

AGENDA
MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS
Assembly Room, Administration Building
231 Ensign Street, Fort Morgan, CO 80701
Tuesday August 6, 2024

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/82751798852> If you cannot connect via Zoom, you may submit written public comment to morgancountybcc@co.morgan.co.us by email by 4 p.m. on Monday August 5, 2024.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/82751798852> listen via phone, please dial: 1-312-626-6799, Meeting ID: 827 5179 8852

To watch and/or listen to the meeting but not participate, you may do so by connecting via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/82751798852> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 827 5179 8852

9:00 A.M.

A. WELCOME – CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commissioner Westhoff
Commissioner Arndt
Commissioner Becker

B. CITIZEN'S COMMENT PERIOD

Citizens are invited to speak to the Commissioners on agenda or non-agenda items. There is a 3-minute time limit per person, unless otherwise noted by the Chairman. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on future posted agenda if action is required.

C. CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the Board of County Commissioners and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, any Board member may ask that the item be removed from the Consent Agenda and considered separately:

1. Ratify the Board of County Commissioners approval of meeting minutes dated July 16, 2024.
2. Ratify Chairman Pro-Tem Jon Becker's signature on Colorado Liquor License Renewal Application for **Graciela Cerna dba Homeplate Restaurant 1** signed July 5, 2024.

*Morgan County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please call (970)542-3500, extension 1410, at least 2 business days in advance of a meeting to make arrangements.

3. Ratify Chairman Pro-Tem Jon Becker's signature on Colorado Liquor License Renewal Application for **Pope Farms, LLC dba Pope Farms Corn Maize and Pumpkin Patch** signed June 26, 2024.
4. Ratify the Board of County Commissioners approval of **Contract 2024 CNT 075 Jim Greer dba Narrow Gauge**, Term of Contract July 31, 2024 through July 31, 2024.
5. Ratify the Board of County Commissioners approval of **Contract 2024 087 C & S Rain Gutters, LLC.**, Term of Contract July 15, 2024 through October 31, 2024
6. Ratify the Board of County Commissioners approval of **Contract 2024 CNT 088 Specialty Shoppe Floors and More, Inc.**, Term of Contract July 15, 2024 through September 30, 2024.
7. Ratify the Board of County Commissioners approval of **Contract 2024 CNT 089 K & H Printers-Lithographers, Inc., dba K & H Integrated Print Solutions, Integrity Voting Systems, K & H Election Services**, Term of Contract July 17, 2024 through November 5, 2024.
8. Ratify the Board of County Commissioners approval of **Contract 2024 CNT 090 Annemari Heywood**, Term of Contract June 1, 2024 through May 31, 2025.
9. Ratify the Board of County Commissioners approval of **Contract 2024 CNT 091 Morgan County Department of Human Services**, Term of Contract July 1, 2024 through June 30, 2025.
10. Ratify the Board of County Commissioners approval of **Contract 2024 CNT 092 Sheri Lemmer dba SAL Consulting, LTD.**, Term of Contract July 1, 2024 through June 30, 2025.
11. Ratify the Board of County Commissioners approval of **Contract Amendment 2023 CNT 101 AMD 1**, Term of Contract June 29, 2024 through June 30, 2025.
12. Ratify the Board of County Commissioners approval on assignment of debt collections to **Wakefield & Associates**. Client #233262.
13. Ratify Chairman Mark Arndt's signature on **Storm Water Inspection Report**, Inspection Date July 26, 2024 signed August 5, 2024.
14. Ratify the Board of County Commissioners approval of Request for **Waiver of Rental Fees for Colorado FFA Association**, signed July 29, 2024.
15. Ratify the Board of County Commissioners approval of Request for **Waiver of Rental Fees for Freedom to Cowboy Up**, signed July 29, 2024.
16. Ratify the Board of County Commissioners approval of Request for **Waiver of Rental Fees for Marian Council #4627 Charities Fund**, signed July 29, 2024.
17. Ratify the Board of County Commissioners approval of **MAT Program Grant Application**. (Medications for Opioid Use Disorder in Jail) signed August 5, 2024.
18. Ratify Chairman Mark Arndt's signature on **July 2024 Morgan County Warrants**, signed August 5, 2024.

D. UNFINISHED BUSINESS

No Unfinished Business.

E. GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

1. Consideration of Approval – **Resolution 2024 BCC 31**, A Resolution approving stop signs to be installed at the intersection of County Roads G and 6, Morgan County, Colorado.
2. Consideration of Approval – **Resolution 2024 BCC 32**, A Resolution approving stop signs to be installed at the intersection of County Roads L and 6, Morgan County, Colorado.
3. Approval of Waiver of RFP Process and Approval of **Contract 2024 CNT 093 with Moetivations, Inc.** for training and additional personnel for the Morgan County Communication Center.

*Morgan County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please call (970)542-3500, extension 1410, at least 2 business days in advance of a meeting to make arrangements.

4. Consideration of Approval – **Bid Tabulation and Award, RFP 2024-0711-001** Morgan County Rotary Cutter. (Bruce Bass, Morgan County Public Works Director)
5. Consideration of Approval – **Bid Tabulation and Award, RFP 2024-0711-002** Morgan County AWD Motor Grader. (Bruce Bass, Morgan County Public Works Director)
6. Consideration of Approval – **Bid Tabulation and Award, RFP 2024-0711-003** Morgan County Conventional Truck Tractor. (Bruce Bass, Morgan County Public Works Director)
7. Consideration of Approval – **PROCLAMATION** – August 2024 as Child Support Awareness Month. (Tammie Wick)

F. COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

1. 2023 2nd Quarter Employee Service Awards.
2. 2023 3rd Quarter Employee Service Awards.
3. 2023 4th Quarter Employee Service Awards.
4. 2024 1st Quarter Employee Service Awards.
5. 2024 2nd Quarter Employee Service Awards.
6. Commissioners Calendar for week of August 2, 2024 through August 13, 2024.

G. PLANNING AND ZONING

1. Public Hearing:

Zoning Amendments: Amendments relating to tiny homes and tiny houses.

H. ADJOURNMENT

*Morgan County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please call (970)542-3500, extension 1410, at least 2 business days in advance of a meeting to make arrangements.

**MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION 2024 BCC 31

A RESOLUTION APPROVING STOP SIGNS TO BE INSTALLED AT THE INTERSECTION OF COUNTY ROADS G AND 6, MORGAN COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of Morgan County, Colorado, are vitally interested in highway safety for the benefit of the traveling public, and

WHEREAS, the Board determines that it is for the best interests of the general public and upon the recommendation of the Colorado State Patrol and the Morgan County Sheriff, the following stop signs should be installed.

NOW THEREFORE BE IT RESOLVED BY THE MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

Section 1. Stop signs be placed at the following locations:

INTERSECTION OF COUNTY ROAD G AND COUNTY ROAD 6 TO STOP TRAFFIC ON EASTBOUND AND WESTBOUND TRAFFIC ON COUNTY ROAD G.

Section 2. Morgan County's Road and Bridge Department is hereby directed to coordinate the installation of stop signs at the above locations. Law enforcement agencies are hereby authorized and empowered to enforce compliance with the stop signs designed in this Resolution.

DATED this _____ day of _____, 2024.

**BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

Mark A. Arndt, Chair

Jon J. Becker, Commissioner

Gordon H. Westhoff, Commissioner

ATTEST:

Kevin Strauch, Clerk to the Board

**MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION 2024 BCC 32

A RESOLUTION APPROVING STOP SIGNS TO BE INSTALLED AT THE INTERSECTION OF COUNTY ROADS L AND 6, MORGAN COUNTY, COLORADO

WHEREAS, the Board of County Commissioners of Morgan County, Colorado are vitally interested in highway safety for the benefit of the traveling public, and

WHEREAS, the Board determines that it is for the best interests of the general public and upon the recommendation of the Colorado State Patrol and the Morgan County Sheriff, the following stop signs should be installed.

NOW THEREFORE BE IT RESOLVED BY THE MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

Section 1. Stop signs be placed at the following locations:

INTERSECTION OF COUNTY ROAD L AND COUNTY ROAD 6 TO STOP TRAFFIC ON EASTBOUND AND WESTBOUND TRAFFIC ON COUNTY ROAD L.

Section 2. Morgan County's Road and Bridge Department is hereby directed to coordinate the installation of stop signs at the above locations. Law enforcement agencies are hereby authorized and empowered to enforce compliance with the stop signs designed in this Resolution.

DATED this _____ day of _____, 2024.

**BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO**

Mark A. Arndt, Chair

Jon J. Becker, Commissioner

Gordon H. Westhoff, Commissioner

ATTEST:

Kevin Strauch, Clerk to the Board

**Morgan County
Tabulation
RFP 2024-0711-001 Rotary Cutter**

Vendor	Equipment Make	Equipment Model	Proposal	Estimated Delivery	Exceptions to Proposal
Hall Manufacturing LLC, North Little Rock, AR	Bush-Whacker	ST-120	22,844.85	30 Days ARO	Can deliver quicker if needed
One Nation Distribution LLC, New Wilmington, PA	John Deere	FC12E	24,998.00	45 Days	n/a
TAZA Supplies Inc, South Holland, IL	Blue Diamond Attachments	403158	45,999.00	will provide when ARO	attached Spec Sheet
21st Century Equipment LLC, Fort Morgan, CO	John Deere	FC10R	20,600.00	July 20, 2024	540 PTO shaft
Wiggins Electric Inc, Wiggins, CO	Bush Hog	4110	23,445.00	2 weeks	n/a

Recommend to award the bid to low responder, 21st Century Equipment

Proposal Award:

_____ **Morgan County Board of Commissioners**

_____ Mark A. Arndt - Chair

ATTEST:

_____ Jon J. Becker - Commissioner

_____ Clerk to the Board

_____ Gordon H. Westhoff - Commissioner

**Morgan County, Colorado
RFP Tabulation
2024-0711-002 AWD Motor Grader**

	Purchase Price	Trade Value	7 Year Trade	Cash Total	Depreciation	Estimated Delivery	Exceptions to bid
Wagner Equipment Company, Windsor, CO	\$406,082.00	\$166,701.00	\$184,158.00	\$239,381.000	\$221,924.000	6-7 Month	n/a
Carerpillar 150AWD	\$406,082.00	\$166,701.00	\$184,158.00	\$239,381.000	\$221,924.000		
Totals	\$812,164.00	\$333,402.00	\$368,316.00	\$478,762.00	\$443,848.00		

Price per machine to Extend the Warranty to 7 years/10,000 is \$22,387.00

4 Rivers Equipment LLC, Frederick, CO	\$425,050.00	\$125,000.00	\$85,700.00	\$300,050.000	\$339,350.000	90 Days	n/a
John Deere 772GP	\$425,050.00	\$120,000.00	\$85,700.00	\$305,050.000	\$339,350.000		
Totals	\$850,100.00	\$245,000.00	\$171,400.00	\$605,100.00	\$678,700.00		

Price per machine to Extend the Warranty to 7 years/10,000 is \$31,200.00

				\$0.000			
				\$0.000			
Totals	\$0.00	\$0.00	\$0.00	\$0.00			

Price per machine to Extend the Warranty from 5 year/7500 Hours to 7 years/10,000 is \$

				\$0.000			
				\$0.000			
Totals	\$0.00	\$0.00	\$0.00	\$0.00			

Price per machine to Extend the Warranty from 5 year/7500 Hours to 7 years/10,000 is \$

* Recommend accepting the proposal by Wgnar Equipment low responder

Proposal Award: _____

Morgan County Board of Commissioners

Mark A. Arndt - Chair

Jon J. Becker - Commissioner

ATTEST:

Clerk to the Board

Gordon H. Westhoff - Chair

**Morgan County
Tabulation
RFP 2024-0711-003 Conventional Truck Tractor**

Vendor	Truck Year and Make	Truck Model	Proposal	Estimated Delivery	Exceptions to Proposal
Bruckner's Truck & Equipment, Commerce City, CO	2026 Mack	PI64T	\$167,898.00	September 1, 2025	see attached paper b
McCandless Truck Center LLC, Aurora, CO	2025/2026 International	HX520 6x4 SFA	\$174,839.35	180-240 Days ARO	n/a
Transwest Truck Trailer RV, Brighton, CO	2025 Freightliner	CA126DC	\$165,711.00	Quarter 1 2025	set back front Axle, Single Exhaust, Full specs are included

Recommend to award the bid to low responder Transwest Truck.

