

**TOWN OF SILVER CLIFF
PLANNING COMMISSION
OCTOBER 16, 2024, AT 5:00 P.M.
SILVER CLIFF TOWN HALL**

Google Meet joining info

Video call link: <https://meet.google.com/yek-zkdz-eym>

Or dial: (US) +1 315-758-1031 PIN: 756 110 806#

More phone numbers: <https://tel.meet/yek-zkdz-eym?pin=4329226484700>

AGENDA

Call to Order

Pledge of Allegiance

Roll Call

Recognition of Visitors

1. Approval of the minutes from August 21, 2024
2. New Business
 - a) Modular/Mobile/Tiny Home ordinance change discussion
3. Old Business
 - a) Round Mountain Water and Sewer Update
 - b) Rezoning Committee Update
 - c) Master Plan -Still in Review
4. Open discussion on other issues to come before the Planning Commission.
5. Public Comments: (3-minute time limit): Town of Silver Cliff's citizens or business owners to address the Planning Committee and request to be on a future agenda.
6. Adjourn

Town of Silver Cliff

Planning Commission Meeting Minutes

August 21, 2024

The meeting was called to order by Larry Weber at the Town of Silver Cliff's Planning Commission regular meeting at the Town Hall located at 612 E. Main St, at 5:03 pm.

The Pledge of Allegiance was said.

Roll Call-

Present: Chairman Larry Weber, co-chair Dave Schneider, Steve Lasswell, Deb Diemer, Don Cook, Mayor Buck Wenzel, Trustee Jordan Benson, Trustee Lisa Nolan

Absent: None

Staff Present: Building and Zoning Official Issac Selden, Town Clerk Ileen Squire

Guests: Jerry Peterson Rezoning – Berry Keen

1. Approval of the Minutes- from April 17, 2024

Steve Lasswell made the motion to approve the minutes as presented, Dave Schneider seconded the motion, and it passed unanimously.

2. New Business-

a) Modular/Mobile/Tiny Home ordinance change discussion

1. Mobile Home Definition needs to be Copied from the DOLA Definition page. We will not allow any mobile home under this definition. Even in R-4 zones, nothing older than 15 years is allowed.
2. Manufactured Home Definition is okay.
3. Modular needs to reference the State approval for prefabrication. ICC standards or state standards need to be enforced in Modular builds. Use the DOLA definition to advise and adjust. Make sure to widen the range beyond the single-family standard. (Commercial)
4. Tiny House needs work. Discussion led to proposals that would include on site construction sq foot minimums. The standard in the IBC is 120 sq for habitable space. Currently there is not a solid sq footage minimum in the R-3 Zone. Prefabricated tiny homes need approval from the Department of Housing. Need to investigate the ways that other communities address the tiny home world, Building size requirements, approval standards, etc. Reference the appendix Q in the 2018 IRC.
5. Changes to the body of the code will be as follows. Removal of 6,7 in SEC 16-5-60 of the Muni code will be done shortly. Changing 16-5-60.2 will require research into the minimum we would like to assign to the tiny home definition. That sq footage will be reflected in the size restriction for the modular and manufactured Sec.
6. Removal of the "mobile home" label in all of Chapter 5 other than the definition.

b) Solar facility ordinance size restrictions

1. Discussion was formed around the benefits of keeping the solar facility ordinance in place. Page 8 of the ordinance gives the master plan the ability to regulate size and location of the project. This will allow denial of a project if the Board sees gaps in the impact of the project and the overall direction of the town.
2. Putting a size limitation would allow for clarity to the potential developer and set limits for the town to mitigate unrealistic proposals. The reality is that there will only be one project in town in the foreseeable future. However, the commission felt that the size limitation would only limit the potential growth beyond the sight limits of the town.
3. Eventually the freedom to discern each project allows for better subjectivity to each project that could be presented. No Size restriction was proposed to be presented to the Board.

Isaac will put the matter to the BOT to see if they would like to approve a size limitation.

