

TOWN OF SILVER CLIFF  
PLANNING COMMISSION  
TOWN HALL  
612 E MAIN ST., SILVER CLIFF

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# WORKSHOP

April 3, 2025  
5:00 P.M.

1. Discussion on the Ordinance 01-2025  
Municipal Code Title 16

**TOWN OF SILVER CLIFF**

**ORDINANCE NO. 01-2025**

**AN ORDINANCE TO AMEND THE SILVER CLIFF MUNICIPAL CODE  
TITLE 16 WITH RESPECT TO TINY HOMES AND TINY HOUSES.  
MANUFACTURED, MODULAR, RV AND ADDING 16-5-70 TINY HOMES**

**WHEREAS**, the Silver Cliff Municipal Code provides regulations for the construction, erection, and use of various types of residential structures; and

**WHEREAS**, recent developments in the housing industry have caused an increase in the use of structures known as “tiny homes” and “tiny houses,” including within the Town of Silver Cliff; and

**WHEREAS**, the Board of Trustees has determined that the current Municipal Code does not clarify when and where such structures may be erected and inhabited, and

**WHEREAS**, the Board of Trustees desires to amend the Municipal Code to clarify the zoning and building regulations to allow for the use of tiny homes and tiny houses within the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVER CLIFF, COLORADO AS FOLLOWS:**

**Section 1:** Sec. 16-2-30 of the Municipal Code is amended as follows (deletions are in ~~strike-through~~; additions are double-underlined):

**Sec. 16-2-30. Definitions.**

For the purposes of this Title, the following words and terms shall have the following meanings:

*Accessory use* means a use naturally and normally incidental and subordinate to the permitted use of the land or lot area.

*Alley* means a public, dedicated right-of-way used primarily as a service or secondary means of access and egress to the service side of abutting property.

*Amendment* means a change of zoning on a parcel of land.

*Board of Trustees* means the Board of Trustees of the Town of Silver Cliff.

*Board of Zoning Adjustments* means a five-member board appointed by the Board of Trustees, if operative; otherwise, the Board of Trustees.

*Building* means any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels or property of any kind.

*Building height* means the vertical distance as measured from the average finished grade at the building setback to the ceiling of the uppermost story.

*Building setback* means an imaginary line extending across the full width or side of a lot, parallel with the street right-of-way or property line and outside of which no building or structure shall be constructed.

*Commission:* See *Planning Commission*.

*County* means Custer County, Colorado.

*County Commissioners* means the Board of County Commissioners of Custer County, Colorado.

*Density* means the quantity of number per unit, usually the number of persons per gross acre.

*Dwelling* means a building, including double-wide and modular homes designed to be used as a living place for one or more persons or families, but not including hotels, motels, clubs, boarding houses or any institution, such as an asylum, hospital or jail, where persons are housed by reason of illness or under legal restraint.

*Dwelling unit* means two or more rooms in any building other than a mobile home, designed for or occupied exclusively by one family and having not more than one kitchen.

*Factory-built home* means a home built to the 2021 International Code Council Standards (IRC, IECC, 2011 NEC). State of Colorado factory-built home primary certification insignia is silver in color and located in kitchen sink base cabinet of the home ([including tiny homes/houses](#)).

*Family* means one or more persons living together as a single housekeeping unit in a dwelling unit.

*Home occupation* means any nonresidential use conducted entirely within a dwelling unit or mobile home and carried on solely by the inhabitants thereof, which use clearly is incidental and secondary to the use of the dwelling unit or mobile home for dwelling or living purposes and does not occupy more than 25 percent of the total floor space of the dwelling unit

or mobile home. A home occupation may be a professional office. A home occupation certificate is required before the use will be permitted.

- (1) *Professional office* means an office for professions, such as physicians, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers, realtors, accountants and others who, by training, are qualified to perform services of a professional nature and where limited storage or sale of merchandise exists and one employee may be hired.
- (2) The Board of Trustees shall issue a home occupation certificate only upon finding that the proposed home occupation is consistent with these provisions. Annual renewal of the home occupation certificate is required.