Proposal Award: _____
Morgan County Board of Commissioners

Mark A. Arndt - Chair

ATTEST: _____
Jon J. Becker - Commissioner

Clerk to the Board

Gordon H. Westhoff - Commissioner



Proclamation – Child Support Awareness Month

WHEREAS, Morgan County recognizes that every child matters and joins the nation in recognizing August as Child Support Awareness Month;

WHEREAS, child support is a vital source of income for households in Morgan County, many of them low-income families;

WHEREAS, strengthening families improves the lives of children by prompting their safety and well-being and provides economic security;

WHEREAS, Morgan County applauds the parents who support their children and make child support payments consistently to care for them;

WHEREAS, child support professionals are important assets to the county, working in collaboration with parents and other community partners to ensure that children and families receive quality services;

WHEREAS, it is important to increase public awareness of the child support program through outreach and education to reinforce the position that all parents must take responsibility for the financial, emotional and physical support of their children.

Therefore, we do hereby proclaim August 2024, Child Support Awareness Month and encourage all citizens of Morgan County to work together to make our children’s future stable and bright.

THE BOARD OF COUNTY COMMISSIONERS
MORGAN COUNTY, COLORADO

Chair Date

Commissioner Date

Commissioner Date

ATTEST:
(Seal)

County Clerk

		2024 1st Qtr	
		5 Year	
Dave M	Darin Sagel	01.02.2019	2024 1st
Bruce B	Todd Hoffman	01.15.2019	2024 1st
Travis F	Daniel Beza	02.25.2019	2024 1st
Jacque F	Jeanine Guilbert	03.05.2019	2024 1st
		25 Year	
Jacque F	Maurine Johnson	02.22.1999	2024 1st
		30 Year	
Tim A	Catherine Cole-Gei	01.03.1994	2024 1st

		35 Year	
Jacque F	Alison Snider	01.23.1989	2024 1st

		2024 2nd Qtr	
		5 Year	
Danette	Adrianna Garcia	05.13.2019	2024 2nd
Danette	Kayla Grange	05.10.2019	2024 2nd
Dave C	Michael Cox	06.03.2019	2024 2nd
		10 Year	
Jacque F	Shantel Nelson	04.24.2014	2024 2nd
		15 Year	
Dave M	Michael Marsh	04.27.2009	2024 2nd
BCC	Dave Cornwell	05.18.2009	2024 2nd
Jacque F	Shelly Lara	06.22.2009	2024 2nd

		2024 2nd Qtr	
		20 Year	
Dave M	Tina Meeks	05.11.2004	2024 2nd
		25 Year	
Dave M	Kelvin Bernhardt	05.17.1999	2024 2nd
		35 Year	
Dave M	Jon Horton	04.24.1989	2024 2nd

COMMISSIONERS CALENDAR

August 2, 2024 through August 13, 2024

August 2, 2024		Daily County Business
August 5, 2024	9:00 A.M. 10:00 A.M. 11:00 A.M. 1:00 P.M. 2:00 P.M.	Board of Equalization Hearing - Schmidt/Baymont Inn Abatement Region 4 Monthly Opioid Council Meeting BCC Office Meeting HR Department Meeting Building Maintenance Department Meeting
August 6, 2024	9:00 A.M. Hearing Immediately following Board Meeting 11:00 A.M.	Board of County Commissioners Meeting (Assembly Room) (Please check https://morgancounty.colorado.gov/ for meeting options.) Zoning Amendments relating to tiny homes and tiny houses Finance Department Meeting
August 7, 2024		Daily County Business
August 8, 2024	8:00 A.M.	Northeast All Hazards Region Meeting
August 9, 2024		Daily County Business
August 12, 2024	11:00 A.M. 2:00 P.M.	HR/Finance Department Meeting BCC Office Meeting
August 13, 2024	9:00 A.M. 10:00 A.M. 1:00 P.M.	Board of County Commissioners Meeting (Assembly Room) (Please check https://morgancounty.colorado.gov/ for meeting options.) County Attorney Office Hours 911/Comm. Board Meeting

Unless otherwise noted, all meetings with department heads and other non-BOCC elected officials listed above may include an update on the status of the department, a general discussion of projects, any matters or concerns that the County needs to address, and activities and operations of the department.

Department meetings may be by conference call or virtual meeting upon request.

CALENDAR SUBJECT TO CHANGE DUE TO AGREEABLE CANCELLATIONS AND/OR WALK IN BUSINESS

Posted 08/02/2024 @ 4:00 P.M. by Mindi Cloyd, Administrative Services Manager

** All meetings are held in the Commissioner's Office located at 218 West Kiowa Avenue, Fort Morgan unless otherwise noted

*Any meeting or event scheduled to be held at the Commissioners' Offices (218 West Kiowa Avenue, Fort Morgan, CO) will be relocated to a site with handicapped access upon request. For special assistance for the Morgan County Board of Commissioners meeting, please notify us 48 hours before the scheduled agenda item. Please call (970)542-3500, extension 1410, to request accommodation.

**| BOARD OF COUNTY COMMISSIONERS 9:00 A.M. | AUGUST 6, 2024 |
AMENDMENTS TO THE MORGAN COUNTY ZONING REGULATIONS**

TABLE OF CONTENTS

- **Amendments Summary**
- **Proposed Zoning Regulation Amendments**
 - Tiny Homes
 - Tiny Houses
- **Additional Information**
 - Other County Regulations
 - Photo Examples
- **Notification**

AMENDMENT SUMMARY



**MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS
AMENDMENT SUMMARY
August 6, 2024**

**AMENDMENTS
MORGAN COUNTY ZONING REGULATIONS**

The State has recently adopted rules regarding tiny homes and tiny houses. The County has seen increased inquiries into whether it allows these types of residences and the Morgan County Building Department has requested that amendments be made to the County's Zoning Regulations to clarify whether these residences would be allowed. Staff recommends allowing these residences within the current structure of uses in each zone district. Included with this staff report are redlines of the proposed changes as outlined below.

Planning Commission held a work session on these amendments on June 10, 2024 and made recommended revisions to the initial draft. Those revisions are highlighted

The Planning Commission recommended approval at a public hearing held on July 8, 2024 on a vote of 6 in favor and 0 opposed.

Overview of proposed changes:

1. Definitions. Addition of definitions for loft, tiny home and tiny house. Revision of Recreational Vehicle to include tiny homes.
2. Tiny Home. The proposed amendments will add requirements related to tiny homes. If the owners want to place the tiny home or put it on a permanent foundation, it will be subject to the same permitting as a manufactured home that is placed or is on a permanent foundation. If the tiny home remains on its wheels, it will be treated as a recreational vehicle. Colorado tiny homes will receive a metal plate insignia installed under the sink by the State Division of Housing. When placed or on a permanent foundation, the tiny home will also receive a metal plate installation insignia.
3. Tiny House. The proposed amendments will add requirements related to tiny houses. By definition, these dwellings are under 400 square feet, are constructed on a permanent foundation and will require a building permit meeting or exceeding the current adopted building code.

Also included in your packets is a Department of Local Affairs FAQ, excerpts from Archuleta County and La Plata County Regulations and photo examples.

Nicole Hay
Morgan County Planning Director

PROPOSED ZONING REGULATION AMENDMENTS

Tiny Homes

Tiny Houses

PROPOSED AMENDMENTS – ZONING REGULATIONS - TINY HOUSE/TINY HOME
AMENDMENTS DRAFT – 7/3/24

ZONING AMENDMENTS - DEFINITIONS

1-577 Loft: A floor level located more than 30 inches above main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches and used as a living or sleeping space.

1-867 Tiny Home: A structure that is permanently constructed on a vehicle chassis; designed for human occupancy; includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home; is not self-propelled; and has a square footage of not more than four hundred (400) square feet.

1-870 Tiny House: A dwelling that is 400 square feet or less in floor excluding lofts; constructed on a permanent foundation; designed for permanent occupancy, and built in compliance with the adopted building codes.

1-750 **Recreational Vehicle (RV):** A vehicle which is designed primarily for recreational use, camping, or other seasonal use or as temporary living quarters, office, or storage and is designed to be self-propelled, towable, or capable of being carried by a pickup truck. Recreational vehicles shall include motor homes, camper trailers, 5th wheel trailers, pickup truck campers, tiny homes on wheels, and any similar vehicles.

ADDITIONAL INFORMATION

Other County Regulations

Photo Examples



COLORADO

Department of Local Affairs

Division of Housing

“Tiny Home”

Frequently asked consumer questions

What is a tiny home?

Effective July 1, 2023, the state uses the following definition for the construction of a tiny home. A tiny home means a structure that:

- Is permanently constructed on a vehicle chassis
- Is designed for long-term residency
- Includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home
- Is not self-propelled
- Has square footage of 400 square feet or less
- Has a metal plate insignia installed under the kitchen sink by the Division of Housing

What a tiny home is not:

- A manufactured home as defined in C.R.S. 24-32-3302(20)
- A recreational park trailer
- A recreational vehicle
- A semitrailer
- An intermodal shipping container

In order to meet this definition, a tiny home must be built to the International Residential Code as adopted by the Building Codes & Standards program within the Division of Housing. Colorado tiny homes will receive a metal plate insignia that certifies the tiny home is built to the codes and standards of the program. When installed on a temporary or permanent foundation, the tiny home will also receive a metal plate installation insignia.

What is a tiny house?

A tiny house is a modular factory built residential structure that is 400 square feet or less; designed for long-term occupancy; built to the International Residential Code; and attached to a permanent foundation. They are not built on a permanent chassis. Tiny houses have been allowed by the Division of Housing for several years. Tiny houses will have a metal plate insignia that certify the tiny house is built to the codes and standards of the program. When installed on a permanent foundation, the tiny house will also receive a metal plate installation insignia.

What is a recreational vehicle (RV)?

- Designed for mobility, NOT for permanent year-round occupancy, and thus has limited occupancy safety standards.
- Either a camp trailer (less than 26 feet long) or a Trailer Coach (26 feet to 70 feet long). Maximum of 8.5 feet wide and 14.5 feet tall.
- Permanently affixed to a chassis with axles and/or wheels.
- Could be constructed to the American National Standards Institute (ANSI) 119 Construction Standards or other standards that are currently self-certified through the Recreational Vehicle Industry Association (RVIA) or other non-governmental body.

I bought a tiny home before July 1, 2023. Can I live in it?

If your tiny home is built to RV standards, then you can use it as an RV. If it was built before 7/1/2023, the state will not recognize it as a state compliant tiny home. Contact your local jurisdiction for information on long term residency based on what standards were used for your unit's construction.

I bought a tiny home before July 1, 2023. Is it the same tiny home as defined by the state?

