



**TOWN OF RED CLIFF, COLORADO
ORDINANCE NO. 2, SERIES 2022**

**AN ORDINANCE AMENDING CHAPTER 16, PLANNING & ZONING OF THE RED
CLIFF MUNICIPAL CODE**

WHEREAS, the Town of Red Cliff (“Town”) is a legal and political subdivision of the State of Colorado for which the Red Cliff Town Board of Trustees (“Town Board”) is authorized to act; and

WHEREAS, the Town is authorized by the Local Government Land Use Control Enabling Act of 1974, §29-20-101 through §29-20-108, C.R.S., as amended, and §31-23-301, C.R.S., as amended, to plan for and regulate the use of land within the Town’s jurisdiction, and to enact zoning, subdivision, and other land use and development regulations; and

WHEREAS, the Town Board and Planning and Zoning Commission have held various work sessions and public hearings to receive public input on changes to the Red Cliff Municipal Code (the “Code”) and, specifically, Chapter 16, Planning and Zoning (“Zoning Code”); and

WHEREAS, §31-23-304, C.R.S., provides that the Town shall provide for the manner in which its land use and development regulations are amended, supplemented, or changed; and

WHEREAS, Sec. 1-3-70, Amendments to the Code, and Sec. 1-3-80, Supplementation of the Code, provide processes to amend the Code; and Sec. 16-3-30, Planning and Zoning Commission, provides that the Town’s Planning and Zoning Commission shall review all proposed amendments to the Town’s Zoning Code at a duly noticed public hearing and shall recommend approval or denial of a proposed amendment to the Town Board, and

WHEREAS, Sec. 16-3-40, Town Board of Trustees, provides that the Town Board shall finally approve, continue, or deny recommendations by the Planning and Zoning Commission on any proposed Code amendments at a duly noticed public hearing; and

WHEREAS, the Planning Commission at a duly noticed public hearing on August 2, 2022 considered the Zoning Code amendments to Chapter 16, Articles 2, 4 and 6, and, provided a recommendation of approval with suggested revisions to the Town Board; and

WHEREAS, the Town Board at a duly noticed public hearing on August 2, 2022 considered the proposed Zoning Code amendments to Chapter 16, Articles 2, 4 and 6, and the recommendation of the Planning and Zoning Commission on first reading; and

WHEREAS, the Town Board at a duly noticed public hearing on August 16, 2022, considered the proposed Zoning Code amendments to Chapter 16, Articles 2, 4 and 6, and the recommendation of the Planning and Zoning Commission on second reading and determined that the amendments are in the best interest of the public health, safety and welfare of the citizens of the Town and conformed in all respects to the Red Cliff Municipal Code.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF RED CLIFF, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. Chapter 16 of the Red Cliff Municipal Code, the Zoning Code of the Town of Red Cliff, is hereby amended to read as follows, with additions shown in double underlined text, and ~~strike through language is deleted~~. Sections of Chapter 16 which are not expressly described in this Ordinance are deemed to continue to be in full effect without change.

Article 2 – Interpretation and Definitions

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Sec. 16-2-20. Definitions.

Access means the place, means or way by which pedestrians and vehicles shall have adequate and usable ingress and egress to property, use or parking space.

Access ways including roads means the place, means, or way by which pedestrians or vehicles shall have safe, adequate, and usable ingress and egress to a property, use, or parking space.

Accessory apartment means an attached or detached dwelling unit that is incidental and subordinate in function and size to the principal structure or building on a site. An accessory apartment shall have separate cooking, sleeping and sanitation facilities and be intended for occupancy as a separate independent living facility.

Accessory structure means a subordinate structure incidental and subordinate in function to the principal structure on a site located on the same site as the principal structure. Accessory structures shall not have cooking, sleeping or sanitation facilities sufficient to render them suitable for residential occupancy.

Accessory Use means a use that is (1) customarily incidental and subordinate to the principle use of a lot or the main building thereon, and (2) located on the same lot as the principal use or building.

