

**TOWN OF WESTCLIFFE, COLORADO
ORDINANCE # 3-2024**

**AN ORDINANCE OF THE TOWN OF WESTCLIFFE AMENDING TITLE 3, ADDING CHAPTER 6 –
TINY HOMES, OF THE MUNICIPAL CODE**

WHEREAS, the Town of Westcliffe acting by and through its Town Board of Trustees has the power to regulate land use matters pursuant to Colorado Revised Statutes (C.R.S.) Section 31, Article 23 et seq.; and

WHEREAS, the Board of Trustees of the Town of Westcliffe has determined that it is in the best interests of the Town to adopt and add Title 3, Chapter 6 – Tiny Homes, as a supplement to the Town Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTCLIFFE, COLORADO, as follows:

1. **Adoption of Title 3, Chapter 6, of the Municipal Code.** Title 3, Chapter 6 – Tiny Homes, of the Municipal Code is hereby adopted and added to read in substantially the same form and substance as follows:

CHAPTER 6

TINY HOMES

3-6-1: Scope

3-6-2: Definitions

3-6-3: Ceiling Height

3-6-4: Lofts

3-6-5: Emergency Escape and Rescue Openings

3-6-1. Scope. This section shall be applicable to tiny homes used as single dwelling units. Tiny homes shall comply with the International Residential Code and Westcliffe Land Use Code, except as otherwise stated in this section.

3-6-2. Definitions. As used in this Chapter, the following terms shall have the meanings indicated, unless the context otherwise requires:

A. Egress Roof Access Window. A skylight or roof window designed and installed to satisfy the *emergency escape and rescue opening* requirements of Westcliffe’s Land Use Code.

B. Landing Platform. A landing measuring two treads deep and two risers tall, provided as the top step of a stairway accessing a *loft*.

C. Loft. Any floor level located above the main floor and open to it on at least one side, with a *ceiling height* less than 6 feet 8 inches (2032 mm), complying with the area, access, and guard requirements of paragraph D. below, and used as a living or sleeping space.

D. Tiny Home. A *dwelling* which is 500 or less square feet in floor area excluding *lofts*.

3-6-3. Ceiling Height. Minimum ceiling height. Habitable space and hallways in tiny homes shall have a ceiling height not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms, and kitchens shall have a ceiling height not less than 6 feet 4 inches (1930 mm). No obstructions shall extend below these minimum ceiling heights including beams, girders, ducts, lighting, or other obstructions.

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

3-6-4. Lofts.

A. Minimum Loft Areas. *Lofts* used as a sleeping or living space shall meet the minimum area and dimension requirements of paragraphs 1. through 3. below.

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

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

3. Height Effect on Loft Area. Portions of a loft with a sloping ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft. Exception: Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

B. Loft Access. The access to and primary egress from lofts shall be of any type described in paragraphs 1. through 4. below.

1. Stairways. Stairways accessing lofts shall comply with this code or with paragraphs a. through e. below.

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

b. Headroom. The headroom in stairways accessing a loft shall not be less than 6 feet 2 inches (1880 mm) measured vertically from the sloped line connecting the tread nosings in the middle of the tread width. Exception: The headroom for landing platforms shall not be less than 4 feet 6 inches (1372 mm).

c. Treads and Risers. Risers for stairs accessing a loft shall be a minimum of 7 inches (178 mm) and a maximum of 12 inches (305 mm). Tread depth and riser height shall be calculated with the following formulas:

Tread depth = 20 inches (508 mm) minus $\frac{4}{3}$ riser height

OR

Riser height = 15 inches (381 mm) minus $\frac{3}{4}$ tread depth

Exception: Landing platforms shall measure two treads deep and two risers tall.

d. Handrails. Handrails shall comply with Westcliffe's Land Use Code.

e. Stairway guards. Guards at open sides of stairways shall comply with Westcliffe's Land Use Code.

2. Ladders. Ladders accessing lofts shall comply with paragraphs a. and b. below.

a. Size and Capacity. Ladders accessing lofts shall have 12 inches (305 mm) minimum rung width and 10 inches (254 mm) to 14 inches (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ -inch (9.5 mm).

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

3. Alternating Tread Devices. Alternating tread devices accessing lofts shall comply with Westcliffe's Land Use Code. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

4. Ships Ladders. Ships ladders accessing lofts shall comply with Westcliffe's Land Use Code. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

C. Loft Guards. Loft guards shall be located along the open side(s) of lofts located more than 30 inches (762 mm) above the main floor. Loft guards shall be not less than 36 inches (914 mm) in height or one-half the clear height to the ceiling, whichever is less.

3-6-5. Emergency Escape and Rescue Openings.

A. General. Tiny homes shall meet the requirements of Westcliffe's Land Use 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 Westcliffe's Land Use Code when installed with the bottom of their opening no more than 44 inches (1118 mm) above the loft floor.

2. **Severability.** If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. **Effective Date and Time.** This Ordinance shall become effective 30 days after publication in accordance with law.

THIS ORDINANCE WAS INTRODUCED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED BY MAJORITY VOTE AT ITS REGULAR MEETING HELD AT THE TOWN OF WESTCLIFFE ON THE 21ST DAY OF MAY, 2024.

TOWN OF WESTCLIFFE

By: George Mowry
George Mowry, Mayor Pro-Tem

ATTEST:

Kathy Reis
Kathy Reis, Town Clerk