*Hotel* means a building designed for occupancy by short-term or part-time residents who are lodged with or without meals and in which no facilities are provided for cooking in individual rooms.

*Lot* means a parcel or portion of land separated from other parcels or portions by description and abutting upon one or more public streets or roads.

*Lot area* means the total number of horizontal square feet contained within the boundaries of the lot lines of the lot.

*Lot line* means an imaginary line separating a parcel or portions of land from another by legal description.

*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.

*Mining* means all aspects of minerals or other earth resources extraction and processing operations, including gold, gemstones, peat, and aggregate mining, and including the mining related uses herein.

*Mining related uses* include:

- a. Drilling and blasting; excavating, extracting, whether by hand or through the use of mechanized equipment.
- b. The grading, loading, hauling, or conveying, dumping, placing, storing, and otherwise moving and managing of earth materials and associated materials such as lime, cement, asphalt, process bacteria, beneficiation, and process chemicals.
- c. Crushing, grinding screening, blending; mineral beneficiation or processing, leaching, chemical extraction, heating, roasting, bacterial treatment.
- d. Maintenance of on-site equipment associated with mining and accessory operations such as those used in the preparation of concrete and asphalt.
- e. Construction and use of mining-related structures such as those used for testing, equipment and supply storage, byproduct, and product storage, drilling, and blasting supply storage, offices and laboratories, laydown areas, warehousing, recycling, loading, and transportation serving mining operations; concrete and asphalt batch plants.

*Mobile home* means a manufactured home that was built prior to 1976, except that such home was not built pursuant to any uniform national or state construction standards. ~~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.~~

*Mobile office* 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, and designed and contrived for occupancy other than as a residential unit for living and sleeping purposes.

*Modular home* means a single-family dwelling unit which:

- (1) Is partially, or entirely, manufactured in a factory;
- (2) Is constructed of multiple self-contained or self-supporting units (modules);
- (3) Is built in conformance with the building code requirements contained or referenced within this Code with approval from the Colorado Division of Housing; and

(4) Is installed on a permanent foundation.

~~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.~~

*Motel* means a group of attached or detached buildings containing living or sleeping units, designed for or used temporarily by tourists and transients, with a garage or parking space near each rental unit.

*Nonconforming building* means a building, or portion thereof, legally built prior to the effective date of the initial ordinance codified herein or any pertinent amendment thereto, which does not conform to the regulations for the district in which it is located.

*Nonconforming use* means land or a building lawfully occupied prior to the effective date of the initial ordinance codified herein or any pertinent amendment thereto by a use which does not conform to the regulations of the district in which it is located.

*Outdoor storage* means a use where goods are stored outside of a building.

*Parking space* means an off-street space designed and intended to be occupied by a parked automobile, with a minimum of 200 square feet in area exclusive of maneuvering and roadway space. Such space shall be surfaced with at least a four-inch gravel base.

*Permit* means a document issued by the Town granting permission to perform an act or service which is regulated by the Town.

*Planning Commission* means the Town Planning Commission, if created and operative; otherwise, the Board of Trustees.

*Property line.* See *Lot line.*

*Prospecting or exploration* means the following which are not to be used for production: sinking shafts, tunneling, drilling core and bore holes and digging pits or cuts, bulk sampling for metallurgical testing, and other works for the purpose of extracting samples prior to commencement of development or extraction operations, and the building of roads, access ways and other facilities related to such work: small scale surface excavation. No prospecting or exploration shall leave a permanent scar upon the land, and all prospecting or exploration, including its reclamation, shall be conducted in accordance with the provisions and requirements of C.R.S. § 34-32-113, C.R.S. § 34-32.5-113, and/or other applicable provisions of the C.R.S.

*Public hearing* means a public meeting held by the Planning Commission or Board of Trustees at which citizens' opinions may be voiced concerning the subject of the hearing.

*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.

*Right-of-way* means the entire dedicated tract or strip of land that is to be used by the public for circulation and service.

*Road.* See *Street*.

*Special use* means a use that is not specifically enumerated under permitted uses of each district.