Accommodation unit means any room or group of rooms within a building intended for transient lodging and accessible from common corridors, walks or balconies without passing through another accommodation unit. An accommodation unit may include an efficiency kitchen.

Adjacent property means any lot or parcel of land ~~located within 100 feet~~ directly abutting, adjoining, contiguous, or across a street or public right-of-way from the outer boundary or perimeter of a site on which some form of land use subject to this Chapter is occurring or will occur.

Administrator means the duly appointed Town Administrator for the Town.

Aggrieved or adversely affected person means a person who will suffer an adverse effect to an interest protected or furthered by this Chapter which alleged adverse effect may be shared in common with other members of the community at large but shall exceed in degree or character the general interest in community good shared by all persons.

Agriculture means farm or ranch uses, as defined in 39-1-102 C.R.S., including buildings for shelter of farm or ranch animals or property primarily employed in any of the above uses. An agricultural use may include those activities necessary to operate the agricultural business, however, processing of agricultural products shall only be permitted when allowed in the underlying zone district and when specifically approved for the subject property.

Alley means a public or private way permanently reserved as a secondary means of access to abutting property.

Animal day care home means an occupation or use that provides regular care and supervision for the entire day or portion of a day for 3 or more animals who are not owned by the owner, operator or manager thereof, whether such care and supervision is provided with or without compensation.

Antenna means any system of wires, poles, rods, reflecting discs, or similar devices used for transmission or reception of electromagnetic waves external to or attached to the exterior of any building or tower structure.

Antenna, conventional means an individual element or system of conducting elements, as opposed to a single disk or sphere, used for the transmission or reception of electromagnetic waves.

Antenna, ground mounted means any freestanding antenna, the entire weight of which is supported by an approved platform, framework, or other structural system, which system is affixed directly on or in the ground by a foundation and which system is freestanding, excluding lateral bracing to a building.

Antenna, panel means an antenna or array of antennae that are flat and rectangular and designed to concentrate a radio signal in a particular area.

Antenna, roof mounted means an antenna, the entire weight of which is supported by a building through the use of an approved framework or other structural system, which system is affixed to one or more structural members of the roof of the building or to any structural portion of the building above the roof line.

Antenna support structure means any building, tower, or structure used for the purpose of supporting an antenna.

Apartment means a part of a building consisting of a room or rooms intended, designed, or used as a dwelling for use by an individual or as a housekeeping unit for a single family.

Automobile service station and repair means any premises where gasoline and/or other petroleum products are sold and/or light maintenance activities such as engine tune-ups,

lubrication and minor repairs are conducted, but shall not include premises where heavy automobile maintenance activities such as engine overhauls, tire recapping and body repainting or repair are conducted.

Automobile storage yard means any place where two (2) or more motor vehicles are stored in the open, or any land, building or structure used for wrecking or storing such motor vehicles or parts thereof, including farm vehicles or farm machinery and other commercial or contractor's equipment and machinery.

Balcony means that portion of a structure which is essentially open and outward from the main structure with a floor and railing, with or without a ceiling, not touching the ground and not accessible for ingress and egress from the ground.

Basement means that area of a structure, fifty percent (50%) or more of which is below grade.

Bed and breakfast means an owner-occupied establishment operated in a private residence or portion thereof which provides temporary accommodation to overnight guests for less than 30 days for a fee and which is typically associated with the provision of meals within the residence.

Bedroom means any room separate from the primary living area of a dwelling unit conforming to the applicable building codes and this Code for habitable space or rooms.

Board of Trustees or *Board* means the duly elected or appointed Board of Trustees for the Town of Red Cliff, Colorado.

~~*Building* means any structure having a roof supported by columns and/or walls and intended for the shelter or enclosure of persons, animals or property of any kind.~~

Buildable area means the area of any site, lot, parcel or any portion thereof which does not contain land under water, public rights-of-way or areas in excess of forty percent (40%) slope.

Building means any structure having a roof supported by columns and/or walls and intended for the shelter or enclosure of persons, animals or property of any kind.

