

ARTICLE 6: DEVELOPMENT AND DESIGN STANDARDS

SECTION 6.13 INTERNATIONAL BUILDING CODES

SUBSECTION 6.13.1 APPLICATION

6.13 INTERNATIONAL BUILDING CODES

6.13.1 APPLICATION

A. General

Whenever adopted technical codes of the Town specify materials, methods of construction, or other requirements that differ from one another the most restrictive provision shall apply.

B. Avigation Easements within the Airport influence Area

Where possible, approval of any permit required pursuant to the International Building Code for activities within the Archuleta County Airport Influence Area, as approved by the Board of County Commissioners and depicted on a map on file in the County Planning Office as of March 3, 1998, or as amended, shall be conditioned upon the owners of the property granting to the Town and Archuleta County an avigation easement in a form to be approved from time to time by the Town Council.

6.13.2 VIOLATIONS

No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure within the Town, or cause same to be done, contrary to, or in violation of any provisions of any adopted technical code.

6.13.3 INTERNATIONAL BUILDING CODE

There is hereby adopted by the Town, for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town, that certain code known as the International Building Code, 2006 Edition, including Appendix Chapter J, published by the International Code Council, S203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this Section with the amendments, deletions, and additions as follows:

Section 105.2 Work Exempt from permit, Exception 11 which is amended to read as follows:

11. Swings and other playground equipment.

Section 108.1 Payment of fees which is amended to read as follows:

All fees associated with plan review must be paid at the time of submission for permit. All other fees prescribed by law must be paid prior to issuance of a Certificate of Occupancy or as established in other sections of this Land Use Code.

Section 305.2 Day Care.

Exception: A Family Child Care Home as defined by Section 7.701.21,B. of the Code of Colorado Regulations, 12 CCR 2509-8 ("Child Care Facility Licensing Rule Manual"), and as further limited in this exception, may be located in a detached single family dwelling unit (R-3) when the head of the household obtains a license through the state of Colorado Department of Human Services prior to occupancy for such use. Use is limited to the following classifications: a family child care home, as further defined in Section 7.707.2,A., an infant/toddler home as defined in Section 7.707.2,B., and a large child care home as defined in Section 7.707.2,C., of the Child Care Facility Licensing Rule Manual. The number of children who occupy the building shall not exceed the lesser number that are allowed by the referenced sections of the Child Care Facility Licensing

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SUBSECTION 6.13.3 INTERNATIONAL BUILDING CODE

Rule Manual, a license issued thereunder, or 12 children. The dwelling unit must comply with all of the provisions of the International Residential Code in accordance with section 101.2 and Appendix M of the International Residential Code. Nothing in this exception is intended to eliminate the requirement that a Family Child Care Home comply with licensing regulations or conditions required under the Child Care Licensing Rule Manual or the Child Care Licensing Act, Sections 26-6-101 to 26-6-119, C.R.S.

Section 308.S.2 Child care facility.

Exceptions:

2. A Family Child Care Home as defined by Section 7.701.21,B. of the Code of Colorado Regulations, 12 CCR 2509-8 ("Child Care Facility Licensing Rule Manual"), and as further limited in this exception, may be located in a detached single family dwelling unit (R-3) when the head of the household obtains a license through the state of Colorado Department of Human Services prior to occupancy for such use. Use is limited to the following classifications: a family child care home, as further defined in Section 7.707.2,A., an infant/toddler home as defined in Section 7.707.2,B., and a large child care home as defined in Section 7.707.2,C., of the Child Care Facility Licensing Rule Manual. The number of children who occupy the building shall not exceed the lesser number that are allowed by the referenced sections of the Child Care Facility Licensing Rule Manual, a license issued thereunder, or 12 children. The dwelling unit must comply with all the provisions of the International Residential Code in accordance with section 101.2 and Appendix M of the International Residential Code. Nothing in this exception is intended to eliminate the requirement that a Family Child Care Home comply with licensing regulations or conditions required under the Child Care Licensing Rule Manual or the Child Care licensing Act, Sections 26-6-101 to 26-6-119, C.R.S.