No, because our rules did not take effect before 7/1/2023. Long term residency will be up to the local jurisdiction where it is to be installed and what standards were used for your unit's construction.

I bought a tiny home that was attached to a foundation, but was constructed prior to July 1, 2023. Will my tiny home be grandfathered in as a long term residence?

There is no grandfathering clause in our legislation or rules. Contact your local building department for requirements regarding long term residency based on what standards were used for your unit's construction.

Can I live permanently in my tiny home?

First, check to see if the local jurisdiction where you want to live will allow long term occupancy based on the size of the residence. If your home was built after July 1, 2023, and the construction was regulated by the Colorado Building Codes & Standards section you can apply for a building permit with your local jurisdiction, but you may still be restricted due to local zoning requirements. If your tiny home was built outside of Colorado, it must have an insignia from that state that is NOT an RV insignia. The information on the insignia will help determine what building codes the tiny home was built to and contain information regarding local requirements for wind load, snow load, and other local conditions. Your local building department will then determine if they will accept your tiny home.

Can I build my own tiny home for long term occupancy?

Yes. If you are building a tiny home to be installed on a temporary or permanent foundation at a single location and are building it on site, contact the local building department where it is being

built and installed. If you are building a tiny home for long term occupancy to be moved from one location to another and installed on temporary or permanent foundation, then you will need to go through the state program and follow the construction and installation requirements in order to get the metal plate insignias.

Does the Division of Housing have a contact list for all local jurisdictions?

There are over 300 local jurisdictions in the state if you add all the counties, towns, and cities. Personnel change, emails change, and there are some jurisdictions that do not have local building departments. We recommend you search for the county/city/town website and look at their department list. You may also reach out to the county/city/town clerk or administrator.

Will I have to pay taxes on my tiny home?

If your tiny home comes with a title for the vehicle chassis, you may have to register it with your county Department of Motor Vehicles. If you are attaching the unit to a permanent foundation, then you may be subject to property tax. Check with your local county assessor's office. If you did not receive a title, and you are not planning to install the unit on a temporary foundation, then you will need to contact your local county Department of Motor Vehicles regarding registration of your unit.

My tiny home has a manufacturing defect or an installation issue. Can you help me?

First, check to see if the unit has a State of Colorado construction insignia AND an installation insignia (usually located under the sink). If so, then the owner may file a consumer complaint with our office and we can conduct an investigation. We cannot assist with units built to RV standards or units that are not installed on a temporary or permanent foundation. Use this link: [Consumer Complaints](#).

References & Resources

For additional information, contact:

- Division of Housing, Building Codes & Standards [email](#)

Substantial Improvement: Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction.¹²⁵

Surface Estate: A fee title interest in the surface of real property that may or may not include mineral rights as shown by the real estate records of the Archuleta County Clerk & Recorder.¹²⁶

Surface owner: The owner of the Surface Estate and any person with rights under a recorded contract to purchase all or part of the Surface Estate.¹²⁷

Sustainable and/or Restoration Forest Practices: To practice sustainable forestry to meet the needs of the present without compromising the ability of future generations to meet their own needs by practicing a land stewardship ethic that integrates reforestation and the managing, growing, nurturing, and harvesting of trees for useful products with the conservation of soil, air and water quality, biological diversity, wildlife and aquatic habitat, recreation and aesthetics.

Temporary equipment: Equipment located onsite for a duration of time less than six months.¹²⁸

Temporary use area (oil and gas): Disturbed lands immediately adjacent to the well pad or right of way used by an operator during the construction or maintenance of a well, pipeline or other facility that will be reclaimed for permanent operations.¹²⁹

Temporary Uses: Uses established for limited duration at a specific location, with the intent to discontinue such use upon the expiration of a set time period established by these Regulations. Temporary uses are land uses that do not require any new permanent structures or improvements for their operation, may use existing buildings or improvements, shall not include continuing a nonconforming use or building, and do not result in any long-term impact on surrounding properties.

Tent: A temporary structure at least partially made from fabric or other soft-sided material and intended primarily for short-term uses, including teepees and yurts.¹³⁰

Tiny Home: A Single-Family Dwelling that is permanently constructed on a vehicle chassis; is designed for long-term residency, includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home; is not self-propelled; has a square footage of not more than four hundred (400) square feet and a length less than forty (40) feet; and with all appropriate Colorado Division of Housing insignia affixed. A Recreational Vehicle is not considered a Tiny Home. (CRS 24-32-3302) See also Tiny House.¹³¹

Tiny Home Subdivision: A Common Interest Community where individual Tiny Home Lots are owned by separate owners, also containing Limited and General Common Elements.¹³¹

¹²⁵ Amended November 2009 (Res. 2009-58)

¹²⁶ Amended May 2019 (Res. 2019-39)

¹²⁷ Amended December 2008 (Res 2008-81); May 2019 (Res. 2019-39)

¹²⁸ Amended December 2008 (Res 2008-81)

¹²⁹ Amended September 2009 (Res. 2009-50)

¹³⁰ Amended October 2021 (Res. 2021-76)

¹³¹ Amended July 2023 (Res. 2023-71)

Tiny Home Village: An area or site containing two or more Tiny Home spaces for Long-Term Rental, on which Tiny Homes or Park Model/Park Trailers may be parked and used for residential habitation.¹³²

Tiny House: Single-Family Dwelling smaller than four hundred (400) square feet, constructed on a permanent foundation, designed for long-term residency, and built in compliance with the Adopted Building Codes.¹³²

Title Commitment: Formal documentation from a title company listing the name of the owner of the property under consideration, the legal description of the property and any legal holdings on the property such as easements, rights-of-way or liens.

Townhouse: A single family, attached residence with individual exterior entries that will never have units above or below, and does not have more than two (2) walls in common.

Transmission Line (oil or gas): Any pipeline and appurtenant facilities that are capable of transporting oil, natural gas or any other products derived from oil and gas production from a gathering line or storage facility to a distribution center or storage facility, or as defined as a transmission line by the U.S. Department of Transportation regulations under the Natural Gas Pipeline Safety Act of 1968, as amended.¹³³

Trade Secret: Any confidential formula, pattern, process, device, information or compilation of information that is used by an owner, operator or vendor, and that gives the owner, operator or vendor an opportunity to obtain an advantage over competitors who do not know or use it.¹⁰⁴

Trade Secret Chemical Product: Shall mean a chemical product, the composition of which is a trade secret.¹⁰⁴

Tree Farm: A registered trademark of the American Forest Foundation, involving small-scale forestry operations on a minimum of ten (10) acres of land by certified members of the American Tree Farm System.

Truck Stop: An establishment engaged primarily in the fueling, servicing, repair or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers or restaurant facilities primarily for the use of truck crews.

Use-By-Right: A use allowed by right in conformance with the particular Zoning District. Uses by right are not required to show need for their location.

Useable Public Open Space: An open area developed and designed for use by the occupants of the development, or by others for uses including, but not limited to, recreation, courts, gardens, parks, playgrounds and walkways. The term shall not include space devoted to streets, parking, loading areas and accessory structures.

¹³² Amended July 2023 (Res. 2023-71)

¹³³ Amended December 2008 (Res 2008-81)

11-39 Amended 12/2008, 9/2009, 11/2009, 12/2010, 2/2011
7/2013, 5/2014, 3/2015, 8/2015, 10/2016, 4/2017
6/2018, 7/2018, 5/2019, 5/2021, 5/2022, 7/2022
2/2023, 7/2023

SECTION 3 – ZONING REGULATIONS

3.1 DISTRICT REGULATIONS

3.1.1 Zoning Map:

3.1.1.1 Zoning Map Adopted

The Board of County Commissioners hereby provides for the adoption of the “Zoning Map of Archuleta County, Colorado,” a true and correct copy of which shall be maintained on file in the office of the County Clerk and Recorder.

3.1.1.2 Transition to Zoning Districts

On and after the date of adoption by the Board of County Commissioners of the zoning map described at Section 3.1.1 and any amendment thereto, all real property within the unincorporated area of Archuleta County described in such map or amendment thereto shall be included within the Zoning Districts described at Section 3.1.2., and, in some cases, also within one or more of the Overlay Districts described at Section 3.1.5, all as shown on the Zoning Map of Archuleta County, Colorado.

3.1.1.3 Interpretation of Zoning District Boundaries

Where uncertainty exists as to the boundaries of zoning districts to be shown on the official Zoning Map, the following shall apply:

- (1) Centerlines of road boundaries shall follow the centerlines of roads, highways, and /or alleys.
- (2) Platted lot line boundaries shall follow the platted lot line.
- (3) County line boundaries shall follow the County limits.
- (4) Railroad line boundaries shall be midway between the main track(s).
- (5) Shore line boundaries shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of rivers, streams, canals, ditches, or other bodies of water shall be construed to follow the center lines.

3.1.2 Zoning Districts Established:

The County is divided into the following Zoning Districts to implement the Community Plan and related official plans and the official Zoning District Map, and to serve other purposes of these Regulations:

3.1.2.1 Agricultural/Forestry (AF)

The AF Zoning District is an Agricultural zoning district intended to provide for permitted regulation of land uses on federal, state, BIA, lands. The AF district includes the majority of public lands within the county. Land use in the AF district is encouraged to conserve forest resources, protect the natural environment, and preserve uninhabited areas.¹

¹ Amended June 2018 (Res. 2018-18)

3.1.2.2 Agricultural/Ranching (AR)²

The AR Zoning District is an Agricultural zoning district intended to be generally consistent with the Very Low Density Residential land use district in the Community Plan and provide areas where continued agriculture or grazing use is practiced on a large scale. The AR district includes the majority of the rural agricultural land within the county that is in private ownership.

- (1) Residential density shall be a maximum of 2 dwellings per lot, parcel or tract, with typical accessory structures.
- (2) More than 2 dwellings on 35 acres or more may be permitted for active farm and ranching operations, with an approved Land Use Permit.
- (3) Land use in the AR district is encouraged to provide for the maintenance of agricultural production and preservation of associated life styles, with new residential development encouraged to proceed through the Rural Land Use subdivision process. Commercial uses are generally limited to those associated with Agricultural and Recreational uses.

3.1.2.3 Agricultural Estate (AE)³

The AE Zoning District is an Agricultural zoning district intended to be generally consistent with the Low Density Residential land use district in the Community Plan, with lots of five (5) to 35+ acres, and provide areas where continued agriculture or grazing use is practiced on a smaller scale.

- (1) Residential densities in this district shall be no more than two (2) dwellings per lot, with typical accessory structures.
- (2) Residential development in the AE district is encouraged to be designed in a way that provides for the preservation and protection of irrigated croplands, range lands, watershed and wildlife habitats. Commercial uses are generally limited to home occupations and those associated with non-intensive agricultural operations.

Note: There is also a Zone AE, an area of the Special Flood Hazard Area on the NFIP Flood Insurance Rate Maps (FIRM).

3.1.2.4 Rural Residential (RR)³

The RR Zoning District is a Residential zoning district intended to be generally consistent with the Medium Density Residential land use district in the Community Plan, and provide for orderly residential development where water and/or sanitary sewer services may not be available.

- (1) Residential densities in this district shall be no more than two (2) dwellings per lot, with typical accessory structures.

² Amended September 2006 (Res. 2006-25); December 2010 (Res. 2010-56); June 2018 (Res. 2018-18)

³ Amended September 2006 (Res. 2006-25); June 2018 (Res. 2018-18)

(2) Lots of three (3) acres or larger are permitted where either water or sanitary sewer is available; a minimum of five (5) acres is required where both well and septic systems are necessary.

(3) Commercial uses are generally limited to home occupations.