Building height means the distance measured vertically from the existing, established, or finished grade (whichever is more restrictive) at any given point outside the building to the top of a flat roof, mansard roof or sloping roof, and, excluding chimneys and other similar architectural features and vertical projections. Within a building, height shall be measured vertically from any point on a flat roof, mansard roof or sloping roof to the existing or established grade directly below said point.

Building lot coverage means that portion of a lot, calculated and expressed as a percentage of total lot area, covered by buildings, including all interior space including garages, all enclosed cantilevered portions of a building, covered porches, covered walkways and similar covered or enclosed areas, and measured from at the outside surface of exterior walls for enclosed spaces or to the eave line of roof structures covering walkways, porches or similar covered areas.

Building site means the area or lot upon which a building or structure may be erected.

Carport means a structure attached or made a part of the main structure, and which is open to the weather on at least two (2) sides, for the purpose of sheltering motor-driven vehicles used by occupants of the main structure.

Common area means that portion of a condominium project held in common ownership by the owners or the condominium association or that portion of a project other than a condominium project which is not under the exclusive ownership or possession of the owners or occupants of a limited portion of the project.

~~Child day care home means an occupation or use that provides regular care and supervision for the entire day or portion of a day for 5 or more children under the age of 16 who are not related to the owner, operator or manager thereof, whether such care and supervision is provided with or without compensation.~~

Code means the Town of Red Cliff Municipal Code in its entirety.

Comprehensive Plan means the Town of Red Cliff, Colorado Comprehensive Plan dated March 2006, as amended, or such other comprehensive plan as is adopted by the Town subsequent to the effective date hereof.

Construction trailer means a structure constructed partially or entirely in a factory, designed to be transported to the site at which it will be occupied, installed temporarily for office use and removed upon completion of construction.

Court means an open unoccupied space, other than a yard, on the same lot with a building and bounded on two (2) or more sides by such building.

Day care center means a licensed facility which provides regular care and supervision, for an entire day or a portion of a day, for five (5) or more children who are not related to the owner, operator or manager thereof, whether such facility is operated with or without compensation for such care.

Deck means an exterior flat surface capable of supporting weight extending from and connecting to a building, either at grade or above grade, and accessible for ingress and egress from the ground.

Development means any man-made change in or to improved or unimproved real estate, including, but not limited to, (i) the construction, improvement, alteration, installation, erection or expansion of any structure, (ii) mining, dredging, filling, grading, paving, excavating or drilling operations, (iii) any activity that changes the basic character or use of land on which the activity occurs, (iv) any material change in the exterior appearance of a structure, (v) any change in use of land or structures, (vi) the initiation or commencement of a new or additional use of land or structures, (vi) demolition of a structure and (vii) clearing land as an adjunct of development.

Drinking and dining establishments means the serving or retail sale of prepared foods and beverages, for on-premises or off-premises consumption, including indoor customer seating.

Drive-through windows or facilities means a building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product or service.

Dwelling means a building or portion thereof designed or used for human habitation, including single-family dwellings, duplex dwellings, accessory apartments and multi-family dwellings but not including lodging.

Dwelling, duplex means a building containing 2 dwelling units designed for or used as a dwelling by 2 families as independent housekeeping units living independently of each other. It shall include manufactured or modular homes intended to contain 2 dwelling units designed for or used as a dwelling by 2 families as independent housekeeping unit living independently of each other but shall not include mobile homes.

Dwelling, multi-family means a building containing 3 or more dwelling units designed for or used as a dwelling by 3 or more families as independent housekeeping unit living independently of each other, including condominiums, apartments and townhouse but not including lodging.

Dwelling, single family means a building designed for or used as a dwelling by one family as an independent housekeeping unit. It shall include manufactured or modular homes designed for or used as a dwelling by one family as an independent housekeeping unit but shall not include mobile homes.

Dwelling unit means any room or group of rooms with not more than one (1) indoor kitchen facility designed for or used as a separate, independent living facility for one (1) family as an independent housekeeping unit.

