

| PLANNING COMMISSION 6:00 P.M. | APRIL 8, 2024 |
AMDENDMENTS TO THE MORGAN COUNTY ZONING & SUBDIVISION
REGULATIONS

TABLE OF CONTENTS

- **Amendments Summary**
- **Proposed Zoning Regulation Amendments**
 - Definitional Changes
 - Temporary Use Revisions
 - Manufactured Home Placement Permit
 - Manufactured Home Park Development Permit
 - Manufactured Home Zone & Manufactured Home Park Requirements
 - Revisions to Residential Uses by Zone
- **Proposed Subdivision Regulation Amendments**
 - Final Plat Drawing Amendments
 - Shared Access & Shared Wells
 - Amended Plat
- **Notification**

AMENDMENTS SUMMARY



**MORGAN COUNTY PLANNING COMMISSION
AMENDMENT SUMMARY
March 26, 2024
April 8, 2024 (meeting date)**

**AMENDMENTS
MORGAN COUNTY ZONING AND SUBDIVISION REGULATIONS**

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

Manufactured Homes – Zoning and Subdivision Amendments. The overall purpose of these amendments is to update the County’s regulations regarding mobile and manufactured homes. Mobile homes, as defined in the amendments under consideration, are not permitted in Morgan County pursuant to federal law and any existing structures would be considered nonconforming. Manufactured homes are permitted and these proposed amendments will clarify how these types of structures will be regulated.

1. Definitional changes in both the Zoning and Subdivision Regulations. The proposed definitional amendments to the Zoning Regulations will solidify the difference between mobile and manufactured homes. These changes will also confirm that mobile homes are not permitted to be placed in Morgan County. In addition, in both the Zoning and Subdivision Regulations, several terms are proposed for deletion because they are not used, either currently or based upon the other proposed amendments. There are proposed revisions to the definition of RVs and the timing of when an RV used as a dwelling unit or additional bedroom are required to comply with some of the manufactured home standards.
2. Temporary use revisions. Temporary Use changes in sections of the Zoning Regulations to allow for RVs to be used as temporary residences during construction so long as there is a valid building permit. The problem the County has encountered is that residential construction is taking much longer than six months, which is the current limit on temporary use permits. These changes would allow a temporary use permit to be issued for RVs for a period to match the length of the building permit.
3. Manufactured Home Placement Permit. This permit currently exists within the Zoning Regulations, but the permit regulations are lacking in process structure and standards. A portion of the proposed changes would move this permit process into the section of the Zoning Regulations which governs other types of permitting to be more user friendly. The proposed amendments would also clarify the placement of manufactured homes. As

outlined in the proposed amendments, manufactured homes can be placed using an anchoring and tie down system or permanently installed using a permanent foundation. Permanent foundations must meet the applicable standards in the County's adopted residential or building code. Anchoring and placement of manufactured homes must meet the installation instructions associated with the manufactured home or in the absence of such standards, the State adopted regulations.

4. Manufactured Home Park Development Permit. Like the manufactured home placement permit, this permit process also currently exists in the Zoning Regulations but through these amendments, it is proposed to be relocated to the permitting section of the Zoning Regulations. The process for this permit currently lacks the detail necessary to apply and process an application and as such, the detail of that application and process are proposed to be added.
5. Manufactured Home Zone and Manufactured Home Park Requirements. The amendments propose that manufactured home parks will be the only residential use in the Manufactured Home Zone. Further, manufactured home parks will be prohibited in all other zones if these amendments are approved. The goal of this change to allow the County to guide this type of development to areas where it is more properly supported by public infrastructure. In addition to updates to the Manufactured Home Zone, these proposed amendments update and revise the minimum standards for development of a manufactured home park, including applicable revisions to Appendix B of the Zoning Regulations.
6. Revisions to Residential Uses by Zone. In conjunction with the proper delineation between manufactured and mobile homes, the County needs to revise the type of residential uses in each zone and address how manufactured homes are treated and regulated in each zone.

Subdivision Amendments – Plat Requirements, Shared Access and Shared Wells

1. Final Plat Drawing Amendments.
 - a. The purpose of this proposed amendment is to eliminate the lien holder certificate from a plat, except in cases where property is being dedicated to the County for maintenance. The only time, and it is rare, that the County accepts property as part of a subdivision is for roads. The County is not necessarily concerned as to whether an owner is in conformity with the applicable deed of trust when a subdivision is approved. That burden is on the owner to ensure compliance. Further, while getting sign off from a local bank is relatively easy, with national banks, the process is nearly impossible and causes significant delays in recording.
 - b. The second amendment is to ensure certain notes are placed on the plat regarding water and drainage.
2. Shared Access and Shared Wells. The proposed amendments revise the requirements related to shared access and shared wells for different types of subdivisions. The proposed shared access acknowledgement is also in your packet. The County has

encountered issues with both shared access and shared wells. The advantages to allowing shared access is that it results in less connections to a County road. However, the owners of property which is subject to shared access need to ensure that their responsibilities are clearly defined. The County does not want to be involved in that private arrangement but wants adequate notice to be provided to future purchases that there is shared access. As such, the proposed amendments required the execution of a shared access acknowledgment that will be recorded with the plat. However, with shared wells, the proposed amendments require that the owner submitted a shared well agreement so the County can ensure that parties have established responsibilities in a way that ensures access to the well for all future owners in the subdivision. That agreement will also be recorded with plat.

3. Amended Plat – Minor Revision. The proposed amendments make a minor revision to the approval of an amendment plat. Instead of having the approving resolution designate the renamed or renumbered lots, that information will be on the plat.

Nicole Hay
Morgan County Planning Director

PROPOSED ZONING REGULATION AMENDMENTS

Definitional Changes

Temporary Use Revisions

Manufactured Home Placement Permit

Manufactured Home Park Development Permit

Manufactured Home Zone & Manufactured Home Park Requirements

Revisions to Residential Uses by Zone

ZONING AMENDMENTS - DEFINITIONS

~~1-360 Density (Mobile Home): The number of mobile home lots or spaces per acre of gross area.~~

~~1-635 Mobile Home Accessory Building or Structure: A subordinate building or structure which is in addition to or supplements the facilities provided by a mobile home. Such buildings and structures include but are not limited to awnings, cabanas, decks, storage structures, carports, porches, and satellite dishes.~~

~~1-615 Manufactured Homes: A single family dwelling building unit, or combination of pre constructed building units, manufactured and which is partially or entirely manufactured in a factory. It is installed on a permanent and engineered foundation and has brick, wood, or cosmetically equivalent exterior siding and a pitched roof. It is certified pursuant to the National Manufactured Housing Construction and Safety Standard Act of 1974, 42 U.S.C. Sec. 5401, et seq., as amended, C.R.S. 30-28-115(3), and C.R.S. 24-32-3301 and 8 C.C.R. 1302-14. The term “manufactured home” does not include “recreational vehicle,” except as provided by these Regulations.~~

~~1-630 Mobile Home: A factory-assembled structure equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit without a permanent foundation. Mobile homes were built prior to June 15, 1976. A detached, transportable structure used for storage, office or residential use built prior to June 13, 1976. If used for residential use, a one family dwelling unit, intended for year round occupancy that is at least eight feet (8') in width and thirty two feet (32') in length. At a minimum it must contain sleeping accommodations, flush toilet, a tub or shower bath, kitchen facilities with plumbing and electrical connections intended for attachment to outside systems. A mobile home differs from a factory built home or manufactured home and recreational vehicle (RV) unit by definition. However, a recreational vehicle may be treated as a mobile home pursuant to Section 1-750 of these Regulations. Any mobile homes are prohibited within the County and any existing mobile homes are considered nonconforming use existing after this date shall be considered nonconforming.~~

