

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB2

ORDINANCE NUMBER: 2018-2

TITLE: AN ORDINANCE AMENDING CHAPTER 16 OF THE BLACK HAWK MUNICIPAL CODE TO REGULATE MANUFACTURED HOMES AS PERMITTED BY FEDERAL LAW

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The City of Black Hawk Municipal Code, Section 16-24, is amended in part to read as follows:

"Manufactured home" means a structure on a permanent chassis, transportable in one or more sections, that, when erected on site, is three hundred twenty or more square feet; that is built and designed to be used as a dwelling when connected to the required utilities; that includes a plumbing, heating, air-conditioning, and electrical systems; and that has a federal certification label or tag permanently affixed to it pursuant to 42 U.S.C. §§ 5401, et seq., as may be amended from time. "Manufactured home" does not include any self-propelled recreational vehicle.

~~"Mobile home" means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to the required facilities, not including recreational vehicles or travel trailers.~~

~~"Mobile home lot" means a parcel of land for the placement of a single mobile home and the exclusive use of its occupants.~~

~~"Mobile home park" means a single parcel of land which has been planned and approved for the placement of mobile homes for nontransient use.~~

~~"Mobile home stand" means that part of an individual lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.~~

"Structure" means anything constructed or erected, the use of which requires location on or in the ground, including buildings, mobile manufactured homes, billboards, swimming pools or the like, or part thereof.

Section 2. City of Black Hawk Municipal Code, Chapter 16, Article IV, is amended in part as follows:

ARTICLE IV - Residential Districts

Division 1 Historic Residential (HR)

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Sec. 16-66. District development standards.

(a) All development shall be serviced by municipal or district water and sanitation systems.

(b) Accessory uses which are customarily incidental to the permitted principal uses shall represent less than thirty-five percent (35%) of the ground floor area on the lot.

(c) Garage doors which face toward a roadway must be set back at least eighteen (18) feet from the roadway.

(d) All residential dwellings, including without limitation manufactured homes, shall meet the following minimum requirements:

1. The dwelling dimensions shall not be less than twenty-four (24) feet wide nor less than thirty-six (36) feet long;

2. Installation of the dwelling shall be on a permanent foundation that has been certified by a professional engineer licensed by the State;

3. The exterior of the dwelling shall be wood, brick, or equivalent siding;

4. The dwelling's roof must be pitched 8:12 at a minimum;

5. The dwelling's primary entrance shall be oriented to the lot's front yard so as to face or abut a street; and

6. The dwelling must meet or exceed, on an equivalent performance engineering basis, the standards established by the International Building Code, International Residential Code, and the Uniform Code for Abatement of Dangerous Buildings as adopted in this Code. In determining the engineering basis, normal engineering calculations for testing following commonly accepted engineering practices, all components and subsystems of a manufactured home must meet or exceed health, safety and functional requirements to the same extent as other single-family dwellings as outlined in the International Residential Code. As an equivalent performance engineering standard for manufactured homes, snow loads shall meet the requirements as outlined in Chapter 3 of the International Residential Code, Section R301.2.

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Division 2 Rural Residential (RR)

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Sec. 16-72. District development standards.

(a) Development shall be located, sited and designed to be nonobtrusive and blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any distinctive natural features.

(b) Accessory uses which are customarily incidental to the permitted principal uses shall represent less than thirty-five percent (35%) of the ground floor area on the lot.

(c) All residential dwellings, including without limitation manufactured homes, shall meet the minimum requirements set forth in Section 16-66(d) of this Code.

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Division 3 Environmental Character Preservation (ECP)

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Sec. 16-78. District development standards.

(a) Development shall be located, sited and designed to blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features.

(b) Accessory uses which are customarily incidental to the permitted principal uses shall represent less than thirty-five percent (35%) of the ground floor area on the lot.

(c) All residential dwellings, including without limitation manufactured homes, shall meet the minimum requirements set forth in Section 16-66(d) of this Code.

Section 3. City of Black Hawk Municipal Code Section 16-162, is amended to read as follows:

(a) The purpose of the general development standards contained herein is to provide standards for general lot requirements; utilities; recreation vehicles; mobile homes and manufactured homes; nuisances, disturbances and emissions; geologic and environmental hazards; off-street parking, signage and landscaping; the organization and layout of buildings, parking areas and landscaped areas and guidelines on building design so as to promote the general health, safety and

welfare of residents of the community.

Section 4. City of Black Hawk Municipal Code, Chapter 16, is amended by the addition of a new Section 16-184, which shall read as follows:

Sec. 16-184. Recreation vehicles and trailers.

Except as permitted in the Environmental Character Preservation District, Low Intensity - Mixed Use District and Limited Industrial District, no recreational vehicle or construction and truck semi-trailers shall be used in any zoning district of the City for a dwelling unit, accessory building, storage, home occupation or other use permitted within any zoning district.

Section 5. City of Black Hawk Municipal Code, Chapter 16, Article IX, is repealed.

Section 6. City of Black Hawk Municipal Code, Section 16-367, is amended in part to read as follows:

Sec. 16-367. Nonconforming uses, structures, lots and parking.

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(b) Nonconforming uses.

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(3) The continuation of existing legal nonconforming uses shall be subject to the following conditions:

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b. Mobile homes ~~located in zone districts not permitting their use~~ not meeting the definition of "manufactured home" may continue to be used as a residential dwelling after the effective date of the ordinance codified herein, unless abandoned as a dwelling for a period of six (6) months or more.

Section 7. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 8. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a

court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 9. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 28th day of February, 2018.



David D. Spellman, Mayor

ATTEST:



Melissa A. Greiner, CMC, City Clerk