~~*Dwelling unit* means one or more rooms with cooking, sleeping and sanitation facilities design or used as a separate, independent living facility for the exclusive use of single family for living, sleeping, cooking and sanitary purposes.~~

Efficiency kitchen means a portion of a room within an accommodation unit that may contain a sink, refrigerator, dishwasher, microwave oven, cook top, wet bar or similar facility but not a stove or oven and not stub-outs for natural gas, propane, or 220-V electric hookups.

Electrical substation means an assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public.

Exterior appearance means the character and general composition of the exterior of a structure, including, but not limited to, the kind, color and texture of the building material(s) and the type, design and character of all windows, visible roof surfaces, doors, lighting fixtures, signs and related elements.

Family means any number of individuals living together as a single housekeeping unit but not exceeding 4 unrelated adults.

Family child care home means a facility for child care in a place of residence of a family or person for the purpose of providing less than twenty-four-hour care for up to twelve (12) children who are not related to the person or persons providing the care, as defined and regulated by the Colorado Department of Human Services Child Care Facility Licensing regulations, whether such facility is operated with or without compensation for such care.

Financial institution means a bank, savings and loan, credit union, mortgage office, or automated teller machine (ATM).

Garage, private means a detached accessory building or portion of a principal building used or occupied for the parking or temporary storage of household goods, automobiles, travel trailers or boats of the occupants of the premises.

Garage, public means a garage, other than a private or storage garage, which is used for the short-term parking of vehicles.

Grade, established means the grade of a property prior to the most recent proposed development or construction activity. On developed lots, the Planning Director shall estimate established grade if not readily apparent, by referencing elevations at points where the development area appears to meet the undeveloped portions of the land. The estimated grade shall tie into the elevation and slopes of adjoining properties without creating a need for new retaining walls, abrupt differences in the visual slope and elevation of the land or redirecting the flow of runoff water.

Grade, existing means the existing or natural topography of a site prior to proposed development. Existing grade represents (1) the natural grade prior to placement of fill on the site or the excavation or removal of earth from the site, or 2) the manufactured grade following the completion of an approved grading operation including grading approved in conjunction with the subdivision of the site.

Grade, finished means the grade upon completion of development or disturbance.

Habitable space means the total usable space available within the perimeter walls on all floors of a building including interior corridors, stairs, elevators, passageways, and finished basements serving the primary function of the building. Unfinished basements and attics, unheated porches and breezeways, garages, and maintenance shops are excluded from living area determinations. Heated basement or attic areas are considered finished if all of the walls, ceilings, and floors are finished. Walls and ceilings shall be deemed finished only if they are covered with plaster, wallboard, or similar material; floors shall be deemed finished only if they are covered with carpeting, tile, linoleum, or similar material.

Home business means the conduct of a business, occupation or trade as an accessory use entirely within a residential building or accessory structure for gain or support by residents of the dwelling and employees residing off the premises, which may serve patrons on the premises.

~~*Home occupation* means an occupation or business activity conducted within a dwelling by the inhabitants thereof which is clearly additional and secondary to the use of the dwelling for residential purposes, which does not adversely affect the residential character thereof and does not interfere with the peace and quiet of the neighborhood and adjacent property.~~

Home occupation means an occupation conducted within a building or a portion thereof by a resident of the premises. Such occupations include:

a. An endeavor involving the production and sale of goods or services, which does not change the residential character of the area; and

b. Contracting for services where such services are not provided on the premises, except on an appointment basis.

Hospital means an institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

Hotel means a building offering transient lodging to the general public in accommodation units but excluding bed and breakfasts. ~~It~~ Hotels may include accessory uses such as offices, laundry facilities, recreational facilities, lobbies, lounges, dining facilities, meeting rooms and similar accessory uses ~~commonly~~ customarily associated with hotels.

Housekeeping unit means one (1) or more persons who live together in a single dwelling unit, with an expectation of living together permanently, who are economically and socially dependent on one another, own and use the dwelling unit elements, furnishings and equipment as common to all, and represent themselves to the public and conduct themselves as a single, interdependent, permanent unit.