Section 406.1.1 Classification, is amended to read as follows:

Building or parts of buildings classified as Group U Occupancies because of the use or character of the occupancy shall not exceed 1,000 square feet in area or two (2) stories in height except as provided in Section 406.1.2. Any building or portion thereof that exceeds the limitations specified in this chapter shall be classed in the occupancy group other than Group U that it most nearly resembles.

Section 907.2.1 Group A, Exception, delete.

Section 907.2.2 Group B, Exception, delete.

Section 907.2.3 Group E, Exception 2 & 3, delete.

Section 907.2.4 Group F, Exception, delete.

Section 907.2.7 Group M, Exception, delete.

Section 907.2.8.1 Manual fire alarm system, Exception 2, delete.

Section 907.2.9 Group R-2, Exception 2, delete

Section 3202.2 Encroachments above grade and below 8 ft in height is amended to read:

Section 3202.2 Encroachments above grade. Doors and windows shall not open or project into the public right-of-way. Any other encroachments into the public way shall be reviewed for approval by the Town of Pagosa Springs Planning Commission.

Section 3202.2.1 Steps, delete.

Section 3202.2.2 Architectural features, delete.

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Section 3202.2.3 Awnings, delete.

Section 3202.3 Encroachments 8 feet or more above grade, delete section in its' entirety.

Section 3202.4 Temporary encroachments, delete.

Chapter 36, is added to read as follows:

Chapter 36

CONSTRUCTION SITE MANAGEMENT

Section 3601 Purpose, Application and Scope. The requirements set forth in this chapter shall apply to the management and maintenance of all construction sites during construction.

Section 3602 Construction Access. Access to construction sites shall not adversely affect existing traffic patterns or access to adjacent properties. Construction access shall be limited to the approved access shown on the development permit or building permit. The construction access shall be installed in accordance with the Town of Pagosa Springs Road Standards and the requirements of the Fire Marshall. At a minimum, the access and any road where emergency access lanes must be maintained shall be built at the onset of construction.

Section 3603 Drainage. Major drainage patterns shall not be interrupted or diverted in a way that would adversely affect the site, surrounding area, or downstream properties. Any temporary diversion shall be of adequate capacity to control a 25-year storm and shall be removed upon completion of construction.

Section 3604 Grading. Massive over lot grading is discouraged. Grading shall be done in a way that minimizes erosion and disturbed areas must be re-vegetated as soon as practical within the same growing season the disturbance occurs. Major retaining walls should be completed in the first development phase to preserve the site. Should work during any development phase be discontinued for a period of ninety (90) days or longer, retaining walls and re-vegetation for the area worked shall be completed before discontinuance.

Section 3605 Storage. Fencing may be required to mitigate the visual impact of storage and construction. Fence specifications and limits shall be approved by the Planning Department and Building Department.

Section 3606 Pedestrian Protection. Protection of pedestrians during construction or demolition shall be provided as required by Section 3303.

Section 3607 Environmental Controls. At a minimum, the following environmental controls shall be provided and maintained during construction:

1. Dust control materials shall be applied to minimize raising dust from construction operations, and provide positive means to prevent airborne dust from dispersing into the atmosphere.
2. Areas under the contractor's control shall be free of extraneous debris. A specific program to prevent accumulation of debris at the construction site, storage and parking areas or along access roads and haul routes shall be developed. Failure to ensure the maintenance of debris may result in the issuance of a stop work order. Covered trash receptacles shall be provided on site.
3. The contamination of soil, water or atmosphere by discharge of noxious substances from effluents, chemicals or other such substances adjacent to

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streams or in sanitary or storm sewers shall be prevented. Contaminated earth shall be properly disposed of offsite and replaced with suitable compacted fill and topsoil.

4. Mud, dirt, sand, concrete, and building debris shall not be allowed to accumulate in or impact the public right-of-way during construction. Contractor shall take measures necessary to keep public rights of way in a safe and clean manner.
5. Trees and plants shall be protected as follows:
 - 5.1 Existing trees and plants which are designated to remain shall be protected by temporary barriers.
 - 5.2 Root zones of trees and plants shall be protected from vehicular traffic, parking, stored materials, and dumping of refuse or chemically injurious materials or liquids.
 - 5.3 Excavating, grading and filling and subsequent construction operations shall be supervised to prevent damage.
 - 5.4 Trees designated to remain which are damaged or destroyed due to construction operations shall be replaced or repaired.

