



AGENDA
TOWN OF SUPERIOR
PLANNING COMMISSION MEETING
February 1, 2011
7:00 p.m.
BOARD ROOM

- 1) Call to Order
- 2) Roll Call
- 3) Public Comment on Consent Agenda and Non-Agenda Items (5 minutes per person)
- 4) Consent Agenda
 - a) Approval of the September 21, 2010 minutes
- 5) Discussion regarding Chapter 16 of the Superior Municipal Code – Mobile Homes
- 6) Staff Announcements/ Miscellaneous
- 7) Adjournment

**TOWN OF SUPERIOR
PLANNING COMMISSION**

MINUTES OF SEPTEMBER 21, 2010

The Planning Commission for the Town of Superior met in a regular meeting on September 21, 2010 at the Town Hall, 124 E. Coal Creek Drive, Superior, Colorado.

CALL MEETING TO ORDER

Chairperson John Cracraft called the meeting to order at 7:00 p.m. and asked for the reading of the roll.

CALLING OF THE ROLL

Present: Chairperson John Cracraft; Vice-Chairperson Kraig Prestesater, Commissioners Ian Elverson; Clint Folsom, Phyllis Hardin, Bob McCool, James MacInnis, Tom Ricker; Town Planner Fred Fox; Staff Matt Magley; Attorney Christine Stretesky. Absent: Commissioner Rochelle Rittmaster,

PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS

There were no comments.

CONSENT AGENDA

Commissioner McCool said he had a couple of corrections to the May 4, 2010 meeting. Page 3 – the word should be “stripped” instead of “striped” and on Page 5 the word “preview” should be “prevue”. Commissioner Prestesater moved to approve the minutes of the May 4, 2010 meeting with those changes. Seconded by Commissioner Ricker. Ayes – 7 (Ricker, Prestesater, Cracraft, MacInnis, Folsom, Hardin, McCool). Abstain – 1 (Elverson). Absent – 1 (Rittmaster). Motion carried.

Commissioner Prestesater moved to approve the Consent Agenda Item #4 b (Minutes of September 21, 2010 meeting). Seconded by Commissioner McCool. Ayes – 6 (Ricker, Prestesater, Cracraft, MacInnis, Folsom, McCool). Abstain – 2 (Hardin, MacInnis). Absent – 1 (Rittmaster). Motion carried.

NEW BUSINESS: PUBLIC HEARING AND APPROVAL OF THE CLEAR WIRELESS FINAL PLAT SITE PLAN

Chairperson Cracraft opened the public hearing. Proof of publication was submitted. Matt Magley, Assistant Town Manager gave a brief introduction. This hearing is for a Final Plat Site Plan within the Rock Creek Planned Unit Development for a Clear Wireless communication

antenna. If approved it would be located in Community Park between the ball field and the Williams Turf field. The applicant is present to make a brief presentation.

Matt Schuster 1234 E. Bryan Ave., Salt Lake City, UT, representing Clear Wireless on their proposed application, gave a presentation. His comments were as follows:

- Clearwire proposes a wireless communication facility, which is an unmanned facility, to build a stealth tower in Community Park which will include three (3) RF panel antennas and one (1) backhaul antenna.
- The Clearwire mission is to empower a smarter, more connected world with the fastest, most cost-efficient, and highest capacity 4G network – enabling people everywhere to have the magic of the Internet with them all of the time.
- They have a Network of Networks. They have relationships with Sprint, Intel, Google and other companies. Sprint is the majority shareholder in the company.
- This is the largest 4G network in the country right now. Clearwire is doing a national launch across the nation in all the major metropolitan areas and will fill in the gaps from there.
- They cover over 60 million people and expect to double that by the end of 2010.
- The tower is similar to wireless cell phone towers but this is for wireless internet.
- Their plan is to install a pole in Community Park and install a 10x10 equipment cabinet that is enclosed, on space leased from the Town.
- He showed photo syms of what the tower would look like as well as well as what the equipment would look like.
- They always try to blend in as much as possible and they try to co-locate as much as possible.

Discussion by the Planning Commission. Chairperson Cracraft asked if they could add a co-locate with additional providers on this pole. Mr. Schuster said theoretically they could as long as that worked for their network. Since this is just a 42' pole they will take the 10' at the top for their equipment and anyone else would be below that. Chairperson Cracraft asked if the Town would allow other antenna equipment to be mounted on the exterior and was told that was not a condition. Discussion.

Some of the other comments are as follows:

- They won't need to service the interior of the tower. The only access typically is to the base equipment and that would be as needed if something comes up.
- The tower will be painted to match the existing field lights and the equipment cabinet will be built behind an existing building using the same materials so as to blend in.

Matt Magley said Staff has structured a lease agreement with Clearwire for a 10x14 space for the equipment. The lease agreement includes monthly payments of \$2,000 with a 5% escalator every year. It is a 5 year term and is renewable. The revenue generated is to be used for park maintenance. If the Planning Commission approves the Final Plat Site Plan the Board will finalize the lease agreement at their meeting on October 11, 2010.

