

CHAPTER 5 - INDEX

5-10: DIMENSIONAL STANDARDS TABLES..... 4

5-10-10: USE OF THE TABLES 4

5-10-20: REDUCTION IN DENSITY FOR STEEP SLOPES 14

5-20: RULES OF MEASUREMENT 15

5-20-10: MEASUREMENT OF LOT AREA..... 16

**5-20-20: NO GUARANTEE OF MAXIMUM DENSITY OR FLOOR
AREA 16**

5-20-30: MEASUREMENT OF ROAD SETBACKS 16

5-20-40: MEASUREMENTS OF YARD SETBACKS 16

5-20-50: MEASUREMENT OF STREAM SETBACKS..... 17

5-20-60: MEASUREMENT OF BUILDING HEIGHT 17

5-20-70: MEASUREMENT OF FLOOR AREA..... 21

5-20-80: MEASUREMENT OF GROSS FLOOR AREA..... 36

5-20-90: MEASUREMENT OF USABLE OPEN SPACE 37

5-20-100: PERMITTED ENCROACHMENTS INTO SETBACKS 37

FROM ROADS AND PROPERTY LINES 37

INDEX OF TERMS

<p>Accessory Use or Structure (see also Use, Accessory and Temporary) 5, 8, 12</p> <p>Activity Envelope 7</p> <p>Balcony 18</p> <p>Below Grade Space..... 19, 20</p> <p>Board of County Commissioners (BOCC) 9</p> <p>Building Permit..... 11</p> <p>Community Development Director..... 15</p> <p>Crawl Space 19</p> <p>Deck 18</p> <p>Development Application 15</p> <p>Dimensional Requirements</p> <p> Affordable Housing Zone Districts.... 11</p> <p> Commercial Zone Districts 13</p> <p> Rural and Conservation Zone Districts 7</p> <p> Urban/Suburban Residential Zone Districts 8</p> <p>Duplex..... 9, 10</p> <p>Employee Housing Guidelines 11</p> <p>Encroachment 15, 16, 26</p> <p>Grade, Existing 13, 16, 18, 21, 26</p> <p>Growth Management Quota System (GMQS)</p>	<p>Allocation..... 5, 8</p> <p>Highways</p> <p> Arterial 5, 8, 10, 12</p> <p>Hotel..... 7, 13</p> <p>Lot Area, (Minimum)..... 5, 8, 10, 12</p> <p>Lot Split 25</p> <p>Lot Width, (Minimum) 5, 8, 10, 12</p> <p>Measurement</p> <p> Building Height..... 15</p> <p> Floor Area 18</p> <p> Lot or Parcel Area..... 14</p> <p> Usable Open Space 25</p> <p>Motel/Lodge..... 7, 13</p> <p>Open Space (Minimum Usable)5, 8, 10, 12</p> <p>Pitkin County Comprehensive Plan 11</p> <p>Redstone Historic Preservation Commission (RHPC) 22</p> <p>Rural Zone Districts (see also Zone Districts)..... 4</p> <p>Setback</p> <p> Front..... 5, 8, 12</p> <p> Rear 5, 8, 12</p> <p> Road..... 15</p> <p> Side 5, 8, 12</p>
---	---

Chapter 5 - Dimensional Requirements

Stream	15	Mobile Home Park (MHP)	8
Yard	15	Moderate Density Residential – 15,000 Sq. Ft. Lot (R-15A).....	8, 9
Single Family Dwelling	10, 11, 13	Public (PUB).....	4
Slope		Public and Institutional (P-I).....	13
Reduction in Density	14	RESOURCE – 160 ACRE (RS-160). 25	
Steep.....	14	RESOURCE – 20 ACRE (RS-20).....	25
Stairway	18	Resource – 30 Acre (RS-30).....	14, 25
Two-Step Review.....	7	Rural.....	4
Use		Rural and Remote (RR)	7, 16
Principal	8, 10, 12	Rural Business (B-1).....	5, 7
Vested Rights	7	Ski-Recreation (SKI-REC)	5, 7
Zone Districts		Transitional Residential – 1 (TR-1). 5, 7	
Affordable Housing PUD (AH/PUD)	10	Transitional Residential – 2 (TR-2). 5, 7	
AGRICULTURAL/RESIDENTIAL – 2 ACRE (AR-10)	25	Village Commercial (VC).....	12, 21
Low Impact Residential – 35 Acre (LIR-35)	5, 7	Village Residential – 6,000 Sq. Ft. Lot (VR)	8, 21
Medium Density Residential – 6,000 Sq. Ft. Lot (R-6).....	8, 10		

CHAPTER 5: DIMENSIONAL REQUIREMENTS

This Chapter 5 contains information related to dimensional requirements of development – including minimum lot sizes, maximum heights, minimum setbacks, open space requirements, building size restrictions, and similar dimensional standards. All primary and accessory structures are subject to the dimensional standards set forth in this Chapter. However, these general standards may be further limited or modified by other applicable sections of this Land Use Code. In particular, some uses are subject to use-specific standards in Chapter 4 that impose stricter requirements than set forth in these tables. In addition, all development is subject to the requirements of Chapter 7, which may impose stricter requirements in some cases.

5-10: DIMENSIONAL STANDARDS TABLES

5-10-10: USE OF THE TABLES

- (a) The general dimensional requirements for each zone district are set forth in Tables 5-10 A, B, C, and D below. Each table addresses a different set of zone districts:

Table A:	Rural Zone Districts
Table B:	Urban / Suburban Residential Zone Districts
Table C:	Affordable Housing Zone Districts
Table D:	Business and Special Purpose Zone Districts

- (b) Throughout this Land Use Code, references to “Table 5-1” shall be a reference to all of the information contained in the four sub-tables 5-1.A, B, C, and D.
- (c) Where two rows in these tables are separated by a dashed line, rather than a solid line, the two rows represent alternative measures of that dimension, the most restrictive of which shall apply.
- (d) Each of the four sub-tables 5-1.A, B, C and D contain footnotes that immediately follow each sub-table and should be reviewed in conjunction with the sub-table.
- (e) Dimensional requirements for the PUB, I, U and AC/REC-2 zone districts are set forth in Sec. 3-80.
- (f) Dimensional requirements for the CD-PUD zone district are set forth in Section 3-70-40.

Chapter 5 Dimensional Requirements

TABLE 5-1.A: Dimensional Requirements Rural Zones	RS - G	RR NOTE 1	RS - 160	RS - 35	LIR- 35 NOTE 2	TR-1 NOTE 3	TR-2 NOTES 3, 4, 5	RS - 30	RS - 20	AR - 10	AR- 2	B-1	SKI- REC	WOMP Overlay	VLP
LOTS															
Minimum Lot Area (ac.)	N/A	35	160	35	35	35	35	30	20	10	2	MF = 15,000 OTH = 6,000 NOTE 6	M	Note 17	M
Minimum Usable Open Space per Dwelling Unit (sq. ft.)												800	M	Note 17	M
Minimum Lot Width (ft.)	N/A	400	400	400	N/A			400	400	400	200	50	M	Note 17	M
MINIMUM SETBACKS															
From Arterial Highways															
Structures / Outside Uses (ft.)	100 ft. setback for buildings/ 100 ft. setback for outside uses NOTE 7												M	Note 17	M
From Major Roads															
Structures / Outside Uses(ft.)	100 ft. setback for buildings/ 50 ft. setback for outside uses NOTE 7												M	Note 17	M
From Collector Streets															
Structures/ Outside Uses(ft.)	50 ft. setback for buildings/ 25 ft. setback for outside uses NOTE 7												M	Note 17	M
From Property Lines															
Front Setback (ft.)	SR	SR	(1) Lot Size ≤ 3 ac = 30 ft.; (2) Lot > 3 ac. and ≤ 10 acres = 50 ft.; (3) Lot > 10 acres = 100 ft.									30	M	Note 17	M
Side Setback (ft.)	SR	SR	(1) Lot < 7,500 sq. ft. = 5 ft.; (2) Lot ≥ 7,500 & < 30,000 sq. ft. = 10 ft.; (3) Lot Size ≥ 30,000 & < 43,560 sq. ft. = 15 ft.; (4) Lot ≥ 43,560 & < 3 ac. = 20 ft.; (5) Lot ≥ 3 ac. & < 20 ac. = 30 ft.; (6) Lot ≥ 20 ac. = 50 ft.									10	M	Note 17	M
Rear Setback (ft.)	SR	SR	(1) Lot Size < 30,000 sq. ft. = 10 ft.; (2) Lot ≥ 30,000 sq. ft. & < 10 ac. = 30 ft.; (3) Lot ≥ 10 ac. = 50 ft.									10	M	Note 17	M
From Streams (ft.)	100 NOTE 14, 15 and 16												M	Note 17	
MAXIMUM HEIGHT															
Maximum Height of Principal Structure (ft.)	20	20 NOTE 8	28	28	28	20	20	28	28	28	28	28	M	Note 17	M
Maximum Height of Accessory Structure (ft.)	20	12 NOTE 9	20	20	20	15	15	20	20	20	20	20	M	Note 17	M
Maximum Height of Exempt Agricultural Buildings	Refer to Sec. 5-20-70(j)	N/A	Refer to Sec. 5-20-70(j)			N/A	N/A	Refer to Sec. 5-20-70(j)				N/A	N/A	Note 17	M
MAXIMUM FLOOR AREA															
Gross Floor Area Exempt From GMQS (Without GMQS Allocation or TDR Purchase) (Base Max.) Floor Area	N/A	NOTE 10	5,750 NOTE 11	5,750 NOTE 11	5,750	1,000	2,500 NOTE 4	5,750 NOTE 11	5,750 NOTE 11	5,750 NOTE 11	5,750 NOTE 12	NOTE 11 NOTE 13	M	Note 17	M
Gross Floor Area After GMQS	N/A	NOTE 10	15,000	15,000 NOTE	15,000 NOTE 2	1,000	3,500	15,000 NOTE	15,000 NOTE	15,000 NOTE	15,000 NOTE	8,000 NOTE	M	Note 17	M