3. Old Business

a) Round Mountain Water and Sewer Update

Dave – We are moving forward and getting the financials together.
No restrictions on watering this year with new well

b) Rezoning Committee Update

Jerry – Only one meeting July 10 – ask Jerry to forward notes

c) Master Plan -Still in Review

d) Architectural Scope

Deb working up a suggested plan – working on a map

4. Open Discussion

5. Public Comments

Berry – ADU's I did not realize you did not allow them here. Westcliffe is working on this part of their code.

6. Adjourn:

Dave Schneider made the motion to adjourn, Deb Deimer seconded the motion, and it passed unanimously.

Larry Weber, Chairman

Silver Cliff Muni Code Definitions

Manufactured home means any home built to HUD National Construction Standards (24 CFR part 3280). Manufactured homes are identified by the following in each home:

- (1) Metal HUD label attached to exterior home which identifies the inspection agency and the specific unit number.
- (2) Data (paper document) attached to the interior of the home, near the electrical panel or in a closet.
- (3) Serial number of the home is stamped in the foremost cross member of the under-floor frame. For the purposes of definitions, Appendix E of the 2006 International Residential Code is incorporated herein.

Mobile home means a mobile facility with or without wheels, erected upon a foundation or parked upon its wheels, assembled at a place of manufacture in whole or in part, designed and contrived to permit occupancy as a residential unit for living and sleeping purposes.

Modular home means a single-family dwelling unit which is partially or entirely manufactured in a factory, is constructed of multiple, self-contained or self-supporting units (modules), built in conformance with the building code requirements of this Code and is installed on a permanent foundation.

Tiny house means a dwelling that is 400 to 700 square feet in floor area excluding lofts, as more specifically defined in Appendix O of the 2018 International Residential Code.

APPENDIX Q TINY HOUSES

These provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

User note:

About this appendix: [Appendix Q](#) relaxes various requirements in the body of the code as they apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.

SECTION AQ101 GENERAL

AQ101.1 Scope.

This appendix shall be applicable to *tiny houses* used as single *dwelling units*. *Tiny houses* shall comply with this code except as otherwise stated in this appendix.

SECTION AQ102 DEFINITIONS

AQ102.1 General.

The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to [Chapter 2](#) of this code for general definitions.

EGRESS ROOF ACCESS WINDOW. A *skylight* or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of [Section R310.2](#).

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a *loft*.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

TINY HOUSE. A *dwelling* that is 400 square feet (37 m²) or less in floor area excluding *lofts*.

SECTION AQ103 CEILING HEIGHT

AQ103.1 Minimum ceiling height.

Habitable space and hallways in *tiny houses* shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

Exception: Ceiling heights in *lofts* are permitted to be less than 6 feet 8 inches (2032 mm).

SECTION AQ104 LOFTS

AQ104.1 Minimum loft area and dimensions.

Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of [Sections AQ104.1.1](#) through [AQ104.1.3](#).

AQ104.1.1 Minimum area.

Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

AQ104.1.2 Minimum dimensions.

Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AQ104.1.3 Height effect on loft area.

Portions of a *loft* with a sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-percent slope), portions of a *loft* with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.

AQ104.2 Loft access.

The access to and primary egress from *lofts* shall be of any type described in [Sections AQ104.2.1](#) through [AQ104.2.4](#).

AQ104.2.1 Stairways.

Stairways accessing *lofts* shall comply with this code or with [Sections AQ104.2.1.1](#) through [AQ104.2.1.5](#).

AQ104.2.1.1 Width.

Stairways accessing a *loft* shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The width below the handrail shall be not less than 20 inches (508 mm).

AQ104.2.1.2 Headroom.

The headroom in stairways accessing a *loft* shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

AQ104.2.1.3 Treads and risers.

Risers for stairs accessing a *loft* shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.
2. The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.

AQ104.2.1.4 Landing platforms.

The top tread and riser of stairways accessing *lofts* shall be constructed as a *landing platform* where the *loft* ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the *loft*. The *landing platform* shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the *loft*, and 16 to 18 inches (406 to 457 mm) in height measured from the *landing platform* to the *loft* floor.