Impermeable surface means any material that substantially reduces or prevents the infiltration of stormwater; Any hard-surfaced, human-made area that does not readily absorb or retain water into previously undeveloped land.

Indoor recreation and entertainment facility means a commercial recreational land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, tennis court.

Industrial, construction and wholesale offices means a room or group of rooms used for conducting business affairs that does not use any exterior storage area.

Irrigation structure means canals, laterals, ditches, conduits, gates, pumps, and allied equipment necessary for the supply, delivery and drainage of irrigation water and related construction, operation, and maintenance.

Kitchen means a room or portion of a room devoted to the preparation or cooking of food for a person or a family living independently of any other family, which contains a sink and a stove, cook top or oven powered by either natural gas, propane or 220-V electric hookup.

Laboratory means a facility for scientific laboratory research in technology-intensive fields. Examples include biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfer, and radiation research facilities.

Landscape Area means the portion of a lot or site with any combination of living plants (such as trees, shrubs, vines, ground cover, native grasses, flowers or lawns), natural features and nonliving ground cover (such as rock, stone and bark) and structural features (such as fountains, reflecting pools, art works, screen walls, fences and benches) but not including paved walkways or parking areas.

Laundromat means a business that provides home-type washing and drying machines for hire to be used by customers on the premises.

Legal lot of record means any lot, parcel or tract of land that was filed in the records of the County Clerk and Recorder and complied with all applicable laws, ordinances and regulations in effect at that time.

Liquor store means a facility principally for the retail sale of alcoholic beverages for off-premises consumption.

~~*Loading space* means an off street space or berth for the temporary parking of commercial vehicles while loading or unloading merchandise, materials or supplies.~~

Loading space means an off-street space or berth on the same lot with a building, or contiguous thereto, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

Lodging means a building occupied and used as a bed and breakfast, hotel or other use containing accommodation units for a period not exceeding thirty (30) days.

~~*Lot or site* means a parcel of land occupied or intended to be occupied by a use or structure. A lot or site may consist of a single lot of record, a portion of a lot of record, a combination of lots of record or portions thereof, or a parcel of land described by metes and bounds.~~

Lot means a parcel of land as established by survey, plat or deed.

Lot area means the total horizontal area measured in square feet contained within a lot excluding that area beneath the mean waterline of a body of water and exclusive of any area in a street or public right-of-way, unless said street or public right-of-way was created as a result of either an act of condemnation under the eminent domain authorities of Articles 1 through 7, Title 38, C.R.S., or the grant of a deed to a condemning authority in lieu of condemnation.

Lot line, front means the boundary line of a lot or site adjoining or abutting a street which provides the primary access to or street address for the lot or site.

Lot line, rear means the boundary line of a lot or site extending between the side lot lines and forming the boundary of the lot or site opposite the front lot line.

Lot line, side means the boundary line of a lot or site extending from the front lot line toward the opposite or rearmost portion of the lot or site.

Manufactured or modular home means a structure that is partially or fully manufactured in a factory, installed on an engineered foundation, with brick, wood or cosmetically equivalent exterior siding and certified pursuant to the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. § 5401, et seq., as amended.

Manufacturing means the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins, or liquors.

Manufacturing, light means the manufacturing, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided all manufacturing activities are contained entirely within a building and noise, odor, smoke, heat, glare, and vibration resulting from the manufacturing activity are confined entirely within the building.

Manufacturing plant means an establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having the potential to produce noise, dust, glare, odors or vibration beyond its property line. This term includes but is not limited to: (a) processing and packaging of alcohol beverages; (b) chemical manufacturing; (c) stonework or concrete product manufacturing; (d) fabrication of metal products; (e) manufacturing of agricultural, construction, or mining machinery; (f) motor vehicle manufacturing; (g) lumber milling; (h) ship or boat construction (i) permanent concrete/batch plant.

Marijuana shall have the meaning attributed to it in section 2(f) of Section 16 of Article XVIII of the Colorado Constitution.

Marijuana establishment shall have the meaning attributed to it in section 2(i) of Section 16 of Article XVIII of the Colorado Constitution.

