

**CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1383, SERIES 2020**

**AN ORDINANCE AMENDING RELATED PORTIONS OF THE WOODLAND PARK
MUNICIPAL CODE INCLUDING TITLE 16 MOBILE HOMES, TITLE 18 ZONING, AND
TITLE 20 FLOOD DAMAGE PREVENTION REGULATIONS**

WHEREAS, the City of Woodland Park has become aware of several potential inconsistencies and incongruences in the Woodland Park Municipal Code in regards to allowing multiple detached single-family residential dwelling units in the Multi-Family Residential-Suburban District (MFS) and the Multi-Family Residential-Urban District (MFU) on a single property without subdivision; and

WHEREAS, the City Council finds, determines and declares that it is necessary to make amendments to Titles 16, 18 and 20 to the City of Woodland Park Municipal Code to provide for the orderly development of property within the City of Woodland Park; and

WHEREAS, the 2010 Comprehensive Plan Land Use and Growth Objective 1.2 encourages the City to evaluate regulations and requirements so that they are easy to use and understand, enforceable through prompt and fair procedures, and consistent with the Comprehensive Plan; and

WHEREAS, in order to effectuate an adequate public comment timeframe and process for the necessary Municipal Code amendments, the City Council enacted a nine month moratorium in effect until July 23, 2020 and extended the moratorium for another six months to January 2, 2021 for accepting applications to develop more than one detached single-family residential dwelling unit in the MFS and MFU zones (Ordinance No. 1354, Series 2019 and Ordinance No. 1379. Series 2020, and

WHEREAS, the Planning Commission and City Council held public hearings on August 27, 2020 and November 19, 2020 respectively and deems it to be in the City's best interest to proceed with code amendments while the moratorium is in effect; and

WHEREAS, the City Council finds, determines and declares that it is in the best interests of the citizens of Woodland Park to update Titles 16, 18 and 20 of the Municipal Code.

NOW, THEREFORE, THE CITY OF WOODLAND PARK, COLORADO, ORDAINS:

Section 1. The following sections of the Municipal Code in Title 16 Mobile Homes are amended to read as follows:

16.04.020.B. "HUD Code" means the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC Section 5401, et seq., as amended.

16.04.020.C. "Manufactured (HUD) home" means a preconstructed building unit or combination of preconstructed building units that:

- a. Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- b. Is designed for residential occupancy in either temporary or permanent locations;
- c. Is constructed in compliance with the HUD Code (i.e., HUD homes with a red label constructed on or after June 15, 1976);
- d. Does not have motor power; and
- e. Is not licensed as a recreational vehicle.

16.04.020.D. "Modular factory-built residential structure or modular" means a manufactured home constructed to the building codes adopted by the State Housing Board and City of Woodland Park Municipal Codes Title 15. Modular factory built structures are designed to be installed on a permanent foundation, and does not include any home constructed in compliance with the HUD Code or designed as a mobile home. A factory built residential structure is also known as a modular home

16.04.020.E. "Mobile home" means a manufactured home built prior to the implementation of the HUD Code on June 15, 1976.

16.04.020.F. "Mobile home park" or "Manufactured (HUD) home park" means any lot or a parcel of land for the location and habitation of mobile homes and manufactured HUD homes regardless of whether or not a charge is made for each or any mobile home upon the parcel. Zoning Section 18.09.090.N.8. limits mobile homes and/or manufactured (HUD) homes to the Mobile Home Park (MHP) zone.

[Re-numerate the remaining definitions in 16.04.020.]

Section 2. The following sections of the Municipal Code in Title 18 Zoning are amended to read as follows:

18.06.038.a. "Attached" means, when used to describe dwelling units, dwelling units that are within the same building; e.g., duplex, tri-plex, four-plex, townhouses or apartment buildings. Dwelling units connected only by decks, porches, carports, or features not structurally integral to the dwelling units are not attached.

18.06.159. "Dwelling or residence, single-family" means a building containing only one dwelling unit and, if permitted in accordance with §18.33.135, one accessory dwelling unit.

18.06.160. "Dwelling or residence, two-family" means a building containing two attached dwelling units, commonly referred to as a duplex.

18.06.170. "Dwelling or residence, multi-family" means a building containing more than two attached dwelling units.

18.06.270. "HUD Code" means the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC Section 5401, et seq., as amended.

18.06.307. "Manufactured (HUD) home" means a preconstructed building unit or combination of preconstructed building units that:

- a. Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home;
- b. Is designed for residential occupancy in either temporary or permanent locations;
- c. Is constructed in compliance with the HUD Code (i.e., HUD homes with a red label constructed on or after June 15, 1976);
- d. Does not have motor power; and
- e. Is not licensed as a recreational vehicle.

18.06.320. "Mobile home" means a manufactured home built prior to the implementation of the HUD Code before June 15, 1976.

18.06.330. "Mobile home park" or "Manufactured (HUD) home park" means any lot or parcel of land used for the location and habitation of mobile homes and/or manufactured (HUD) homes regardless of whether or not a charge or leasing fee is made for each or any mobile home upon the parcel. Zoning Section 18.09.090.N.8 limits mobile homes and/or manufactured (HUD) homes to the Mobile Home Park (MHP) zone.

