area of the County has been organized pursuant to these Regulations and the Act, the board of directors of the special district may make material modifications to the final service plan only by petition and approval by the BOCC pursuant to the procedures governing the review and approval of the original service plan submittals.
 1. A material modification of a final service plan shall be a change of a basic or essential nature.
 2. Approval for modifications of a final service plan shall not be required for changes necessary only for the execution of the final service plan, or for changes in the boundaries of the special district other than to include territory in the unincorporated area of the County when the special district previously included no territory in the unincorporated County.
 3. The processing fee for review of a petition for approval of a material modification is identified in the fee schedule and shall be submitted prior to consideration of the application.

IV. Judicial Enforcement

- A. The BOCC may seek an injunction in the district court which approved the petition for the organization of the special district for any material departure from the final service plan, or, if the plan has been modified, from the final service plan as modified, which constitutes a material modification of the final service plan.
- B. No action may be brought to enjoin the construction of any facility, the issuance of bonds or other financial obligations, the levy of taxes, the imposition of rates, fees, tolls and charges, or any other proposed activity of the special district unless the action is commenced within forty-five (45) days after the special district has published notice of its intention to undertake the activity.
- C. The notice shall describe the activity proposed to be undertaken by the special district and provide that any action to enjoin the activity as a material departure from the final service plan shall be brought within forty-five (45) days from publication of the notice.
- D. The notice shall be published one (1) time in a newspaper of general circulation in the special district, and shall be provided to the district court, as well as mailed to the BOCC on or before the date of publication of the notice.

V. Annual Reporting

- A. Annual report. Any special district located wholly or partly within the unincorporated area of the County shall file a special district annual report that includes at a minimum the information required by C.R.S. § 32-1-207(3)(c). The annual report shall be filed with the BOCC, the Colorado Division of Local Government, and the State Auditor, and shall be placed on file with the Clerk and Recorder for public inspection. A copy of the annual report shall also be made available by the special district to any interested party.
- B. BOCC review. The BOCC may review the annual reports in a regularly scheduled public meeting, and such review shall be included as an agenda item in the public notice for such meeting. The annual report is recorded in conjunction with the recording of a final plat located within the special district.
- C. Contact information. On or before January 15 of each year, each special district located in the unincorporated County shall notify the BOCC, the County Treasurer, and the County Clerk and Recorder, in addition to the entities specified under C.R.S. § 32-1-104(2), of the name of the chair of the board of directors, the contact person, the telephone number, and the business address of the special district. If the persons and addresses are not located within the special district, the special district shall notify the County Clerk and Recorder of the name, address, and telephone number of a contact person located within the special district, if such person is available.

- D. Failure to provide information. If a special district fails to file an annual report or provide any information required to be submitted within nine (9) months of the date of the request for the annual report or information, the BOCC, after notice to the special district, may notify any County Treasurer holding moneys of the special district to prohibit the release of any moneys until the special district complies with the applicable requirement.

VI. Fees

- A. Application fee. The fees for processing any Service Plan are established by State Statute and implemented by resolution and the fee schedule. The processing fee shall be used to reimburse the County for the reasonable direct costs related to processing the service plan and conducting the public hearings on the plan, including without limitation the costs of notice, publication, and recording of testimony.
- B. In-depth review. If it is determined that a more in-depth review of a particular service plan is required, the petitioner shall be responsible for actual costs of such in-depth review. A deposit amount shall be required pursuant to the County's fee schedule. Any deposit not used shall be refunded to petitioner.