Section 3608 Temporary Construction Facilities. Temporary utilities required for construction shall be installed on site, out of the right-of-way and shall be removed on completion of work. Materials may be new or used but must be adequate in capacity for required usage, must not create unsafe conditions and must not violate requirements of applicable codes and standards.

Adequate sanitary facilities for the convenience of all workmen shall be provided. These facilities shall be kept in a clean and sanitary condition throughout the duration of the work. The temporary facility shall be enclosed, screened and weatherproofed. If connected to a sewer, upon removal of the temporary facilities, the sewer connection shall be removed and the sewer capped. In lieu of connecting to a sewer, the temporary facility may be a portable, enclosed, chemically treated, tank-tight unit. Temporary facilities for use by workmen during building construction shall consist of at least one water closet or chemical toilet and one urinal for each thirty (30) workmen.

Temporary field offices may be new or used but must not violate the provisions of applicable codes and standards.

Section 3609 Construction Site Cleanup. Periodic cleaning shall be done to keep the site and adjacent properties free from accumulations of waste materials and windblown debris.

Upon completion of the project or any phase of a project, temporary materials, equipment, facilities and services shall be removed. This shall occur no later than ten (10) days after issuance of the Certificate of Occupancy. Damage caused by installation or use of temporary facilities shall be repaired as follows:

1. Foundations and underground installations for construction facilities shall be removed.
2. Areas of the site affected by temporary installations shall be filled and graded to required elevations and slopes.

Appendix Section J103.3 Grading fees, is added to read as follows:

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SUBSECTION 6.13.4 INTERNATIONAL ENERGY CONSERVATION CODE

When plans or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. A grading permit fee shall be paid at permit issuance. Said plan review and grading permit fees shall be as set forth in the adopted fee schedule.

Copies of the 2006 International Building Code are available for public inspection in the office of the Town of Pagosa Springs Building Department.

6.13.4 INTERNATIONAL ENERGY CONSERVATION CODE

There is hereby adopted by the Town, for the purpose of regulating and controlling the design and construction of buildings for the effective use of energy within the Town, that certain code known as the International Energy Conservation Code, 2006 Edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this Section.

6.13.5 INTERNATIONAL RESIDENTIAL CODE

There is hereby adopted by the Town, for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of one and two-family dwellings within the Town, that certain code known as the International Residential Code, 2006 Edition, including Appendices Chapters E and M, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this Section with the amendments, deletions and additions as follows:

Section R108.1 Payment of fees, is amended to read as follows:

All fees associated with plan review must be paid at the time of submission for permit. All other fees prescribed by law must be paid prior to issuance of a Certificate of Occupancy.

Section R202 Definitions, is amended to read as follows:

TOWNHOUSE. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with open space on at least two sides.

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA, is completed as follows:

- Roof Snow Load – 65 psf
- Wind Speed – 90 MPH
- Seismic Design Category – B
- Subject to Damage by Weathering – Severe
- Subject to Damage by Frostline Depth – 42 inches
- Subject to Damage by Termite – Slight to Moderate
- Subject to Damage by Decay – Slight to Moderate
- Winter Design Temperature – -15°F (-26°C)
- Ice Shield Underlayment Required – Yes
- Flood Hazards – FIRM, Community Panel #0800190005C & LOMR to this FIRM dated January 1996

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SUBSECTION 6.13.6 INTERNATIONAL FIRE CODE (IFC) (REPEALED AND READOPTED VIA ORDINANCE NO. 795 - SEPTEMBER 2013)

- Air Freezing Index – 1634 °F
- Mean Annual Temperature – 42.2 °F

Section R305.1 Minimum height. Exception 2, delete

Section R317.2.1 Continuity is amended as follows:

The fire-resistance-rated wall or assembly separating townhouses shall be continuous from the foundation to the underside of the roof sheathing, deck or slab and the fire-resistance rating shall be for exposure from both sides of each wall. The fire-resistance rating shall extend the full length of the wall or assembly, including the wall extensions through and separating attached enclosed accessory structures. An eave of 18" max (measured from finish wall surface to finish fascia) may be constructed with the following requirements which must extend the entire length of the wall or walls: The lower roof and the upper roof shall have a minimum of Class C roof covering and roof decking or sheathing of noncombustible materials or approved fire-retardant-treated wood for a distance of 4 feet on each side of the walls or wall. The soffit and the fascia framing shall be noncombustible materials or approved fire-retardant-treated wood. The underside of the soffit framing shall be protected with 5/8" type "X" exterior gyp or noncombustible materials or approved fire-retardant treated wood. The soffit shall be without openings or penetrations.

Section N1101.1 Scope, is amended to read as follows:

This chapter sets forth energy-efficiency related recommendations for the design and construction of buildings regulated by this code.

Section G244S (621) Unvented Room Heaters, is amended to read as follows:

Section G244S.1 (621.1) General. Unvented room heaters shall be prohibited.

Section G244S.2 through G244S.7, delete.

Section P2904.4.1 Water service Installation, is amended to read as follows:

Water service pipe and the building sewer shall be separated as required by policy established by authority having jurisdiction. No exceptions.

6.13.6 INTERNATIONAL FIRE CODE (IFC) (REPEALED AND READOPTED VIA ORDINANCE NO. 795 - SEPTEMBER 2013)

There is hereby adopted by the Town, for the purpose of regulating and governing and safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Town; providing for the issuance of permits and collection of fees therefore; that certain code known as the International Fire Code, 2009 Edition, including Appendices Chapters A, B, C, D, F, H and I published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this Section with the amendments, deletions and additions as follows:

a. IFC Section 103.1, General, is hereby amended to read as follows: The Town's Department of Building Safety as defined in the International Building Code section

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SUBSECTION 6.13.7 INTERNATIONAL MECHANICAL CODE

103.1, shall serve as the Department of Fire Prevention for the implementation, administration and enforcement of the provisions of the 2009 IFC.

b. IFC Section 202, General Definitions, Fire Code Official, is hereby amended to read as follows: The Town's Building Official is hereby designated as the Fire Code Official charged with the implementation, administration and enforcement of the construction and design provisions of the 2009 IFC.

c. IFC section 401, General, shall be amended to include the following language: All Final decisions shall be determined by the Town's Fire Code Official.

d. IFC Section 510-Emergency Responder Radio Coverage, is hereby deleted.

e. IFC Section 903.2.7, Group M-Mercantile, is hereby amended to include the following language: As applied to Existing Buildings and Change of Use Permit Applications, on a case by case basis, if the requirements of IFC Section 903.2.7 are found to be impractical, the final decision shall be determined by the Fire Code Official per Section 104.8 of the IFC.

f. The Town of Pagosa Springs, Colorado, is not adopting the 2009 IRC Enforcement of Residential Sprinklers, nor will it be enforcing the January 1, 2011 IRC provision requiring residential sprinklers. However, if someone chooses to install residential sprinklers, it shall be installed as per the 2009 IFC.

g. The Town of Pagosa Springs adopts Appendices Chapters A, B, C, D, F, H, and I to the 2009 IFC, with the blanket provision that on a case-by-case basis, if the situation is found to be impractical the decision shall be determined by the Fire Code Official, per Section 104.8 of the 2009 International Fire Code.

6.13.7 INTERNATIONAL MECHANICAL CODE

There is hereby adopted by the Town, for the purpose of regulating and controlling the design, construction, installation, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances in the City, that certain code known as the International Mechanical Code, 2006 Edition; published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this Section.

6.13.8 INTERNATIONAL FUEL GAS CODE

There is hereby adopted by the Town, for the purpose of regulating and controlling the installation of fuel-gas piping systems, fuel-gas utilization equipment and related accessories within the Town, that certain code known as the International Fuel Gas Code, 2006 Edition, published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA

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SUBSECTION 6.13.9 SNOW LOAD REQUIREMENTS

22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this Section with the amendments, deletions and additions as follows:

Section 303.3, Prohibited locations, Exception 3, delete.