~~1-805 Skirting: Aluminum or other nonflammable material or any other material (excluding untreated wood products) as approved by the planning administrator, installed around the perimeter of a mobile home.~~

~~1-640 Mobile Home Lot or Space: A plot of ground within a mobile home park or subdivision designed for the accommodation of one (1) mobile home and its permitted accessory structures and uses.~~

~~1-645 Mobile Home Pad: The concrete base, footing, or blocking which is set on or in level soil to provide support for the placement of a mobile home.~~

~~1-650 Mobile Manufactured Home Park: A parcel of land under single or unified ownership or control within which spaces are rented for occupancy by mobile-manufactured homes or manufactured homes are rented for occupancy. Automobile or mobile-manufactured home sales lots on which unoccupied mobile-manufactured homes are parked for inspection or sale shall not be considered mobile-manufactured home parks.~~

ZONING AND SUBDIVISION REGULATIONS - DEFINITIONS
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION DRAFT FOR PUBLIC HEARING – 3.19.24

~~1-655 **Mobile Home Subdivision:** An area of land subdivided for occupancy by mobile homes exclusively and containing lots in divided or separate ownership designed as permanent sites for mobile homes.~~

~~1-710 **Permanent Foundation:** A foundation designed by a licensed Colorado engineer in accordance with the applicable building code adopted by the County. A foundation which meets the requirements of either the specifications of the U.S. Department of Housing and Urban Development (HUD) publication HUD-7584 dated September, 1996 or other standards adopted and recognized by Morgan County by action of the Board of County Commissioners.~~

1-750 **Recreational Vehicle (RV):** A vehicle which is designed primarily for recreational use, camping, or other seasonal use or as temporary living quarters, office, or storage and is designed to be self-propelled, towable, or capable of being carried by a pickup truck. Recreational vehicles shall include motor homes, camper trailers, 5th wheel trailers, pickup truck campers, and any similar vehicles.

(A) Any recreational vehicle, not located in a permitted campground or recreational vehicle park, which is used as a residence a dwelling unit, on the same site, for 180 days or is regularly used as an additional bedroom for a residence, shall be considered to be a mobile home for 90 days, shall come into conformity with all the standards for manufactured homes or ceased to be used as a dwelling unit. This provision shall not apply to RVs for which there has been a temporary use permit issued.

~~1-870 **Tie-down:** Any device designed for the purpose of anchoring a mobile home to the ground.~~

SUBDIVISION AMENDMENTS - DEFINITIONS

Manufactured Home

~~A single family dwelling unit which is partially or entirely manufactured in a factory. It is installed on a permanent and engineered foundation and has brick, wood, or cosmetically equivalent exterior siding and a pitched roof. It is certified pursuant to the National Manufactured Housing Construction and Safety Standard Act of 1974, 42 U.S.C. Sec. 5401, et seq., as amended C.R.S. 30-28-115(3). The term "manufactured home" does not include "recreation vehicle."~~

Mobile Home

~~A detached, transportable, one-family dwelling unit, intended for year-round occupancy that is at least eight (8) feet in width and thirty-two (32) feet in length. At a minimum it must contain sleeping accommodations, flush toilet, a tub or shower bath, kitchen facilities with plumbing and electrical connections intended for attachment to outside systems. A mobile home differs from a manufactured home and a recreational vehicle (RV) unit by definition.~~

Mobile Home Lot or Space

~~A plot of ground within a mobile home subdivision or park designed for the accommodation of one mobile home and its permitted accessory buildings and uses.~~

Mobile Home Park

ZONING AND SUBDIVISION REGULATIONS - DEFINITIONS
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION DRAFT FOR PUBLIC HEARING – 3.19.24

~~A parcel of land under single or unified ownership or control within which spaces are rented for occupancy by mobile homes.~~

~~**Mobile Home Subdivision**~~

~~An area of land subdivided for occupancy by mobile homes exclusively, and containing lots in divided or separate ownership.~~

MISCELLANEOUS PROVISIONS

~~**4-695 Placement of More than One Mobile Home on a Single Parcel**~~

~~All placement permits for mobile homes as accessory uses are temporary. Such permits shall automatically expire and the mobile home shall be removed upon the cessation of the use of the mobile home as an accessory use. No conversion to fee simple sale of the mobile home unit shall be permitted. Mobile homes as principal dwelling units must meet all bulk and design standard requirements as specified in Section 3-650 (Table 1, Appendix B) of these Regulations.~~

~~NOTE: Future conversion of accessory use mobile homes to fee simple units on subdivided lots with prior approved utilities on a combined system may not meet zoning requirements.~~

~~**4-700 Age and Condition of Mobile Homes**~~

~~(A) All mobile homes located in Morgan County shall be maintained in good condition. Any damage caused by fire, wind, flood, rain, decay, lack of maintenance, vandalism, animals, or any other reason shall be promptly, not to exceed three (3) months, repaired.~~

~~(B) No mobile homes older than twenty (20) years from the date of application for a Mobile Home Placement Permit shall be placed in Morgan County unless, after inspection, it is determined that the mobile home is in adequate condition for its intended use. If intended for human habitation it must, at a minimum, meet the 1994 manufacturing standards of the U.S. Department of Housing and Urban Development (HUD) or the 2003 edition of the International Building or Residential Codes. All inspection costs shall be borne by the applicant for a Mobile Home Placement Permit.~~

3-145 Temporary Uses

The intent of this section is to provide for the regulation of temporary uses. For the purposes of this section the term “temporary” shall mean a period of up to six (6) months, except as expressly provided in Sec. 3-150; however, the Planning Administrator may limit the amount of time a temporary use is permitted.

3-150 General Requirements and Procedures

Prior to the establishment of a temporary use, the applicant shall be required to provide the following:

(C) The permit granted by the Planning Administrator shall expire six (6) months from the date of issuance, except for permits for temporary residences in Sec. 3-155(A) which may be issued and renewed so long as there is a valid building permit, but no certificate of occupancy, for the property

ZONING AND SUBDIVISION REGULATIONS - DEFINITIONS
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION DRAFT FOR PUBLIC HEARING – 3.19.24

where the temporary residence is located. All temporary uses shall be removed ~~at the expiration~~
~~date~~ within thirty (30) days of the expiration of the permit.

Zoning Amendments – Manufactured Home Placement and Manufactured Home Park Permits

2-160 Processing Fees

- (A) Minimum processing fees for zoning amendments, map changes, conditional and special use permits, variances, sign permits, site permits, planned development reviews, building permits, zoning permits, ~~mobile-manufactured~~ home placement permits and other permits required by these Regulations will be established and be subject to change from time to time upon approval of the Board of County Commissioners.

2-290 Applicability

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

- (C) ~~Manufactured~~ mobile homes subject to the Mobile-Manufactured Home Placement Permit, in Sec. 4-600 and other applicable sections.

ZONING PERMITS

2-320 Purpose

All structures and buildings over 200 square feet, which are uses-by-right, and not subject to the County's building or ~~mobile-home~~ manufactured home placement permit requirements, require a zoning permit prior to the commencement of construction or use.

MANUFACTURED HOME PLACEMENT PERMIT

2-320 Purpose

A placement permit shall be required for the installation of ~~mobile-manufactured~~ homes on individual lots and ~~mobile-manufactured~~ homes in a ~~manufactured~~ mobile home park ~~or subdivision in all zone districts where they are allowed~~ in Morgan County, ~~which are not on a permanent foundation. for the tying down of previously installed mobile homes, and for the construction of any accessory structures on individual mobile home lots or spaces.~~

2-325 Submittal Requirements

- (A) Completed application provided by the County, signed by all owner(s) of, or persons having an interest in the property subject to the application. If owner(s) will not be signing the application, written authorization for the agent to sign the application must be supplied with the completed application. An incomplete submittal will not be processed.
- (B) Application fee.