Chapter 5 Dimensional Requirements

Allocation and/or TDR Purchase (Final Max. Floor Area				11					11	11	11	11	11			
---	--	--	--	----	--	--	--	--	----	----	----	----	----	--	--	--

Code repealed and reenacted (all sections) by Ord. 014-D-2006, 07-05-08; § 5-10-10 – Table 5-1.A (part) amended [Ord. 30-06, 10-11-06](#); [Ord. 012-2008, 04-09-08](#); [Ord. 023-07, 08-28-07](#); [Ord. 024-08, 07-23-08](#); [Ord. 019-09, 06-24-09](#); [Ord. 011-11, 08-10-11](#); Ord. 005-14, 03-12-14); Ord. 037-18, 08-22-18

ABBREVIATIONS

M = As approved in Master Plan for SKI-REC zone district; HML = Hotel/Motel/Lodge; MF/L= Multi-family limited to 1,2, or 3 Bedrooms; MF/ST = Multi-family Studio; MF/UL = Multi-family with more than 3 bedrooms; OTH = Other

NOTE 1: In the RR zone district, the maximum size of the Activity Envelope defined for each principal use shall be one-half (1/2) acre. Dimensional standards in the RR zone district may be varied by special review pursuant to the provisions of Sec. 3-40-20.

NOTE 2: As an alternative to the strict application of the area and bulk requirements, parcels in the LIR-35 zone district may be developed as a cluster option, pursuant to the standards in Sec. 3-40-50(d), provided that the application includes the entirety of the unsubdivided parcel and adjacent parcels held in common ownership as configured on January 16, 2000. If the cluster option is used: (1) There shall be no more than one (1) principal single family dwelling unit per eighty (80) acres. Actual lots may be smaller if accompanied with a preserved open space parcel that maintains one unit per 80-acre density. (2) Maximum allowed final maximum floor area of all buildings shall be 15,000 square feet.; of which (a) 8,250 square feet shall be exempt from growth management; and (b) additional square footage up to 15,000 square feet may only be obtained through successful growth management competition or for use of transferable development rights.

NOTE 3: The maximum potential density and developability for properties within the TR-1 and TR-2 zone district shall be based on the entire unsubdivided parcel. All buildings shall be included in the calculation of the floor area.

NOTE 4: For lands rezoned to a TR-2 zone district effective on or before January 26, 2005 existing vested rights in prior development approvals are recognized, and property owners may continue to rely on those vested rights until their expiration. Residential development in place or approved prior to January 26, 2005, shall not be deemed non-conforming relative to the Pitkin County Land Use Code.

NOTE 5: As an alternative to the strict application of the area and bulk requirements, parcels in the TR-2 zone district may be developed as a cluster option, pursuant to the standards in Sec. 3-40-70(d), provided that the application includes the entirety of the unsubdivided parcel and adjacent parcels held in common ownership as configured on January 16, 2000. If the cluster option is used: (1) There shall be no more than one (1) principal single family dwelling unit per fifty (50) acres. Actual lots may be smaller if accompanied with a preserved open space parcel that maintains one unit per 50 acre density. (2) Maximum final allowed floor area of all buildings shall be 3,500 square feet, all of which shall be exempt from growth management; and no additional floor area may be obtained through the use of either TDRs or additional growth management allocations. Heights and setbacks may be modified through the Two-Step Review process.

NOTE 6: Minimum lot area per principal use or dwelling unit (in square feet) shall be: MF/UL = 5,500; MF/L = 3,200; MF/ST = 2,500.

NOTE 7: Off-street parking, signs, and lights shall meet the setback requirements for outside uses. Access roads, highway regulatory and directional signs, safety lighting, and safety features shall be allowed between the right-of-way and the setbacks listed. Off street parking and lights don't need to meet the setback required on collector streets.

NOTE 8: In the RR zone district, building height is measured pursuant to Sec. 5-20-60(h)

NOTE 9: Not applicable to structures existing on the 5th of July, 2006.

NOTE 10: Floor area in the RR zone district is addressed in Section 5-20-80(i).

NOTE 11: For land located within the Frying Pan area, the final gross maximum floor area shall be 5,750 square feet; Gross floor area for principal structure, including all below-grade space and attached accessory structures, shall be limited to 4,000 sq. ft.; up to 1,750 sq. ft. of gross floor area shall be allowed for accessory structures and uses that are detached from principal structure. In the Capitol Creek/Snowmass area, the gross final maximum floor area shall be 8,250 square feet; and within the Basalt Urban Growth Boundary, the gross final maximum dwelling unit floor area shall be 5,750 sq. ft. In the Emma Caucus area, the final maximum gross floor area shall be 8,250 square feet. These maximums shall not be exceeded with a GMQS allotment or use of TDRs. These maximums shall also apply to a dwelling unit which is to be located on a parcel containing five hundred (500) acres or more unless the parcel was legally created and received development approvals prior to July 5, 2006, in which case previous approvals regarding house size shall apply.

NOTE 12: (1) Lot size

0--25,000 sq. ft. = .13 up to a maximum of 3,250 sq. ft. of floor area; (2) Lot size 25,001--50,000 sq. ft. = 3,250 sq. ft. of floor area, plus 9 sq. ft. of floor area for each additional 100 sq. ft. in lot area up to a maximum of 5,500 sq. ft. of floor area; (3) Lot size 50,001--100,000 sq. ft. = 5,500 sq. ft. of floor area plus 5 sq. ft. of floor area for each additional 100 sq. ft. in lot area up to a maximum of 8,000 sq. ft. of floor area; (4) Lot size 100,000 and larger = 8,000 sq. ft. of floor area plus 1 sq. ft. of floor area for each additional 100 sq. ft. in lot area.

NOTE 13: Notwithstanding any other provision of this Land Use Code, the base maximum gross floor area shall not exceed 4,000 square feet for lots and parcels ≤ 1 acre; for lots and parcels >1 acre, then base maximum gross floor area shall not exceed 5,750 square feet plus 1,000 square feet for each 10,000 square feet that parcel size exceeds one acre, up to a maximum of 8,000 square feet on any one B-1 lot or parcel.

NOTE 14: An additional setback may be required or a lesser setback may be allowed pursuant to Sec. 7-20-80.

NOTE 15: Development of a micro hydroelectric energy system may be allowed in a setback pursuant to Section 7-20-80 (c) and 4-30-50(m).

NOTE 16: Stream restoration projects may encroach into this setback pursuant to Sections 7-20-40 and 7-20-80

NOTE 17: All areas mapped within the WOMP Overlay Zone District shall be subject to Section 3-70-50.

Code repealed and reinstated (all sections) by Ord. 014-D-2006, 07-05-08; § 5-10-10 – Table 5-1.A (part) amended by [Ord. 30-06, 10-11-06](#); [Ord. 012-2008, 04-09-08](#); [Ord. 023-07, 08-28-07](#); [Ord. 022-08, 7-09-08](#); [Ord. 024-08, 07-23-08](#); [Ord. 019-09, 06-24-09](#); [Ord. 001 A & B-11, 01-12-11](#); [Ord. 005-14, 03-12-14](#)

	R - 30	R - 15	R-15A	R-15B	R-6	RMF	VR	MHP	WOMP Overlay
TABLE 5-1.B: Dimensional Requirements Urban/Suburban Residential Zone Districts Other Than Affordable Housing Districts									
LOTS									
Minimum Lot Area (sq. ft.)	30,000	15,000	15,000	15,000 NOTE 11	6,000	1 Acre	5,000 NOTE 1	NOTE 2	NOTE 14
Minimum Lot Area Per Principal Use or Dwelling Unit (sq. ft.)	30,000	15,000	15,000	15,000 NOTE 11	6,000	.14	5,000	NOTE 2	NOTE 14
Maximum Lot Area Per Principal Use or Dwelling Unit (sq. ft.)					11,999				NOTE 14
Minimum Usable Open Space per Dwelling Unit (sq. ft.)	6,600	3,000	3,000	3,000	1,500	500	1,500	NOTE 2	NOTE 14
Minimum Lot Width (sq. ft.)	100	75	75	75	60	75	50		
Maximum Dwelling Units Per Acre						10.5			
MINIMUM SETBACKS									
From Arterial Highways									
Structures / Outside Uses (ft.)	100 ft. setback for buildings / 100 ft. setback for outside uses NOTE 3						N/A	N/A	NOTE 14
From Major Roads									
Structures / Outside Uses (ft.)	100 ft. setback for buildings / 50 ft. setback for outside uses NOTE 3						N/A	N/A	NOTE 14
From Collector Streets									
Structures / Outside Uses (ft.)	50 ft. setback for buildings / 25 ft. setback for outside uses NOTE 3						N/A	N/A	NOTE 14
From Property Lines									
Front Setback (ft.)	(1) Lot Size ≤ 3 ac = 30 ft.; (2) Lot > 3 ac. and ≤ 10 acres = 50 ft.; (3) Lot > 10 acres = 100 ft.					5 feet	30	NOTE 2	NOTE 14
Side Setback (ft.)	(1) Lot < 7,500 sq. ft. = 5 ft.; (2) Lot ≥ 7,500 & < 30,000 sq. ft. = 10 ft.; 3) Lot Size ≥ 30,000 & < 43,560 sq. ft. = 15 ft.; (4) Lot ≥ 43,560 & < 3 ac. = 20 ft.; (5) Lot ≥ 3 ac. & < 20 ac. = 30 ft.; (6) Lot ≥ 20 ac. = 50 ft.					5 feet	Min 7 per side and 20 total both sides	NOTE 2	NOTE 14
Rear Setback (ft.)	(1) Lot Size < 30,000 sq. ft. = 10 ft.; (2) Lot ≥ 30,000 sq. ft. & < 10 ac. = 30 ft.; (3) Lot ≥ 10 ac. = 50 ft.					20 feet	10	NOTE 2	NOTE 14
From Streams (ft.)	100 NOTE 4, 12 and 13					100	20 NOTE 4	NOTE 2	NOTE 14
MAXIMUM HEIGHT									
Maximum Height of Principal Structure (ft.)	28	28	28	28	28	28	NOTE 5	NOTE 2	NOTE 14
Maximum Height of Accessory Structure (ft.)	20	20	20	20	20	20	NOTE 6	NOTE 2	NOTE 14
Maximum Height of Exempt Agricultural Buildings	Refer to Sec. 5-20-70(j)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	NOTE 14
Allowable floor area based on Floor Area Ratio (FAR)	.13	.16	NOTE 7	NOTE 10	.30	.50 Note 14	NOTE 8	NOTE 2	NOTE 14