Fred Fox, Town Planner, said a requirement was that Clearwire not exceed the 42' height limit which is the height limit for open space in Rock Creek. Matt Magley said Staff work with Clearwire to see if there were other co-location sites in Town that would work for them and the Town. This site was determined as the only site that would work for Clearwire.

Matt Magley said notification letters were sent out to residents with 500'. Those were the homes that back up to Community Park. No residents came in prior to this meeting but prior to the meeting that was cancelled a few months ago there was a resident that came in to look at the plans but didn't offer any comments.

Commissioner MacInnis asked why the 42' height limitation when there are poles higher than 42'. Fred Fox said this is a commercial installation and not a utility. It was felt Clearwire needed to conform to the height limit. Commissioner MacInnis wanted to know why Clearwire wasn't offered the opportunity to have a broader reach with the poles that they are putting up which would give the opportunity to co-locate others without necessarily having to take the pole down and put up a new one. He wanted to know why it wasn't made so it was functional for more than one. Mr. Magley said this application was done to meet the 42' height requirement. The Town cannot predict what provider may come forward in the future - there may be none and then there would be a taller pole that may not be needed. There was a discussion about whether there should have been the opportunity for a taller pole that other carriers could use.

There were no public comments. Chairperson Cracraft closed the Public Hearing.

Commissioner McCool moved to approve Resolution #PC-4-2010, A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF SUPERIOR APPROVING THE CLEAR WIRELESS FINAL PLAT SITE PLAN. Seconded by Commissioner Folsom. Ayes - 7 (Ricker, Elverson, Cracraft, Folsom, Hardin, McCool, Prestesater). Nays - 1 (MacInnis). Absent - 1 (Rittmaster). Motion carried.

REVIEW OF THE 2010 WORKPLAN

- Chapter 16 rewrite is done and is now being reviewed by the Town Board.
- Review and comment on proposed Green Building Standards for commercial building. Staff received the final version of the recommendations from the Boulder County Consortium. Staff is working on those and drafting the codes to incorporate into the Town's code. Once there is a finalized draft that will be brought forward to the Planning Commission. Mr. Magley said the Standards are not LEEDS certification - it doesn't reach that level. The idea was not to impact the businesses too greatly to where the cost was too much.
- Capital Improvement Projects as referred by the Town Board.
- Conoco Phillips Site Plans - Louisville is still waiting for the final plans from Conoco they are not expected to begin any development until 2013.
- Future Town Center plans - Town Board revisited the plans for the Town Center so new members could be introduced to the plans. There are no plans for any changes to

the original vision but there may be a future meeting with the consultant. Town Board knows that any developer would propose their own changes.

STAFF ANNOUNCEMENTS/MISCELLANEOUS

Matt Magley announced:

- The Town Board is looking at forming an Economic Development Committee and anyone interested is encouraged to apply.
- The Town Board is currently reviewing the 2011 budget.
- Resolute finalized an agreement with Hilton for a Homeward Suites Hotel. Resolute should be submitting their Final Plat Site Plans and/ or major subdivision plans soon. Mr. Magley said he didn't know whether Hilton would come forward with their Final Plat Site Plan at the same time or whether it would come soon afterwards.

Commissioner McCool asked if there was any word on the Ochsner property or 76th Street (Guardian Storage). Mr. Magley said Remington Homes (Ochsner) has 18 months to file their plans. They have completed their water studies but the Town has not received an application. Guardian Storage has three years, as they requested vested rights, and Staff met with them recently about some access issues off 76th Street and the adjoining one acre property to the north. They still feel it will be a year before construction would start. Discussion.

Mr. Magley said there is a vacancy on the Parks, Recreation, Open Space and Trails Advisory Committee. He said he thought there were also a couple of vacancies on the Recycling and Conservation Advisory Committee.

Commissioner Hardin said the meeting of November 2 falls on Election Day. If there is business that needs to be discussed on that date the meeting will be moved to either the Monday prior or Wednesday after.

Commissioner MacInnis announced his resignation from the Planning Commission. He will remain in his position until a replacement is found.

There was a short discussion regarding Vice Chairperson Prestesater remaining as Vice Chairperson. Commissioner MacInnis moved to have Vice Chairperson Prestesater remain the Vice Chairperson. Seconded by Commissioner McCool. Ayes – 8 (Ricker, Elverson, Cracraft, Folsom, Hardin, McCool, Prestesater, MacInnis). Absent – 1 (Rittmaster). Motion carried.

ADJOURNMENT

Chairperson Cracraft adjourned the meeting.



ITEM NO. 5

INFORMATION FOR MEETING OF THE SUPERIOR PLANNING COMMISSION

AGENDA ITEM: Discussion Regarding Chapter 16 of the Superior Municipal Code – Mobile Homes/Nonconforming Situations

MEETING DATE: February 1, 2011

PRESENTED BY: Matt Magley, Interim Town Manager
Fred Fox, AICP, Consulting Town Planner

PRESENTED FOR: Discussion

BACKGROUND:

During the Town Board discussion regarding the revised Chapter 16 - Land Use Code (LUC), Original Town resident George Kupfner requested that the Board consider making changes to the standards for mobile homes in Article XXIX. Rather than hold up the approval for the revised LUC, the Board directed staff to work with George Kupfner on potential revisions, which would then be reviewed by the Planning Commission and ultimately the Town Board.