3.1.2.5 Residential (R)⁴

The R Zoning District is a Residential zoning district intended to be generally consistent with the High Density Residential land use district in the Community Plan, where adequate services and facilities are available and such densities do not negatively impact the essential character of the district or adjacent districts.

(1) Residential densities in this district shall be no more than one (1) dwelling unit per eight thousand (8,000) square feet of lot area, with typical accessory structures.

(2) Residential development may be permitted in building configurations of single-family, two-family and multi-family dwellings, and home occupations are allowed, with approvals in Table 3, to standards in Table 4.

(3) Commercial development other than home occupations is generally permitted as a walkable Neighborhood or Mixed Use center.

3.1.2.6 Mobile Home Park (MH)⁵

The MH Zoning District is a Residential zoning district intended to provide residential areas specifically for mobile home parks, tiny home villages, as well as tiny homes, tiny houses, and manufactured homes on individually owned lots. The integration of factory-built homes is encouraged in areas where adequate services and facilities are available and such development does not impact the essential character of the district or adjacent districts. Commercial development other than home occupations is generally not permitted.

3.1.2.7 Commercial (C)⁴

The C Zoning District is a Non-residential zoning district intended to be generally consistent with the Commercial land use district in the Community Plan, and provide for all types of commercial and mixed use activities which have functional and economic relationships to the County, including retail, office and personal services. Quality commercial development using design standards is required, while poor site planning that would negatively impact the County's scenic environment and tourism economy is discouraged.

3.1.2.8 Industrial (I)⁴

The I Zoning District is a Non-residential zoning district intended to be generally consistent with Industrial Parks land use district in the Community Plan "to set aside possible locations for industrial parks to encourage the development of a more diversified economy". The I Zoning District also allows flexibility for other types of

⁴ Amended June 2018 (Res. 2018-18)

⁵ Amended June 2018 (Res. 2018-18); July 2023 (Res. 2023-71)

industrial development which are not likely to become a nuisance to surrounding areas. Dust, fumes, odors, refuse matter, smoke, vapor, noise, lights and vibrations are confined primarily to the premises of the lot on which an industrial use is located. Non-industrial development is generally discouraged in the Industrial district.

3.1.3 Zoning District Uses:

Table 3 identifies Uses-By-Right and Conditional Uses that may be permitted in each of the zoning districts listed in Section 3.1.2. Any use not specifically listed may be considered by the Board of County Commissioners as a Conditional Use. Additional permits may be required.⁶

TABLE 3: USES BY ZONING DISTRICT

- R – Use by Right
- VRP – Vacation Rental Permit⁷
- C/BC – Conditional Use / Board Conditional Use Permit
- TUP – Temporary Use Permit
- Geo – Geothermal
- O&G – Oil & Gas
- S&G – Sand & Gravel

Note: The Director of Development is authorized to interpret the meaning and scope of the uses listed herein. The Director of Development’s interpretation may be appealed to the Board of Adjustment.⁸

USE	AF	AR	AE	RR	R	MH	C	I
AGRICULTURAL								
Farm and Ranch Use	R	R	R	R	C	C	C	C
Commercial Stables or Horse Boarding		R	R	C			C	
Farm/Ranch Stand		R	C	C				
Plant Nursery and Greenhouse ⁹		R	R	C			R	R
Log and Soil Storage	R	R	R					
Forestry Operation	R	R	R					
Tree Farms	R	R	R					
RESIDENTIAL								
Affordable Workforce Housing Unit (See Sec 5.6.8) ¹⁰		R	R	R	R		R	C
Employer Provided Workforce Housing (See Sec 5.6.9) ⁹		BC	BC	BC	C		C	BC
Dwelling Density Bonus (See Sec 2.1.1.3) ⁹		R	R	R	R		R	C
Dwelling, Multi-family					C		C	BC ¹¹

⁶ Amended June 2018 (Res. 2018-18);
⁷ Amended May 2021 (Res. 2021-35);
⁸ General Amendment to Table 3, added AC/BC permits, June 2018 (Res. 2018-18)
⁹ Amended October 2016 (Res 2016-62)
¹⁰ Added July 2023 (Res. 2023-71)
¹¹ Amended May 2013 (Res. 2013-21); June 2018 (Res. 2018-18)

SECTION 3 – ZONING REGULATIONS

USE	AF	AR	AE	RR	R	MH	C	I
Dwelling, Single-family Attached				C	R		R	C ¹²
Dwelling, Single-family Detached		R	R	R	R		R	C ¹²
Family Child Care Home		R	R	R	R	R	R	
Group Home		R	R	R	R		R	
Home Occupations (See Section 5.6.5)		R	R	R	R	R	R	C
Manufactured Home ¹³		R	R	R	R	R	R	C
Mobile Home Park (See Section 5.6.7)						R		
Tiny Home or Tiny House ¹⁴		R	R	R	R	R	R	C
Tiny Home Village (See Sec 5.6.7) ¹⁴						R		
Vacation Rentals of a Single-family Dwelling ¹⁵		VRP	VRP	VRP	VRP	VRP	VRP	VRP
Vacation Rentals, Multi-family (See Sections 3.2.7 & 5.5.6) ¹⁷					VRP		VRP	VRP
COMMERCIAL								
Adult-Oriented Use							C	
Auto/Equipment Sales Lot							R	R
Bar or Tavern					C		C	C
Bed and Breakfast		C	C	C	C		R	
Car Wash							R	
Child Care Center					C		R	
Clubs and Lodges							R	
Drive-in/Drive-thru Use							C	
Entertainment Facilities and Theaters							R	
Event Center ¹⁶ (See Section 5.6.4)	C/R	C/R	C/R				R	
Firewood Related Wood Product Sales	R	R					R	R
Gasoline Station					C		C ¹⁷	C
Group Care Facility		C	C				R	
Health and Athletic Club							R	
Kennel ¹⁸	BC	BC	BC				C	C
Lodging Establishment ¹⁹		C	C				R	

¹² Amended May 2013 (Res. 2013-21)
¹³ Amended May 2013 (Res. 2013-21) "Mobile Home" deleted
¹⁴ Added July 2023 (Res. 2023-71)
¹⁵ Amended July 2018 (Res. 2018-14); May 2021 (Res. 2021-35)
¹⁶ Amended February 2023 (Res. 2023-16)
¹⁷ Amended October 2006; (Res. 2006-29)
¹⁸ Amended May 2014; (Res. 2014-22)
¹⁹ Amended July 2013; (Res. 2013-42)

SECTION 3 – ZONING REGULATIONS

USE	AF	AR	AE	RR	R	MH	C	I
Lodging Units, 3 or fewer ²⁰	R	R	C				R	
Lodging Units, 4 or more ²¹	R	C	C				R	
Medical and Dental Offices							R	
Medical Clinic							C	
Mortuary and Funeral Home							R	
Office, Professional					C		R	R
Restaurant					C		R	R
Retail/Service, Small (<5,000 S.F.)					C		R	R
Retail/Service (5,000 S.F. to 25,000 S.F.)							R	
Retail/Service, Large (>25,000 S.F.)							C	
Shopping Center							C	
Shopping Center, Neighborhood					C		R	
Vehicle Minor Repair, Servicing and Maintenance							R	R
Veterinary Facility		R	R				R	R
INDUSTRIAL								
Asphalt Batch Plants							BC	BC
Building Contractors and Equipment		BC	BC				C	R
Concrete or Cement Plants							BC	BC
Industrial, Heavy								BC
Industrial, Light							C	R
Junk Yard (See Section 5.6.6)								BC
Logging Operation	C	R						
Marijuana Establishment, Medical ²²							R	R
Marijuana Establishment, Retail							R	R
Oil and Gas Operation (See Section 9.2)	O&G	O&G	O&G				O&G	O&G
Outdoor Storage (See Section 5.4.2.6)		BC	BC				R	R
Recycling Facility							C	R
Resource Extraction, Processes and Sales (See Section 9.1)	S&G	S&G	S&G				S&G	S&G
Sawmill	C	R					C	R
Truck Stop							C	C

²⁰ Amended July 2013 (Res. 2013-42); May 2019 (Res. 2019-39)

²¹ Amended July 2013 (Res. 2013-42)

²² Amended March 2015; October 2016 (Res 2016-62)

SECTION 3 – ZONING REGULATIONS

USE	AF	AR	AE	RR	R	MH	C	I
Vehicle Major Repair, Servicing and Maintenance							C	R
Warehouse, Mini-storage							C	R
Warehouse and Distribution							C	R
Workshop and Custom Small Industry		R	C	C			R	R
RECREATIONAL								
Campground ²³		R	C				C	
Dude Ranch or Wilderness Lodging (See Section 5.5.4)	BC	BC						
Golf Courses and Driving Ranges		C	C	C			C	
Limited Indoor Recreation Facility							R	
Limited Outdoor Recreation Facility		BC					C	
Outdoor Shooting Range		BC						
Parks, Greenbelts and Passive Recreation Areas	R	R	R	R	R	R	R	R
Racetrack		BC						BC
Recreational Vehicle or Park Model/Trailer ²⁴ (See Sec 3.2.4.3)		TUP	TUP	TUP	TUP	TUP	TUP	TUP
Recreational Vehicle Park ²⁵ (See Section 5.5.5)		BC	BC			R	C	BC
OTHER								
Airport, Airstrip, Helipad (See Section 3.1.5.1)	BC	BC	BC	BC			BC	BC
Animal Shelter	BC	BC	BC				BC	BC
Cemetery	R	R	C	BC				
Churches and Religious Institutions	C	R	R	R	C	BC	R	R
Building- or structure-mounted CMRS Facilities (See Section 5.6.3)	R	R	R	R	R	R	R	R
CMRS Facilities roof-mounted and freestanding (See Section 5.6.3)	BC	BC	BC	BC	BC	BC	BC	BC
Electric Power Distributed Generation	BC	C	C	C	C	C	C	C
Electric Power Generation Facilities	BC	BC	BC	BC	BC	BC	BC	BC

²³ Amended August 2011 (Res. 2011-39)

²⁴ Added July 2023 (Res. 2023-71)

²⁵ Amended May 2013 (Res. 2013-21)

SECTION 3 – ZONING REGULATIONS

USE	AF	AR	AE	RR	R	MH	C	I
Electric Power Transmission Lines	BC	BC	BC	BC	BC	BC	BC	BC
Geothermal Resources (See Section 2.5.6)	Geo	Geo	Geo	Geo	Geo	Geo	Geo	Geo
Major Extensions of Existing Water or Sewage Systems	BC	BC	BC	BC	BC	BC	BC	BC
Major New Sewage Systems	BC	BC	BC	BC	BC	BC	BC	BC
Major New Water Systems	BC	BC	BC	BC	BC	BC	BC	BC
Meeting Place and Place for Public Assembly	C	R	R	R	C	BC	R	R
Mixed-Use Development					C		C	C
Natural Gas Transmission Pipelines	BC	BC	BC	BC	BC	BC	BC	BC
Parking Lot							C	R
Private School	BC	BC	BC	BC	BC	BC	BC	BC
Public School	BC	BC	BC	BC	BC	BC	BC	BC
Public Use	BC	BC	BC	BC	BC	BC	BC	BC
Public Utility	BC	BC	BC	BC	BC	BC	BC	BC
Sanitary Landfill or Solid Waste Transfer Station	BC	BC	BC	BC	BC	BC	BC	BC
Temporary Uses (See Section 3.2.4)	R	R	R	R	R	R	R	R
Transportation Services and Facilities	BC	BC	BC	BC	BC	BC	BC	BC
Utility Substations	BC	BC	BC	BC	BC	BC	BC	BC
Water Impoundments	R	R	BC	BC	BC	BC	BC	BC
Water Storage Facilities	BC	BC	BC	BC	BC	BC	BC	BC

5.6.6.2 Junk yards shall be screened with an eight (8) feet high opaque, solid fence or earth berm so as to provide visual and aural separation between such use and adjacent areas.