*Street* means a channel including the entire dedicated public right-of-way, providing for the pedestrian and vehicular movement of persons and goods.

*Tiny home* means a structure that:

- (1) Is constructed on a vehicle chassis.
- (2) Is designed for long-term residency.
- (3) Includes construction, electrical, mechanical, or plumbing services that are fabricated, formed or assembled at a location other than the site of the completed home.
- (4) Is not self-propelled.
- (5) Has a square footage between one hundred fifty (150) and five hundred (500) square feet.
- (6) Requires approval from the Colorado Division of Housing prior to construction.

*Tiny [home/house](#)* means a dwelling ~~that is between one hundred fifty (150) and five hundred (500)~~ [400 to 700 \(400\) four hundred or less square feet in floor area excluding lofts, as more specifically defined in Appendix AQ of the 2021 International Residential Code.](#) ~~and constructed in accordance with the standards outlined by the 2006 International Code Council.~~

*Town* means the Town of Silver Cliff, Colorado.

*Variance* means a change as applied to a parcel of land in a zoning district pertaining to a change in height restriction, setback requirements and/or signs.

*Yard* means that part of a lot which is unoccupied by a building and is open to the sky.

(Prior Code, § 10-9-4; Ord. No. 02-2022, § 1, 9-6-2022; Ord. No. 01-2021, § 1, 5-3-2021, Ord No. 01-2025)

**Section 2:** Sec. 16-4-20 (b) of the Municipal Code is amended as follows (deletions are in ~~strike-through~~; additions are double-underlined):

**Sec. 16-4-10. – A-1 Agricultural District**

(a) *Description of district.* This district is designed to protect and preserve the agricultural industry of the Town and to protect the rural property owners from encroachment by undesirable land uses.

(1) Silver Cliff Ranch Subdivision is zoned A-1 but is exempt from A-1 minimum setbacks and the 10 acre minimum lot area. Setbacks in R-3 will be adhered to.

Minimum Lot Area:	10 Acres <u>(Exception: Silver Cliff Ranch Subdivision).</u>
Minimum Front Yard:	50 feet
Minimum Rear Yard:	25 feet
Minimum Side Yard:	25 feet
<u>Minimum Dwelling Size (Floor area):</u>	<u>700 square feet</u>
<u>Dwelling Front Façade:</u>	<u>The front façade of a dwelling will be no less than 22 feet wide.</u>



## **Sec. 16-4-20. R-3 Urban Residential District.**

(a) *Description of district.* This district is designed to accommodate permanent residential development for year-round living to a density of 15 to 30 persons per gross acre in single, two-unit and three- to six-unit dwelling structures.

(b) The purpose of the R-3 Urban Residential District is to promote the continuance of single-family neighborhoods and preserve the character and appearance of the existing residences and neighborhoods.

(c) *Permitted Uses:*

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Three- to six-family dwellings.
- (4) Churches.
- (5) Schools.
- (6) Public parks.
- (7) Home occupations.
- (8) ~~Double-wide trailers~~ Manufactured and modular homes.
- (9) Public buildings by special use permit.

~~(e)-(d)~~ *Prohibited uses.* All uses not specifically permitted are prohibited.

~~(d)~~ (e) *Dimensions.* The following dimensions shall apply to this district:

Minimum Front Yard:	10 feet
Minimum Rear Yard:	
On Alley	5 feet
Without Alley	10 feet
Minimum Side Yard:	5 feet to lot line on each side
Maximum Building Height:	35 feet
<u>Minimum Dwelling Size (Floor area):</u>	<u>700 square feet (multi-family dwellings excluded)</u>
<u>Dwelling Front Façade:</u>	<u>The front façade of a dwelling will be no less than 22 feet wide. (existing 25 foot wide lots excluded)</u>

(Prior Code, § 10-9-5; Ord No. 01-2025)

**Section 3:** Sec. 16-4-30 (b) of the Municipal Code is amended as follows (deletions are in ~~strike-through~~; additions are double-underlined):

**Sec. 16-4-30. R-4 Manufactured Home, Tiny Home/House and Factory-Built Residential District.**

- (a) Description of district. This district is designed to allow for the accommodation of permanent residential development to a density of 15 to 40 persons per gross acre in single-family manufactured, tiny house/homes and factory-built homes.
- (b) The Purpose of the R-4 Manufactured Home, Tiny Home/House and Factory-Built Residential District is to provide safe, affordable housing to the residents of the Town without adversely affecting the character of the Town’s residential neighborhoods.