At issue are current requirements found in Section 16-29-10 of the LUC regarding mobile homes on individual lots. Current requirements allow mobile homes to be placed on individually zoned lots that are not within the Residential Mobile Home (R-MH) zone district. The Town does not have any properties zoned R-MH. As a result, in order to place a mobile home in Town on an individual lot in a Residential Low (R-L) Density or Residential Medium (R-M) Density it must meet the requirements in Sect. 16-29-10 which are:

- 1) Mobile home is at least 24 feet wide and 36 feet long
- 2) It is placed on a permanent engineered foundation
- 3) It has a brick, wood, or other equivalent exterior siding and a pitched roof
- 4) It is certified by the "National Manufactured Housing Construction and Safety Standards Act of 1974"
- 5) It meets all special provisions adopted by the Town re: snow load, wind shear, and energy conservation

These requirements currently affect only those owners with property in Original Town, which have approved R-L or R-M zoning. All other residential properties in Town are included in an approved Planned Development (PD), which have specific requirements regarding allowed uses and do not allow for mobile home units.

There are approximately 21 mobile homes on individual lots in Original Town, which existed prior to the adoption of the current LUC, and therefore became legal nonconforming uses. There are 27 vacant lots in Original Town. The lots with existing mobile homes are uses that are legal nonconforming uses under Article III (Nonconforming Situations) of the LUC. Under the current requirements if a property owner wanted to either replace a mobile home with another mobile home or bring in a mobile home onto a vacant lot the owner would have to meet the five conditions under Sect. 16-29-10. The owner would not be able to simply place the mobile home on blocking and tie-downs as is typical with mobile homes.

The request from George Kupfner is that property owners that currently have mobile homes on lots in Original Town be allowed to replace the mobile home with another mobile home without having to meet the requirements under 16-29-10.

One way to accommodate this request would be to add language, which would provide an exception to Article III (Nonconforming Situations), and allow for the replacement of existing mobile homes with another mobile home without meeting the requirements in Section 16-29-10. This exception would not apply to zoned vacant lots or if a property owner decided to remove a mobile home and build a conforming structure. The Town would require that the replaced mobile home be removed from the Town within 45 days.

This item is on the agenda for general discussion by the Planning Commission and direction to staff regarding possible revisions, if any, to the LUC. Depending on direction of the Planning Commission, language revisions to the Code will be made and a Public Hearing scheduled before the Planning Commission.

RECOMMENDED ACTION: Discussion and provide direction to staff.

PROS:

- Allows flexibility for existing mobile home uses
- Number of potential lots affected is small

CONS:

- Temporarily delays the upgrade of mobile home uses to permanent structures and conformance

BUDGET IMPLICATIONS: None

BOARD FOLLOW-UP ITEMS: N/A

FEEDBACK FROM AFFECTED RESIDENTS: Received comments from Original Town residents requesting these changes are made.

ATTACHMENTS:

- LUC Sections – Mobile Homes and Nonconforming Situations
- Location Map
- Zoning Map

Sec. 16-27-30. Review at applicant's expense.

Should the Board of Trustees determine that its review of any application requires assistance or consultation with an independent consultant competent in the particular technical aspects involved in the application, the applicant shall be liable for the costs incurred by the Board of Trustees in obtaining such advice and assistance.

ARTICLE XXVIII

Subsidence Hazard Areas

Sec. 16-28-10. Purpose.

(a) Portions of the Town designated as being in subsidence hazard areas are underlain by abandoned coal mine workings. These areas are depicted on the "Subsidence Hazard Map" that is part of a report entitled "Coal Mine Subsidence and Land Use in the Boulder-Weld Coalfield, Boulder and Weld Counties, Colorado." A copy of the report and accompanying maps are available for inspection during regular business hours at Town Hall.

(b) Subsidence hazard areas are classified as "severe," "moderate" or "low," based on the probable relative severity of potential subsidence in any given area.

Sec. 16-28-20. Restrictions.

(a) An applicant for development in any subsidence hazard area shall have the burden to present evidence satisfactory to the Town that the improvements proposed shall be constructed in such a manner as to minimize the effects of the potential hazard conditions which may exist on the site.

(b) Such evidence shall be supported by applicable studies and recommendations conducted and prepared by a registered professional engineer or professional geologist competent in the field of soils and rock mechanics. Supporting information shall include but not necessarily be limited to the results of appropriate subsurface testing through core drilling or geophysical surveys.

ARTICLE XXIX

Mobile Homes

Sec. 16-29-10. Individual lots.

Mobile homes placed on individual platted lots in districts other than the R-MH zone district shall conform to the following criteria:

(1) The mobile home unit shall be no less than twenty-four (24) feet wide and thirty-six (36) feet in length.

(2) The mobile home unit shall be installed on a permanent, engineered perimeter foundation.