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION PUBLIC HEARING DRAFT – 3.19.24

- (C) A site plan pursuant to Sec. 2-410.
- (D) A signed copy of the Morgan County Right to Farm Policy
- (E) An adequate drainage plan. For any manufactured which will result in five thousand (5,000) square feet or more of impermeable surface the drainage plan must be signed and sealed by a licensed civil engineer.
- (F) ~~Said placement permit shall be obtained from the Morgan County Planning Administrator~~The Morgan County Building Department may require, who shall issue a permit to place the mobile home upon compliance by the applicant with these Regulations and with any other information as may be requested by the Planning Administrator to enable him/her the Building Official or Inspector to determine that the proposed mobile-manufactured home will comply with all applicable requirements.

2-330 Review Procedure

- (A) Review of Submission. Staff shall review the submittal materials within fifteen (15) working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. An incomplete submittal will not be processed.
- (B) Decision. The Building official may approve, approve with conditions or deny the application. The decision of the Building official shall be provided to the applicant no later than two (2) business days from the date of the decision.

2-335 Review Criteria

- (A) All manufactured homes must be adequately served by public or private utilities and have clear access to a developed public right-of-way.
- (B) The plans for the proposed erection, construction, reconstruction, movement, alteration or use fully conform to all applicable provisions of these Regulations.

2-340 Expiration of Manufactured Home Placement Permit

Manufactured homes subject to a permit must be installed and receive a certificate of occupancy within twenty-four (24) months of the issuance of a manufactured home placement permit.

2-345 Post-Installation Procedures

After placement installation is complete, the County Building Official or Inspector will inspect the mobile-manufactured home for compliance with these Regulations all applicable regulations. If the manufactured home complies with all applicable regulations, the Building Official or Inspector may issue prior to issuing a Certificate of Occupancy (C.O.) for the mobile-manufactured home.

Placement permit holders may not occupy a mobile home until the C.O. is issued. No manufactured home without a certificate of occupancy may be occupied.

2-350 Installation Standards

(A) Authority

Any manufactured home located in or relocated within the County shall bear a Housing and Urban Development (HUD) label, or verification of HUD compliance, and meet the following installation standards. The Building Official or Inspector may authorize the use of different materials or methods which will accomplish substantially the same result. The Building Department shall be authorized to act as the exclusive inspection agency for the County pursuant to the Colorado Division of Housing Manufactured Housing Installation Program.

(B) Installation

Any installation of a manufactured home in the County shall be performed in strict accordance with the applicable manufacturer's installation instructions and these Zoning Regulations. Where the manufacturer's instructions are not applicable, installation shall be in accordance with the rules promulgated by Colorado Division of Housing for the installation of manufactured homes. A copy of the manufacturer's instructions or the standards promulgated by the Colorado Division of Housing shall be available at the time of installation and inspection.

(C) Skirting

All mobile-manufactured homes, which are not required to have a permanent foundation, units in all zones shall be skirted with aluminum or other material (excluding untreated wood products) which is nonflammable, capable of withstanding hail and wind and approved by the County Building Department. All skirting shall be installed around the perimeter of a manufactured home to the ground level, as defined in Section 1-805. Such skirting must shall be in place completely installed within thirty (30) days after the mobile home is set on the mobile home space or lot prior to the issuance of a certificate of occupancy. All skirting shall have one (1) or more openings constructed and located to allow convenient access to all points of utilities connections.

(D) Foundations.

- (1) Basement or crawlspace foundations and foundations for any manufactured structure that requires a plain Floodplain Development Permit shall be designed by an architect or engineer licensed by the State.
- (2) An architect or engineer licensed by the State may perform all foundation, perimeter drain, dampproof and concrete encased electrode inspections. If this option is used, setback and offset distances must first be approved by the Building Department, and a stamped letter from the architect or engineer must

be received and approved by the Building Department prior to any other inspections on the home. This letter must state that the architect or engineer did perform the inspections and that the work is consistent with the design drawings for the foundation.

- (3) A permanent foundation is required where unstable or expansive soil conditions are encountered, for manufactured homes located in the floodplain or otherwise required by these Zoning Regulations.

2-355 Utilities and Minimum Interior Fixtures

- (A) All manufactured homes shall be connected to either an approved public or private sewage disposal system.
- (B) A licensed plumber, or owner if permissible, shall install all-natural gas, sewer, and water service lines; a licensed electrician, or owner if permissible, must install all electrical service connections. Electrical and plumbing installations must be approved by the State. The owner is responsible for obtaining those inspections and approval prior to the issuance of a certificate of occupancy by the Building Department. If owner intends to perform such electrical or plumbing work, the owner shall contact the State to ensure such work is permissible for owner to perform before undertaking such work.
- (C) Every manufactured home used as a dwelling unit shall be provided with a kitchen sink and a bathroom equipped with facilities consisting of a water closet, lavatory and either a bathtub or shower. Each sink, lavatory and either a bathtub or shower shall be equipped with hot and cold running water necessary for its normal operation.

Current sections 2-320 through 2-340 will be renumbered as 2-360 to 2-380, all cross references to be updated.

Mobile-MANUFACTURED HOME PARK DEVELOPMENT PERMIT

2-385 Purpose

The development of a new manufactured home park or expansion of a current manufactured home park shall require a manufactured home park development permit. This permit shall only be required for zones in which a manufactured home park is a use by right. For all other zones, development or expansion of a manufactured home park shall require the applicable permit if such use is allowed. No manufactured home placement permits shall be issued for installation of manufactured homes in a manufactured home park until the manufactured home park development permit has been approved.

2-390 Submittal Requirements

The submittal requirements in Section may be waived or altered by the Planning Administrator at the Planning Administrator's sole discretion.

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION PUBLIC HEARING DRAFT – 3.19.24

- (A) Completed application provided by the County, signed by all owner(s) of, or persons having an interest in the property subject to the application. If owner(s) will not be signing the application, written authorization for the agent to sign the application must be supplied with the completed application.
- (B) Application fee.
- (C) A general description of the special use request and the reasons for it, including a narrative description of how the request meets the criteria for a manufactured home park. The general description shall include plans for the operation and maintenance of the park.
- (D) Title commitment for the property issued within the six (6) months previous to the submission of the application. If the application is incomplete, the County may require that the title commitment be updated.
- (E) Proof of an adequate supply of water in terms quantity, quality, and reliability.
- (F) A listing of type and availability of utilities and services; including sewer, water, electrical, and fire protection to the manufactured home park including letters of commitment from providers of utilities and services serving the site or proof of ownership.
- (G) Discussion of any public improvements required to complete the project.
- (H) A special use plan map in accordance with the provisions of Sec. 2-420.
- (I) Any additional information required by the Planning Administrator.

2-395 Review Procedures

- (A) Pre-Application Conference. Prior to submission of a manufactured park development application, each applicant shall attend a pre-application conference with the Planning Department. After the pre-application conference, the Planning Department may furnish the applicant with written comments regarding the proposed use to inform and assist the applicant prior to the preparation of the application.
- (B) Review of Submission. Staff shall review the submittal materials within fifteen (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. An incomplete submittal will not be processed.
- (C) Decision. The Planning Administrator may approve, approve with conditions, or deny the application. The decision of the Planning Administrator shall be provided to the applicant no later than two (2) business days from the date of the decision.

2-400 Review Criteria

- (A) All manufactured home parks must be adequately served by public or private utilities and have clear access to a developed public right-of-way.
- (B) All manufactured home parks must comply with all applicable provisions of these Zoning Regulations.

Current Sections 2-345 through 2-475 will be renumbered 2-405 through 2-520, all cross references to be fixed.