Section 303.3, Prohibited locations, Exception 4, delete.

Section 621 Unvented Room Heaters, is amended to read as follows:

Section 621.1 General. Unvented room heaters shall be prohibited

Section 621.2 through 621.7, delete

6.13.9 SNOW LOAD REQUIREMENTS

Snow loads must meet the specifications in Table 6.13-1.

Districts	Residential/Commercial Structures	Manufactured Structures
All districts, unless specified below	65 lbs	N/A
Districts allowing Manufactured Structures	R-A, R-T, R-, R-12, R-18, MU-R 65 lbs	60 lbs

* HUD homes on temporary foundations may have roofs designed to 30psf when pre-approved by the Building Official.

6.13.10 FOUNDATION REQUIREMENTS

- A. All construction of commercial and residential properties shall require a foundation pursuant to standards set out in the current adopted edition of the International Building Code. In addition to conventional housing, the requirements of this Section are applicable to previously constructed houses that are moved to a different location within the Town and to remodeling projects if such remodeling project requires a new foundation.
- B. Manufactured homes in all zoning districts, with the exception of the C District if approved by the Building Official, shall have permanent foundations.

6.13.11 MANUFACTURED HOUSING REQUIREMENTS

- A. **Design**
Each manufactured housing units ("unit") must be designed to meet all roof load specifications as set forth in the International Building Code. Where necessary, additional structural elements may be required to meet the roof load specifications, as determined by the Town Building Official.
- B. **Energy Conservation**
All units allowed under this Article shall comply with the current adopted edition of the International Energy Conservation Code.
- C. **Securing**
Temporary and permanent manufactured homes must have foundations designed and built in accordance with the manufacturer's installation instructions and State of Colorado Manufactured Home Installation Program pursuant to §§ 24-32-3301, et seq., C.R.S.
- D. **Foundations**

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SECTION 6.14 SCHOOL FEES IN LIEU OF PUBLIC LAND DEDICATION

SUBSECTION 6.13.12 SURVEY REQUIREMENTS

Temporary and permanent manufactured homes must have foundations designed and built in accordance with the manufacturer's installation instructions and State of Colorado Manufactured Home Installation Program pursuant to §§ 24-32-3301, et seq. C.R.S.

E. Skirting of HUD Homes

1. Skirting must be structurally capable of withstanding local weather conditions.
2. Materials used may include rock, wood, block, or reinforced metal siding.
3. Skirting must be fabricated to be rigid in form and constructed in a craftsman like manner.
4. Skirting design and construction must be approved by the Town Building Official.
5. Construction shall be completed within six (6) months following issuance of a required building permit. This timeframe can be extended with the permission of the Town Building Official.

6.13.12 SURVEY REQUIREMENTS

- A. Prior to the issuance of a building permit for commercial or residential new construction, the owner shall submit to the Town a survey plat prepared by a licensed land surveyor that shows:
 1. The exterior boundaries of the lot marked by steel pins;
 2. The legal setbacks, front, side and rear;
 3. The location of the proposed building in relation to the boundaries and setback lines; and
 4. The flood plain and flood way boundaries as delineated on the FIRM, Community Panel #080019000SC and LOMR to this FIRM dated January 1996 or any update thereto.
- B. Prior to the issuance of a building permit for the construction of an accessory structure or additions to existing structures, the owner shall submit to the Town a plat/site plan, describing the location of the proposed building on the plat, including the setbacks. The Building Official may also require, in his or her discretion, submission of a survey plat prepared by a licensed land surveyor. Accessory structures are required to meet all other provisions as established in the Code.

6.14 SCHOOL FEES IN LIEU OF PUBLIC LAND DEDICATION

6.14.1 PURPOSE

The Town requires that areas chosen for development shall be capable of being provided within a reasonable period of time with an adequate level of public school facilities. This Section is intended to:

- A. Provide a rational system for identifying and mitigating costs associated with growth and development and the expansion of public school facilities made necessary by residential land development activities.