5.6.7 Mobile Home Parks and Tiny Home Villages (or Subdivisions)²⁹

5.6.7.1 **Total Area.** The minimum lot area for a mobile home park shall be five (5) acres. The minimum lot area for a Tiny Home Village shall be two (2) acres.

5.6.7.2 Setbacks.

- (1) Each Mobile Home Park or Tiny Home Village shall set aside along the perimeter of the park setbacks which shall be landscaped according to the plan submitted for review, except for those portions used for ingress and egress. The minimum setback requirements shall be as follows:
 - a. Abutting a state or federally designated highway or county designated major arterial – fifty (50) feet.
 - b. Abutting any public right-of-way other than above, including alleys – twenty-five (25) feet.
 - c. Abutting any other exterior boundary – fifteen (15) feet.

5.6.7.3 Manufactured Home and Tiny Home Space Requirements.

- (1) No Manufactured or Tiny Home may be occupied in a Mobile Home Park or Tiny Home Village unless the home is situated on an improved home space.
- (2) The following minimum area requirements shall apply to all home spaces:
 - a. The minimum area of a Manufactured Home space shall be two-thousand five-hundred (2,500) square feet. The minimum area of a Tiny Home space shall be two thousand (2,000) square feet.
 - b. Each home space must provide a minimum of two off-roadway parking spaces. The minimum size of each parking space shall be one hundred sixty-two (162) square feet measuring nine (9) feet wide and eighteen (18) feet long.
- (3) All Manufactured and Tiny Homes shall be placed on such spaces so that there shall be a minimum of twenty (20) feet between homes and ten (10) feet from all interior and exterior roads and walkways. Homes placed end-to-end shall have clearance of not less than ten (10) feet. The tongue or hitch and enclosed additions to the home structure shall be considered a part of the home in measuring required setback distances. The required area of each home space shall not include additional area required for access roads, off-street parking, service buildings, recreation areas, office, and similar Mobile Home Park/Tiny Home Village needs.

5.6.7.4 Access and Interior Roadways.

- (1) A Mobile Home Park or Tiny Home Village shall have at least one (1) direct access to a public road by a roadway at least thirty-two (32) feet in width.

²⁹ Amended July 2023 (Res. 2023-71)

- (2) Access to each home space within a Mobile Home Park or Tiny Home Village shall be provided by interior roadways not less than thirty-two (32) feet in width.
- (3) Interior roadways in a Mobile Home Park or Tiny Home Village shall be surfaced with one and one-half (1 ½) minus gravel, asphalt, or concrete.
- (4) No part of a home shall obstruct any roadway or walkway in a Mobile Home Park or Tiny Home Village.
- (5) Each space shall be assigned a unit number. Numbers must run sequentially along the interior roadway from beginning to end of the roadway. The roadway is assumed to begin at the point it departs from another roadway. If the roadway connects to another roadway at two points, the unit numbers will run in a clockwise sequence. If spaces are on both sides of the interior roadway, odd numbers are on the right and even on the left.

5.6.7.5 Recreation Area. Mobile Home Park or Tiny Home Villages shall provide an amount of not less than eight (8) percent of the gross area for private recreational areas. The area allowed for recreation shall not include any area designated as a roadway or walkway, home space, storage area, any area required for setbacks, or a water surface.

5.6.7.6 Storage Areas.

- (1) An outdoor storage area, either individual or common, for boats, boat trailers, camping units and horse trailers shall be provided within the Mobile Home Park or Tiny Home Village in an amount equal to at least fifty (50) square feet per home space.
- (2) An indoor storage area, either individual or common, for the personal use of home occupants shall be provided in an amount equal to at least fifty (50) square feet per home space. Space beneath the home shall not fulfill this requirement.

5.6.7.7 Skirting. All homes in a Mobile Home Park or Tiny Home Village shall have a skirting of a rigid material. Such skirting shall be in place within sixty (60) days after the home is set on the home space.

5.6.7.8 Fire Protection. Every Mobile Home Park or Tiny Home Village shall be provided with fire extinguishing equipment in good working order of such type, size, and number and so located as prescribed by the local fire prevention authority.

5.6.7.9 Water Supply. An accessible, adequate, safe and potable supply of water under pressure shall be provided in each Mobile Home Park or Tiny Home Village.

- (1) A minimum of five hundred (500) gallons per day must be available for every Manufactured Home space and two hundred fifty (250) gallons per day for every Tiny Home space.

- (2) The number of home spaces to be occupied in a Mobile Home Park or Tiny Home Village shall be limited by the quantity of water available to supply each such home space with the minimum requirements.
- (3) Where a public supply of water of such quality is available, connection shall be made thereto, and its supply may be used exclusively. The development of an independent water supply to serve the mobile home park shall meet all state and local requirements.
- (4) If a Tiny Home Village will allow Park Model/Park Trailers to be used, appropriate connections for utilities will be required at such home sites. All plumbing in the Mobile Home Park or Tiny Home Village shall comply with state and local regulations.

5.6.7.10 Sewage Disposal.

- (1) Mobile Home Parks may be served by a public sanitation district, by a centralized On-Site Wastewater Treatment System (OWTS), or by individual OWTSs adequate to serve each Manufactured Home space. The number of Manufactured Home spaces to be occupied in a Mobile Home Park shall be limited to the capacity of permitted OWTS(s) available to ensure compliance with requirements. All OWTS must be compliant with state and local regulations. Each Manufactured Home space shall be provided with at least a four (4) inch sewer connection. The sewer connection shall be closed when not linked to a Manufactured Home and shall be capped to prevent the escape of odors. The Manufactured Home drain shall be water-tight and self-draining. This drain shall be constructed in accordance with state and local regulations. All plumbing in the Mobile Home Park shall comply with state and local regulations.
- (2) Tiny Home Villages may be served by a public sanitation district, by a centralized On-Site Wastewater Treatment System (OWTS), or by individual OWTSs adequate to serve each Tiny Home space. If a Tiny Home Village will allow Park Model/Park Trailers, appropriate connections for sewage will be required at such home sites. The number of Tiny Home spaces to be occupied in a Tiny Home Village shall be limited to the capacity of permitted OWTS(s) available to ensure compliance with requirements. All OWTS must be compliant with state and local regulations.

5.6.7.11 Electricity. An electrical outlet supplying 110/220 volts shall be provided for each home space. If a Tiny Home Village will allow Park Model/Park Trailers, appropriate connections for electricity will be required at such home sites. The installation shall comply with all state and local regulations.

5.6.7.12 Underground Utilities. All electrical and communication utility lines and services and all street lighting circuits, except as hereinafter provided, shall be installed underground, and street lighting may be provided by means of the utilities standard ornamental facilities. Exceptions from the requirements of the foregoing and this section shall be the following:

- (1) Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground and street lighting facilities may be placed above ground within the utility easement provided therefore, or within the road or other public place as appropriate;
- (2) All facilities reasonably necessary to connect underground facilities to existing or permitted overhead or above-ground facilities;
- (3) Overhead electric transmission and distribution feeder lines and overhead communication long distance, trunk and feeder lines, existing or new; and
- (4) It shall not be necessary to remove or replace existing utility facilities used or useful in servicing the Mobile Home Park or Tiny Home Village.

5.6.7.13 Refuse Disposal.

- (1) The storage, collection, and disposal of refuse in the Mobile Home Park or Tiny Home Village shall be so managed as to create no health hazards, rodent harborage, insect-breeding areas, accident hazards, animal disturbance, or air pollution. All refuse shall be stored in fly-tight, water-tight, rodent-proof and CDOW approved bear resistant containers, which shall be provided in sufficient number and capacity to prevent any refuse from overflowing or blowing away. Satisfactory container racks or holders shall be provided at permanent locations convenient to home spaces, in areas screened by appropriate landscaping or fencing.
- (2) Methods of storage, collection and disposal are subject to compliance with any local laws and regulations. Collection shall be at least weekly. The Mobile Home Park or Tiny Home Village owner is responsible for providing proper garbage disposal.

5.6.7.14 Manufactured Home or Tiny Home Standards.

- (1) Manufactured Homes within a Mobile Home Park must meet all state and local regulatory requirements and must have all appropriate Division of Housing insignia affixed.
- (2) Tiny Homes within a Tiny Home Village must meet all state and local regulatory requirements and must have all appropriate Division of Housing insignia affixed.
- (3) Park Model/Park Trailers within a Tiny Home Village shall only be parked on sites with all appropriate connectors available.
- (4) Manufactured Homes within a Mobile Home Park and Tiny Homes within a Tiny Home Village must be set upon a permanent or temporary foundation in compliance with Division of Housing requirements.

5.6.8 Affordable Workforce Housing Units (AWHU)³⁰. Property owners may apply for a Dwelling Density Bonus with a Residential Use-By-Right Permit (per section 3.2.2) allowing construction of additional Dwelling Unit(s) above typical Maximum Density limits found in Table 4 Zoning District Standards under the following circumstances.

5.6.8.1 Property owners must sign and record a Deed Restriction Agreement provided by the Planning Department outlining the requirements listed in this section prior to applying for a Building Permit. This agreement will be for an indefinite term and will run with the land. Twenty (20) years after the receipt of a Certificate of Occupancy for the Dwelling, property owners may request removal of the Deed Restriction through the Development Director. Final approval will be decided by the Board of County Commissioners.

5.6.8.2 Property owners must agree to provide AWHU(s) equivalent to the number of Bonus Dwelling Units approved. For as long as all Bonus Dwelling Units are AWHUs, other Dwelling Units on the parcel are eligible for use as Vacation Rentals subject to compliance with all regulations applicable to Vacation Rentals.

5.6.8.3 Availability of water, sewer, and electricity adequate to support the total number of Dwelling Units is required.

5.6.8.4 AWHU Standards.

- (1)** Rental must be via a lease or other legal written agreement for a Long-Term Rental lease term. For as long as the parcel is subject to a Deed Restriction, the property owner must submit to the Development Director a copy of each signed lease for each AWHU on the parcel. Copies of all signed leases must be submitted to the Development Director within ten (10) business days after execution.
- (2)** Monthly rent for each term must be set at or below the Maximum Rents identified in the Residential Incentives Program and updated annually. Fees and deposits required by the lease may not exceed the amount of one (1) month's rent in addition to the monthly rent.
- (3)** At the beginning of each lease term, the tenants must provide proof (pay stub, verification from employer, etc.) that at least one adult tenant in the household is employed a minimum of 30 hours per week at a job located inside Archuleta County. Remote work for a job located outside Archuleta County does not satisfy the local job requirement. Also, the tenants' household income must be no more than 120% of AMI, adjusted for household size. Property owners must obtain information from tenants verifying employment and income standards and provide copies to the County with each subsequent lease.

5.6.8.5 The Dwelling Unit identified as an Affordable Workforce Housing Unit must be a Single-Family Dwelling Unit and may be any of the following:

³⁰ Added July 2023 (Res. 2023-71)

- (1) A Dwelling Unit built on-site in accordance with the Adopted Building Codes. This includes one unit of a Duplex or Townhome.
- (2) A Tiny Home built in compliance with State and local regulations, with all appropriate State insignia attached, and placed on a temporary or permanent foundation. This does not include Recreational Vehicles or Park Model/Park Trailers.
- (3) A Manufactured Home built in a factory in compliance with State and local regulations, with all appropriate State insignia attached, and placed on a temporary or permanent foundation.