	R - 30	R - 15	R-15A	R-15B	R-6	RMF	VR	MHP	WOMP Overlay
TABLE 5-1.B: Dimensional Requirements Urban/Suburban Residential Zone Districts Other Than Affordable Housing Districts									
Gross Floor Area Exempt from Growth Management (without GMQS Allocation or TDR) (Base Maximum) (sq ft)	5,750 NOTE 9	5,750	5,750	5,750	5,750	Note 15	NOTE 8	N/A	NOTE 14
Gross Floor Area After GMQS Allocation and/or TDR Purchase (Final Max. Floor Area)	15,000	15,000	10,250	5,750	4,000	Note 15	NOTE 8	N/A	NOTE 14

(Code repealed and reenacted (all sections) by Ord. 014-D-2006, 07-05-06; § 5-10-10 Table-5-1.B (part) amended [Ord. 026-06, 09-13-06](#); [Ord. 012-08, 04-09-08](#); [Ord. 024-08, 07-23-08](#); [Ord. 019-09, 06-24-09](#); [Ord. 011-11, 08-10-11](#); [Ord. 029-12, 10-24-12](#); [Ord. 033-12, 11-14-12](#); [Ord. 005-14, 03-12-14](#))

NOTES TO TABLE 5-1.B: Dimensional Requirements for Residential Zone Districts Other Than Affordable Housing Districts
NOTE 1: 5,000 square feet, which shall include any land areas within the Redstone A Lots (as defined in this Land Use Code)
NOTE 2: Dimensional requirements for the MHP zone district are found in Table 7-4. The dimensional requirements for the Aspen Village Subdivision, Lazy Glen Subdivision, and Woody Creek Subdivision, are described in the PUD Development guide approved by Pitkin County for each development.
NOTE 3: Off-street parking, signs, and lights shall meet the setback requirements for outside uses. Access roads, highway regulatory and directional signs, safety lighting, and safety features shall be allowed between the right-of-way and the setbacks listed. Off street parking and lights don't need to meet the setback required on collector streets.
NOTE 4: An additional setback may be required or a lesser setback may be allowed pursuant to Sec. 7-20-80.
NOTE 5: Maximum height principal structures: twenty-four (24) feet to the top of ridge; fourteen (14) feet to the top of eave (dormers excluded). See also Sec. 5-20-60(i) for Building Height calculation methodology.
NOTE 6: Maximum height accessory structures: twenty-one (21) feet to the top of ridge; twelve (12) feet to the top of eave (dormers excluded). See also Sec. 5-20-60(i) for Building Height calculation methodology.
NOTE 7: The allowable floor area shall be based on the least restrictive of the following formulas: (a) 3,500 square feet (plus 30% for pre-existing duplexes); or (b) floor area ratio (FAR) = .20 (plus 30% of allowed floor area for pre-existing duplexes). Only duplex units that existed prior to 1974 are permitted in the R-15A zone district, and no dwelling unit in the R-15A zone district shall exceed 5,500 square feet of floor area. Each dwelling unit on a pre1974 duplex lot is exempt from Growth Management up to the Base Maximum of 5,750 square feet of gross floor area.
NOTE 8: (1) Lot with 50-74 ft. frontage = 2,000 square feet; (2) Lot with 75-99 ft. frontage = 2,300 square feet; (3) Lot with 100 ft or larger frontage = 2,500 square feet. See also Sec. 5-20-70 for Floor Area calculation methodology.
NOTE 9: Lots in the Meadowood Subdivision are exempt from Growth Management up to the total of their allowable floor area based on Floor Area Ratio PLUS the additional floor area allocated to each lot pursuant to BOCC Resolution No. 99-124, or 5,750 square feet of floor area, whichever is greater (which total may exceed 5,750 square feet).
NOTE 10: The allowable floor area shall be based on the least restrictive of the following formulas: (a) 3,500 square feet; or (b) floor area ratio (FAR) = .20. Duplexes are prohibited in the R-15B zone district and no dwelling shall exceed 3,500 square feet in floor area, and 5,750 in gross floor area (max sq. ft.).

NOTE 11: For the R-15B zone district, the 15,000 square foot minimum relates to Lot Size, and not Lot Area as defined in Section 11, Definitions.
NOTE 12: Development of a micro hydroelectric energy system may be allowed in a setback pursuant to Section 7-20-80(c) and 4-30-50(m).
NOTE 13: Stream restoration projects may encroach into this setback pursuant to Sections 7-20-40 and 7-20-80
NOTE 14: The individual floor area cap per unit in the RMF Zone District is 2,855 square feet
NOTE 15: See Le Chamonix PUD guide for Growth Management Exemption and Maximum floor Area
NOTE 16: All areas mapped within the WOMP Overlay Zone District shall be subject to Section 3-70-50.

*(Code repealed and reenacted (all sections) by Ord. 014-D-2006, 07-05-08; § 5-10-10
Table-5-1.B (part) amended [Ord. 026-06, 09-13-06](#); [Ord. 012-08, 04-09-08](#); [Ord. 024-08, 07-23-08](#); [Ord. 001AB-11, 01-12-11](#); [Ord. 011-11, 08-10-1](#); [Ord.002-13, 01-23-2013](#); [Ord. 005-14, 03-12-14](#)); [Ord. 045-2019, 12-18-19](#)*

Chapter 5 Dimensional Requirements

TABLE 5-1.C: Dimensional Standards for Affordable Housing Zone Districts	AH Zone District	AH-PUD Zone District		For Lands Previously Zoned AHP/PUD	For Lands Zoned AH/PUD after July 5, 2006	WOMP Overlay zone District		
		For Lands Previously Zoned AH2/PUD	For Lands Previously Zoned AH3/PUD					
LOTS								
Minimum Lot Area (sq. ft.)	6,000	3,000	6,000	Per Adopted PUD NOTE 1	Per Adopted PUD	NOTE 8		
Minimum Lot Area Per Principal Use or Dwelling Unit (sq. ft.):								
For Single Family Dwellings and Duplexes on all lots	SFD = 3,000 DUP = 3,000	SFD= 3000 DUP = 1,500	SFD = 6,000 DUP = 3,500	Per Adopted PUD	Per Adopted PUD	NOTE 8		
For MF dwellings (1) on a lot of < 27,000 sq. ft.; or (2) on a lot > 27,000 sq. ft. and < 1 ac. when approved by special review pursuant to Sec. 2-40-20.	MF/S = 1,000 MF/1= 1,250 MF/2 = 2,000 MF/3 = 3,000	MF/S = 300; MF/1 = 400 MF/2 = 800; MF/3 = 1,200 MF/U = 400 sq. ft. per BR	MF/S = 1,000 MF/1 = 1,250 MF/2 = 2,000					NOTE 8
For MF dwellings on a lot > 27,000 sq. ft. (unless varied by special review)	MF/3 = 3,000 MF/U = 400 sq. ft. per BR	MF/S = 1,000; MF/1 = 1,250 MF/2 = 2,100; MF/3 = 3,630 MF/U 1,000 sq. ft. per BR	MF/3 = 3,000 MF/U = 400 sq. ft. per BR			Per Adopted PUD	Per Adopted PUD NOTE 2	NOTE 8
Minimum Usable Open Space per Dwelling Unit (sq. ft.)	1,200	Per Adopted PUD NOTE 1	1,200			NOTE 8		
Minimum Lot Width (sq. ft.)	30	Per Adopted PUD	Per Adopted PUD NOTE 1			NOTE 8		
MINIMUM SETBACKS								
From Arterial Highways		Per Adopted PUD						
Structures / Outside Uses (ft.)	200 / 100					NOTE 8		
From Major Roads								
Structures / Outside Uses (ft.)	100 / 50					NOTE 8		
From Collector Streets								
Structures / Outside Uses (ft.)	50 / 25					NOTE 8		
From Property Lines	Same as R-6							
From Streams (ft.)	100 NOTE 3, 6, and 7		NOTE 8					
MAXIMUM HEIGHT								
Maximum Height of Structures (ft.)	Principal = 28 Accessory = 20	Per Adopted PUD				NOTE 8		
MAXIMUM DWELLING UNIT SIZE								
Maximum Floor Area per Dwelling Unit and/or Maximum House Size	Total of all units = .50 FAR	Per Adopted PUD NOTE 4		Per Adopted PUD NOTE 5	Per Adopted PUD up to a maximum of .50 FAR of fathering	NOTE 8		

(Code repealed and reenacted (all sections) Ord. 014-D-2006, 07-05-08; § 5-10-10 Table-5-1.C (part) amended [Ord. 012-08, 04-09-08](#); [Ord. 024-08, 07-23-08](#); [Ord. 005-14, 03-12-14](#))