AQ104.2.1.5 Handrails.

Handrails shall comply with [Section R311.7.8](#).

AQ104.2.1.6 Stairway guards.

Guards at open sides of stairways shall comply with [Section R312.1](#).

AQ104.2.2 Ladders.

Ladders accessing *lofts* shall comply with [Sections AQ104.2.1](#) and [AQ104.2.2](#).

AQ104.2.2.1 Size and capacity.

Ladders accessing *lofts* shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ inch (9.5 mm).

AQ104.2.2.2 Incline.

Ladders shall be installed at 70 to 80 degrees from horizontal.

AQ104.2.3 Alternating tread devices.

Alternating tread devices accessing *lofts* shall comply with [Sections R311.7.11.1](#) and [R311.7.11.2](#). The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AQ104.2.4 Ships ladders.

Ships ladders accessing *lofts* shall comply with [Sections R311.7.12.1](#) and [R311.7.12.2](#). The clear width at and below handrails shall be not less than 20 inches (508 mm).

AQ104.2.5 Loft Guards.

Loft guards shall be located along the open side of *lofts*. *Loft* guards shall be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

SECTION AQ105

EMERGENCY ESCAPE AND RESCUE OPENINGS

local_printshoplinkbookmark_borderborder_color

AQ105.1 General.

Tiny houses shall meet the requirements of [Section R310](#) for emergency escape and rescue openings.

Exception: *Egress roof access windows* in *lofts* used as sleeping rooms shall be deemed to meet the requirements of [Section R310](#) where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the *loft* floor, provided the egress roof access window complies with the minimum opening area requirements of [Section R310.2.1](#).

Tiny Home:

- Structure that is constructed on a vehicle chassis.
- Designed for long term residency.
- Includes construction, electrical, mechanical, or plumbing services that are fabricated, formed or assembled and a location other than the site of the completed home.
- Not self-propelled
- Has a sq footage between one hundred fifty (150) and five hundred (500) Sq feet.
- Require approval from Division of Housing prior to construction.
- to be allowed in:
 - R-3 (Urban Residential)
 - R-4 (Manufactured Home and factory built residential district)
 - B-1 (Business District)
 - R-5 (urban residential district with subsurface mining special use)
 - A-1(Agriculture District)

Tiny House:

- A dwelling that is between 150 and 500 Sq ft in floor area excluding lofts.
- Built on site with permanent foundation.
- Reference Appendix Q in 2018 IRC.
- Built in accordance with 2006 ICC standards.

Colorado Sq Ft Minimum:

Every home needs to have at least 150 square feet of floor space for the first occupant and at least 100 square feet for each additional occupant.

Source (World Population Review)

2006 IRC Minimum Room Area: Section R304

R304.1 Minimum area.

Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet of gross floor area.

Manufactured home: means any home built to HUD National Construction Standards (24 CFR part 3280). Manufactured homes are identified by the following in each home:

- (1) Metal HUD label attached to exterior home which identifies the inspection agency and the specific unit number.
- (2) Data (paper document) attached to the interior of the home, near the electrical panel or in a closet.
- (3) The serial number of the home is stamped in the foremost cross member of the under-floor frame. For the purposes of definitions, Appendix E of the 2006 International Residential Code is incorporated herein.

Modular Home:

- (1) A commercial, single-family or multi-family dwelling unit which is partially, or entirely manufactured in a factory.
- (2) Constructed of multiple, self-contained or self-supporting units (modules),
- (3) Built in conformance with the building code requirements of this Code (ICC) via State Approval (Division of Housing).
- (4) Is installed on a permanent foundation.

Mobile Home: Means a manufactured home that was built prior to 1976. These structures did not have any regulations enforced on building standards. (Not allowed in Silver Cliff Town limits unless pre-existing.)

Mobile office means a mobile facility with or without wheels, parked upon its wheels, assembled at a place of manufacture in whole or in part, and designed and contrived for occupancy, not for living and sleeping purposes.