5.6.8.6 The following criteria must be applied to determine the maximum number of Affordable Workforce Housing Units allowed for a Dwelling Density Bonus on a single parcel.

- (1) No Dwelling Density Bonus is allowed on parcels smaller than one (1) acre.
- (2) Only one additional Dwelling Unit is allowed on parcels of sizes of at least one (1) acre but smaller than ten (10) acres.
- (3) Parcels of a size of ten (10) acres or larger may be approved for a Dwelling Density Bonus of up to two (2) Dwelling Units above the Maximum Density if all Bonus Dwelling Units are Affordable Workforce Housing Units per section 5.6.8 and are built following the concept of Cluster Development.

5.6.9 Employer Provided Workforce Housing (EPWH)³¹. Property owners may apply for a Conditional Use Permit (per section 3.2.2) allowing construction of Dwelling Unit(s) above typical Maximum Density limits found in Table 4 Zoning District Standards to provide housing for employees of a business also owned and/or operated by the property owner.

5.6.9.1 Property owners must sign and record a Deed Restriction Agreement provided by the Planning Department outlining the requirements listed in this section prior to applying for a Building Permit. This agreement will be for an indefinite term and will run with the land. Twenty (20) years after the receipt of a Certificate of Occupancy for the Dwelling(s), property owners may request removal of the Deed Restriction through the Development Director. Final approval will be decided by the Board of County Commissioners.

5.6.9.2 Vacation Rental IS NOT ALLOWED in EPWH Units.

5.6.9.3 Availability of water, sewer, and electricity adequate to support the total number of Dwelling Units is required.

5.6.9.4 EPWH Standards.

- (1) Dwelling Units designated as EPWH must be rented to employees of the property owner or as Affordable Workforce Housing Units (AWHU), as found in Section 5.6.8 above, when not needed for employees.

³¹ Added July 2023 (Res. 2023-71)

- (2) Rental must be via a lease or other legal written agreement for a Long-Term Rental lease term. For as long as the parcel is subject to a Deed Restriction, the property owner must submit to the Development Director a copy of each signed lease for each EPWH Unit on the parcel. Copies of all signed leases must be submitted to the Development Director within ten (10) business days after execution.
- (3) Monthly Rent.
 - a. When a Dwelling Unit is used as an EPWH Unit, the monthly rent may be set at whatever amount is determined by the property owner to be appropriate.
 - b. When a Dwelling Unit is used as an AWHU, the monthly rent must meet the requirements outlined in Section 5.6.8, above.
- (4) Renter Qualifications.
 - a. When a Dwelling Unit is used as an EPWH Unit, at least one adult tenant in the household must be a full-time Archuleta County resident employed a minimum of 30 hours per week by the property owner.
 - b. When the Dwelling unit is used as an AWHU, the renter must meet the qualifications in Section 5.6.8, above.

5.6.9.5 The Dwelling Unit identified as an EPWH Unit must be a Single-Family Dwelling Unit and may be any of the following:

- (1) A Dwelling Unit built on-site in accordance with the Adopted Building Codes. This includes a Duplex or Townhome.
- (2) A Tiny Home built in compliance with State and local regulations, with all appropriate State insignia attached, and placed on a temporary or permanent foundation. This does not include Recreational Vehicles or Park Model/Park Trailers.
- (3) A Manufactured Home built in a factory in compliance with State and local regulations, with all appropriate State insignia attached, and placed on a temporary or permanent foundation.
- (4) Multi-Family Housing Units built in accordance with the Adopted Building Codes.

5.6.9.6 The following criteria must be applied to determine the maximum number of EPWH Units allowed on a single parcel.

- (1) No EPWH is allowed on parcels smaller than one (1) acre except in the Residential (R) or Commercial (C) Zoning Districts where development should follow the standards for those districts.
- (2) All EPWH shall follow the guidelines of the Residential (R) Zoning District found in Table 4: Zone District Standards regarding the Maximum Dwelling Density however, must meet all other zoning standards for the assigned Zoning District, including setbacks and height limits.
- (3) On parcels larger than 10 acres, development must follow the concept of Clustering.

CHAPTER 18 BUILDINGS AND BUILDING REGULATIONS

ARTICLE III. BUILDING CODES AND STANDARDS: AMENDMENTS, ADDITIONS AND DELETIONS TO THE INTERNATIONAL CODES

Sec. 18-37 Tiny Homes

Definitions

EGRESS ROOF ACCESS WINDOW. A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements in 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 above the main floor and open to it on at least one side, with a ceiling height of less than 6 feet 8 inches, which is used as a living or sleeping space.

TINY HOME. A dwelling that is 400 square feet or less.

THOW. A Tiny Home on Wheels.

I. **Scope.** This section shall be applicable to tiny homes used as single family dwelling units. Tiny homes shall comply with this Code except as otherwise stated in this section. This section only applies to tiny homes and cannot be applied to other residential units in La Plata County.

II. Approvals.

A. Upon the completion of all inspections required pursuant to section 18-35(110) of this Code, a Tiny Home on Wheels (THOW) will receive a Certificate of Limited Compliance from La Plata County. This can be converted to a Certificate of Occupancy upon the THOW's installation on a property with a permanent foundation and completion of all required inspections pursuant to section 18-35(110) of this Code.

B. A tiny home that is site built or delivered and installed on a permanent foundation shall be issued a Certificate of Occupancy upon completion of all required inspections pursuant to section 18-35(110) of this Code.

III. **Energy Code.** Tiny homes shall be built in compliance with the standards set forth in section 18-44 of this Code.

IV. Snow load.

A. A THOW without a known destination will be required to have a roof live load of 120 psf. If the THOW has a known location of installation, the live load can be determined using the LPC GIS map as provided in section 18-36(R301.2.3).

B. A site built tiny home, or a tiny home delivered and installed on a permanent foundation, shall be built to the snow/live load as shown on the LPC GIS map as provided in section 18-36(R301.2.3).



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

VI. Exception: Ceiling heights in lofts are permitted to be less than 6 feet 8 inches.

VII. Lofts.

A. Minimum loft area. Lofts shall have a floor area of not less than 35 square feet.

B. Minimum dimensions. Lofts shall not be less than 5 feet in any horizontal dimension.

C. Height effect on loft area. Portions of a loft with a sloping ceiling measuring less than 3 feet from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required square footage or horizontal dimensions for the loft.

Exception: Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

D. Loft access. The access to and primary egress from lofts shall conform with the specifications set forth below in subsections E through P.

E. Stairways. Stairways accessing lofts shall comply with this Code or with the subsections E through K below.

F. Width. Stairways accessing a loft shall not be less than 17 inches in clear width at or above the handrail. The minimum width below the handrail shall be not less than 20 inches.

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

H. Treads and risers. Risers for stairs accessing a loft shall not be less than 7 inches and not more than 12 inches 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 minus $\frac{4}{3}$ of the riser height, or
2. The riser height shall be 15 inches minus $\frac{3}{4}$ of the tread depth.

I. 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 where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches in depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches in height measured from the landing platform to the loft floor.

J. Handrails. Handrails shall comply with Section R311.7.8 of the 2015 International Residential Code.

K. Stairway guards. Guards at open sides of stairways shall comply with Section R312.1 of the 2015 International Residential Code.

L. Ladders. Ladders accessing lofts shall comply with subsections M and N below.

M. Size and capacity. Ladders accessing lofts shall have a rung width of not less than 12 inches, and 10 inches to 14 inches spacing between rungs. Ladders shall be capable of supporting a 200 pound load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ -inch.



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

O. Alternating tread devices. Alternating tread devices accessing lofts shall comply with Sections R311.7.11.1 and R311.7.11.2 of the 2015 International Residential Code. The clear width at and below the handrails shall be not less than 20 inches.

P. Ships ladders. Ships ladders accessing lofts shall comply with Sections R311.7.12.1 and R311.7.12.2 of the 2015 International Residential Code. The clear width at and below handrails shall be not less than 20 inches.

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

VIII. Emergency escape and rescue openings. Tiny homes shall meet the requirements of Section R310 of the 2015 International Residential Code 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 of the 2015 International Residential Code, where installed such that the bottom of the opening is not more than 44 inches above the loft floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1 of the 2015 International Residential Code.

(Res. No. 2017-33, 10-10-2017)

Effective on: 12/11/2017



CHAPTER 73 STANDARDS AND ADDITIONAL SUBMITTAL REQUIREMENTS FOR SPECIFIC USES

OVERVIEW

The specific uses addressed in this chapter require particular attention for a variety of reasons. Although many uses have the potential to impact neighbors by generating noise, dust, odor, light, traffic or other potential nuisances, some uses require evaluation and mitigation efforts beyond those established more generally elsewhere in the code. By way of example, some uses present additional concerns to the health, safety and welfare of the community at large that justify special attention in this chapter. Other uses addressed in this chapter warrant special attention in order to accommodate unique technical considerations or to coordinate the county's interests with regulations and standards set at the state and federal levels. Some uses addressed in this chapter present opportunities to promote the county's interest in the use by allowing different standards than those generally applicable.

SEC. 73-5 CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS

I. **Purpose.** This section is enacted to establish, maintain and enforce minimum standards for the development of organized campgrounds, including recreational vehicle parks, and to ensure proper utilities, physical facilities and other conditions required to make campgrounds and recreational vehicle parks safe, sanitary and fit for human habitation.

II. **Applicability.** These standards and submittal requirements apply to any land use permit application proposing a primitive, semi-primitive, semi-developed, developed or modern campground (as those uses are defined in this code and state law), including recreational vehicle parks. **Tiny homes on wheels are allowed in campgrounds and recreational vehicle parks subject to the same standards and requirements in this section for recreational vehicles.**

III. **Standards specific to campgrounds and recreational vehicle parks.**

- A. **Ownership.** A campground or recreational vehicle park may only be established on a single parcel.
- B. **Site location.** The site shall be well drained, free from topographical hazards, natural hazards or other conditions unfavorable to proper enjoyment by users.
- C. **Property line setbacks.** Each campground and recreational vehicle park shall provide the following setbacks along the property line of the subject parcel with respect to all facilities, including individual campsites and spaces, on the site:
 - 1. From a property line adjacent to any public highway or right-of-way: twenty-five (25) feet;
 - 2. Recreational vehicle campsites shall be located at least twenty-five (25) feet from the property line.



D. Internal setbacks. The location of each campsite, space, or other facility on the site shall be situated to allow for compliance with the following internal setbacks:

1. All recreational vehicles, including awning and other attachments, motor vehicles and temporary accessory structures must be placed at least three (3) feet from the boundaries of the recreational vehicle campsite;
2. All recreational vehicles shall be located at least ten (10) feet from buildings and other recreational vehicles on adjacent recreational vehicle campsites.

E. Water supply, sewage disposal and sewage collection. The following standards apply:

1. Primitive campgrounds and semi-primitive campgrounds shall conform to the state regulations for campgrounds and recreation areas relating to water supply, sewage disposal and sewage collection rather than the standards set forth in chapter 70.
2. Semi-developed campgrounds, developed campgrounds, and modern campgrounds shall conform to the state regulations for campgrounds and recreation areas relating to water supply, sewage disposal and sewage collection in addition to the standards set forth in chapter 70, including but not limited to the ability of a campground to prove that no water demand exists and therefore need not comply with portions of 70-4.
3. Any residential dwelling unit located on the same parcel as a campground or recreational vehicle park, whether used as a caretaker unit or otherwise and regardless of the type of campground, shall conform to the state regulations for campgrounds and recreation areas relating to water supply, sewage disposal and sewage collection in addition to the standards set forth in chapter 70.