~~(b)~~(c) *Permitted Uses:*

- (1) Single-family manufactured home built as a single wide up to ~~16~~ 14-feet wide.
- (2) Parks consisting of several single-family residential dwellings.
- (3) Buildings pertaining to the management and operation of a park.
- (4) Home occupations.
- (5) Single-family double wide manufactured homes if required space is available and setbacks are provided as required by this Title.
- (6) No home will be allowed if older than 15 years at the set-up date.
- (7) Single-family factory-built home. [\(May be on set a permanent foundation.\)](#)
- [\(8\) Tiny home/house.](#)

(Ord. No. 03-2015, 7-6-2015; Ord. No. 02-2022, § 2, 9-6-2022; Ord. No. 01-2025)

**Section 4:** Sec. 16-4-60 (b) of the Municipal Code is amended as follows (deletions are in ~~strike-through~~; additions are double-underlined):

**Sec. 16-4-60. R-5 urban residential district with subsurface mining special use.**

(b) *Permitted Uses:*

- (1) Single-family dwellings.
- (2) Two-family dwellings.
- (3) Three- to six-family dwellings.
- (4) Golf courses.
- (5) Public parks.
- (6) Home occupations.
- (7) ~~Double-wide trailers~~ Manufactured and modular homes.

Minimum Front Yard:	10 feet
Minimum Rear Yard:	
On Alley	5 feet
Without Alley	10 feet
Minimum Side Yard:	5 feet to lot line on each side
Maximum Building Height:	35 feet
<u>Minimum Dwelling Size (Floor area):</u>	<u>700 square feet (multi-family dwellings excluded)</u>
<u>Dwelling Front Façade:</u>	<u>The front façade of a dwelling will Be no less than 22 feet wide. (existing 25 foot wide lots excluded)</u>

(Ord. No. 03-2015, 7-6-2015; Ord. No. 02-2022, § 2, 9-6-2022; Ord. No. 01-2025)

**Section 5:** The title of Chapter 5, Title 16 of the Municipal Code is hereby changed to "CHAPTER 5. – MANUFACTURED, MODULAR, MOBILE HOME, TINY HOME, AND RECREATIONAL VEHICLE (RV) STANDARDS."

**Section 6:** Sec. 16-5-50 of the Municipal Code is amended as follows (deletions are in ~~strike-through~~; additions are double-underlined):

**Sec. 16-5-50. Placement requirements for manufactured, modular and ~~mobile homes~~ Tiny homes/houses.**

(a) No person shall locate, alter or replace a manufactured, modular or ~~mobile homes~~ tiny homes/houses in the Town without first obtaining a building permit from the Zoning Department.

(b) All manufactured, modular or ~~mobile homes~~ tiny homes/houses 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) Mobile Home Standards or the ~~Uniform~~ International Building Code and the Code of Colorado Regulations 8CCR 1302-14. The owner is responsible to provide proof of such certification. HUD homes have a data plate affixed

near the main electrical panel and ~~UBC~~ IBC modular homes have a Colorado Division of Housing insignia affixed under the kitchen sink. Any manufactured, modular or ~~mobile home~~ tiny home/house not having one of these certifications is prohibited.