3-615 Special Design Standards and Conditions for the Jackson Lake Village Zone

- (A) Holding vaults of concrete construction with a minimum 1000 gallon capacity shall be permitted for individual sewage disposal as long as the system is installed and operated and the collected sewage is disposed of, in accordance with local and state health department standards, or, if such standards are unavailable, any appropriate applicable standards. These systems are considered temporary pursuant to the requirements of the local health department. No building, zoning or ~~mobile manufactured~~ home placement permits will be issued unless the local health department has approved the proposed method of sewage disposal for the lot or unit. Recreation vehicles and sing-wide mobile homes may use chemical or other toilets approved by the local health department as long as the central sewage disposal facility approved by the state health department in 1976 or before remains in operation under a current state health department operation and discharge permit and a Morgan County Certificate of Designation.

~~4-585 Mobile Home Park Development Permit~~

~~An applicant for a mobile home park permit shall obtain a Mobile Home Park Development Permit in accordance with these Regulations. Before issuance of placement permits, the applicant shall submit all necessary plans and supplemental information for the proposed mobile home park in accordance with the site plan review process under Chapter 2 of these Regulations. When necessary, a request for rezoning to Mobile Home (MH) Zone must also comply with the submittal requirements of this section. The application for a Mobile Home Park Development Permit shall be accompanied by any necessary fees as specified by Morgan County and by plans for operation and maintenance of the Mobile Home Park, including tenant rules and regulations.~~

~~Any permit for construction, alteration, or extension of any individual mobile home park or a mobile home in a mobile home park or subdivision shall not be issued until the use has been approved as required by the zoning regulation and compliance with all conditions of approval has been guaranteed, either by actions of the applicant prior to issuance of the permit or by written agreement signed by the applicant and approved by the County.~~

~~4-600 Mobile Home Placement Permit—All Zones Where Allowed~~

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION PUBLIC HEARING DRAFT – 3.19.24

~~An applicant for a mobile home park permit shall obtain a Mobile Home Park Development Permit in accordance with these Regulations. Before issuance of placement permits, the applicant shall submit all necessary plans and supplemental information for the proposed mobile home park in accordance with the site plan review process under Chapter 2 of these Regulations. When necessary, a request for rezoning to Mobile Home (MH) Zone must also comply with the submittal requirements of this section. The application for a Mobile Home Park Development Permit shall be accompanied by any necessary fees as specified by Morgan County and by plans for operation and maintenance of the Mobile Home Park, including tenant rules and regulations.~~

~~Any permit for construction, alteration, or extension of any individual mobile home park or a mobile home in a mobile home park or subdivision shall not be issued until the use has been approved as required by the zoning regulation and compliance with all conditions of approval has been guaranteed, either by actions of the applicant prior to issuance of the permit or by written agreement signed by the applicant and approved by the County.~~

~~4-665 Blocking and Tie Downs~~

- ~~(A) — Every owner or occupant of a mobile home within the County or subject to County regulation shall secure the mobile home against wind and flood (when required) damage in accordance with the regulations of this Section.~~
- ~~(B) — In the case of mobile home parks constructed prior to the effective date of these Regulations, the Morgan County building official shall have the authority to reduce the number of required tie down sets upon presentation of adequate evidence that certain spaces are not subject to the wind forces upon which these requirements are based.~~

~~4-670 Tie Downs~~

- ~~(A) Each mobile home shall be provided with tie downs to the main framing member of the mobile home as shown in Table 5, Appendix B.~~
- ~~(B) — All ties shall be fastened to an anchorage as described below and shall be drawn tight with one half inch (1/2") or larger galvanized, drop forged turnbuckles or other equivalent tightening device as approved by the building official. Turnbuckles shall be ended with jaws or forged or welded eyes. Turnbuckles with hood ends are prohibited.~~
- ~~(C) — All cable ends shall be secured with at least two (2) U bolt type cable clamps or other fastening device as approved by the building official.~~
- ~~(D) — Cable used for ties shall be either galvanized steel or stainless steel. It shall be either 3/8 inch diameter (7 x 7 7 wires each) steel cable, or 3/8 inch diameter or larger (7 x 19 7 strands of 19 wires each) "aircraft" cable.~~
- ~~(E) — When flat steel strapping is used, it shall be in accordance with Federal Specification QQ S 781; i.e., 1 1/4 inch x .035 inch, Type 1, Class B, Grade 1. Zinc coating shall be a~~

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION PUBLIC HEARING DRAFT – 3.19.24

~~minimum of 0.30 ounces per square foot of surface. Breaking strength shall be a minimum of 4,750 pounds. (See paragraphs 1.2.1.1, 1.2.1.2, 3.10.2, 6.1.7, and Table II of QQ-S781). Any other material shall be at least equal to the above specifications in tensile strength and weather resistance(F) Steel bands used for ties shall terminate with a D ring, bolt or other device that will not cause distortion of the band with a tensioning device attached.~~

~~(G) Sharp edges of the mobile home that would tend to cut the cable when the home is buffeted by the wind shall be protected by a thimble or other device that will prevent such cutting.~~

~~(H) Connection to the I beam may be by a 5/8 inch drop forged closed eye, bolted through a hole drilled through the beam. A washer, or equivalent, shall be used so that the beam is sufficiently fish-plated through the hole.~~

~~(I) Other connectors, or means of securing the cable to the beam, of equivalent holding power and permanence are acceptable if approved by the building official~~**4-675 Anchorage**

~~(A) Ground anchors shall be aligned with piers required below. The anchors shall be situated immediately below the outer wall if they are to accommodate over the home ties if this placement allows for sufficient angle for the anchor to frame connection.~~

~~(B) Steel rods shall be of 5/8 inch minimum diameter with a forged or welded eye at the top. For dead man anchors the bottom of the rod shall be hooked into the concrete.~~

~~(C) Augers shall be of minimum diameter of six inches (6") (arrowheads eight inches [8"]) and be sunk to a depth of at least five feet (5').~~

~~(D) Dead man anchors shall be sunk to a depth of five feet (5'), with a minimum vertical dimension of two feet (2') and a diameter of six inches (6"). Celled concrete blocks are prohibited.~~

~~(E) In lieu of the above, anchors to reinforced concrete slabs shall be of strength comparable to the above as may be approved by the building official. If this method is used, the weight of the mobile home must rest on the slab~~

4-680 Piers and Footin

~~(A) All piers shall be placed on footers of concrete with minimum dimensions of sixteen inches by sixteen inches by four inches (16" x 16" x 4"), or equivalent thereof as approved by the building official.~~

~~(B) Piers shall be constructed of standard eight inches by eight inches by sixteen inches (8" x 8" x 16") celled concrete blocks placed over the foundation with the long dimension crossways to the main frame members and centered under them, with cells vertical. Pier heights shall be such that the mobile home will be located as close to the ground as possible.~~

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION PUBLIC HEARING DRAFT – 3.19.24

~~(C) — Piers shall be topped with a concrete cap eight inches by sixteen inches by four inches (8" x 16" x 4").~~

~~(D) — Hardwood shims shall be driven tight between the cap and the main frame to provide uniform bearing. They shall be four inches (4") or less in thickness and be wide enough to provide bearing over the top cap.~~

~~(E) — Other types of piers and foundations of equivalent permanence and weight bearing ability may be approved by the building official. The use of a heavy metal adjustment column, anchored to both frame and foundation, is recommended.~~

~~(F) — Required piers shall be centered under each main frame (or chassis) member within five feet (5') of anchorage. The end piers shall be no farther than five feet (5') from the ends of the mobile home.~~

~~4-685 Cabanas and Awnings~~

~~Cabanas and awnings, and similar accessory structures, shall be secured by a row of support bars with a maximum spacing of twelve feet (12') at the outer edge. The posts shall be adequately secured to the roof and to the concrete patio or equivalent footing. Other adjacent structures such as storage bins, antennas, refuse containers, etc., shall also be secured and approved by the building official.~~

~~4-690 Alternative Tie-Down and Blocking Methods Permitted~~

~~In the event that a mobile home owner or mobile home park developer wishes to use different tie-down, blocking and anchorage systems than those specified above he/she shall comply with the following:~~

~~(A) The method and materials for tie-down pads and for securing the mobile homes to the tie-down pads must be designed by a professional engineer licensed by the State of Colorado and must be approved by the Morgan County Planning Administrator both for typical tie-downs and for each individual space as it is shown on the proposed final site plan. The entire mobile home tie-down design must meet or exceed the standards set out in these regulations.~~

~~(B) — This approval by the building official must occur prior to the approval of any final mobile home park site plan by the Morgan County Planning Commission.~~

Appendix B, Table 5 is deleted in its entirety.