<p>NOTES TO TABLE 5-1.C: Dimensional Requirements for Affordable Housing Zone Districts</p> <p>ABBREVIATIONS DUP = Duplex; MF/S = Multi-Family Studio; MF/1 = Multi-family 1 Bedroom; MF/2 = Multi-family 2 Bedroom; MF/3 = Multi-family 3 Bedroom; MFU = Multi-family with more than 3 Bedrooms; SFD = Single Family Dwelling</p> <p>NOTE 1: For lands previously zoned AH2/PUD, AH3/PUD, and AHP-PUD, review and approval of AHP-PUD applications shall be based upon the criteria in Sec. 3-50-80 including but not limited to neighborhood compatibility and adjacent zone district regulations.</p> <p>NOTE 2: As a general guideline, development density may be double that of the underlying zone district. Additional density may be approved in specific cases where it is consistent with the Pitkin County Comprehensive Plan and the development has been designed to avoid or mitigate adverse impacts on surrounding properties.</p> <p>NOTE 3: An additional setback may be required or a lesser setback may be allowed pursuant to Sec. 7-20-80.</p> <p>NOTE 4: The FARs shall be applied to the proposed fathering parcel. Floor area allocations on newly proposed subdivided lots shall be determined as part of the PUD review, but in no case shall they cumulatively exceed the provisions in this Table. Sites may be developed up to eighty-five percent (85%) of the allowed floor area. Up to one hundred percent (100%) of the floor area may be permitted by special review, pursuant to Sec. 2-40-20.</p> <p>NOTE 5: (1) Free market dwelling units = 5,000 square feet; (2) Resident Occupied dwelling units = Maximum allowed by the employee housing guidelines in effect at the time of building permit issuance; (3) Category dwelling units = Must comply with minimum net livable square footage required by housing guidelines -- maximum 250 square foot garage for MF/S and 1-BR units; maximum 500 square foot garage for Other MF units with 2 or more bedrooms; (4) Floor area for the development shall not exceed two times the maximum floor area allowed in the applicable zone district prior to the rezoning.</p> <p>NOTE 6: Development of a micro hydroelectric energy system may be allowed in a setback pursuant to Section 7-20-80(c) and 4-30-50(m).</p> <p>NOTE 7: Stream restoration projects may encroach into this setback pursuant to Sections 7-20-40 and 7-20-80.</p> <p>NOTE 8: All areas mapped within the WOMP Overlay Zone District shall be subject to Section 3-70-50.</p>

(Code repealed and reenacted (all sections) Ord. 014-D-2006, 07-05-08; § 5-10-10 Table-5-1.c (part) amended [Ord. 012-08; 04-09-08](#); [Ord. 024-08, 07-23-08](#); [Ord. 001 AB-11, 01-12-11](#); [Ord. 005-14, 03-12-14](#))

TABLE 5-1.D: Dimensional Requirements Commercial and Special Purpose Zone Districts	VC	B - 2	P - I	T	WOMP Overlay Zone District
LOTS					
Minimum Lot Area (sq. ft. unless otherwise noted)	5,000 NOTE 1	MF = 15,000 OTH = 6,000	M	15,000	NOTE 10
Minimum Lot Area Per Principal Use or Dwelling Unit (sq. ft.)	MF/UL = 5,500 MF/1L = 3,200 MF/ST = 2,500 HML = 2,200	MF/UL = 4,000 MF/1 = 3,200 MF/ST = 2,500	M	MF/UL = 4,400; MF/1L = 2,600; MF/ST = 2,100; HML = 1,750; DRM = 2,000; OTH = 15,000	NOTE 10
Minimum Usable Open Space per Dwelling Unit (sq. ft.)	Greater of 1,200 or 25%	1,200	M	1,200	NOTE 10
Minimum Lot Width (sq. ft.)	50	50	M	75	NOTE 10
MINIMUM SETBACKS					
From Arterial Highways					
Structures / Outside Uses (ft.)	N/A	200 ft. setback for buildings / 100 ft. setback for outside uses NOTE 2			NOTE 10
From Major Roads					
Structures / Outside Uses (ft.)	N/A	100 ft. setback for buildings / 50 ft. setback for outside uses NOTE 2			NOTE 10
From Collector Streets					
Structures / Outside Uses (ft.)	N/A	50 ft. setback for buildings / 25 ft. setback for outside uses NOTE 2			NOTE 10
From Property Lines					
Front Setback (ft.)	30	30	M	30	NOTE 10
Side Setback (ft.)	Min 7 per side and 20 total both sides	10	M	10	NOTE 10
Rear Setback (ft.)	10	10	M	20	NOTE 10
From Streams (ft.)	20 NOTE 3, 8 and 9	100 NOTE 3, 8 and 9	M	100 NOTE 3, 8 and 9	NOTE 10
MAXIMUM HEIGHT					
Maximum Height of Principal Structure (ft.)	NOTE 4	28	M	28	NOTE 10
Maximum Height of Accessory Structure (ft.)	NOTE 5	20	M	20	NOTE 10
Maximum Height of Exempt Agricultural Buildings	N/A	N/A	N/A	Refer to Sec. 5-20-70(j)	NOTE 10
MAXIMUM GROSS FLOOR AREA					
Allowable Floor Area based on Floor Area Ratio (FAR)	NOTE 6	.36	.50	.53 NOTE 7	NOTE 10

Code repealed and reenacted (all sections) by Ord. 014-D-2006, 07-05-08; § 5-10-10 Table-5-1.D (part) amended [Ord. 024-08, 07-23-08](#); [Ord. 011-11, 08-10-11](#); [Ord. 005-14, 03-12-14](#)

<p>NOTES TO TABLE 5-1.D: Dimensional Requirements for Commercial Zone Districts</p> <p>ABBREVIATIONS M = As approved in Master Plan for P-I zone district; DRM = Dormitory (6-8 persons); DUP = Duplex; HML = Hotel/Motel/Lodge; MF/1L= Multi-family 1 Bedroom Unlimited; MF/ST = Multi-family Studio; MF/1 = Multi-family 1 Bedroom; MF/3 = Multi-family 3 Bedroom; MF/UL = Multi-family with more than 3 bedrooms; OTH = Other; SFD = Single Family Dwelling</p> <p>NOTES NOTE 1: 5,000 sq. ft., which shall include any land areas within the Redstone A Lots (as defined in this Land Use Code) NOTE 2: Off-street parking, signs, and lights shall meet the setback requirements for outside uses. Access roads, highway regulatory and directional signs, safety lighting, and safety features shall be allowed between the right-of-way and the setbacks listed. Off street parking and lights don't need to meet the setback required on collector streets. NOTE 3: An additional setback may be required or a lesser setback may be allowed pursuant to Sec. 7-20-80. NOTE 4: Maximum height principal structures: Twenty-four (24) feet to the top of ridge; Sixteen (16) feet to the top of eave. (dormers excluded). See also Sec. 5-20-60(i) for Building Height calculation methodology. NOTE 5: Maximum height accessory structures: Twenty-one (21) feet to the top of ridge; Twelve (12) feet to the top of eave. (dormers excluded). Accessory structure height is measured from existing grade. See also Sec. 5-20-60(i) for Building height calculation methodology. NOTE 6: (1) Lot with 50-74 ft. frontage = 2,200 square feet; (2) Lot with 75-99 ft. frontage = 2,500 square feet; (3) Lot with 100 ft or larger frontage = 2,800 square feet; (4) A hotel/motel/ lodge/tourist accommodation may apply by special review for a floor area ratio of up to .53. See also Sec. 5-20-70 for Floor Area calculation methodology. NOTE 7: For properties located outside of an urban growth boundary, and zoned T prior to the 5th of July, 2006 future, non-residential structures constructed after the 5th of July, 2006 shall be limited to 15,000 square feet of floor area. Final maximum floor area for residential structures shall be limited to 5,750 sq.ft. of gross floor area. NOTE 8: Development of a micro hydroelectric energy system may be allowed in a setback pursuant to Section 7-20-80(c) and 4-30-50(m). NOTE 9: Stream restoration projects may encroach into this setback pursuant to Sections 7-20-40 and 7-20-80. NOTE: 10: All areas mapped within the WOMP Overlay Zone District Shall be subject to Section 3-70-50.</p> <p><i>(Code repealed and reenacted (all sections) by Ord. 014-D-2006; § 5-10-10 Table-5-1.D (part) amended Ord. 012-08, 04-09-08; Ord. 024-08, 07-23-08; Ord. 005-14, 03-12-14)</i></p>
--

5-10-20: REDUCTION IN DENSITY FOR STEEP SLOPES

The permitted density of development on lands with steep slopes shall be as follows:

- (a) There shall be a reduction in density from that which is allowable in the zone district whenever more than thirty (30) percent of the total land area of a project is encumbered by slopes of forty-five (45) percent and greater. The gross allowable density of the project shall be reduced by one (1) percent for each one (1) percent

exceeding thirty (30) percent of land area having slopes of forty-five (45) percent and greater.

(b) The calculation of the formula in subdivision A is as follows: Assuming a three thousand one hundred (3,100) acre parcel of land on which fifty (50) percent of the total land area has slopes greater than forty-five (45) percent, the gross allowable zoned density is three thousand one hundred (3,100) acres divided by thirty (30) (one unit per thirty (30) acres) = one hundred three (103) units allowed. The density reduction is calculated as follows:

(1) Fifty (50) percent (percentage of land area having slopes of forty-five (45) percent or greater) – Thirty (30) percent (no density reduction for up to thirty (30) percent coverage) = Twenty (20) percent (percent reduction of gross allowable density) x 103 units (gross allowable zoned density) = 20.6 or 21 unit reduction. 103 units - 21 units = 82 units (net density).

