

ORDINANCE NO. 1317

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF FORT MORGAN, COLORADO CHANGING THE ZONING DESIGNATION OF SPECIFIED LANDS WITHIN THE CITY FROM “R-2: MEDIUM DENSITY RESIDENTIAL” TO “PLANNED UNIT DEVELOPMENT” AND AMENDING THE ZONING CODE AND THE OFFICIAL ZONING DISTRICT MAP TO THAT EFFECT

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;

WHEREAS, The Bijou Subdivision was annexed and zoned R-2: Medium Density Residential on February 3, 2015 with Case 14-018;

WHEREAS, Acadia Farms, LLC, has requested The Bijou Subdivision be rezoned to Planned Unit Development (PUD) consisting of a mixture of residential units including single-family detached homes, single-family attached homes (duplexes/townhomes), and related public improvements:

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 or land area;

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;

WHEREAS, the Planning Commission has reviewed and recommended approval of the zoning changes hereinafter set forth after a public meeting held on August 11, 2025;

WHEREAS, the first reading of the rezoning ordinance was before City Council on September 2, 2025 and a second reading and public hearing was held in front of City Council on September 16, 2025;

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 zoning designation of specified lands within the City for the purpose of authorizing the proposed 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 Planned Unit Development is authorized as follows:

1. Uses:

- a. R-2: Single Family Attached Garage (SFA), Single Family Detached Garage (SFD) and Duplexes/Twin Homes are all permitted Use by Right without Special Use

2. Residential Minimum Lot Area:

- a. SFA 2 & 3 Car Garage (Front Load): 5,000 square feet
- b. SFA/D 2 & 3 Car Garage (Side Load): 6,000 square feet
- c. SFD 1 & 2 Car Garage (Rear Load): 4,000 square feet
- d. Duplex/Twin Home, 1 & 2 Car Garage (Front Load): 3,250 square feet
- e. Duplex/Twin Home, Corner Lot 2 Car Garage (Front Load): 3,250 sq. ft.

3. Residential Minimum Lot Frontage:

- a. SFA 2 & 3 Car Garage (Front Load): 50 feet
- b. SFA/D 2 & 3 Car Garage (Side Load): 45 feet
- c. SFD 1 & 2 Car Garage (Rear Load): 40 feet
- d. Duplex/Twin Home, 1 & 2 Car Garage (Front Load): 30 feet
- e. Duplex/Twin Home, Corner Lot 2 Car Garage (Front Load): 45 feet

4. Residential Setbacks: The setbacks for the Residential Building Envelopes as The Bijou Subdivision shall be:

Minimum Front Yard:

- a. SFA 2 & 3 Car Garage (Front Load): 25 feet
- b. SFA/D 2 & 3 Car Garage (Side Load): 15 feet
- c. SFD 1 & 2 Car Garage (Rear Load): 15 feet
- d. Duplex/Twin Home, 1 & 2 Car Garage (Front Load): 25 feet
- e. Duplex/Twin Home, Corner Lot 2 Car Garage (Front Load): 25 feet

Minimum Side Yard:

- a. SFA 2 & 3 Car Garage (Front Load): 5 feet
- b. SFA/D 2 & 3 Car Garage (Side Load): 5 feet
- c. SFD 1 & 2 Car Garage (Rear Load): 5 feet
- d. *Duplex/Twin Home, 1 & 2 Car Garage (Front Load): 5 feet
- e. *Duplex/Twin Home, Corner Lot 2 Car Garage (Front Load): 5 feet

*Duplex/Twin Home common wall will be adjoined by a conforming firewall in accordance with the then applicable building codes of the City of Fort Morgan.

**if not outlined above, standards for the residential development shall be the same as the requirements for R-2.

5. Residential Parking:

- a. Single Family: Two spaces per dwelling unit
- b. Duplex/Twin Home: Two spaces per dwelling unit

6. Maximum Building Height, Residential:

- a. Single Family: Two Stories
- b. Duplex/Twin Home: Two Stories

7. Other Requirement: Uses Permitted, Special Review Uses, and Minimum Floor Area and Design Standards for the residential development shall be the same as the requirements for R-3: Residential District (High Density), Zoning and Land Use Code for the City of Fort Morgan, Colorado, Current Edition.

8. Lighting: All lighting for public roadways and public parking shall be installed by Developer but supplied power by the City of Fort Morgan. If new light poles or lighting systems that differ from the City of Fort Morgan standard inventory are provided and installed by the Developer, the Developer will supply the City of Fort Morgan with an inventory for repair and or replacement of such. This inventory supplied by the developer shall be the amount of 5% of the fixtures/pols installed by not less than 2 of each.

9. Covenants: Developer shall prepare and record appropriate restrictive covenants for The Bijou Subdivision.

10. Garages: Detached garages shall be permitted with all uses and be compatible with the principal building architecture.

11. Open Space: A minimum of twenty percent (20%) of the total Planned Unit Development area shall be devoted to open air recreation or other usable open space (public and quasi-public).

12. Zoning Change: The Zoning Code for the City of Fort Morgan and the Official Zoning District Map of the following described land in the City of Fort Morgan, Colorado be amended to change the zoning designation of said land from R-2:

Medium Density Residential to Planned Unit Development for The Bijou Subdivision, which is legally described as follows:

Legal Summary: S 07 T 3 R 57 Parc SW1/4 S & W of Ft Morgan Canal EX B818 P579, B1192 P557 & R883711

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 a 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 2nd DAY OF SEPTEMBER, 2025.



ATTEST:

A handwritten signature of Jill Curtis in blue ink.

Jill Curtis, City Clerk

THE CITY COUNCIL OF THE CITY OF FORT
MORGAN, COLORADO

A handwritten signature of Kevin Lindell in blue ink.

Kevin Lindell, Mayor

PASSED, APPROVED, AND ADOPTED ON THE SECOND AND FINAL READING AND
ORDERED PUBLISHED THIS 16th DAY OF SEPTEMBER, 2025.



THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

A handwritten signature of Kevin Lindell in blue ink.

Kevin Lindell, Mayor

ATTEST:

A handwritten signature of Jill Curtis in blue ink.

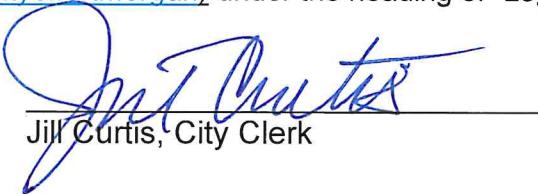
Jill Curtis, City Clerk

STATE OF COLORADO

COUNTY OF MORGAN)ss.
CITY OF FORT MORGAN)

CERTIFICATE

I, Jill Westhoff-Curtis, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1317** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 2nd day of September, 2025. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 3rd day of September, 2025 published on the City of Fort Morgan website (www.cityoffortmorgan) under the heading "Legal Notices". 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 16th day of September, 2025. Within five (5) days after its final passage, said **Ordinance No. 1317** was again published on the City of Fort Morgan website (www.cityoffortmorgan) under the heading of "Legal Notices".



Jill Curtis, City Clerk