

ORDINANCE NO. 111

AN ORDINANCE AMENDING THE USES ALLOWED IN THE VARIOUS LAND-USE ZONES IN THE TOWN OF MEAD, ESTABLISHING A SPECIAL USE PROCESS FOR MOBILE HOMES AND AMENDING CERTAIN DEFINITIONS FOR LAND-USE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, WELD COUNTY, COLORADO.

SECTION 1. Section III (A) (1) of Ordinance 42 of the Town of Mead is repealed and reenacted to read as follows:

1. Single-family dwellings; Factory built housing as defined in Ordinance 42; Public schools, parks, playgrounds and recreational areas.

SECTION 2. Section III (A) of Ordinance 42 of the Town of Mead is amended by the addition of a new subparagraph 11 which shall read as follows:

11. Modular homes as defined in this Ordinance 42 subject to receiving a Special Use Permit and compliance with all terms of the Special Use Permit as set forth in Section X (G) of this Ordinance.

SECTION 3. Section X of Ordinance 42 of the Town of Mead is amended by the addition of a new paragraph G as follows:

G. Special Use Permit - Modular Home.

Modular homes as defined shall be allowed as a special use in the R-1 Zone in the Town of Mead provided a Special Use Permit is applied for and approved by the Board of Trustees. A Special Use Permit shall be granted an applicant provided each of the following conditions is met:

1. All requirements of the Mead Building Code are complied with.

2. The unit for which the application is made complies with the then current "Federal Manufactured Home Construction and Safety Standards" and proof of such compliance is produced for the Town by the applicant and also bears the insignia of approval of the Colorado Division of Housing.

3. All Zone District standards as set forth in Section IX of Ordinance 42 of the Town of Mead are complied with.

4. Each modular home shall have its own sewer tap, water tap and electrical hook-up.

5. No modular home shall be located in any area in the Town of Mead where private covenants prohibit such location.

6. Skirting, in addition to other requirements, shall completely enclose the area between the ground and the bottom of the modular home. In addition, the skirting shall naturally blend with the unit or shall be painted, textured or otherwise treated so that it does blend with the unit.

7. The applicant must appear for a public hearing for the Special Use Permit. The public hearing shall be advertised in a newspaper of general circulation in Mead at least once a minimum of ten (10) days prior to the hearing. If more than fifty percent of the landowners owning property within 100 feet of the premises upon which the unit is to be located protest the issuance of the Special Use Permit, the permit shall not issue unless at least four (4) Trustees, excluding the Mayor, vote in favor of issuance.

SECTION 4. Section XI of Ordinance 42 of the Town of Mead is amended by the addition of a new paragraph H which shall read as follows:

H. Mobile Home Uses.

Mobile home uses existing in the Town of Mead prior to May 1, 1983, shall be subject to the protection afforded by this Section XI subject to the following:

1. Lots used for mobile homes may continue to be used as such so long as any new mobile home situated thereon receives a Special Use Permit as set forth in this Ordinance 42.

2. All units located or relocated on a non-conforming lot after May 1, 1983, must comply with all zone district standards and all Special Use Permit standards with the exception of the lot size requirement if the lot size is not in conformance as of May 1, 1983.

3. Except as otherwise set forth in this paragraph H., mobile home usage shall be subject to all other provisions of Section XI.

4. All mobile home non-conforming uses shall terminate without further action on May 1, 2003.

SECTION 5. Section XVI of Ordinance 42 of the Town of Mead is amended by repealing and reenacting the definition of "mobile home" and adding the definition of "factory built housing" and "modular home."

"Mobile Home" means a structure, transportable in one section, which is eight body feet or more in width and is thirty-two body feet or more in length, and which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein, and bears the insignia of approval of the Division of Housing of Colorado, and has not been altered since receiving such approval.

"Modular Home" for purposes of this Ordinance shall mean a structure designed for residential occupancy, excluding a mobile home or factory built housing as defined herein; which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation, or assembly and installation on a building site; which bears the insignia of the Division of Housing of Colorado, and has not been altered since receiving the insignia of approval; is intended to be permanently installed on a building site; and is normally divided into two or more components for transportation.

"Factory Built Housing" for purposes of this Ordinance, shall mean any structure designed for residential occupancy, excluding a mobile home or a modular home as defined herein, which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation, or assembly and installation, on a building site and which bears the insignia of the Division of Housing of Colorado, and has not been altered since receiving the insignia of approval.

SECTION 6. All Ordinances, resolutions, and motions of the Board of Trustees of the Town of Mead or parts thereof, in conflict with the provisions of this Ordinance, are to the extent of such conflict hereby superseded and repealed.

SECTION 7. The sections of this Ordinance are hereby declared to be severable, and if any section, provisions, or part thereof

shall be held unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance would have been adopted even if such unconstitutional or invalid matter had not been included therein. It is further declared that if any provision or part of this section, or the application thereof to any person or circumstances, is held invalid, the remainder of this Ordinance and the application thereof to other persons shall not be effected thereby.

In the opinion of the Board of Trustees of the Town of Mead, Weld County, Colorado, this Ordinance is necessary for the immediate protection and preservation of the public health, safety, convenience, and general welfare, and it is enacted for that purpose and shall be in full force and effect after its passage and final publication.

Approved, adopted, and ordered published by the Board of Trustees of the Town of Mead, on the 28th day of April, 1983.

Craig P. Peterson
Mayor Pro Tem

ATTEST:

Sara M. Brazan
Town Clerk