(c) An example of the application of the formula to a three thousand one hundred (3,100) acre parcel in RS-30 where the gross zoned density is one hundred three (103) units is given below, assuming different amounts of land with slopes greater than forty-five (45) percent.

Land Area in Excess of 45%	Density Reduction	Units Subtracted	Net Units
0-30%	0%	0	103
45	15	15	88
50	20	21	82
60	30	31	72
75	45	46	57
85	55	57	46
95	65	67	36

(d) In order to determine the amount of land area having slopes of forty-five (45) percent and greater, the applicant shall submit a slope analysis using ten (10) foot contoured topography obtained from the Pitkin County Geographic Information Systems (GIS) Department. In the event that ten (10) foot contours do not provide enough detail to adequately determine slope, a certified survey delineating two (2) foot contours may be required at the County Planner’s discretion.

(Code repealed and reenacted (all sections) by Ord. 014-D-2006, 07-05-06; § 5-10-20 (part) amended [Ord. 023-07, 08-28-07](#))

5-20: RULES OF MEASUREMENT

This section sets forth the rules that Pitkin County will use to measure those dimensional standards set forth in this Chapter, as well as similar dimensional parameters referenced throughout this Land Use Code. Many of the terms used in this section are defined in Chapter 11.

5-20-10: MEASUREMENT OF LOT AREA

Lot area is used as a basis of determining allowable floor area in zone districts that have floor area ratios. In calculating Lot Area, the following areas shall be excluded from Lot Size:

- (a) Areas under streams, lakes, and other natural water courses up to the high water mark;
- (b) Areas within any public or private access easement or right-of-way.
- (c) Areas within any public trail or trail easement, either platted, deeded or otherwise conveyed to the County for market value after January 1, 2006.

(Code repealed and reenacted (all sections) by Ord. 014-D-2006, 07-05-06; § 5-20-10 (part) amended [Ord. 001A & B-11, 01/12/11](#))

5-20-20: NO GUARANTEE OF MAXIMUM DENSITY OR FLOOR AREA

Table 5-1 above sets forth maximum FAR or size of development in each zone district. A subdivision or other development application is not automatically entitled to the maximum density and/or floor area allowed in the zone district in which the land is located. Density and permitted floor area shall be established based upon compliance with adopted standards and consideration of adopted plans and policies.

5-20-30: MEASUREMENT OF ROAD SETBACKS

Road setback is measured horizontally from edge of right-of-way.

5-20-40: MEASUREMENTS OF YARD SETBACKS

- (a) Front yard setbacks are measured as the least horizontal distance between any point on the front lot line and point of the structure or use (such distance being referred to as the "front yard setback"). If there is uncertainty as to which yard is the front yard for a parcel, then the front yard shall be designated as the one from which access is taken, or if access is taken from more than one adjacent road, then the Community Development Director shall determine which yard is the front yard for zoning purposes, based on which is the predominant access road and which designation will minimize adverse impacts on surrounding properties.
- (b) Rear yard setbacks are measured as the least horizontal distance between any point on the rear lot line and point of the structure or use (such distance being referred to as the "rear yard setback"). In the event of a triangular lot, the owner shall designate one line as the side and one as the rear lot line.
- (c) Side yard setbacks are measured as the least horizontal distance between any point of the structure or use (such distance being referred to as the "side yard

setback"). In the event of a triangular lot, the owner shall designate one line as the side and the other as the rear lot line.

(d) Whenever, due to irregular or unique property outlines or other circumstances, more than one setback requirement could apply to one property frontage, the most restrictive of the multiple setbacks shall be used, so that the setback from the right-of-way is maximized.

5-20-50: MEASUREMENT OF STREAM SETBACKS

(a) General

Setbacks from streams shall be measured horizontally from the mean identifiable high water mark on each side of any river, stream, or creek.

(b) Permitted Encroachments into Stream Setbacks

Paved or gravel trails, bridges, irrigation structures, flood control devices and underground utilities may be constructed and maintained in the setback area if approved by the Community Development Director according to the standards in Sec. 7-20-80 and the procedures in Sec. 2-30-20. Any approval shall require a finding that there is no practical alternative location outside of the setback area and that any disturbed areas will be revegetated.

5-20-60: MEASUREMENT OF BUILDING HEIGHT

Maximum permitted building height shall be measured based on the criteria in a-g, except as modified in (h) for the RR zone district in (i) for the VC and VR zone districts, and in (k) for Accessible ANSI Residences.

(a) On Pitched and Gambrel Roofs

(1) There shall be no mid-point of a roof that exceeds the prescribed height above existing or finished grade, whichever is lower. The mid-point of the roof shall be defined as the point that is halfway between the top of the ridge, and the eave-point. The eave-point is that point in the roof plane that is directly above the outside of the wall below. In the case of a covered deck or patio, the eave-point shall be the point that is directly above the outside face of the structure, or three (3) feet in from the edge of the roof, whichever is more restrictive.

(2) There shall be no point of any ridge or other roof peak that exceeds the prescribed height above the existing or finished grade, whichever is lower, by more than five (5) feet.

(3) There shall be no eave-point that exceeds the prescribed height above existing or finished grade, whichever is lower. Exception to this is if the ridge

lines that extend to the outside face of a building to form a gabled end will be permitted, to the extent that they conform to subsection (2) above.

(b) On Flat, Shed, Dome and Barrel Roofs

No roof point shall exceed the prescribed height above the existing or finished grade, whichever is lower.

(c) Multiple Roofs

Where a building has multiple roofs, all roofs shall comply with these standards.

(d) Measurement Vertically

(1) All measurements shall be made vertically; i.e., each point of a roof shall be measured to the point of grade that is directly below it--vertical and plumb. Exterior window wells and stairwells shall be considered finished grade for roof points located above the well. Roof points that are not at the exterior of the building will be measured against existing grade only.

(2) Cupolas shall be allowed on agricultural structures to the extent that the eave point of the cupola does not exceed three (3) feet above the ridge of the underlying roof, and the peak or ridge of the cupola does not exceed five (5) feet above the ridge of the underlying roof.

(c) Encroachments

Antennae, chimneys, flues, vents, and similar structures shall not exceed the prescribed height limit by more than ten (10) feet. Water towers, mechanical equipment, solar equipment, and similar equipment shall not exceed the prescribed height limit by more than three (3) feet.

(f) Maximum Height with Encroachments

The maximum height of a building's tallest elevation shall not exceed forty (40) feet measured from natural or finished grade, whichever is more restrictive, to the highest part of the building, excepting chimneys.

(g) Building Components

For the purpose of measuring building height, any individual building component that is located within twenty (20) feet (as measured from any point from outside wall to outside wall) of the principal structure shall be considered a part of the principal structure.

(h) RR Zone District

In the RR zone district, all methods of calculation shall remain the same as in all other zone districts as described within this definition with the exception that subsections (a), (f) and (g) above do not apply. Building height shall be measured to the top of ridge or to the top of the parapet surface of a flat roof, as measured from existing or finished grade, whichever is lower.

(i) VC and VR Zone Districts

In the VC and VR zone districts, principal building height on all roof forms is measured from both the top of the ridge and from the top of the eave (excluding dormers), to the existing grade. Accessory building height on all roof forms is measured from the existing grade. “Dormer” is defined in the Redstone Historic Design Guidelines.

All measurements shall be made vertically; i.e., each point of a roof shall be measured to the point of grade that is directly below it—vertical and plumb.

Antennae, chimneys, flues, vents, and similar structures shall not exceed the prescribed height limit by more than ten (10) feet. Water towers, mechanical equipment, solar equipment, and similar equipment shall not exceed the maximum allowed ridge height.

When developing in the floodplain, the established floodplain elevation may be substituted for existing grade for up to two feet (2’) of elevation.

Subsection (g) above does not apply in the VC and VR zone district.

(j) Exempt Agricultural Buildings

The height of agricultural buildings that are exempt from floor area pursuant to Sec. 5-20-70(j) shall be limited as follows:

(1) Hay Storage Building:

	30’ Maximum to Top of Ridge	20’ Maximum to Top of Ridge
20 to <35 acres	224 square feet	336 square feet
35 to <70 acres	448 square feet	672 square feet
70 to <160 acres	672 square feet	1,008 square feet
160 + acres	Unlimited	Unlimited

(2) Livestock Run-In or Loafing Shed: shall not exceed 12 feet (12’) to the top of the ridge with a minimum 3:12 roof pitch with a shed roof

(3) Agricultural Equipment Storage Building: shall not exceed 16 feet (16’) to the top of the ridge

(4) Barns:

- (a) <10 acres: 20' to the midpoint; 25' to the top of the ridge.
- (b) 10 to < 35 acres: 25' to midpoint/30' to top of ridge (for one principal barn; additional barns shall not exceed 20' to midpoint/25' to top of ridge)
- (c) 35+ acres: 28' to midpoint/33 to top of ridge (for one principal barn/additional barns shall not exceed 20' to midpoint/25' to top of ridge)
- (d) On flat (less than 3:12 pitch) shed, dome or barrel roofs on any size lot or parcel, no roof point shall exceed 20' above the existing or finished grade, whichever is more restrictive.

(5) Greenhouses:

- (a) Customarily accessory to a principal residential use:
 - i. Lot/parcel of less than 30,000 sf: 10' maximum to top of ridge or highest point of the roof
 - ii. Lot/parcel of 30,000 sf to less than 10 acres: 16' maximum to top of ridge or highest point of the roof
 - iii. Lot/parcel of 10 acres or more: 20' maximum to top of ridge or highest point of the roof.
- (b) Not customarily accessory to a principal residential use: 28' maximum, if approved through Special Review pursuant to Sec. 2-30-30(h)(2).

