

# ORDINANCE NO. 1305

## AN ORDINANCE OF THE CITY COUNCIL OF FORT MORGAN, COLORADO, AMENDING THE ALLOWED USES OF BLOCKS 7, 8 AND BLOCK 10 OF THE OLD FORT ADDITION IN THE CITY OF FORT MORGAN CURRENTLY ZONED AS “PLANNED UNIT DEVELOPMENT” (PUD)

**WHEREAS**, the City of Fort Morgan, Colorado (the “City”) has been duly organized and is validly existing as a home rule city under Article XX, Section 6 of the Colorado Constitution and the City Charter; and

**WHEREAS**, a Planned Unit Development is a land area within which lots, structures, densities, and land uses may be established by the City Council in conformity with an approved plan for the entire tract of land area; and

**WHEREAS**, a Planned Unit Development departs from conventional planning and development to facilitate socially desirable objectives and meet community needs for various types of land, housing, commercial, and other uses not otherwise feasible under conventional zoning; and

**WHEREAS**, in 2003, Fort Morgan Community Hospital Association (“FMCHA”) applied and successfully received a Planned Unit Development for Blocks 7, 8 and 10 of the Old Fort Addition through Ordinance 979; and

**WHEREAS**, as the City has grown, the need for additional space for day care facilities has grown; and

**WHEREAS**, the Planning Commission has reviewed and recommended approval of additional uses permitted within the same zones set forth after a public meeting held on November 25, 2024; and

**WHEREAS**, a public hearing was held in front of the City Council on January 7, 2025; and

**WHEREAS**, the City Council finds it desirable and appropriate, and in the best interest of the general health, safety, and welfare of its residents to change the allowed uses within the existing Planned Unit Development.

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, AS FOLLOWS:

**Section 1.** The foregoing recitals are hereby incorporated as conclusions, facts, determinations, and findings by the City Council.

**Section 2.** The proposed amendments to the Planned Unit Development are authorized as follows:

**A. Uses Permitted**

1. The acceptable uses for the above-described property shall be all the uses presently provided for in the "R-2: Residential District," under the same limitations and conditions specified for such District, except as hereinafter modified.
2. Hospital and hospital ancillary uses, including, but not limited to inpatient and outpatient services, home care services, library resource center, mobile imaging and testing equipment, medical gas storage, hospital retail space (Gift Shop), and hospital food service (Cafeteria).
3. Helipad.
4. Medical and Dental Clinics, specifically including a Medical Office Building.
5. Chapels and Churches.
6. Day Care Centers, for hospital, ancillary, and community use.
7. Extended Care Centers, Rest Homes, Convalescent Homes and Nursing Homes.
8. Identification signs shall be limited to signs that are for the identification of a business located on the premises. The total area of all signs displayed by any one business shall not exceed one square foot of sign surface for each three lineal feet of lot frontage of the lot upon which such business is located and shall not exceed one-hundred (100) square feet of surface area for any one sign.
9. Temporary modular office buildings.

**B. Minimum Lot Area**

1. Single-family dwelling and other permitted uses - 5000 square feet;
2. Two-family dwelling - 6000 square feet.

**C. Minimum Lot Width**

1. Residential dwelling - None required.
2. All other permitted uses - 50 feet.

**D. Minimum Front Yard**

All new buildings - 25 feet.

#### **E. Minimum Side Yard**

1. All buildings closer than 75 feet from the front property line - 5 feet;
2. Accessory Buildings - no side yard required; provided such buildings are located at least 75 feet from the front property line and 10 feet from any existing dwelling located on any other lot.
3. All other permitted uses - None required.

#### **F. Minimum Rear Yard**

1. Residential dwellings - 25 feet;
2. Accessory buildings - 3 feet, except where a garage is entered from an alley in any manner except parallel to the property line of said alley, in which case 10 feet shall be required;
3. All other permitted uses - None required.

#### **G. Minimum Floor Area (Excluding Basement)**

1. Single-family dwelling - 700 square feet;
2. Two-family dwelling - 500 square feet per unit.

#### **H. Minimum Off-Street Parking Requirements**

For each non-residential permitted use - one space for every 250 square feet of floor area to be located within 300 feet of the principal building. During construction of the Medical Office Building, the Applicant shall provide as many off-street parking spaces as existed prior to construction of the Medical Office Building. All parking lots shall be surfaced with brick, concrete or asphalt, or gravel or crushed stone, and shall be properly drained.

#### **I. Removal of Temporary Structures**

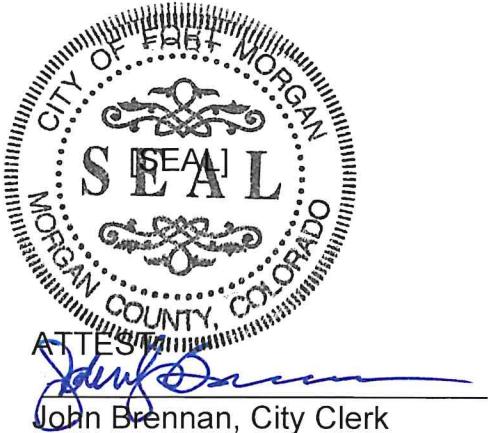
Any temporary structures which are erected or placed upon the property of the Applicant during the construction of the Medical Office Building must be removed therefrom by **January 1, 2005**.

#### **J. Consent of Property Owners**

Prior to final passage of this Ordinance, the Applicant shall present written consent by all property owners in Block 10 to this change of zoning as requested by the Applicant

**Section 3. Severability.** The provisions of this ordinance are severable and the invalidity of any section, phrase, clause, or portion of the ordinance as determined by the court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

INTRODUCED, READ, AND ADOPTED ON FIRST READING AND ORDERED PUBLISHED ON THE 3<sup>rd</sup> DAY OF DECEMBER, 2024.



ATTEST:

John Brennan, City Clerk

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

Kevin Lindell, Mayor

PASSED, APPROVED, AND ADOPTED ON THE SECOND AND FINAL READING AND ORDERED PUBLISHED THIS 7th DAY OF JANUARY, 2025.



ATTEST:

John Brennan, City Clerk

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

Kevin Lindell, Mayor

STATE OF COLORADO )  
COUNTY OF MORGAN )ss. CERTIFICATE  
CITY OF FORT MORGAN )

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing Ordinance No. 1305 was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan,

Colorado, on the 3<sup>rd</sup> day of December 2024. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 12<sup>th</sup> day of December, 2024, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 7<sup>th</sup> day of January, 2025. Within five (5) days after its final passage, said Ordinance No. 1305 was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.



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John Brennan, City Clerk