(3) The mobile home unit shall have a brick, wood or cosmetically equivalent exterior siding and a pitched roof.

(4) The mobile home unit shall be certified by the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. § 5401, *et seq.*, as amended.

(5) All special provisions adopted by the Town such as snow load, wind shear and energy conservation measures shall apply to mobile homes.

Sec. 16-29-20. Mobile home parks and subdivisions.

Mobile home parks may only be developed in the R-MH zone district. All removal or placement of mobile homes require a building permit.

Sec. 16-29-30. Exceptions.

(a) Existing mobile home parks. When a mobile home park was in existence in the Town on the effective date of this Chapter; or was annexed to the Town after the effective date, and such mobile home park complied with all applicable land use regulations then in effect, the mobile home park shall be legally nonconforming.

(b) Existing individual mobile homes not within a mobile home park. When any mobile home was in existence in the Town on the effective date of this Chapter, or was annexed to the Town after the effective date, and such mobile home complied with all applicable land use regulations and ordinances then in effect, the mobile home shall be considered to be legally nonconforming and shall not be subject to this Section.

Sec. 16-29-40. Mobile home subdivisions.

Applications for mobile home subdivisions shall adhere to all applicable requirements for mobile home parks, and shall also conform to the requirements and design standards for subdivisions. Should those requirements conflict, the stricter shall apply.

Sec. 16-29-50. Application.

The application shall contain the following information:

- (1) Name and permanent address of the applicant.
- (2) Location and legal description of the proposed mobile home park.
- (3) Topographic map of the proposed park showing entrances, exits, driveways, walkways, and the design and arrangement of the mobile home spaces and permanent structures.
- (4) Plans and specifications of the proposed buildings.
- (5) Additional information as may be required by the Manager.

Sec. 16-29-60. Development standards.

(a) All mobile home parks shall conform to the sanitary standards and regulations for mobile home parks, State Department of Health, as amended.

(b) The Planning Commission may aid its decision on design by criteria set forth in the "Mobile Home Court Developer's Guide," a U.S. Department of Housing and Urban Development (HUD) guide.

Sec. 16-29-70. Area requirements.

(a) The mobile park shall be located on a well-drained site, graded for rapid drainage and free from stagnant pools of water.

(b) Each mobile home shall be contained within a space or lot as specified in the R-MH district regulations.

(c) Within each space or lot allocated to a mobile home there shall be provided a mobile home stand for satisfactory placement of the mobile home and retention of the mobile home in the allocated space and have a satisfactory relationship to its surroundings.

(d) Mobile home stands shall have minimum dimensions equal to those of the mobile home to be placed on them.

(e) The space between the lower edge of the mobile home unit and the mobile home stand shall be completely enclosed with suitable and uniform material.

Sec. 16-29-80. Parking.

(a) There shall be at least two and one-half (2½) off-street parking spaces provided for each mobile home unit within the park. Of these, one-half (½) space per unit may be provided for guests in a common parking area.

(b) All parking surfaces shall be graveled or hard surfaced.

Sec. 16-29-90. Streets and access.

(a) The mobile home park shall have at least two (2) accesses to a public street or highway. No site within the park shall have direct vehicular access to a public street bordering the development.

(b) Mobile home spaces shall have unobstructed access to a public street or highway or private roadway.

(c) Paved streets at least twenty-two (22) feet in width shall extend from the existing street system as necessary to provide convenient access to each mobile home stand and to common facilities and uses. Private streets shall be permitted in a R-MH district.

(d) Roads or streets, whether public or private, shall be hard surfaced and constructed to Town specifications.

(e) Convenient access shall be provided to each mobile home stand by an access way at least fifteen (15) feet in width. Such access way shall be reserved for maneuvering mobile homes into position and shall be kept free of trees and other immovable objects, but need not be paved.

Sec. 16-29-100. Pedestrian access.

(a) Pedestrian walkways, at least two (2) feet in width and having an all weather surface, shall be provided for access to each mobile home from a paved street or driveway or parking area connected to a public street.

(b) Common walkways at least three (3) feet in width and having an all weather surface shall be provided for access to common facilities and uses from each mobile home group or cluster. Walkways through the interiors of blocks are preferable to walkways adjacent to streets.

Sec. 16-29-110. Utilities.

(a) Gas and electricity. Each mobile home space shall be provided with an electrical outlet supplying at least one hundred ten (110) volts and shall comply with the National Electrical Code and all applicable laws, rules and regulations.

(b) Water supply.

(1) Mobile home parks shall have all spaces on stands connected to the public water supply of the Town.

(2) The water distribution system shall be so constructed that no more than one (1) mobile home lot will be without water as a result of water service line breakage or repairs within the park.

(3) Water service lines, including valves, riser pipes and connections, shall be installed in compliance with the Uniform Plumbing Code. Every mobile home lot shall be provided with an individual water service pipe and riser pipe in conformance with the Uniform Plumbing Code. The riser pipe shall extend at least four (4) inches vertically above ground unless it is shielded by a riser protector and casement extending above ground and fitted with a lid. The riser shall terminate with two (2) threaded, valved outlets which provide connections for the mobile home water piping and for a garden hose. The mobile home water outlet shall be securely capped when a mobile home does not occupy the lot.