~~MOBILE HOME~~MANUFACTURED HOME ZONE (MH)

3-375 Purpose of ~~Mobile Home~~Manufactured Home Zone

The ~~Mobile Home~~Manufactured Home Zone provides a residential zone for ~~mobile homemanufactured home parks and mobile home subdivisions~~ within unincorporated areas of Morgan County. ~~Regulations governing individual mobile homes as principal dwelling units or as accessory, conditional, or temporary uses in other zones can be found elsewhere in other Regulations.~~

3-380 ~~Manufactured obile~~ Home Zone Uses-By-Right

- ~~(A) Mobile homes (one per parcel or lot).~~
- (A) Manufactured home parks
- (B) Manufactured homes located in manufactured home park
- ~~(CB) Accessory uses, buildings, and structures.~~
- ~~(DC) Home occupation.~~
- ~~(D) Mobile home subdivisions.~~
- (E) Open space, parks, and playgrounds.
- ~~(F) Public parks and playgrounds.~~
- (FG) Public utility distribution mains and lines which are underground facilities.
- (GH) Satellite dish antennas without towers.
- ~~(I) A major facility of a public utility for which a development permit has been issued.~~
- (HJ) Pipelines, and accessory structures, that transport water and wastewater for domestic, agricultural, commercial and/or industrial use, except for pipelines transporting wastewater produced as a result from oil and gas operations to a commercial disposal well facility or wastewater designated as hazardous waste.
- ~~(IK) Solar collector facilities as an accessory use only.~~
- (JL) Building-mounted wind energy facilities (WEFs) as an accessory use only.

3-385 ~~Mobile~~Manufactured Home Zone Conditional Uses

- ~~(A) Mobile home parks.~~
- ~~(B) Manufactured home on permanent and engineered foundations (one per parcel or lot).~~
- ~~(C) Churches and church schools.~~
- ~~(D) Fire or police stations.~~
- ~~(E) Golf courses.~~
- ~~(F) Group homes, foster family care homes.~~
- ~~(G) Hospitals, nursing homes, and extended care facilities.~~
- ~~(H) Pre-schools, nursery schools, and day care facilities.~~
- ~~(I) Public and private schools.~~
- (AJ) Communication facilities not exceeding height limits.
- ~~(K) Storage of mobile homes in excess of 14 days from notice to the planning administrator.~~

3-390 ~~Mobile~~Manufactured Home Zone Special Review Uses

- (A) Central collection sewage treatment facilities.
- (B) Water tanks and, water treatment facilities, ~~regulator stations, and water reservoirs.~~

~~3-395 Mobile Home Zone Additional Requirements~~

~~See Sections 4-100 and 4-575 through 4-700.~~

MOBILE-MANUFACTURED HOME PARK REQUIREMENTS

4-57580 Application

The provisions and regulations of this Section shall apply to ~~the construction, alteration~~the location and extension, extension, location, installation, use, and maintenance of all ~~mobile homes in the unincorporated area of Morgan County~~manufactured home parks. It shall be unlawful for any person to ~~locate, place, construct, alter, extend, install, use or maintain a mobile home on a separate lot or in a manufactured mobile home park or subdivision~~ within the unincorporated area of Morgan County except in compliance ~~with this Section~~these applicable standards. Manufactured homes parks are prohibited in all zone districts with the exception of the Manufactured Home Park Zone District. ~~All of the regulations in this Section and following apply to mobile home parks and selective regulations apply to mobile home subdivisions.~~

4-58075 Authority Minimum Standards

Sections _____ ~~These Regulations~~ establish minimum standards governing necessary utilities and facilities and other physical improvements and conditions required to make ~~mobile-manufactured home parks and subdivisions~~mobile-manufactured home parks and subdivisions safe, sanitary, and fit for human habitation; articulate the responsibilities and duties of owners and operators of ~~mobile-manufactured home parks and~~mobile-manufactured home parks and; authorize the inspection of ~~mobile-manufactured home parks; and fix penalties for violations, adopted pursuant to authority conferred with Article 28 of Title 30 of the C.R.S.~~

4-590 Dedication of Easements and Public Lands

The developer ~~shall convey or dedicate any necessary easements as a condition of approval of the manufactured home park development permit. must submit warranty deeds or file a site plan of the mobile home park covering the dedication of all easements and public lands prior to or at the time of final approval of the mobile home park.~~

4-595 Building Permits

~~All buildings and utilities to be constructed, altered, or repaired in a mobile home park shall comply with all applicable codes of Morgan County and the State of Colorado.~~

4-605 Standards and Improvements—Additional Requirements—Dimensional Standards

~~In addition to all applicable general bulk requirements and exceptions contained in Section 3-620 and following, the following additional standards and requirements shall apply to mobile home parks within a MH Zone. The design standards of the Morgan County Subdivision Regulations also apply to the development of mobile home park site plans and are to be used in addition to the standards of this Section unless otherwise specified herein.~~

The standards in these Manufactured Home Park Requirements established the dimensional standards for a manufactured home park and shall control over any other dimensional standards or bulk

requirements in these Zoning Regulations. If dimensional standards are not addressed in these Manufactured Home Park Requirements, applicable standards in Zoning Regulations shall be applied to the extent that application does not create a conflict.

4-610 Site Plan Review

~~Site plans for proposed mobile home parks shall be required and be submitted for site specific development plan review. All classes of uses in the MH district must be reviewed per this requirement. Landscape plans shall also be required.~~

4-615 Nonresidential Uses

~~(A) — A mobile home or unit may be used for office or other nonresidential purposes, on a temporary basis during construction or remodeling activities connected with a use permitted on the lot, provided that a placement permit is obtained and a use time limit is determined and that the use and location of the mobile home complies with all applicable zoning and building regulations of Morgan County. In addition, such mobile home shall be removed from the site within thirty (30) days when the construction or remodeling has been completed. Such mobile home shall be adequately secured against damage and over turning by winds as per these Regulations.~~

~~(B) — Where a mobile home is proposed to be used for nonresidential purposes not connected with construction or remodeling activities, or not listed as a use in the Zone it is to be placed, a variance permitting such use shall be required to be granted by the Board of Adjustment in accordance with the procedure provided in Chapter 5.~~

~~(C) — Nothing contained herein shall be deemed as prohibiting the sale of a mobile home located in a mobile home park and connected to the required utilities.~~

4-61020 Site Area and Single Ownership

The site for a mobile-manufactured home subdivision or park shall contain a minimum of ten (10) acres of land shall be a single parcel of land under single ownership. No minimum acreage is required, provided the density standards are satisfied. The owner of the manufactured home park need not own the manufactured homes located within each manufactured home space. .

4-615 Utilities

All manufactured home parks must be connected to a public water and sewer system.