(k) Accessible ANSI Residences

Residences compliant with Sections 1004 and 1005 of the 2009 American National Standard, as amended (ANSI) shall be allowed one Qualified Elevator, which may exceed the height limitations above, when the Qualified Elevator provides the following:

- (1) Provides required access to all or part of each of the floor levels within the residence, and
- (2) Is required in order to provide access from vehicle to residence, only to the following extent:
 - (a) The elevator shaftway may be extended by ten feet (10 ft) to reach the level of vehicular access connecting it as a principal entrance to the residence, and

(b) Only the shaftway enclosure shall be considered exempt from height limitations and shall not be raised farther than the minimum clearance required by the elevator manufacturer for low head room installation with minimal thickness of roof construction above, but in no case to exceed 30 inches above the applicable height limit.

No exemption from height restrictions shall be available for Qualified Elevators where a portion of the shaftway wall meets grade on the perimeter of the front façade of a residence.

A Qualified Elevator is defined as one which is designed for residential use, equipped and certified for low service headroom, accommodates accessibility, and is sufficient in size to allow and assistant to ride in the elevator as needed.

(Code repealed and reenacted (all sections) by Ord. 014-D-2006, 07-05-06; § 5-20-60 (part) amended [Ord. 001A](#), [001B-11](#), [01-12-11](#) [Ord. 011-11](#), [08-10-11](#); [Ord. 038-12](#), [12-19-12](#); [Ord. 032-14](#), [10-08-14](#))

5-20-70: MEASUREMENT OF FLOOR AREA

Floor area shall be measured based on the criteria in (a-e) except as modified in (f) for lots in the Urban Growth Boundary area that are located in zone districts with floor area ratios, in (g) for the VC and VR zone districts, and in (h) for the RR zone district.

(a) General

In measuring floor area, all dimensions shall be taken from the outside face of framing or other primary wall members or from the center line of walls separating adjoining units of a building or portion thereof. For strawbale or log wall construction and for foundation walls, all dimensions shall be taken from the centerline of the wall. Veneer facades up to eight (8) inches in thickness shall be excluded from the calculation of floor area; that portion of a façade which exceeds eight (8) inches shall be included. Fireplaces, elevators, stairs and similar features are included in the floor area on each floor. Structures that do not exceed thirty (30) inches in height measured above or below finished and natural grades, and that are not covered by a roof or horizontal projection from a building are exempt from floor area calculations.

A minimum of two percent (2%) of the total floor area as calculated under the latest adopted Building Codes, or fifty (50) sq. ft., whichever amount is greater, shall be a dedicated mechanical area of at least seven feet (7') in height, which area shall contain mechanical, electrical and plumbing equipment, but no laundry or other household uses or appliances. The mechanical area may be dispersed in more than one location.

Mechanical areas less than two percent (2%) of the total floor area may be permitted when the building permit application includes a complete mechanical plan showing

placement of all proposed systems and compliance with the latest adopted Building Codes. Mechanical plans must be provided by a mechanical contractor or engineer, or other professional approved by the Building Official.

(b) Roof and Deck Overhangs

The floor area of a building, or portion of a building, not provided with surrounding exterior walls shall include the area under the horizontal projection of roofs or floors, when the roof or floor exceeds eight (8) feet. These architectural projections are exempt for eight (8) feet of the perimeter of each story of the structure. This exemption cannot be used to transfer space between floors. Roof and deck overhangs greater than eight (8) feet may only be converted to enclosed interior areas when the resulting floor area does not exceed maximum floor area that would otherwise be applicable to the property under Table 5-1.

(c) Decks, Balconies, Stairways and Similar Features

Structures that exceed thirty (30) inches above natural or finished grade, and that are not covered by a roof or architectural projection from a building, are exempt from floor area for up to fifteen (15) percent of the approved floor area for the subject parcel or lot. Any areas in excess of fifteen (15) percent shall be counted toward floor area. Decks, balconies, stairways, and similar features with a horizontal projection greater than eight (8) feet may only be converted to enclosed interior areas when the resulting floor area does not exceed maximum floor area that would otherwise be applicable to the property under Table 5-1.

Pergolas and open shade structures shall be considered part of the fifteen (15) percent of the approved floor area for decks, balconies, stairways, and similar features as specified above, so long as the following criteria are met: Overall height cannot exceed twelve (12) feet above finished or existing grade, whichever is most restrictive. At least seventy (70) percent of the area of such structures shall be open to the sky. There shall be no more than two (2) layers of structure above the column capitals. Principal beams shall be a minimum of ten (10) feet on center and have a maximum dimension of six (6) inches in width and twelve (12) inches in depth. Secondary beams shall be spaced at a minimum of twenty-four (24) inches on center and have a maximum dimension of four (4) inches in width and ten (10) inches in depth. There shall be no walls. The doubling of beams over the columns shall be permitted.

(d) Crawl Spaces

- (1) A Horizontal Crawl Space means an area below the first usable floor of a building or portion of a building, excluding decks, patios and terraces. Horizontal Crawl Spaces are exempt from floor area calculations when less than five (5) feet six (6) inches in height. Horizontal Crawl Spaces do not exceed the footprint of the exterior walls of the structure above, except that crawl spaces may be detached from the principal structure when used for

exterior uses such as jacuzzis, spas, hospitality bars, water features, sprinkler systems, and pool mechanical areas. Such Crawl Spaces shall be no larger than necessary to accommodate necessary mechanical equipment and may not be used for other uses.

(2) A Vertical Crawl Space means an enclosed, unfinished, and non-habitable area that may exceed five feet six inches (5'6") in height and is located between the exterior of a foundation wall and the surface of the finished grade of a vertical or nearly vertical slope, which slope is retained by an engineered system which requires a separation between the foundation wall and the surface of the finished grade of the slope.

Vertical Crawl Spaces shall be exempt from floor area calculations, provided they comply with the following:

- (a) That the design is supported by an engineering/geologic study approved by the Community Development Department, which requires a separation between an engineered system and the exterior wall; and
- (b) The horizontal dimensions measured from the base of the exterior wall to the engineered system does not exceed six feet six inches (6'6"); and
- (c) The area shall remain unfinished and contain no hard floors; and
- (d) The area shall be limited to containing non-spark producing mechanical, plumbing, electrical, telephone, cable, audio, and water systems. Storage shall be prohibited; and
- (e) Access to the area is limited to the dimensional requirements necessary for removal and repair or replacement of systems equipment; and
- (f) The Vertical Crawl Space may be covered at the top with a waterproof structural lid that does not have any habitable enclosed space above; and
- (g) The height of the Vertical Crawl Space shall not exceed twenty-five feet (25'.)

(e) Attic

Attic means an area between roof framing and the ceiling framing of the room(s) below. Attics are exempt from the calculation of floor area when less than five (5) feet six (6) inches in height.

(f) Gas Station Canopies

Up to one thousand (1,000) square feet of gas station canopy shall be exempt from the calculation of floor area for any approved gas station.

(g) Additional Provisions for Zone Districts within the Urban Growth Boundary Area Subject to Floor Areas Ratios

(1) Exempt Below Grade Spaces for Principal Single-Family and Duplex Residences

For the R-15, R-15A, R-30, and AR-2 zone districts within the Urban Growth Boundary Area, spaces below grade shall be exempt from Floor Area calculations for up to a maximum of four thousand (4,000) square feet, and in the R-15B zone district, as provided in Note 10 of Table 5-1.B, provided such spaces comply with a-h below:

(a) Exempt below grade spaces are located below both the natural and finished grades. If any part of the below-grade space is exposed above natural or finished grade (such as walk-out basement, walls or courts) the entire below-grade area shall be included in the floor area calculations. Exempt Below-grade spaces are no greater than twenty (20) feet in depth and no more than a single story. For purposes of this definition, "story" shall mean that portion of a building included between the upper surface of a floor and the upper surface of the floor next above.

(b) Exempt below grade spaces are accessed only by stairway or elevator from the story directly above, or through a door from a garage adjacent to the below-grade area.

(c) Exempt below grade spaces are no greater than twenty (20) feet in depth and no more than a single story. For purposes of this definition, "story" shall mean that portion of a building included between the upper surface of a floor and the upper surface of the floor above.

(d) Exempt below grade spaces do not contain doors to the exterior of the structure.

(e) Exempt below-grade bedrooms are allowed no more than one (1) egress window per bedroom. Exempt below grade spaces that contain no bedrooms are allowed only one egress window. When below grade egress is achieved through one or more below grade bedrooms, no additional egress shall be provided. Egress window well size shall not exceed the minimum allowed by the International Building Code/International Residential Code.

(f) Habitable exempt below-grade spaces may be provided with aggregate glazing area of not more than eight (8) percent of the

habitable area of the room. For purposes of this exemption, “habitable” shall mean a space in a building for living, sleeping, eating or cooking. Unfinished basements shall be considered habitable spaces. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas shall not be considered habitable spaces. Window wells for natural light have a maximum dimension of three (3) feet from the exterior wall. The maximum window well width shall be no more than the width of the window. Skylights and bay window-like glazing are prohibited in below grade spaces.

(g) Foundation walls for exempt below-grade spaces may be exposed above natural and finished grade to the minimum degree required by the IRC pertaining to foundation design.

(h) Up to ten (10) percent of any particular below-grade wall surface may extend above natural grade so long as the finished grade covers the wall surface that would otherwise be exposed.

(i) Garages up to seven hundred and fifty (750) square feet may be incorporated into below-grade space and shall not affect this exemption as long as the only sections of building so exposed are directly related to the garage structure.

(j) Floor area below natural and finished grade which exceeds the four thousand (4,000) square foot exemption shall count toward the calculation of allowable floor area.