Sec. 16-29-120. Liquid waste disposal.

(a) Mobile home parks shall have all spaces or stands connected to an approved public sewer system serving the Town.

(b) The sewer service connection shall be equipped with standard screw, ring or clamp-type fittings or adapters so that watertight and tamper-proof connections can be obtained at the mobile home drain outlet and sewer riser pipe. The connection shall be of approved semi-rigid, noncollapsible, corrosion-resistant pipe having a smooth interior surface and an inside diameter of not less than three (3) inches.

(c) The sewer service connection shall be installed and maintained with a uniform grade not less than one-quarter (¼) inch per foot and shall be no longer than necessary to connect the mobile home drain and sewer riser pipe.

(d) When a mobile home does not occupy the mobile home stand, the sewer riser pipe shall be capped with a watertight cap or plug.

Sec. 16-29-130. Refuse disposal and recycling.

(a) The storage, collection and disposal of refuse and recycling shall be so constructed as to control odors, insects, rodents and other nuisance conditions.

(b) Durable, washable and nonabsorbent metal or plastic containers with tight-fitting lids shall be provided at each mobile home lot or at a central storage area conveniently located not more than two hundred (200) feet from any mobile home lot. Refuse containers shall be provided at a rate of at least one (1) thirty-gallon (4 cu. ft.) container for each mobile home lot or an equivalent storage capacity in centralized storage facilities. Centralized refuse

storage facilities shall provide recycling containers as per the policies of either the Town or the contracted trash disposal services.

(c) The number of containers used and the frequency of collection shall be sufficient to prevent over-filled containers. Refuse and recycling shall be routinely collected and removed from the premises not less than once weekly. Refuse and recycling shall be disposed of at a lawful disposal site in accordance with requirements of the Colorado Solid Waste Disposal Site and Facilities Act.

(d) Garbage, trash and recycling collection stations shall be screened from other activities by visual barriers such as fences, walls or natural growth.

Sec. 16-29-140. Service lines.

Utility service lines, including telephone lines and television signal cables, within the mobile home park, shall be installed underground.

Sec. 16-29-150. Setbacks.

(a) The minimum distance from the line or corner of any mobile home stand to private street pavement, common parking bay or common walk shall be ten (10) feet. Setbacks from public streets shall conform to R-MH district standards.

(b) The minimum distance from the line or corner of any mobile home stand to a boundary line of the mobile home park shall be twenty (20) feet.

(c) The minimum distance from the line or corner of any mobile home stand to any permanent building or structure for common use shall be twenty (20) feet.

(d) Permanent buildings and structures for common facilities and dwelling units other than mobile homes shall be set back from the mobile home park boundaries a minimum distance of twenty (20) feet.

(e) The minimum distance from the parking area on the lot or mobile home stand site to the side lot line shall be ten (10) feet.

(f) The minimum distance between mobile homes shall be twenty (20) feet.

Sec. 16-29-160. Common facilities and uses.

(a) Not less than thirty percent (30%) of the total land area of a mobile home park shall be devoted to space for common facilities and uses, such as a laundry, swimming pool or recreation and play areas.

(b) Laundry, recreation rooms, management offices and other common facilities may be consolidated in a single building if the single location will adequately service all mobile home units in a mobile home park.

Sec. 16-29-170. Storage.

(a) Tenant storage facilities shall be provided for materials which cannot be conveniently stored in a mobile home. A minimum of four hundred (400) cubic feet of storage space shall be provided for each mobile home unit.

(b) Storage facilities may be located adjacent to the mobile homes or in common compounds within a reasonable distance from the mobile homes. Storage facilities shall be

designed in a manner that will enhance the park and shall be constructed of suitable weather resistant materials appropriate under the use and maintenance contemplated.

- (c) No metal storage facility shall be allowed.

Sec. 16-29-180. Landscaping.

(a) Lawn and ground cover, which may include aggregates, shall be provided on all common ground areas except those covered by structures, paved or surfaced areas, and except those undisturbed areas, such as watercourses left in their natural state.

(b) Screen planting or fencing at least six (6) feet high shall be provided where necessary for screening purposes, such as around the mobile home park boundary lines, refuse and recycling collection points, common recreation areas and playgrounds, and at such other points as necessary for screening of objectionable views.

(c) A complete landscaping plan shall be submitted which shall show existing trees and shrubs which shall be maintained and new trees and shrubs which shall be planted. The plan shall include the size and type of planting proposed, their spacing and maintenance provisions.

Sec. 16-29-190. Tie-downs and blocking.

(a) Mobile homes shall be secured against wind damage by blocking and tie-downs.

(b) Blocking.

(1) Base. Piers shall be placed on footings of concrete with a minimum dimension of sixteen (16) by sixteen (16) by four (4) inches.

(2) Piers. Piers shall be one (1) or more eight-by-eight-by-sixteen-inch celled concrete block. Piers shall be placed over the footings with the long dimension cross ways to the main frame members and centered under them, with cells vertical. Pier heights shall be such that the mobile home will be located as close to the ground as possible.