F. Access. Each campground, except primitive and semi-primitive sites, and each recreational vehicle park shall have access to a county road, state highway or road on federal lands. Accessibility to such roads must be established to accommodate large recreational vehicles with limited turning movements, reduced visibility and slower acceleration speeds.

1. Entrance roads. All entrance roads that do not front campsites shall conform with chapter 74.
2. Interior roads. Each campsite, except walk-in sites, and recreational vehicle campsite shall front upon an interior road which conforms to the state regulations for campgrounds rather than chapter 74, and each campsite not fronting directly upon a conforming road shall have a clear and unobstructed access of not less than ten (10) feet in width to a conforming road.

G. Parking. Parking areas and spaces shall be provided in semi-developed campgrounds, developed campgrounds and recreational vehicle parks for automobiles, camping or recreational vehicles, boats, trailers and other appurtenant equipment at the rate of at least one (1) space per campsite or recreational vehicle campsite. No recreational vehicle shall be parked outside a designated recreational vehicle campsite. Each recreational vehicle stand shall be surfaced with a minimum of four (4) inches of compacted gravel with a maximum aggregate size of two (2) inches. In recreational areas accessible to motor vehicles, all vehicular traffic shall be restricted to roadways and parking areas. Parking space shall be provided for the estimated maximum number of users at the rate of one (1) space for four (4) persons and shall not exceed one hundred (100) spaces per acre. Should additional uses be contemplated as part of the development proposal, adequate parking shall be provided pursuant to section 70-18.



- H. Limitation on use. Camping parties and users shall be limited to that number for which the physical facilities were designed. Use of primitive and semi-primitive campgrounds shall be limited to membrane structures. Use of semi-developed, developed and modern campgrounds may, depending upon the level of improvements include membrane structures, self-propelled vehicles, towed camping units and recreational vehicles. The maximum length of stay for a camping party shall be sixty (60) days. Movement from one space within the campground or recreational vehicle park to another shall not waive this limitation. Recreational vehicle parks are not intended for the temporary or long-term storage of recreational vehicles. Use of a recreational vehicle park as temporary or long-term storage may require a land use permit under section 73-7, Commercial outdoor storage.
- I. Identification of campsites. Campsites and recreational vehicle campsites shall be clearly marked and identified.
- J. Size of campsites and recreational vehicle campsites. Each campsite or recreational vehicle campsite shall provide at least nine hundred (900) square feet of space. No more than one (1) recreational vehicle may be parked in a single space.
- K. Density. The density of campsites and recreational vehicle campsites shall not be more than twenty-five (25) per acre excluding roads, buildings and other common use areas.
- L. Structures. No permanent or semi-permanent structures, such as cabins, lean-tos, sheds or habitable buildings shall be erected in the campground except by the owner of the real property and shall be erected in accordance with the building code. Temporary structures such as awnings, screened enclosures, and other similar equipment, which are normal camping equipment, may be erected but must be removed when the campsite is vacated.
- M. Vegetation. Natural vegetation and ground cover shall be maintained or provided to facilitate drainage, reduce dust, prevent erosion and reduce fire hazards.
- N. Wildlife impacts. Applicant shall assess and, to the maximum extent feasible, prevent adverse impacts to wildlife in compliance with approved mitigation measures set forth in the applicant's wildlife analysis.
- O. Community service buildings or open space. All community service buildings shall conform to the requirements of the state regulations for campgrounds and the building code. At least two hundred (200) square feet for each space within a campground or recreational vehicle park shall be reserved for recreational and community use by the occupants of the campground or park.
- P. Operators and caretakers. The operator of the campground or caretaker of a recreational vehicle park shall maintain the grounds and common use sanitary facilities, equipment and utilities in a clean, safe, and sanitary condition and shall insure that solid waste is collected at least once per week or more frequently if necessary to prevent nuisance conditions or wildlife encounters. A recreational vehicle park may include one (1) residential dwelling unit for the purpose of providing housing or shelter for the caretaker or supervisor of the park.
- Q. Fires. Fires will be permitted only in facilities which have been provided for such purposes or where open fires are allowed. Fire pits or other cooking facilities shall be located, constructed, maintained, and used to minimize fire hazard and smoke nuisance in the campground, recreational vehicle park and the neighboring properties.
- R. Fire protection. Development subject to this section shall comply with the fire code as prescribed by the chief of the fire district.

IV. Submittal requirements. In addition to the general land use permit application submittal requirements set forth in section 66-11, applicant shall submit the following documents and materials:

- A. Operating plan. A plan for the method of operations, including without limitation:
1. Statement of the proposed operational periods;
 2. Plan to minimize adverse impacts on wildlife and minimize nuisances;
 3. Refuse disposal plan, including management of container;
 4. A statement of the number of permanent and temporary employees anticipated on site during operation;
 5. A statement addressing preparedness and protocol for responding to a wildfire beginning on or in the vicinity of the campground or recreational vehicle park;
 6. Plan for general caretaking.
- B. A copy of the proposed rules for the campground or recreational vehicle park addressing, at a minimum; fire safety, practices to prevent adverse impacts on wildlife, control of domestic animals such as dogs and a mechanism for enforcement of such rules.
- C. A copy of the wildlife analysis.
- D. Evidence of all necessary CDPHE permits for sanitation and sanitary disposal stations and a statement addressing how the construction, layout, and operation of the campground or recreational vehicle park is in general conformance with all state requirements.
- E. Site plan. A site plan containing these additional requirements, whether existing or proposed:
1. The area and dimensions of the entire parcel and the site proposed for use;
 2. Land use and activity proposed within the site;
 3. Topography of the parcel with contour lines of sufficient detail to portray the direction and rate of slope of the parcel;
 4. The number, size, location and surfacing materials of the proposed campsites or recreational vehicle campsites and other parking areas;
 5. Location, roadway and right-of-way widths and surfacing materials of public roadways providing access to the site;
 6. The interior vehicular circulation pattern, including widths, surfacing materials and proposed design speed and pedestrian circulation pattern;
 7. Location and proposed use of structures;
 8. Location of solid waste collection receptacles which shall be designed to be in accordance with CPW to prevent wildlife conflicts;
 9. Location of a potable water distribution system, including proof of the water's source, quality and quantity, if proposed;
 10. Location of sanitary sewer collection and treatment system, including capacity, if proposed;
 11. Location of lighting, gas and electric systems, if proposed;



12. Location of fences, buffering and landscaping areas.

F. Plan for the removal and abatement of noxious weeds.

(Res. No. 2020-30, § 73-5, 09/15/2020; Res. No. 2022-01, § 73-5, 01/04/2022)

Effective on: 1/4/2022

CHAPTER 73 STANDARDS AND ADDITIONAL SUBMITTAL REQUIREMENTS FOR SPECIFIC USES

OVERVIEW

The specific uses addressed in this chapter require particular attention for a variety of reasons. Although many uses have the potential to impact neighbors by generating noise, dust, odor, light, traffic or other potential nuisances, some uses require evaluation and mitigation efforts beyond those established more generally elsewhere in the code. By way of example, some uses present additional concerns to the health, safety and welfare of the community at large that justify special attention in this chapter. Other uses addressed in this chapter warrant special attention in order to accommodate unique technical considerations or to coordinate the county's interests with regulations and standards set at the state and federal levels. Some uses addressed in this chapter present opportunities to promote the county's interest in the use by allowing different standards than those generally applicable.

SEC. 73-15 MANUFACTURED HOME PARKS, TINY HOME COMMUNITIES OR MANUFACTURED HOME SUBDIVISIONS

- I. **Purpose.** This section is enacted to facilitate the development and use of land for permanent dwelling units which are not site-built structures to promote more affordable residential development.
- II. **Applicability.** These standards and submittal requirements shall apply to land use permit applications proposing the development of land for use by manufactured home parks, tiny home communities and manufactured home subdivisions.
- III. **Standards specific to manufactured home parks, tiny home communities and manufactured home subdivisions.**
 - A. **Manufactured home parks.**
 1. **Uses.** In addition to manufactured homes, tiny homes may be located within a manufactured home park. Recreational vehicles and tiny homes on wheels intended for use as a permanent dwelling may be located within a manufactured home park provided such vehicle has been converted to permanent use and meets all applicable building code requirements. Tiny homes and recreational vehicles located within a manufactured home park shall comply with all the requirements of this code applicable to manufactured homes, unless otherwise specified herein. Manufactured home parks are not intended for the temporary or long-term storage of manufactured homes. Any temporary or long-term storage within manufactured home parks may require a land use permit under section 73-7.
 2. **Common ownership not required.** The site on which a manufactured home park is situated shall be a single parcel. The owner of the manufactured home park need not own



the manufactured homes located within each manufactured home space. No more than one (1) manufactured home shall be permitted on each manufactured home space.

3. Accessory buildings. Accessory buildings and structures to manufactured homes in a manufactured home park are limited to garages, cabanas, storage structures, and carports. All accessory buildings and structures shall conform to the building code. Accessory buildings or structures not adequately covered by either the building code or this code shall be subject to the provisions of the National Fire Protection Association's Standard for Manufactured Housing, "Manufactured Homes Accessory Buildings and Structures," NFPA No. 501A. Arrangement of manufactured homes and accessory buildings or structures on the site shall not restrict reasonable access to the site by emergency personnel.
4. Towing apparatus. All structures that are occupied or intended to be occupied in a manufactured home park shall have their wheels, axles and removable towing apparatus removed and be secured to a permanent or other permissible form of foundation. Methods of securing and foundation designs shall be approved by the building official. Wheels and axles of recreational vehicles do not have to be removed.
5. Skirting. All structures that are occupied or intended to be occupied, including non-removable towing apparatus, shall be skirted in conformity with the building code. Skirting must occur within sixty (60) days of placement of the manufactured home in the park.
6. Roadways.
 - a. Entrance roads. All entrance roads that do not front manufactured home spaces shall conform with chapter 74.
 - b. Access to spaces. Access to every manufactured home space shall be from internal streets and roads. The manufactured home park shall be designed so that all manufactured home spaces and community buildings face onto an interior roadway.
 - c. Internal roads. Internal roadways within a manufactured home park shall meet low ADT road standards in chapter 74.
7. Space requirements. No manufactured home spaces shall contain less than four thousand (4,000) square feet. The dimensions of the space shall be such that the width is at least one-third (1/3) the depth. Space requirements exclude parking.
8. Property line setbacks. Each manufactured home park shall provide the following setbacks along the exterior property line with respect to all facilities within the park:
 - a. From a state or federally designated highway or county designated rural arterial: fifty (50) feet;
 - b. From any public right-of-way not described in subsection (a) above: fifty (50) feet;
 - c. From the exterior lot line (side or rear): ten (10) feet.
9. Internal setbacks. The placement of any manufactured home within a space shall meet the following setbacks:
 - a. From the front boundary adjacent to the interior roadway: ten (10) feet;
 - b. From the side boundaries of the space: five (5) feet;
 - c. From the rear boundary of the space: five (5) feet.