4-62025 Density

The total density of a ~~mobile-manufactured~~ home park ~~or subdivision~~ shall not exceed six (6) units per gross acre, and the density on any particular acre shall not exceed eight (8) units per acre.

4-625 Space Requirements

- (A) Manufactured home spaces be a minimum of four thousand (4,000) square feet. The dimensions of the space shall be such that the width is at least one-third (1/3) the depth, provided the width is no less than 50 (fifty) feet. Space requirements exclude parking.
- (B) Each manufactured home space shall have two (2) parking spaces located within that space.
- (C) Each manufactured home space shall have a number posted on the front portion of the space and visible from the adjacent roadway for addressing purposes.

4-630 Perimeter Setbacks

Each ~~mobile-manufactured~~ home park ~~or subdivision~~ shall provide the following setbacks along the perimeter, which shall be landscaped and maintained except for those portions used for ingress and egress. The setbacks in this Section shall be measured in accordance with Section 3-630 of these Regulations.

- (A) Abutting a ~~sState or fFederally designated~~ highway or County ~~designated road designated~~ major arterial – fifty feet (50')
- (B) Abutting any public right-of-way other than (A) above – twenty-five ~~feet~~(25²) feet.
- (C) Abutting any exterior boundary other than (A) or (B) above – fifteen ~~feet~~(15²) feet.

4-635 Internal Setbacks

- (A) A manufactured homes shall meet the following setbacks:

(1) There shall be a minimum twenty-footTwenty (20²) feet setback from any service utility easement or, if no easement is recorded, a minimum setback of thirty (30) feet from the location of utility structure.

(2) Ten (10) feet from any accessory structure.
~~or mobile home park or subdivision permanent building.~~

- (B) ~~Enclosed additions or porches shall be considered a part of the mobile home in measuring required setback distances. Encroachments into the internal setback shall be governed by~~ Section 3-630 of these Regulations. The required area for each ~~mobile-manufactured~~ home space shall not include that additional area required for access roads, service buildings, recreation areas, office, and similar ~~mobile-manufactured~~ home park ~~or subdivision~~ needs.

- (C) Distances from other structures, not addressed herein, shall be as specified in R302 of the IRC, adopted by the County.

4-63540 Access and Interior ~~Roadways~~ Roads

- (A) The ~~mobile-manufactured~~ home park site shall have at least two (2) direct accesses to a public road pursuant to Colorado law ~~or highway by a roadway~~, each of which shall be at least forty

feet (40') wide. Access points to these roads shall be subject to review and approval by the County and the Colorado Department of Transportation where necessary.

- (B) Access to every ~~mobile-manufactured~~ home space shall be from internal ~~streets and~~ roads. The ~~mobile-manufactured~~ home park shall be designed so that all ~~mobile-manufactured~~ home spaces and community buildings face onto an interior roadway.
- (C) Paved ~~streets-roads~~ shall be required in ~~mobile-manufactured~~ home parks ~~or subdivisions~~ when the number of ~~units-manufactured home spaces~~ exceeds thirty (30). Paving shall be asphalt or concrete or equivalent material upon a stabilized base, according to current specifications of the County. All roads, required to be paved, must be paved and approved by the County prior to the issuance of any certificate of occupancy. Unless expressly accepted by the County, no interior roads shall become county roads.
- (D) The minimum travel lane width of all interior roads shall be twenty-four feet (24') with on-road parking. If on-road parking is required on one side of the road only, the minimum width of the road shall be thirty feet (30') measured from flow line to flow line. If on-road parking is required on both sides of the road, the minimum width of the road shall be forty feet (40') measured from flow line to flow line. Minimum interior street widths in mobile home parks shall be as follows, measured from flow line to flow line:
 - (A) ~~No on-street parking: 24 feet (24').~~
 - (B) ~~Parking on one side only: 30 feet (30').~~
 - (C) ~~Parking on both sides: 40 feet (40').~~

4-~~640~~50 Walkways

Paved walkways at least three feet (3') wide shall be provided from all ~~mobile-manufactured~~ home spaces to service buildings and other community areas, and along all access roads, when the number of ~~units-manufactured home spaces~~ in the ~~mobile-manufactured~~ home park ~~or subdivision is equal to or exceeds forty-thirty (340) units~~. Walkways shall be hard surfaced with concrete or asphalt. Off-street parking or fences shall not obstruct walkways. Gravel may be used in ~~mobile-manufactured~~ home parks ~~and subdivisions~~ of less than forty (40) units.

4-645 Accessory Buildings

Accessory buildings and structures to manufactured homes in a manufactured home park are limited to garages, storage structures, and carports. All accessory buildings and structures shall conform to the building code. Accessory buildings or structures not adequately covered by either the building code shall be subject to the provisions of the National Fire Protection Association's Standard for Manufactured Housing, "Manufactured Homes Accessory Buildings and Structures," NFPA No. 501A. Arrangement of manufactured homes and accessory buildings or structures on the site shall not restrict reasonable access to the site by emergency personnel.

4-~~650~~5 Storage

ZONING REGULATIONS – MANUFACTURED HOME ZONE
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION PUBLIC HEARING DRAFT – 3.19.24

~~Storage facilities shall be provided on or conveniently near each mobile home space for the use of the mobile home occupants.~~

~~(A) — There shall be a minimum of one hundred forty four (144) cubic feet provided for occupant storage for each mobile home space.~~

~~(B) — Storage facilities shall be no closer to streets or drives than the mobile home itself, and shall be designed in a manner that will enhance the appearance of the park or subdivision and shall be constructed of suitable weather resistant materials.~~

~~(C) — Storage underneath a mobile-manufactured home is not permitted.~~

~~(D) — A separate centralized storage area(s) for campers, trailers, RVs, boats, motor homes, etc. is required in the mobile home park or subdivision at an amount equal to one hundred (100) square feet per each mobile home space. Such area(s) shall be hard surfaced and be screened with a six foot (6') high solid fence or suitable opaque landscaping.~~

APPENDIX B – ZONE DISTRICT BULK REQUIREMENTS AND SPECIAL DESIGN STANDARDS CHART

TABLE 1

The chart on this page lists the relevant bulk and design standards applicable to each of the zoning districts for Morgan County.

| Zone District Code Letter: | C c | L I c | HI c | MH c | PD c | JLV UBR c | JLV C&SRU c |
|--|--------------------|--------------------|---------------------|---|-----------|-----------------|-------------------|
| Design Standards | | | | | | | |
| 1. Minimum Lot Size | 4,000 sq ft a b | 4,000 sq ft a b | 10,000 sq ft a b | 5,000 sq ft a <u>See Regulations</u> | ** a b | 1 Lot | 1 Lot |
| 2. Minimum Lot Area Per Unit (MF Only) | 2,400 sq ft a b | N/A | N/A | N/A <u>See Regulations</u> | ** | N/A | N/A |
| 3. Minimum Setbacks (feet) | | | | <u>For each space from space boundary</u> | | | |
| Front | 30 | 30 | 30 | 15 | ** | 15 | 25 |
| Side | 10 | 10 | 10 | 10 | ** | 5 | 7.5 |
| Rear ^f | 15 | 15 | 15 | 10 | ** | 10 | 10 |
| 4. Minimum Lot Frontage Width (feet) | 30 | 50 | 100 | <u>See Regulations</u> | ** | N/A | N/A |
| 5. Maximum Building Height (feet) | | | | | | | |
| SFU | N/A | N/A | N/A | 30 | ** | 30 | 35 |
| Others | 50 | 100 | 100 | 30 | ** | 20 | 35 |
| 6. Fence Height Max. (feet) | N/A | N/A | N/A | 6 | ** | 6 | 6 |
| Lot Frontage Limit | N/A | N/A | N/A e | 3 | | 4 | 4 |
| See Sec. 3-640 | e | c | | | | | |
| 7 Maximum Lot Coverage by Structures % | N/A | n/a | N/A | 35 N/A | ** | 35 | 35 |
| 8. Open Space Requirement % | N/A | N/A | N/A | N/A | ** | N/A | N/A |