(3) Spacing. Piers shall be provided under the main frame of the mobile home at intervals of not more than eight (8) feet. End piers shall be placed no more than five (5) feet from the extreme ends of the mobile home.

(4) Caps. Piers shall be topped with eight-by-sixteen-by-four-inch solid concrete.

(5) Shims. Hardwood shims shall be driven tightly between the cap and the main frame member to provide uniform bearing. They shall not be more than four (4) inches in thickness and of sufficient width to provide bearing.

(c) Ground anchorage. Tie pads or anchors may be used, tie pads being preferred.

(1) Tie pads construction. Concrete slab on grade over caissons containing stirrup ties of five-eighths ($\frac{5}{8}$) inch deformed reinforcing rod.

(2) Steel anchor construction. Five-eighths-by-five-foot steel anchors with closed eye driven to maximum depth is approved unless unstable soil conditions exist, as determined by the Building Inspector.

(d) Tie-downs. Each tie-down shall be constructed and installed for each mobile home as provided below:

Required Length of Mobile Home	Number of Ground Anchors	Required Tie-Down Sets
Up to 50 feet	4	2 sets
50 to 70 feet	6	3 sets
Over 70 feet	8	4 sets

(1) Number of tie-down slabs of concrete to correspond to length of mobile home with dimensions to be three (3) feet wide, four (4) feet long, one (1) foot thick and to be placed level with ground surface.

(2) Cables shall be galvanized or stainless steel one-quarter-inch diameter or larger (6 x 9 IWRC Wire Rope) or three-eighths-inch diameter or larger (6 x 7 Wire Rope).

(3) Turnbuckles shall be one-half-inch galvanized steel or larger "eye and eye" or "jaw and jaw" or "jaw and eye." No hook ends or open "eyes" are permitted. Turnbuckles shall be adjusted to draw the cables for tight anchorage.

(4) Cable (wire rope) ends shall be secured with at least two U clamps, faces opposed.

(5) Tie-down cables shall be placed so that they assume not less than a forty-five-degree angle from the footing of the piers and at an approximate right angle to the mobile home.

Sec. 16-29-200. Lighting.

Access roads and walkways within the mobile home park shall be lighted at night with a minimum illumination of at least six-tenths (0.6) foot-candle. Twenty-five (25) watt lamps at intervals of not more than one hundred (100) feet shall meet these requirements.

Sec. 16-29-210. Safety.

Each mobile home park shall be equipped at all times with fire extinguishing equipment in good working order, of such type, size and number and so located within the park as to satisfy applicable reasonable regulations of the Rocky Mountain Fire District. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.

(2) The hardship or poor land use of which the applicant complains is one suffered by the applicant alone and not by neighbors or the general public;

(3) The hardship claimed relates to the applicant's land, rather than personal circumstances;

(4) The hardship is unique and unusual or nearly so, rather than one shared by many surrounding properties;

(5) The hardship is not the result of the applicant's own actions;

(6) The variance requested is the minimum that will afford relief and the least possible modification of the requirements of this Chapter;

(7) The variance will neither result in the extension of a nonconforming situation nor authorize the initiation of a nonconforming use of land, nor conflict with the goals and policies of the Comprehensive Plan; and

(d) In granting variances, the Board of Adjustment may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties.

(e) A variance may be issued for an indefinite duration or for a specified duration.

ARTICLE III

Nonconforming Situations

Sec. 16-3-10. Undeveloped nonconforming lots.

(a) When a nonconforming lot that was in conformity with this Chapter at the time the lot was created can be used in conformity with all of the regulations applicable to the intended use, except for the required lot minimums set forth in this Chapter, then the lot may be used as proposed. However, no use requiring a lot size greater than the established minimum lot size for a particular zone is permissible on a nonconforming lot.

(b) When the use proposed for a nonconforming lot is one that is conforming in all respects but the applicable setback requirements, the Manager may allow deviations from the applicable setback requirements if it finds that:

(1) The property cannot reasonably be developed for any use-by-right of the zoning district without such deviations;

(2) These deviations are necessitated by the size or shape of the nonconforming lot; and

(3) The property can be developed as proposed without any significantly adverse impact on surrounding properties or the public health or safety.

(c) Adjacent nonconforming lots under the same ownership at the date they became nonconforming may not utilize this Subsection, nor may the successors in interest of these lots. The intent of this Section is to require undeveloped nonconforming lots to be combined with adjacent like lots to create conforming lots.

Sec. 16-3-20. Repair, maintenance and reconstruction.

(a) Minor repairs to and routine maintenance of property where nonconforming situations exist are permitted and encouraged. Major renovation (work estimated to cost more than fifty percent [50%] of the appraised value of the structure to be renovated) may be done only to a conforming use or structure and in accordance with a permit issued pursuant to this Chapter.

(b) If a legal nonconforming structure is damaged to an extent that the costs of repair or replacement would exceed fifty percent (50%) of the appraised value of the damaged structure, then the damaged structure may be repaired or replaced only to a conforming structure or use and in accordance with a zoning permit issued pursuant to this Section.