10. Common open space requirements. A minimum of ten (10) percent of the total park shall be set aside for recreational purposes and depicted on the site plan. Adequate pedestrian access shall be provided to the recreational or common open space area or facility. In order to be the most usable, the area set aside for recreational or common open space shall be contiguous or only divided into two (2) separate areas. The common open space and any facilities shall be maintained by the owner.
 11. Landscaping. The landscaping and screening required by section 70-17 shall be maintained by the owner of the manufactured home park.
 12. Addressing. Each manufactured home space shall have a number posted on the front portion of the space and visible from the adjacent roadway.
 13. Off-street parking. Each manufactured home space shall have two (2) parking spaces located within that space.
 14. Fire protection. Development subject to this section shall comply with the fire code as prescribed by the chief of the fire district.
 15. Wildlife impacts. Applicant shall assess and, to the maximum extent feasible, prevent adverse impacts to wildlife in compliance with approved mitigation measures set forth in the applicant's wildlife analysis.
- B. Manufactured home subdivisions. In addition to the standards for subdivisions, manufactured home subdivisions shall meet the following standards:
1. Uses. In addition to manufactured homes, tiny homes may be located within a manufactured home subdivision. Recreational vehicles intended for use as a permanent dwelling may be located within a manufactured home subdivision provided such vehicle has been converted to permanent use and meets all applicable building code requirements. Tiny homes and recreational vehicles located within a manufactured home subdivision shall comply with all the requirements applicable to manufactured homes. Manufactured home subdivisions are not intended for the temporary or long-term storage of manufactured homes.
 2. Common ownership of lot and structure. Each lot within a manufactured home subdivision is intended for separate ownership. The manufactured home and any accessory building or structure on a lot shall have the same owner as the lot. No more than one (1) manufactured home shall be permitted on each platted lot.
 3. Accessory buildings. Accessory buildings and structures to manufactured homes in a manufactured home subdivision are limited to garages, storage structures, and carports. All accessory buildings and structures shall conform to the building code and appropriate sections of this code. Accessory buildings or structures not adequately covered by either the building code or this code shall be subject to the provisions of the National Fire Protection Association's Standard for Manufactured Housing, "Manufactured Homes Accessory Buildings and Structures," NFPA No. 501A. Arrangement of manufactured homes and accessory buildings or structures on the site shall not restrict reasonable access to the site by emergency personnel.
 4. Towing apparatus. All structures that are occupied or intended to be occupied in a manufactured home subdivision shall have their wheels, axles and removable towing apparatus removed and be secured to a permanent foundation. Methods of securing and foundation designs shall be approved by the building official.



5. Skirting. All structures that are occupied or intended to be occupied, including non-removable towing apparatus, shall be skirted in conformity with the building code.
6. Access and interior roadways. All roadways within a manufactured home subdivision shall meet all the requirements for subdivision roads in chapter 74. Adequate pedestrian access shall provide safe access to the interior of the subdivision.
7. Setbacks. The placement of any manufactured home on a lot shall meet the following setbacks:
 - a. For interior lots: five (5) feet from all lot lines;
 - b. For exterior lots: ten (10) feet from an exterior property line and five (5) from an interior lot line.
8. Common open space requirements. A minimum of ten (10) percent of the total land within the subdivision shall be set aside for recreational purposes and depicted on the plat. Adequate pedestrian access shall be provided to the recreational or open space area and facility. In order to be the most usable, the area set aside for recreational or common open space shall be contiguous or only divided into two (2) separate areas. The open space and any facilities shall be maintained by a homeowners' association.
9. Off-street parking. Each manufactured home lot shall have two (2) parking spaces located within that lot.

C. Tiny home communities.

1. Uses. Only tiny homes, THOWs and related accessory structures may be permitted within a tiny home community.
2. Ownership. A tiny home community may only be established on a single parcel.
3. Site location. Sites for a tiny home community shall be level and well drained, free from topographical hazards, natural hazards or other conditions unfavorable to proper enjoyment by users.
4. Roadways. Interior roadways are not required for tiny home communities. Tiny home communities with no interior roadways should contain pedestrian walkways for access to each tiny home. For tiny home communities that will contain roadways, the following standards shall apply:
 - a. Entrance roads. All entrance roads that do not front spaces shall conform to chapter 74;
 - b. Internal road standards. For tiny home communities that will contain internal roadways, internal roadways shall meet low ADT road standards in chapter 74.
5. Parking. Motor vehicle parking shall be provided for in parking areas on the site. Two (2) parking spaces shall be provided for each tiny home space.
6. Property line setbacks. Each tiny home community shall provide the following setbacks along the exterior property line:
 - a. From a state or federally designated highway or county designated rural arterial: fifty (50) feet;
 - b. From any public right-of-way not described in sub-subparagraph (a) above: fifty (50) feet;



- c. From the exterior lot line (side or rear): ten (10) feet.
7. Internal setbacks. The placement of any tiny home within a space shall meet the following setbacks:
 - a. If applicable, from the front boundary adjacent to the interior roadway: ten (10) feet;
 - b. From all other space boundaries not included in sub-subparagraph (a) above: five (5) feet;
 - c. From another tiny home: ten (10) feet.
8. Use of tiny homes and THOWs.
 - a. Tiny homes and THOWs within a tiny home community are intended to be used as a permanent dwelling and shall meet all applicable building code requirements. All tiny homes and THOWs must be connected to water, sewer and power before they are occupied.
 - b. No more than one (1) tiny home or THOW may be placed in a single space.
9. Density. A tiny home community may contain up to sixteen (16) tiny homes or THOWs per acre.
10. Accessory structures. Accessory structures to tiny homes as contained within the established space are limited to garages, storage structures and carports. All accessory buildings and structures shall conform to the building code and appropriate sections of this code.
11. Landscaping. The landscaping and screening required by section 70-17 shall be maintained by the owner of the tiny home community.
12. Addressing. Each tiny home shall have a number posted on the front portion of the space and visible from the adjacent roadway or, if there is no internal roadway, from the adjacent pedestrian walkway.
13. Wildlife impacts. Applicant shall assess and, to the maximum extent feasible, prevent adverse impacts to wildlife in compliance with approved mitigation measures set forth in the applicant's wildlife analysis.

IV. Submittal requirements.

- A. Manufactured home parks. In addition to the general land use permit application submittal requirements set forth in section 66-11, applicant shall submit the following documents and materials:
 1. Site plan. A site plan containing these additional requirements, whether existing or proposed:
 - a. The area and dimensions of the entire parcel and the site proposed for use;
 - b. Topography of the parcel with contour lines of sufficient detail to portray the direction and rate of slope of the parcel;
 - c. The number, size, location and surfacing materials of the proposed manufactured home spaces and other parking areas;
 - d. Location, roadway and right-of-way widths and surfacing materials of public roadways providing access to the site;



- e. Location of access roads and rights-of-way, together with the locations of any easements for access, irrigation, or utilities;
 - f. The proposed interior vehicular circulation pattern, including widths, surfacing materials and proposed design speed and pedestrian circulation pattern;
 - g. Location and proposed use of structures;
 - h. Location of solid waste collection receptacles;
 - i. Location of lighting, gas and electric systems;
 - j. Location of fences, buffering and landscaping areas;
 - k. Location of common areas and recreational facilities;
 - l. Topographic information concerning any significant site features including floodplains, water bodies, and drainage patterns.
2. Operating plan. A plan for the method of operations, including without limitation:
- a. Plan to minimize nuisances;
 - b. Plan for solid waste disposal;
 - c. Plan for the removal and abatement of noxious weeds;
 - d. Landscaping plan;
 - e. Fire prevention and protection plan, including hydrants and water storage and accessibility.
- B. Manufactured home subdivisions. Applicants proposing the development of a manufactured home subdivision shall meet all the submittal requirements for land use permit for a subdivision.
- C. Tiny home communities. In addition to the general land use permit application submittal requirements set forth in section 66-11, the applicant shall submit the following documents and materials:
1. A site plan containing these additional requirements, whether existing or proposed:
 - a. The area and dimensions of the entire parcel and the site proposed for use;
 - b. Topography of the parcel with contour lines of sufficient detail to portray the direction and rate of slope of the parcel;
 - c. The number, size, location and surfacing materials of the proposed tiny home spaces and parking areas;
 - d. Location, roadway and right-of-way widths and surfacing materials of public roadways providing access to the site;
 - e. Location of access roads and rights-of-way, together with the locations of any easements for access, irrigation, or utilities;
 - f. If the community is to have interior roads, the proposed interior vehicular circulation pattern, including widths, surfacing materials and proposed design speed and pedestrian circulation pattern;
 - g. Location and proposed use of structures;



- h. Location of solid waste collection receptacles;
 - i. Location of lighting, gas and electric systems;
 - j. Location of fences, buffering and landscaping areas;
 - k. Location of common areas and recreational facilities;
 - l. Topographic information concerning any significant site features including floodplains, water bodies, and drainage patterns.
2. Plan for the removal and abatement of noxious weeds.

(Res. No. 2020-30, § 73-15, 09/15/2020)

Effective on: 10/1/2020

TINY HOME



TINY HOUSE



NOTIFICATION

**NOTICE OF PUBLIC HEARING
MORGAN COUNTY BOARD OF COMMISSIONERS
AUGUST 6, 2024 AT 9:00 A.M.
VIRTUAL AND IN PERSON IN THE ASSEMBLY ROOM, MORGAN COUNTY
ADMINISTRATIVE BUILDING, 231 ENSIGN, FORT MORGAN, COLORADO**

Notice is hereby given that on the date and time above (or as soon as possible following the scheduled time) and at the location above, or at such time and place as this hearing may be adjourned, the Morgan County Board of Commissioners will conduct a public hearing on the following proposed **Amendments to the Morgan County Zoning Regulations**:

1.) Zoning Amendments: Amendments relating to tiny homes and tiny houses.

THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.

To participate remotely you may connect via Zoom at:

<https://us02web.zoom.us/j/82751798852>

Or Telephone:

Dial:

+1 719 359 4580 US

Webinar ID: 827 5179 8852

The proposed amendments are available for inspection at the Planning Administrator's Office, 231 Ensign Street, basement, Fort Morgan, Colorado, during regular office hours. At the time of hearing, opportunity will be given for public comment in support of or in opposition to the amendments.

Nicole Hay

Nicole Hay

Morgan County Planning Administrator

Published: July 20, 2024

For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.

NOTICE OF PUBLIC HEARING
MORGAN COUNTY BOARD OF COMMISSIONERS
AUGUST 6, 2024 AT 9:00 A.M.
VIRTUAL AND IN PERSON IN THE ASSEMBLY ROOM, MORGAN
COUNTY ADMINISTRATIVE BUILDING, 231 ENSIGN,
FORT MORGAN, COLORADO

Notice is hereby given that on the date and time above (or as soon as possible following the scheduled time) and at the location above, or at such time and place as this hearing may be adjourned, the Morgan County Board of Commissioners will conduct a public hearing on the following proposed Amendments to the Morgan County Zoning Regulations:

- 1.) Zoning Amendments: Amendments relating to tiny homes and tiny houses.

THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.

To participate remotely you may connect via Zoom at:
<https://us02web.zoom.us/j/82751798852>
Or Telephone:

Dial:
+1 719 359 4580 US
Webinar ID: 827 5179 8852

The proposed amendments are available for inspection at the Planning Administrator's Office, 231 Ensign Street, basement, Fort Morgan, Colorado, during regular office hours. At the time of hearing, opportunity will be given for public comment in support of or in opposition to the amendments.

/s/Nicole Hay
Nicole Hay
Morgan County Planning Administrator

Published: July 20, 2024

Published: Fort Morgan Times July 20, 2024-2065401

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Fort Morgan Times*.
2. The *Fort Morgan Times* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Morgan County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Fort Morgan Times* in Morgan County on the following date(s):

Jul 20, 2024

Melissa Najera
Signature

Subscribed and sworn to me before me this

22nd day of July, 2024.

Shayla Najera
Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025

Account: 1052763
Ad Number: 2065401
Fee: \$39.56