Notes:

- a. Minimum of 2.5 acres for exemptions from subdivision and minor subdivisions in all zones for parcels utilizing septic systems and containing a water well. Minimum of 1 acre for exemptions from subdivision and minor subdivisions in all zones (except ER) for parcels utilizing septic systems and public water service.
 - b. Lot size minimums assume public sewer and public water service when expressed in square feet (sq. ft.).
 - c. 1,320' (1,320 foot) setbacks are required from confined animal feeding operation facilities, slaughter houses, rendering plants and packing plants for residences without a SRU.
 - d. If uses are permitted on smaller lot sizes in these Zoning Regulations, those provisions shall control over this Table. Setbacks may be modified by Sec. 3-630.
 - e. Fences located on the frontage of corner lots, which abut two or more public rights of way must be set back from the lot lines to preserve the vision of automobile traffic on the rights of way (sight triangle), unless such fences are made of material with at least 80% transparency.
 - f. In all zones, rear setbacks for accessory structures and uses shall be 10 feet.
- ** All PD district bulk requirements specified as per approved development plans.

Key:

- N/A = Not Applicable.
- MF = Multi Family
- SFU = Single Family Unit

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION DRAFT FOR PUBLIC HEARING – 3.19.24

| ZONE DISTRICT | CURRENT ZONING – RESIDENTIAL USES | PROPOSED CHANGES |
|----------------------------------|---|--|
| AG –LARGER THAN 20 ACRES | | |
| Use by Right | One (1) single-family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel. | One (1) single-family residence <u>dwelling (site built or manufactured home on a permanent and engineered foundation, but not a mobile home)</u> per parcel <u>lot</u> . ¹ |
| | (Accessory) One (1) additional single-family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel used only for employees of the property owner (farm hands) or family members of the property owner in addition to the primary residence allowed by paragraph (B) of this section. | One (1) additional single-family residence <u>dwelling (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel used only for employees of the property owner (farm hands) or family members of the property owner in addition to the primary residence allowed by paragraph (B) of this section.</u> |
| Conditional Use | Additional living units on permanent and engineered foundations not allowed as uses-by-right. Not to exceed four (4) per parcel. | Additional <u>Up to two (2) additional living dwelling units on permanent and engineered foundations not allowed as uses-by-right. Not to exceed four (4) per parcel.</u> |
| | Mobile homes used for any purpose including primary or accessory residences (one mobile home per parcel). | Mobile homes used for any purpose including primary or accessory residences (one mobile home per parcel). |
| AG - 20 ACRES AND SMALLER | | |
| Use by Right | One (1) single family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel. | One (1) single family residence <u>dwelling (site built or manufactured home on a permanent and engineered foundation, but not a mobile home)</u> per parcel <u>lot</u> . |

¹ Lot is defined as follows: A parcel of real property, as shown with a separate and distinct number or letter on a plat recorded in the Morgan County Courthouse, or when not so platted in a recorded subdivision, a parcel of real property abutting upon or having clear legal access to at least one public street and held under separate ownership.

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION DRAFT FOR PUBLIC HEARING – 3.19.24

| ZONE DISTRICT | CURRENT ZONING – RESIDENTIAL USES | PROPOSED CHANGES |
|-----------------------------------|--|---|
| Conditional Use | Additional living units on permanent and engineered foundations not to exceed one (1) per parcel. | Additional <u>One additional dwelling unit living units on permanent and engineered foundations not to exceed one (1) per parcel</u> |
| | Mobile homes used for any purpose including primary or accessory residences (one mobile home per parcel). | Mobile homes used for any purpose including primary or accessory residences (one mobile home per parcel). |
| AG – REGARDLESS OF ACREAGE | | |
| Special Use | Two-family dwelling, as the only residential structure, site built or manufactured on a permanent and engineered foundation (one per parcel). Each unit must be served by its own septic and water supply unless under common ownership. | Two-family dwelling, as the only residential structure, site built or manufactured <u>home</u> on a permanent and engineered foundation (one per parcel) . Each unit must be served by its own septic and water supply unless under common ownership. |
| AG-BUSINESS | | |
| Use by Right | (Accessory Use) Living quarters for farm hands, employed on the farm, one single-family unit, (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) one per parcel. | Living quarters for farm hands, employed on the farm, one single-family unit, (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) one per parcel. |
| | (Accessory Use) One single family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel. | One <u>Two</u> single family <u>residence dwellings</u> (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per <u>lot</u> parcel. |
| Conditional Use | Mobile homes as a residence (one unit per parcel). | Mobile homes as a residence (one unit per parcel). |
| ESTATE RESIDENTIAL | | |
| Use by Right | Single-family house (one per parcel, site built). | Single family <u>house dwelling</u> , (one per lot parcel, site built). |
| Conditional Use | Manufactured home on permanent and engineered foundation. | Manufactured home on permanent and engineered foundation. |

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION DRAFT FOR PUBLIC HEARING – 3.19.24

| ZONE DISTRICT | CURRENT ZONING – RESIDENTIAL USES | PROPOSED CHANGES |
|-------------------------------------|--|---|
| Special Use | Mobile homes for any purpose. | Mobile homes for any purpose. |
| RURAL RESIDENTIAL | | |
| Use by Right | Single family house (one per parcel, site built). | Single family house-dwelling (one per lotparcel, site-built); No manufactured homes permitted as a use by right. |
| Conditional Use | Manufactured home on permanent and engineered foundation. | Manufactured home on permanent and engineered foundation <u>if no other dwelling unit is located on the lot.</u> |
| Special Use | Mobile homes as residences. | Mobile homes for any purpose. |
| RURAL COMMUNITY RESIDENTIAL | | |
| Use by Right | One (1) single-family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel. | One (1) single-family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home dwelling) per parcel lot. |
| Conditional Use | Multiple family dwellings – duplex and triplex only. | Multi- ple family dwellings – duplex and triplex only <u>up to three dwelling units</u> |
| | Mobile homes. | Mobile homes. |
| Special Use | Multiple family building in excess of three (3) units, apartment buildings, condominiums and town homes. | Multi- ple family building dwellings with more than three dwelling units in excess of three (3) units, including but not limited to apartment buildings, condominiums and town homes. |
| MODERATE DENSITY RESIDENTIAL | | |
| Use by Right | Two-family dwellings that are site built (one per parcel). | Two-family dwellings, that are site built (one per parcel lot). |
| | Multiple family subdivisions (lots or condominiums) platted according to requirements and procedures set forth in the Morgan County Subdivision Regulations. | Multiple family subdivisions (lots or condominiums) platted according to requirements and procedures set forth in the Morgan County Subdivision Regulations. |
| | Multi-family dwellings. | |