Marijuana products shall have the meaning attributed to it in section 2(k) of Section 16 of Article XVIII of the Colorado Constitution.

Mean annual high water mark means the visible line on the edge of a river, stream, lake, pond, spring or seep up to which the presence and action of water are so usual and long conditioned (with a recurrence interval of ten (10) years or less) so as to create a distinct character with respect to vegetation and the nature of the soil.

Mechanized recreational vehicle rental business means a business engaged in the rental of mechanized recreational vehicles to the public for a fee, whether such rental is by trip or for any specified period of time.

Medical clinic means a facility providing medical, psychiatric or surgical service for sick or injured persons exclusively on an out-patient basis, including emergency treatment, diagnostic services, training, administration, and services to outpatients, employees, or visitors. The term "clinic" includes immediate care facilities, where emergency treatment is the dominant form of care provided at the facility.

Mobile home means a structure constructed partially or entirely in a factory, designed for long-term residential use and transported to its occupancy site on its own wheels, arriving at the site as a complete residential unit, equipped with necessary service connections (electrical, plumbing and sanitary facilities) and designed to be installed in a permanent or semi-permanent manner but not certified pursuant to the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. § 5401, et seq., as amended.

Offices, personal service shops and medical means a room or group of rooms used for conducting the affairs of a business, profession, service industry, or government.

Outdoor recreation and entertainment facility means recreational uses conducted almost wholly outdoors, including golf driving ranges (not associated with a golf course), miniature golf, firing ranges, water parks, amusement parks, and similar uses.

Outside storage areas means the storage of any materials outside the principal or accessory buildings on a property.

Parking area, private means an open area for the parking of privately owned automobiles and not for public use.

Parking area, public means an open area, other than streets, used for the temporary parking of more than four (4) automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers.

Parking space means an open space or enclosed structure, exclusive of drives, turning areas or loading spaces, devoted to the parking of an automobile.

Person means a natural person, association, partnership, corporation, company, firm, limited liability company, trust or other legal entity.

Personal service shop means a shop primarily engaged in providing services generally involving the care of the person or his or her personal goods or apparel.

Planning and Zoning Commission or Commission means the commission created pursuant to Article 3 of this Chapter.

Planning Director or Director means the Town official appointed by the Board to administer, implement and enforce the planning, zoning, development and use standards, requirements and processes set forth in this Chapter.

Religious institution means a building, together with its accessory buildings and use, where persons regularly assemble for religious purposes and related social events and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

Retail and commercial business establishments means a commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser.

Self-storage facilities means a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.

Short term rental means the use of a dwelling, residential unit, accommodation unit, accessory unit, accessory structure or mobile home for transient lodging for a period of less than thirty (30) consecutive days and do not have the same impacts as residential uses, but instead

have similar impacts as hotel and lodge use. Hotel, lodge and bed and breakfast uses shall not be deemed to be short term rentals.

Showroom means a room or group of rooms within a building or structure where merchandise is exhibited for sale or where samples are displayed.

Site coverage means the that portion of a lot, calculated and expressed as a percentage of total lot area, covered by all buildings, portion of a lot that is covered by buildings, including all interior space including garages, and all enclosed cantilevered portions of a building, covered porches, covered walkways and similar covered areas. Buildings are measured at the outside surface of exterior walls and all impermeable surfaces. Site coverage is the cumulative calculation of all Building lot coverage and Impermeable surfaces as defined herein.

Street or road means a way for vehicular traffic, however named or designated, which affords the principal means of access to abutting properties.

Structure means anything constructed or erected with a fixed location on the ground but not including poles, lines, cables or other transmission or distribution facilities of public utilities, mailboxes or light fixtures.

~~*Structure height* means the distance measured vertically from the existing or finished grade (whichever is more restrictive) at any given point around the perimeter of a structure to the top of the structure, excluding chimneys and other similar architectural features and vertical projections.~~

Structure setback means the distance from a lot line measured horizontally to a location within the lot or site which establishes the permitted location of structures on the lot or site. The distance shall be measured from the lot line to the nearest point edge of any structure projection, not including roofs but including balconies, decks and similar projections.