18.06.333. "Modular factory-built residential structure" means a manufactured home constructed to the building codes adopted by the State Housing Board and City of Woodland Park Municipal Codes Title 15. Modular factory built structures are designed to be installed on a permanent foundation, and does not include homes constructed in compliance with the HUD Code or designed as a mobile home. Factory built residential structures are also known as a modular home.

18.06.405. "Recreational park trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters of no more than 180 days for recreational, camping, or seasonal use that is built on a single chassis mounted on wheels. Recreational park trailers are typically constructed in compliance with applicable American National Standards Institute (ANSI) standard A 119.5. Recreational park trailers are only allowed in recreational vehicle parks and/or campgrounds.

18.06.410. "Recreational vehicle" means a vehicle which is manufactured, constructed, or equipped primarily for use as a self-propelled home, house car, or mobile living quarters, capable of being legally operated on the highways, and containing permanently installed essential living facilities for intermittent or short-term occupation of no more than 180 days. This term shall not include any towed utility trailer, nor shall it include any vehicle defined in the license and registration laws as an automobile or passenger bus.

18.06.420. "Recreational vehicle park" means a lot or parcel of land designated for legal use as a campground and/or recreation vehicle park on which two or more recreational vehicles, camping trailers, recreational park trailers or campers, are parked, or any zoning lot or parcel of land on which unoccupied recreational vehicles, camping trailers, recreational park trailers or campers, whether new or used, are parked for the purposes of inspection, sale, storage or repair.

18.09.010. – Designated.

The city is divided into the following districts:

- A. SR - Suburban residential
- B. UR - Urban residential district
- C. MFS - Multi-family residential suburban district
- D. MFU - Multi-family residential urban district

18.09.090. TABLE OF PERMITTED USES

N. Residential Dwelling Units	SR	UR	MFS	MFU	MHP		NC	CC	SC	CBD	HSC/ LI
1. One Single-family dwelling unit on a single platted lot (For Ag district refer to Section 18.17.050)	P	P			P						
2. Clustered Residential Development (subject to 18.33.125)	PC	PC									
3. Two-family dwelling units (i.e., duplex) subject to Chapter 17.32 - Condominiums and Townhouses except for rental buildings (i.e., single ownership apartments).			C	C							

N. Residential Dwelling Units (continued)	SR	UR	MFS	MFU	MHP		NC	CC	SC	CBD	HSC/ LI
4. Multi-family-dwelling units (3+units) subject to Chapter 17.32- Condominiums and Townhouses except for rental buildings (i.e., single ownership apartments).			C	C			C	C	C	C	
5. Apartment building(s) on a single lot.			C	C			C	C	C	C	
6. One or two dwelling units (duplex) per existing platted lot within a single structure in a commercial zone of NC, CC and CBD commercial zone (subject to 18.33.127)							PC	PC		PC	
7. Accessory Dwelling Unit as defined in Section 18.06.016 and subject to 18.33.135	PC	PC					PC	PC		PC	
8. Manufactured (HUD) homes and mobile homes (pre-1976) in an existing or approved mobile home park in accordance with Title 16.					P						

18.14.005. Purposes (MFS): This land use designation is intended to accommodate attached residential dwelling units with residential density levels higher than SR and UR districts. The maximum density of these dwelling units shall be eight dwelling units per acre. These areas shall be fully served by municipal water and sewer and be located in areas that can accommodate projected impacts concerning traffic, pedestrian access, parks, schools, commercial centers and places of employment.

18.15.005. Purposes (MFU). This land use designation is intended to accommodate attached residential dwelling units with residential density levels higher than SR, UR and MFS districts. The maximum density of these dwelling units shall be twenty dwelling units per acre. These areas shall be fully served by municipal water and sewer and be located in areas that can accommodate projected impacts concerning traffic, pedestrian access, parks, schools, commercial centers and places of employment.

Section 3. The following sections of the Municipal Code Title 20 Flood Damage Prevention Regulations are amended to read as follows:

20.02.005. Generally. All words and phrases defined in this chapter shall be deemed specific to this title, Flood Damage Prevention Regulations, and shall not be interpreted to apply to other titles found in this Code. Unless specifically defined in this chapter, words or phrases used in this title shall be interpreted so as to give them the meaning they have in common usage and to give this title its most reasonable application.

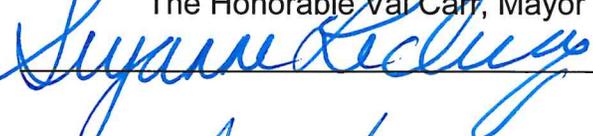
Section 4. Savings Clause. Should any article, section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the balance of this Ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from after its publication as required by law.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS 19th DAY OF November, 2020


The Honorable Val Carr, Mayor

Attested by City Clerk Suzanne Leclercq



Approved as to form by City Attorney Jason Meyers