(c) All manufactured, modular or ~~mobile homes~~ tiny homes/houses 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; Ord. No. 01-2025)

**Section 7:** Sec. 16-5-60 of the Municipal Code is amended as follows (deletions are in ~~strike through~~; additions are double-underlined):

**Sec. 16-5-60. Manufactured, modular and ~~mobile home~~ tiny homes/houses design standards and building requirements.**

(a) Tiny homes/houses are only allowed in Zone R-4

Every manufactured, modular and ~~mobile home~~ tiny home/house 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, modular or ~~mobile home~~ tiny home/house must be partially or entirely manufactured in a factory.
- (2) The finished home ~~dimensions must be not less than 24 feet in width and 36 feet in length, excluding porches.~~ must not be less than 700 square feet (in floor area) and the façade will be no less than 22 feet wide. Exception: on existing 25 foot wide lots, facade may be less than 22 feet wide.
- (3) The manufactured, modular or ~~mobile home~~ tiny home/house 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 four in 12 (4:12). 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.~~
- ~~(67) The finished home must have windows that are wood, vinyl coated or anodized aluminum framed.~~
- ~~(68) Factory components and the site-built components on the finished home shall have matching design and exterior finish.~~
- ~~(79) The transportation mechanisms, including the wheels, axles and hitch, must be removed.~~
- ~~(810) 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.~~
- ~~(911) All manufactured 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.~~
- ~~(1012) 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.~~
- ~~(1113) Mobile homes that do not meet the requirements of this Chapter may be allowed in R-4 zoned mobile home parks and are governed by the provisions of Section 16-4-30 in this Title.~~

(Prior Code, § 10-9-5; Ord. No. 01-2025)

**Section 8: Adding 16-5-70 TINY HOME STANDARDS AND INSTALLATION**

Every tiny home installed shall comply with the following standards and requirements:

- (1) Tiny homes are permitted only in R-4 Zoning.
- (2) Must follow Appendix AQ in 2021 International Residential Code.
- (3) Installation must follow Code of Colorado Regulations 8CCR 1302-14.

**Section 9:** The officials of the Town of Silver Cliff are authorized to take any and all actions to effectuate the enactment of these changes to the Municipal Code, including publishing in the official copies of the Municipal Code kept at Town Hall and published electronically online.

Considered by the Town’s Planning and Zoning Commission and recommended with approval to the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2025.

Introduced as an Ordinance, assigned an Ordinance number and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2025.

Adopted on Second Reading this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
H.A. “Buck” Wenzel, Mayor

ATTEST:

\_\_\_\_\_  
Ileen Squire, Town Clerk

(SEAL)

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## Sec. 16-1-70. Amendments.

- (a) *General procedure.* Amendments to this Title shall be in accordance with the laws of the State, with report and recommendations from the Planning Commission to the Board of Trustees required prior to the adoption of any such amendments.
- (b) *Special procedure.* An application for amendment to this ordinance shall be submitted to the Zoning Enforcement Officer. The Zoning Enforcement Officer shall set a public hearing date and shall publish a notice of said hearing in a newspaper of general circulation at least 30 days prior to the hearing date. For proposed amendments to the Official Zoning Map, the Zoning Enforcement Officer shall place a sign in a conspicuous place on the subject property not less than 30 days prior to the hearing, stating the requested change and the date, time and place of the hearing. After the public hearing, the Zoning Enforcement Officer shall submit a report and recommendations on the proposed amendment to the Board of Trustees. The Board of Trustees shall then proceed with the amendment request as prescribed by law.
- (c) *Amendment fee.* For proposed amendments to the Official Zoning Map, a filing fee as set forth in the Town's Fee Schedule shall be charged to the petitioner to cover the costs of advertising and processing. In the event the requested amendment is denied by the Board of Trustees, \$150.00 shall be returned to the petitioner. Any person who, by reason of his or her poverty, is unable to pay the filing fee in advance may apply to the Board of Trustees for leave to file his or her petition for amendment *in forma pauperis*. Such application for leave shall be in writing, verified by the petitioner and supported by the affidavits of two credible persons who know the petitioner well, are familiar with his or her circumstances and firmly believe that he or she is unable to pay the filing fee in advance. Upon receipt of the application for leave to file the petition *in forma pauperis*, the Board of Trustees shall hold a hearing on said application, which hearing may be held at a regular meeting and at which hearing the petitioner must appear for questioning as to his or her income and assets. If the Board of Trustees is satisfied that the petitioner is indigent, it shall accept the petition for filing without the necessity of the petitioner prepaying the filing fee.

(Prior Code, § 10-9-10)