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES
MOBILE/MANUFACTURED HOME AMENDMENTS
PLANNING COMMISSION DRAFT FOR PUBLIC HEARING – 3.19.24

| ZONE DISTRICT | CURRENT ZONING – RESIDENTIAL USES | PROPOSED CHANGES |
|---|--|---|
| | Single-family dwellings and manufactured homes on permanent and engineered foundations (one per parcel). | Single-family dwellings and manufactured homes on permanent and engineered foundations (one per parcel <u>lot</u>). |
| HIGH DENSITY RESIDENTIAL | | |
| Use by Right | Multi-family dwellings. | |
| | Multiple family subdivisions (lots or condominiums) platted according to requirements and procedures set forth in the Morgan County Subdivision Regulations. | Multiple family subdivisions (lots or condominiums) platted according to requirements and procedures set forth in the Morgan County Subdivision Regulations. |
| Conditional Use | Single family dwelling (site built, one per parcel) | Single family dwellings (site built, one per parcel <u>lot</u>) |
| Special Use | Manufactured home on permanent and engineered foundation (but not a mobile home). | Manufactured home on permanent and engineered foundation (but not a mobile home). |
| COMMERCIAL | | |
| Use by Right | Mixed-use structures, where the residential portion of the use is located at the rear of the structure or on an upper floor. The residential portion must be less than 5,000 square feet and may only be a single-family dwelling. | |
| Conditional Use | Single-family dwellings (site built or manufactured home on a permanent and engineered foundation, but not a mobile home), one per parcel | Single-family dwellings (site built or manufactured home on a permanent and engineered foundation, but not a mobile home), one per parcel <u>lot</u> . |
| | Mixed-use structures, where the residential portion of the use is located at the rear of the structure or on an upper floor and is 5,000 square feet or more. The residential portion may be used for single-family or multi-family dwellings. | |
| Ag (regardless of size), Estate Residential, Rural Residential, Rural Community | Storage of mobile homes in excess of 14 days from notice to the planning administrator. | Storage of mobile homes in excess of 14 days from notice to the planning administrator. |

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES
 MOBILE/MANUFACTURED HOME AMENDMENTS
 PLANNING COMMISSION DRAFT FOR PUBLIC HEARING – 3.19.24

| ZONE DISTRICT | CURRENT ZONING – RESIDENTIAL USES | PROPOSED CHANGES |
|--|--|---|
| Conditional use | | |
| Commercial, Light Industrial Conditional Use | Storage of mobile homes in excess of 14 days from notice to the planning administrator, except for mobile home manufacturing and related businesses. | Storage of mobile homes in excess of 14 days from notice to the planning administrator, except for mobile home manufacturing and related businesses. |

PROPOSED SUBDIVISION REGULATION AMENDMENTS

Final Plat Drawing Amendments

Shared Access & Shared Wells

Amended Plat

2. Minor Subdivisions

8-140(B) - Lots - *Amend as follows:*

(B) Each new lot shall have access for ingress and egress to a public ~~street~~-right-of-way. Shared access is permitted provided it will not negatively impact the public health, safety and welfare and the owner(s) have executed a shared access acknowledgment. Only under very special circumstances will the County consider minor subdivisions having access through easements or private roads.

8-170 Procedure - *New Subsections (C), (D), and (E)*

(C) Proof of access in one of the following forms:

(1) Preliminary approval of new access to a County road from the County Road & Bridge Department,

(2) Documented previous approval of a current access to a County road from the County Road & Bridge Department.

(3) Approval of current or new access to a highway, if access is directly onto the highway, from Colorado Department of Transportation.

~~Documented proof of legal access if the subject property does not have direct contiguous access to a public road or street.~~

(D) If shared access is proposed, all owner(s) must submit a shared access acknowledgment.

(E) If a single well is proposed as the water supply to two or more lots and if permitted by the Department of Water Resources, a draft copy of a shared well agreement detailing the specifics for the responsibilities of the owners of the lots related to the shared well and any easements to access the well. All easements related to the shared well must be shown on the plat. The applicant must also submit proof from the Department of Water Resources that the well may be used for the number of lots proposed.

~~(F)~~ Any other special reports required by Staff or the Planning Commission.

~~(G)~~ Any proposed Subdivision Improvements Agreement.

3. Subdivision Exemptions

9-150 Application

(C) Proposal Summary – *New subsections 6 and 7*

(6) Proof of access in one of the following forms:

- (a) Preliminary approval of new access to a County road from the County Road & Bridge Department.
 - (b) Documented previous approval of a current access to a County road from the County Road & Bridge Department.
 - (c) Approval of current or new access to a highway, if access is directly onto the highway, from Colorado Department of Transportation.
- (7) If shared access is proposed, all owner(s) must submit a shared access acknowledgment.
- (E) Additional Application Materials – *Amend as follows*

Upon the determination of the Staff, the applicant may be required to submit the following additional materials with the application.

- (1) Proposed methods for joint use of common facilities and continued maintenance of ~~roads, driveways,~~ water sources, waste disposal facilities, and their associated easements, deeds and maintenance agreements as necessary. Any application proposing a well, as the water supply to the exempted parcel, which is shared by another parcel, the applicant shall submit a shared well agreement detailing the specifics for the responsibilities of the owners of the lots related to the shared well and any easements to access the well. All easements related to the shared well must be shown on the plat. The applicant must also submit proof from the Department of Water Resources that the well may be used for the number of lots proposed.

9-175 Post Exemption Action – Amend as follows

- (B) The Staff shall verify that proper signatures have been secured on the exemption documents. The Staff shall compare owners’ names with those on the title report supplied in accordance with Section 9-150 (3). If there is a difference identified by the Staff, then the Staff shall not proceed with recordation of the exemption until a new title commitment is received and ownership is confirmed by the Staff. ~~and associated documents until the Staff determines that the lien holders or mortgage holders or owners of surface or subsurface rights have been duly noticed as to the proposed exemption and shall have an opportunity to comment. Objections by these newly identified owners may result in the Staff requiring a review before the Board of County Commissioners.~~

4. Amended Plats

10-200(D)– Submission Requirements - New subsection 6

- (6) If shared access is proposed, all owner(s) must submit a shared access acknowledgment.

10-200 (G)(1)(f) – Review Criteria - Amend as follows

(f) The ~~approving resolution~~plat adequately renames or renumbers the lots in accordance with this Chapter.

5. Replats

10-400(D) – Submission Requirements – *New subsections 7 and 8*

(7) If shared access is proposed, all owner(s) must submit a shared access acknowledgment.

(8) If a single well is proposed as the water supply to two or more lots and if permitted by the Department of Water Resources, a draft copy of a shared well agreement detailing the specifics for the responsibilities of the owners of the lots related to the shared well and any easements to access the well. All easements related to the shared well must be shown on the plat. The applicant must also submit proof from the Department of Water Resources that the well may be used for the number of lots proposed.

NOTIFICATION

**NOTICE OF PUBLIC HEARING
MORGAN COUNTY PLANNING COMMISSION
APRIL 8, 2024 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 and Subdivision Regulations**:

- 1) **Zoning Amendments:** Amendments relating to Manufactured Homes.
- 2) **Subdivision Amendments:** Amendments relating to Manufactured Homes, shared wells and shared access.

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/85309555161>

Or Telephone:

Dial:

+1 719 359 4580 US

Webinar ID: 853 0955 5161

The proposed amendments are available for inspection at the Planning Administrator's Office, 231 Ensign Street, basement, Fort Morgan, Colorado, during regular office hours. At the time of hearing, opportunity will be given for public comment in support of or in opposition to the amendments.

Nicole Hay _____

Nicole Hay

Morgan County Planning Administrator

Published: March 23, 2024

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MORGAN COUNTY PLANNING COMMISSION
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COUNTY ADMINISTRATIVE BUILDING, 231 ENSIGN,
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/s/ Nicole Hay
Nicole Hay
Morgan County Planning Administrator

Published: March 23, 2024

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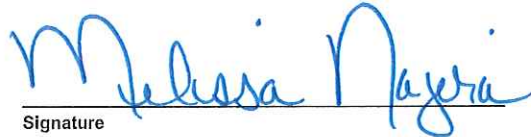
PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

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):

Mar 23, 2024


Signature

Subscribed and sworn to me before me this
25th day of March, 2024.


Notary Public

(SEAL)

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NOTARY PUBLIC
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