Recreational vehicle means a traveling vehicle typically used for vacation and camping requiring vehicle licensing. The term includes travel trailers, motor homes, pop-up campers, truck campers and other camping vehicles. Recreational vehicles are neither designed nor intended for use as permanent year-round dwelling units. They have been designed for temporary living quarters for recreational purposes.

Sec. 16-5-50. Placement requirements for manufactured, modular, and tiny homes.

- (a) No person shall locate, alter or replace a manufactured, modular or tiny home in the Town without first obtaining a building permit from the Zoning Department.
- (b) All manufactured, modular or tiny homes being submitted for permit within the Town shall be certified as conforming to either the U.S. Department of Housing and Urban Development's (HUD) Tiny Home Standards or the Uniform Building Code. The owner is responsible to provide proof of such certification. HUD homes have a data plate affixed near the main electrical panel and UBC modular homes have a Colorado Division of Housing insignia affixed under the kitchen sink. Any manufactured, modular or tiny home not having one of these certifications is prohibited.
- (c) All manufactured, modular or tiny homes shall be installed by a state certified installer or inspector and, upon completion, must have a Colorado Division of Housing Installation Certification Insignia affixed per the Colorado Division of Housing regulations. The insignia shall be affixed within 30 inches of the electric meter housing or the electric service entry.

(Prior Code, § 10-9-5)

Sec. 16-5-60. Manufactured, modular and tiny home design standards and building requirements.

Every manufactured, modular and tiny home installed or located within the Town after the effective date of the initial ordinance codified herein shall comply with the following standards and requirements:

- (1) The manufactured or tiny home sections or modular home modules must be partially or entirely manufactured in a factory.
- (2) The finished home dimensions must be not less than 150 sq feet, excluding porches.
- (3) The manufactured, modular or tiny home must be set on an excavated, backfilled foundation enclosed at the perimeter so that the top of the perimeter wall sits at least six inches above finished grade. The foundation shall be similar in appearance and durability to a masonry foundation of a site-built dwelling. The foundation shall provide an anchoring system for the manufactured home that is totally concealed under the structure.
- (4) The finished home must have brick, wood or cosmetically equivalent exterior siding on all exterior walls which provides a consistent, continuous facade from the bottom of the soffit (top of wall section) downward to the top of the exposed perimeter foundation. The exterior siding of the finished home must have the same appearance as materials commonly used on residential dwellings.
- (5) The finished home must meet the snow load and wind load requirements as stated on the building permit application.
- (6) The finished home must have a pitched roof with a pitch of at least a nominal 2 in 12 (2:12). The roof must be covered with shingles, shakes, tile or propanel metal. Eaves of the roof must extend at least one foot beyond the intersection of the roof and the exterior walls.
- (7) The finished home must have windows that are wood, vinyl-coated or anodized aluminum framed.
- (8) Factory components and the site-built components on the finished home shall have matching design and exterior finish.
- (9) The transportation mechanisms, including the wheels, axles and hitch, must be removed.
- (10) No finished home shall be occupied for dwelling purposes unless it is properly placed and connected to water, sewer, electric and gas utilities, as appropriate, in conformance with the Town's building codes.
- (11) All manufactured, modular, and tiny homes shall be certified pursuant to the "National Manufactured Housing Construction and Safety Act of 1974," 42 U.S.C., § 5401, et seq., as amended, or shall be certified by the Colorado Division of Housing pursuant to Section 24-32-701 et seq., C.R.S.
- (12) All finished homes shall have an enclosed crawl space underneath the finished home and shall not provide a harborage for rodents or create a fire hazard. No enclosed crawl space shall be used for storage unless the storage area is surfaced with concrete. Adequate access and ventilation shall be provided in accordance with the building codes set forth in Title 18 of this Code.
- (13) Mobile and Tiny homes that do not meet the requirements of this Chapter may be allowed in R-4 zoned mobile or tiny home parks and are governed by the provisions of Section 16-4-30 in this Title.

(Prior Code, § 10-9-5)