(2) Garages and Carports

For the purposes of calculating floor area ratio and allowable floor area for a lot where the principle use is single family residence, garage and carport floor area shall be exempted up to a maximum of seven hundred fifty (750) square feet. On a lot which contains a duplex, garage and carport floor area shall be exempted up to a maximum of one thousand (1000) square feet. All garage or carport space in excess of the exempted areas shall be included as part of the residential floor area calculation. When an existing legal single-family or duplex dwelling exceeds the allowed floor area, the exempt garage space shall be reduced by subtracting the excess floor area from the exempt garage space.

(h) Additional Provisions for VC and VR Districts

In the VR and VC zone district, floor area is measured pursuant to a-e above except as noted below.

In the VC and VR zone districts only: Spaces below natural and finished grade are exempt from floor area calculations up to a maximum of nine hundred ninety-nine (999) square feet of floor area. Floor area below grade that exceeds the nine hundred

ninety-nine (999) square foot exemption shall count in the calculation of floor area. To be exempt from floor area, below grade areas must meet the following conditions:

(1) The pergolas and open shade structure allowance in (c) (2) above is not available.

(2) Spaces below natural and finished grade are exempt from floor area calculations up to a maximum of nine hundred ninety-nine (999) square feet of floor area. Floor area below grade that exceeds the nine hundred ninety-nine (999) square foot exemption shall count in the calculation of floor area. To be exempt from floor area, below grade areas must meet the following conditions:

(a) The structure must be principally residential or commercial, or accessory thereto; and

(b) Below grade areas shall not exceed a maximum depth of ten (10) feet as measured from floor to ceiling and shall include no more than a single story; and

(c) Below grade areas cannot exceed the building footprint of the ground floor; and

(d) Below grade uses are limited to non-habitable uses such as baths, laundry, mechanical, halls, utility, storage, etc., and shall not include garages or any uses that require natural light or ventilation pursuant to the applicable adopted building code; and

(e) No more than one (1) egress may be allowed and is to be provided by a window that does not exceed the minimum requirements of the applicable adopted building code. No new exterior staircases may be allowed to access below grade areas; and

(f) No more than one (1) window well may be allowed, but not to exceed the minimum area allowed by the applicable adopted building code, and not to be located on the street facade; and

(g) The foundation wall or footing may be exposed no more than two (2) feet above existing grade.; and

(h) If any part of the below grade space is exposed above natural or finished grade (such as walk-out basements, walls or courts) the entire below grade area shall be included in the floor area calculation; and

(i) All dirt and other material excavated to allow for the below grade area must be removed from the site; and

(j) All below grade areas must be approved by the Redstone Historic Preservation Commission, to the extent guidelines are applicable.

(i) Provisions for the RR Zone District

In the Rural and Remote zone district, the following provisions shall apply:

(1) Maximum footprint per principal structures shall not exceed 1,000 square feet, except without special review approval. In measuring the footprint, all dimensions shall be taken from the outside face of framing or other primary wall members.

(2) Maximum allowed floor area shall not exceed 1,000 square feet, except as may be allowed through special review to retain an existing structure when a new structure is proposed. Up to 600 square feet of a legally created structure existing prior to January 2, 1996, that is retained pursuant to special review, shall be excluded from the maximum allowed floor area for a new, separate structure; floor area in excess of 600 square feet shall be included in floor area calculations. The entire floor area of an historic structure shall be excluded from the maximum allowed floor area.

(3) Decks, porches, etc. shall not exceed a maximum of 500 square feet as measured from the outside face of the material. Structures including, but not limited to decks, porches, slabs, patios and terraces, shall be included in this calculation, and these structures shall be contiguous to the building footprint.

(4) Platforms and tree houses shall not exceed 250 square feet, which is included in the maximum allowed floor area of 1,000 square feet.

(5) Outhouse, storage and mechanical enclosures shall not exceed a total of 160 square feet, which is excluded from maximum allowed floor area of 1,000 square feet.

(j) Floor Area Exemptions for Agricultural Buildings:

Agricultural Buildings shall be exempt from floor area, subject to the following criteria, on properties utilized for an agricultural operation as defined in Chapter 11 in those zone districts where Agricultural Buildings are listed as an allowed principal agricultural or accessory use in Table 4-1, or in the RS-G, LIR-35 or T zone districts, if approved as a special review use.

(1) Hay Storage Building: To be exempt from floor area, a hay storage building must meet all of the following criteria:

(a) A hay storage building shall have a maximum of three (3) walls. The fourth side of the building may have a fence or gate to exclude wildlife, but shall not be fully enclosed.

(b) A hay storage building shall be used only for the protection and storage of hay.

(c) A hay storage building shall not exceed the following sizes/heights based on acreage.

	30' Maximum to Top of Ridge	20' Maximum to Top of Ridge
20 to <35 acres	224 square feet	336 square feet
35 to <70 acres	448 square feet	672 square feet
70 to <160 acres	672 square feet	1,008 square feet
160 + acres	Unlimited	Unlimited

(d) Additional square footage for a hay storage building may be approved pursuant to Sec. 2-30-20(g)(19) of this Code, Flexibility for Agricultural Support. Otherwise, any additional square footage for a hay storage building shall count as floor area.

(e) A hay storage building shall not have an excavated, raised or slab foundation.

(f) A hay storage building shall not contain any mechanical or plumbing equipment. Electrical equipment shall be limited to necessary lighting.

(2) Livestock Run-In or Loafing Shed: To be exempt from floor area, a livestock run-in or loafing shed must meet all of the following criteria;

(a) A livestock run-in or loafing shed shall have a maximum of three (3) walls. The fourth side may have a fence or gate, but shall not be fully enclosed.

(b) A livestock run-in or loafing shed shall be used only for livestock protection.

(c) A livestock run-in or loafing shed shall have a maximum size based on acreage as shown below:

(1) <20 acres: one (1) shed of up to 300 square feet. Staff may approve additional exempt sheds at building permit application, based on a demonstration of need by the property owner.

(2) 20+ acres: unlimited number of sheds at 300 square feet each

(d) A livestock run-in or loafing shed shall not exceed 12 feet (12') to the top of the ridge with a minimum 3:12 roof pitch with a shed roof.

(e) A livestock run-in or loafing shed shall not have an excavated, raised or slab foundation.

(f) A livestock run-in or loafing shed shall not contain any mechanical, electrical or plumbing equipment.

(g) A livestock run-in or loafing shed may be movable.

(3) Agricultural Equipment Storage Buildings: To be exempt from floor area, an agricultural equipment storage building must meet all of the following criteria:

(a) An agricultural equipment storage building shall be used only for storage of equipment utilized for an on-site agricultural operation. The building may contain a workshop/work area utilized for equipment repair and maintenance as a secondary use to the equipment storage.

(b) An agricultural equipment storage building shall have a maximum size based on acreage as shown below:

(1) 20 to <160 acres: 990 square feet.

(2) 160+ acres: Unlimited

(3) Additional square footage for an agricultural equipment storage building may be approved pursuant to Sec. 2-30-20(g)(19) of this Code, Flexibility for Agricultural Support. Otherwise any additional square footage for an agricultural equipment storage building shall count as floor area.

(c) An agricultural equipment storage building shall not exceed 16' to the top of the ridge.

(d) An agricultural equipment storage building may have an excavated, raised or slab foundation.

(e) An agricultural equipment storage building shall not contain any plumbing equipment other than a hose bib, but may contain mechanical or electrical equipment.

(4) Barns: To be exempt from floor area, a barn must meet all of the following criteria:

(a) A barn shall be designed and used to shelter or enclose livestock, feed, or field equipment, or for other purposes in support of an on-site agricultural operation.

(b) A barn shall not exceed the following height based on acreage as shown below.

(1) < 10 acres: 20' to the midpoint/ 25' to the top of the ridge

(2) 10 to <35 acres: 25' to the midpoint/30' to the top of the ridge (for one principal barn; additional barns shall not exceed 20' to midpoint/25' to top of ridge)

(3) 35+ acres: 28' to midpoint/33 to top of ridge (for one principal barn; additional barns shall not exceed 20' to midpoint/25' to top of ridge)

(4) On flat (less than 3:12 pitch), shed, dome or barrel roofs on any size lot or parcel, no roof point of a barn shall exceed 20' above the existing or finished grade, whichever is more restrictive.

(c) A barn shall not exceed the following size based on acreage:

(1) <5 acres: Barns count as floor area.

(2) 5 to < 20 acres: 1,160 square feet for a barn(s) is exempt from floor area

(3) 20 to <30 acres: 1,740 square feet for a barn(s) is exempt from floor area

(4) 30 to <70 acres: 4,060 square feet for a barn(s) is exempt from floor area

(5) 70 to < 160 acres: 58 square feet per acre for a barn(s) is exempt from floor area

(6) 160+ acres: Unlimited square footage for barns is exempt from floor area

(7) Additional square footage for a barn(s) may be approved pursuant to Sec. 2-30-20(g)(19) of this Code, Flexibility for Agricultural Support. Otherwise any additional square footage for a barn(s) shall count as floor area.

- (d) A barn may contain mechanical, electrical and plumbing equipment.
 - (e) A barn may contain no more than one (1) toilet room (toilet and lavatory only) not to exceed 20 square feet, unless the toilet room is designed to be accessible, in which case it shall not exceed 43 square feet. Showers and bathing facilities are prohibited, with the exception of a safety shower. A dog wash shall not be permitted within the bathroom.
 - (f) A barn may contain office space of no more than 120 square feet related to the on-site agricultural operation. Any additional office space shall count as floor area.
 - (g) Human amenities are prohibited within a barn.
- (5) Greenhouses: To be exempt from floor area, a greenhouse must meet all of the following criteria:
- (a) Customarily accessory to a principal residential use:
 - (1) Products grown on the property may only be sold on the premises subject to compliance with the standards in Sec. 4-30-50 for an Agricultural Stand and approval of a Temporary Use Permit pursuant to Sec. 2-30-20.
 - (2) The greenhouse shall be detached from residential buildings. The greenhouse may be attached to a “U” occupancy building as classified in the International Building Code.
 - (3) A greenhouse shall be exempt from floor area up to the following sizes based on zone district and acreage:
 - (a) Lot/parcel < 1 acre: 320 square feet.
 - (b) Lot/parcel of 1 to <5 acres: 600 square feet.
 - (c) Lot/parcel of 5 to <10 acres: 1,000 square feet.
 - (d) Lot/parcel of 10 to <35 acres: 1,300 square feet.
 - (e) Lot/parcel of 35 acres or more: 1,600 square feet.
 - (4) A greenhouse of 200 square feet or less shall not contain any mechanical, electrical or plumbing equipment. A greenhouse in excess of 200 square feet shall not contain any plumbing equipment other than a hose bib, but may contain mechanical or electrical equipment.