Structure setback, front means the distance a structure must be located from the front lot line.

Structure setback, rear means the distance a structure must be located from the rear lot line.

Structure setback, side means the distance a structure must be located from the side lot lines.

Telecommunications means any origination, creation, transmission, emission, storage-retrieval, or reception of signs, signals, writing, images, sounds, or intelligence of any nature, by wire, radio, television, optical, or other means.

Telecommunications antenna means any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves, microwave signals, or other signals transmitted to or from other antennas for commercial purposes, when such system is either external to or attached to the exterior of a structure.

Telecommunications antenna site means a tract or parcel of land that contains the cellular communications antenna, its support structure, accessory buildings, and parking and may include other uses associated and ancillary to cellular communications transmissions.

Telecommunications tower means any ground-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, or masts and intended primarily for the purpose of mounting an antenna or similar apparatus above ground.

Telecommunications tower, alternative structure means structures other than towers that may support personal wireless service facilities antennas, including but not limited to buildings, water towers, steeples, or utility poles.

Telecommunications, wireless facility means facility that transmits and/or receives signals by electromagnetic or optical means, including antennas, microwave dishes, horns, or similar types of equipment, towers or similar structures supporting such equipment, and equipment buildings.

Timeshare ownership means a form of real property ownership in which more than 4 persons are entitled to use, occupy or possess the same lot, parcel or unit according to a fixed or floating time schedule occurring periodically over any period of time where such use, occupancy or possession by each person is exclusive to that by the others.

Town of Red Cliff or Town means the Town of Red Cliff, Colorado.

Use means the purpose, activity or function for which land or structures are arranged, designed or intended or for which land or structures are occupied or maintained.

Vehicle sales and repair shops means storage and display for sale of more than two motor vehicles or recreational vehicles, and where repair or body work is incidental to the operation of the new or used vehicle sales.

Warehouse means a use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment.

Wholesale sales outlet means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Zone district means and refers to the zone districts established pursuant to Article 4 of this Chapter.

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Article 4 – Zone Districts, Zone District Map and Amendments

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Sec. 16-4-10. Zone districts created.

For the purposes of this Chapter, the Town is divided into the following zone districts:

~~(1) *Industrial and Commercial (IC)*. This zone district is intended to provide for industrial and manufacturing uses, wholesale outlets, warehousing, offices and storage facilities.~~

(21) *Mixed Use/Town Center (MU/TC)*. This zone district is intended to provide for a variety of residential and nonresidential uses and allow for development which distinguishes it from other zone districts in Town.

(32) *Mixed Use/Neighborhood Commercial (MU/NC)*. This zone district is intended to provide for a mix of residential uses and smaller, less-intensive nonresidential uses than permitted in the MU/TC zone district.

(43) *Residential (R-1)*. This zone district is intended to provide for single-family and duplex residential development and home occupations while allowing for certain higher density residential uses and nonresidential uses as special review uses.

(54) *Cemetery/Open Space (C/OS)*. This zone district is intended to remain primarily as it exists and serve as undeveloped open space while allowing for certain limited uses consistent with this intent.

(65) *Parks/Open Space (P/OS)*. This zone district is intended to remain primarily as it exists and serve as undeveloped open space while allowing for certain limited uses consistent with this intent.

(76) *Public Facilities/Office Complex (PF/OC)*. This zone district is intended to provide sites for parks, community centers, recreation facilities, water storage, treatment and distribution systems, fire stations, governmental facilities and public and/or private housing units for employees.

(87) *Public Facilities Communication (PF/C)*. This zone district is intended to provide a site or sites for government facilities specific to communication infrastructure and related public, quasi-public or private communications equipment, as well as associated access and appurtenances benefiting the public and providing for the general safety and welfare of the residents of the Town of Red Cliff.

(87) *Planned Unit Development (PUD)*. This is an overlay zone district intended to provide for flexibility and creativity in development in order to promote appropriate and efficient uses of property in a manner not otherwise allowed by this Chapter.