(c) For purposes of Subsections (a) and (b):

(1) The *cost of renovation, repair or replacement* means the fair market value of the materials and services necessary to accomplish such renovation, repair or replacement, as reflected in the plans submitted for a building permit, or other materials supplied by the applicant, and includes the total cost of all such intended work, and no person may seek to avoid the intent of Subsections (a) or (b) hereof by doing such work incrementally.

(2) The *appraised value* means either the appraised market value for property tax purposes, updated as necessary by the increase in the consumer price index since the date of the last valuation, or the fair market value determined by a professionally recognized real estate appraiser.

Sec. 16-3-30. Change in use.

A change in use in a nonconforming situation may only be made to a conforming situation.

Sec. 16-3-40. Discontinuation and termination.

When a nonconforming use or structure is discontinued or abandoned for one (1) year or more, the right to continue the nonconformance automatically terminates.

ARTICLE IV

Enforcement

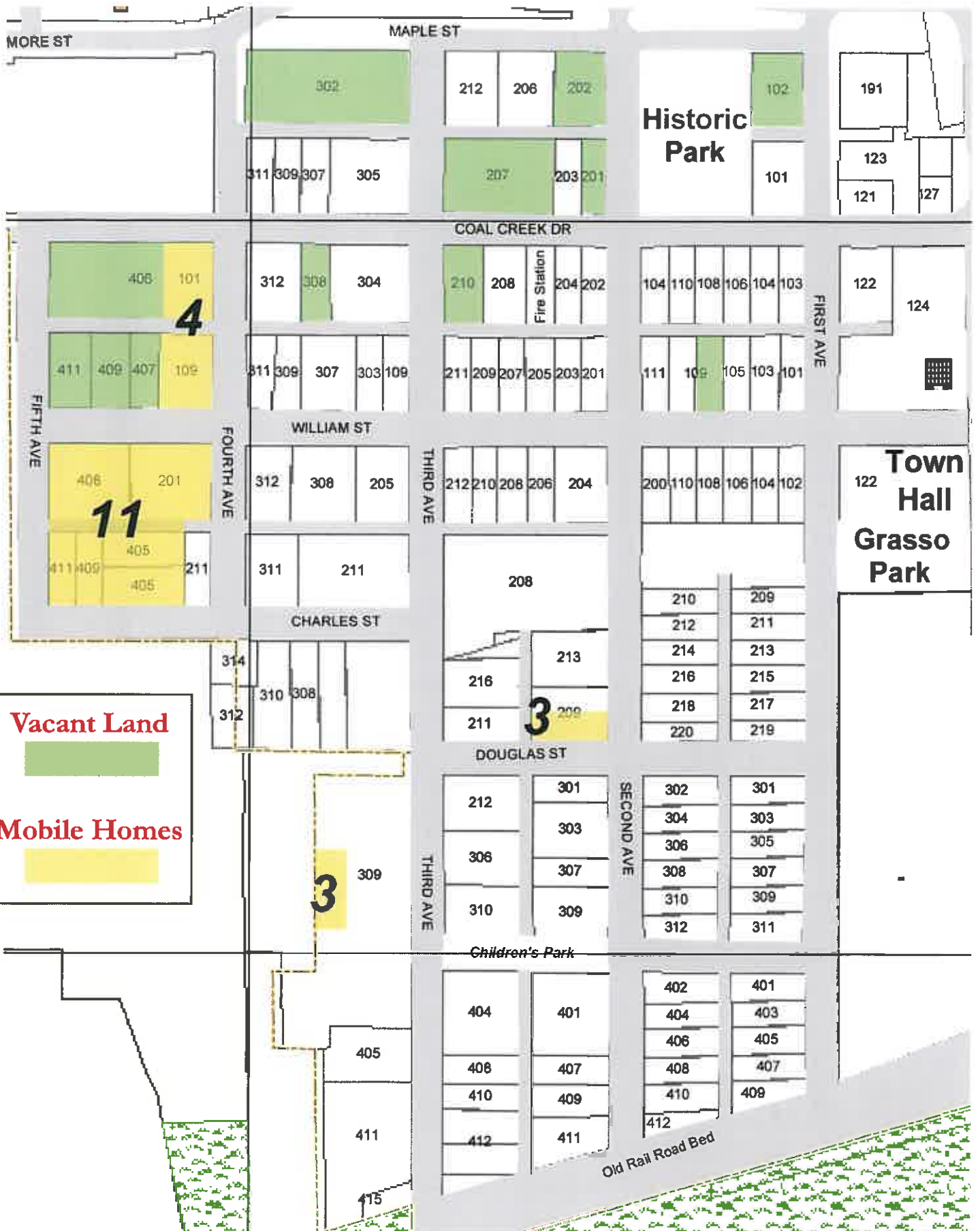
Sec. 16-4-10. Persons liable.

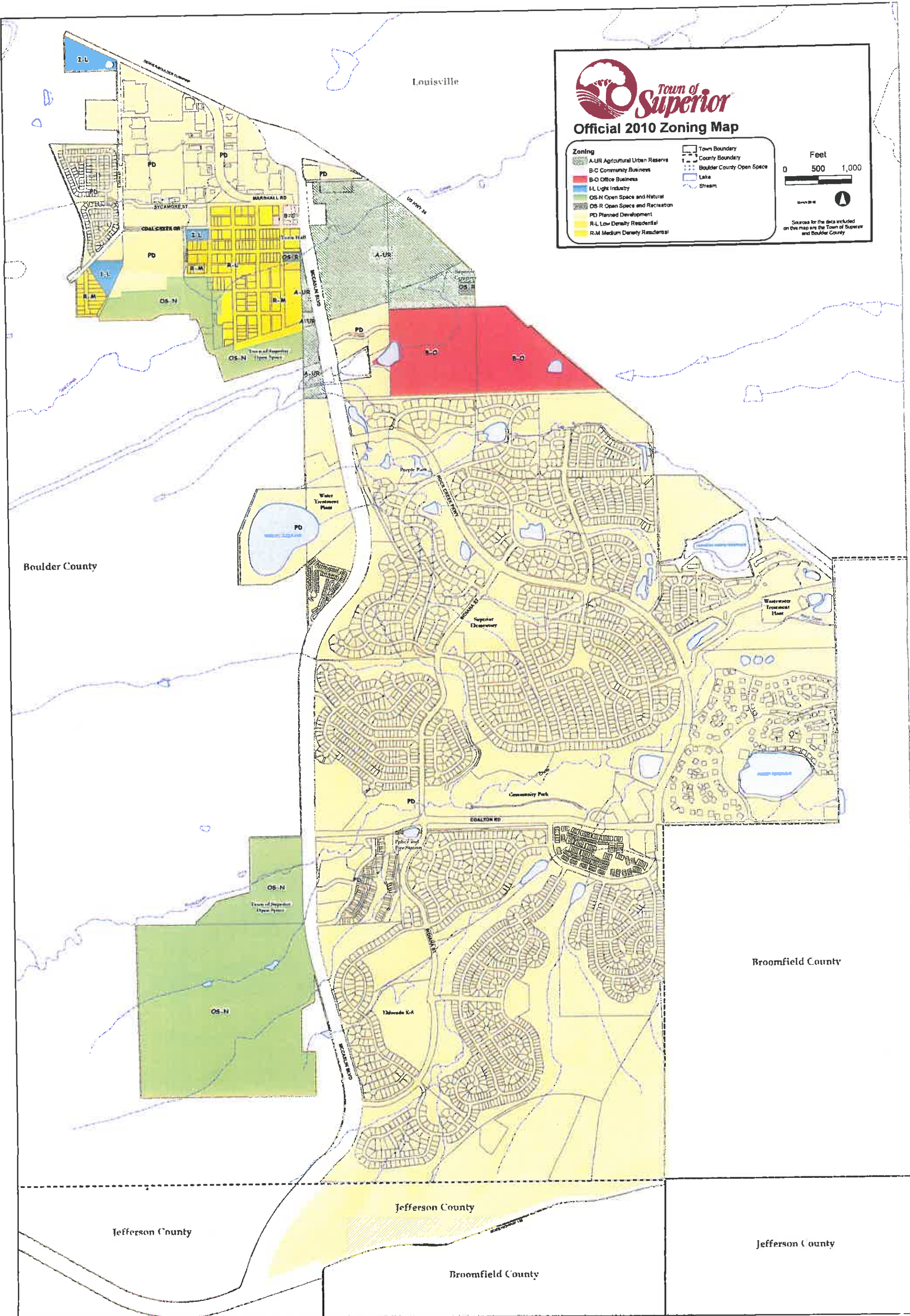
The owner, tenant or occupant of any building or land or part thereof, as well as any architect, builder, contractor, agent or other person who participates in, assists, directs, creates or maintains any situation that is contrary to this Chapter, may be held responsible for any violation of this Chapter.

Sec. 16-4-20. Procedure.

(a) Violations of this Chapter may be enforced in the Superior Municipal Court or any other court with jurisdiction, by equitable action, by abatement, by issuance of stop work orders, by injunction and restraining order, by revoking any permits or approvals issued, and by assessing any amounts due or delinquent fines as taxes. Any one (1), all or any

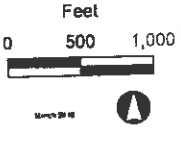
Original Town - Superior





Official 2010 Zoning Map

Zoning		Boundaries	
	A-UR Agricultural Urban Reserve		Town Boundary
	B-C Community Business		County Boundary
	B-O Office Business		Boulder County Open Space
	I-L Light Industry		Lake
	OS-N Open Space and Natural		Stream
	OS-R Open Space and Recreation		
	PD Planned Development		
	R-L Low Density Residential		
	R-M Medium Density Residential		



Source for the data included on this map are the Town of Superior and Boulder County

Boulder County

Broomfield County

Jefferson County

Jefferson County

Broomfield County

Jefferson County

Louisville