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Sec. 16-4-20. Zone District Map.

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Article 6 – Development Standards and Requirements

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~~Sec. 16-6-80. Use and development standards in Industrial and Commercial zone district.~~

~~(a) The following uses shall be permitted in the IC zone district:~~

~~(1) Warehouses;~~

~~(2) Laboratories;~~

- ~~(3) Electrical substations;~~
- ~~(4) Manufacturing plants;~~
- ~~(5) Wholesales sales outlets;~~
- ~~(6) Showrooms;~~
- ~~(7) Industrial, construction and wholesale offices; and~~
- ~~(8) Self storage facilities.~~

~~(b) The following uses shall be permitted in the IC zone district as special review uses:~~

- ~~(1) Vehiele sales and repair shops;~~
- ~~(2) Retail and commercial business establishments;~~
- ~~(3) Drinking and dining establishments;~~
- ~~(4) Outside storage areas;~~
- ~~(5) Offices, personal service shops and medicals clinics;~~
- ~~(6) Marijuana establishments; and~~
- ~~(7) Additional uses determined to be similar to uses permitted in the zone district or permitted as special review uses in the zone district and consistent with the intent of the zone district.~~

~~(c) All development in the IC zone district shall satisfy and comply with the following requirements:~~

- ~~(1) Maximum structure height: thirty five (35) feet.~~
- ~~(2) Minimum structure setbacks:
 - ~~a. Front: five (5) feet.~~
 - ~~b. Side: five (5) feet.~~
 - ~~c. Rear: ten (10) feet.~~~~
- ~~(3) Maximum site coverage: fifty percent (50%).~~
- ~~(4) Minimum site area devoted to landscaping: twenty percent (20%).~~

~~(Ord. 2 §1(Attech.), 2016)~~

~~* * *~~

16-6-130. Use and development standards in Public Facilities Communication zone district.

(a) The following uses shall be permitted in the PF/C zone district:

- (1) All buildings and structures for governmental uses,
- (2) Communication sites and facilities and appurtenances,
- (3) Access ways, including roads, and
- (4) Public utilities and services.

(b) The following uses shall be permitted in the PF/OC zone district as special review uses:

- (1) Additional uses determined to be similar to uses permitted in the zone district or permitted as special review uses in the zone district and consistent with the intent of the zone district.

(c) All development in the PFC zone district shall satisfy and comply with the following requirements:

- (1) Maximum structure height: one hundred twenty (120) feet.
- (2) Minimum structure setbacks:
 - a. Front: zero (0) feet.
 - b. Side: zero (0) feet.
 - c. Rear: zero (0) feet.
- (3) Maximum site coverage: twenty percent (20%).
- (4) Minimum site area devoted to landscaping: NA

Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage.

The Ordinance was approved by majority vote of the Board of Trustees of the Town of Red Cliff this __ day of _____, 2022.

TOWN OF RED CLIFF, COLORADO



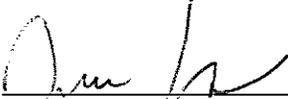
Duke Gerber, Mayor

ATTEST:

Melissa Matthews, Town Clerk

The Ordinance was approved by majority vote of the Board of Trustees of the Town of Red Cliff this 2 day of August, 2022.

TOWN OF RED CLIFF, COLORADO



Duke Gerber, Mayor

ATTEST:

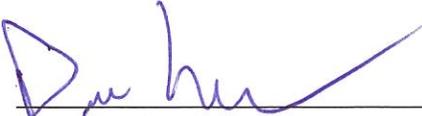


Melissa Matthews, Town Clerk

ORDINANCE 2, SERIES 2022 WAS ADOPTED AND ORDERED PUBLISHED
on this 16 day of August, 2022.

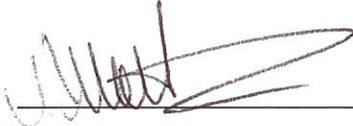


TOWN OF RED CLIFF, COLORADO



Duke Gerber, Mayor

ATTEST:



Melissa Matthews, Town Clerk