(5) No light shall emanate from the interior of the greenhouse such that it is visible from the exterior of the greenhouse from two (2) hours after dusk until two (2) hours before dawn.

(6) Additional square footage for an accessory greenhouse(s) of up to 3,000 square feet may be approved pursuant to Sec. 2-30-20(g)(19) of this Code, Flexibility for Agricultural Support. Otherwise any additional square footage for a greenhouse(s) shall count as floor area or shall be approved through Special Review.

(b) Not customarily accessory to a principal residential use:

(1) Any greenhouse(s) that contains 3,000 square feet or more requires Special Review approval. If approved, the greenhouse(s) shall be exempt from floor area.

(2) The greenhouse(s) may contain mechanical, electrical and plumbing equipment.

(3) The greenhouse(s) may contain no more than one (1) accessible toilet room (toilet and lavatory only) not to exceed 43 square feet. Showers and bathing facilities are prohibited, with the exception of a safety shower.

(4) The greenhouse(s) may contain one office space of no more than 120 square feet related to the on-site agricultural operation.

(c) Any greenhouse that is no longer in a useable condition for the intended purpose shall be removed or demolished.

(6) Agricultural Building Review Committee: The Agricultural Building Review Committee shall review land use and building permit applications for exempt floor area for agricultural buildings and make a recommendation to Community Development Department as to whether the agricultural building is designed to support an agricultural operation and is functional for agricultural uses. The Community Development Department shall have the discretion to determine which applications for agricultural buildings should be referred to the Committee for review; an Applicant may also request a Committee Review.

(7) Agricultural Buildings Constructed Prior to October 18, 2011: Agricultural buildings legally constructed prior to October 18, 2011 shall count towards the floor area exemptions for agricultural buildings provided herein.

(a) If the total size of the agricultural building(s) on the lot or parcel is less than the maximum size permitted in this Sec. 5-20-70(j), then the existing agricultural building(s) can be replaced and can be expanded, up to a total of the size permitted in this Sec. 5-20-70(j) for each type of agricultural building.

(b) If the total size of the agricultural building(s) on the lot or parcel is more than the maximum size permitted in this Sec. 5-20-70(j), then the existing agricultural building(s) may be replaced, but may not be expanded without obtaining additional exempt floor area pursuant to Sec. 2-30-20(g)(19), a GMQS allotment or transferable development rights.

(8) **Occupancy Covenant and Agreement:** An Occupancy Covenant and Agreement shall be recorded against a property that takes advantage of a floor area exemption for an agricultural building, prior to issuance of a building permit for a new or expanded agricultural building. The Occupancy Covenant and Agreement shall specify that the exempt floor area may only be used in association with the raising, producing, or keeping of plants or livestock, or cultivation and management of other crops or farm products, and that any area not consistent with those uses would count as floor area. The Occupancy Covenant and Agreement shall also allow the county to inspect the agricultural building at any time for compliance with the specified use limitations, subject to the provision of reasonable notice to the property owner. The form of the Occupancy Covenant and Agreement shall be approved by the County Attorney.

(9) **Common Agricultural Buildings:** Within a Board approved subdivision or PUD in the AR-10, RS-20, RS-30, RS-35, LIR-35 or RS-160 zone districts, where agricultural buildings are limited to a common lot/parcel and prohibited on individual lots/parcels as part of the subdivision or PUD approval, the total acreage of all of the lots within the subdivision or PUD may be utilized to determine the common agricultural building floor area exemption. This provision may be utilized for a common parcel within a development of parcels in excess of thirty-five (35) acres not within a Board approved subdivision or PUD pursuant to the procedures of Sec. 2-30-20 and the criteria of Sec. 2-30-30(h)(2).

(10) **Review Provision:** This floor area exemption for agricultural buildings (Sec. 5-20-70.i) as a whole shall be reviewed by the Board of County Commissioners after four years from October 18, 2011. The purpose of the review will be to review how the exemptions have been used, and whether the exemptions shall be retained, modified or repealed.

(k) **Floor Area Exemptions for American Nation Standards Institute (ANSI) Residences**

- (1) In the AH-1-3, R-6, R-15, R-15A, R-15B, R-30, AR-2 zone districts, floor area and Growth Management exemptions are provided for ANSI residences

The following exemptions shall only be available where:

- (1) A secondary egress to grade is provided, and;
- (2) Compliance with ANSI Section 1004 is met pertaining to the following elements:
 - (a) Access from a parking area to the entrance of the residence;
 - (b) Elevator access between floors (where applicable); and
 - (c) Access to dining, social and living areas, and related toilet areas. These exemptions are cumulative.

- (a) A 350 square foot exemption is available where 100% of one single-family residence per site provides compliance with Section 1005 of the ANSI as amended (2009). In addition to compliance with the requirements noted in (1) above, access must be provided to the kitchen and at least one bedroom and bath facility; or

A 150 square foot exemption is available where a portion of a new or existing residence is proposed to comply with Section 1004, ANSI. In addition to providing compliance with the requirements noted in (1) above, access must be provided to the kitchen or an area intended for limited food preparation. An additional fifty (50) square feet exemption shall be available where access to bedroom and bath facilities are provided in compliance with ANSI section 1004.

- (b) A Qualified Elevator plus the associated unobstructed access directly in front of the elevator shall be exempt from floor area calculations for 100 square feet (100 sq. ft.) per floor or level that is ANSI-compliant. A qualified Elevator is defined as one, which is designed for residential use, equipped and certified for low service headroom, accommodates accessibility, and is sufficient in size to allow an assistant to ride in the elevator as may be needed.
- (c) One accessory structure constructed prior to December 19, 2012, which contains at least 250 square feet (250 sq. ft.) of livable area may be increased by up to 50 square feet (50 sq. ft.) exempt from floor area calculation when accessible sink and toilet facilities and accessible exterior access to the residence is provided.

(d) Only for an existing, multi-level, single-family residence to be remodeled/renovated, where at least 65% of the residence is retained after the remodel/renovation, then interior stairs and/or ramps and direct access to the same, (whether the stairs and/or ramps are new or replaced), shall be exempt from floor area calculations for 100 square feet (100 sq. ft.) per floor or level.

(5) In the AR-10, RS-20, RS-30, RS-35, RS-160, and LIR zone districts, the following Growth Management exemption is provided for ANSI residences:

For an existing, multi-level, single family residence to be remodeled/renovated, the Qualified Elevator exemption noted in Section 5-20-70 (k)(1)(b) shall be provided where:

- (1) A secondary egress to grade is provided.
- (2) One Hundred percent (100%) of a single-family residence provides compliance with Section 1005 of the American National Standard, as amended (2009)(ANSI), and
- (3) Compliance with ANSI Section 1004 is met pertaining to the following elements:
 - (a) Access from a parking area to the entrance of the residence,
 - (b) Elevator access between floors (where applicable),
 - (c) Access to kitchen, dining, social and living areas, and related toilet area, and
 - (d) Access to bedroom and bath facilities

(3) Spaces permitted as “below grade” and exempted through 5-20-70 (g) (1) shall not be included in determining the percent of compliance or retention of a residence, and shall not be modified with an egress door or external ramp.

(4) Occupancy Covenant and Agreement

An Occupancy Covenant and Agreement shall be recorded against a property that takes advantage of a floor area exemption for an ANSI Residence. The Occupancy Covenant and Agreement shall specify that the exempt floor area may only be permitted for proposed or

demonstrated compliance with ANSI (2009) as required in Section 5-20-70 of the Pitkin County Land Use Code. The Occupancy Covenant and Agreement shall also allow the County to inspect the ANSI Residence at any time for compliance with the specified limitations, subject to the provision of reasonable notice to the property owner. It shall be noted that these exemptions do not create any non-conformity relative to floor area, growth management, or building height, and that the lot is not entitled to retain the square footage provided by these exemptions when redeveloping with a non-ANSI compliant residence. The form of the Occupancy Covenant and Agreement shall be approved by the County Attorney.

(4) Sunset Provision – Repealed and Revoked Ordinance No. 006-2016

(1) Floor Area Exemption for Energy Storage Buildings:

Exterior Energy Storage Buildings shall be exempt from floor area, subject to the following criteria:

- (1) The building is only used for exterior energy storage
- (2) Buildings for Exterior Energy Storage that are not associated with a solar farm or solar facility:
 - a. A maximum of thirty-six (36) square feet shall be exempt from total gross allowed floor area.
 - b. Buildings shall be no higher than ten (10) feet tall to the roof ridge as measured from existing or finished grade, whichever is more restrictive.

(3) For Solar Farms:

- a. Accessory buildings for energy storage shall be exempt for a maximum of one-thousand (1,000) square feet of floor area.

(4) For Solar Facilities

- a. Accessory building floor area shall not be exempt.

(Code repealed and reenacted (all sections) by Ord. No. 14-D, 2006; § 5-20-70 (part) amended [Ord. 010-2008, 03-26-08](#); [Ord. 001A & 001B-11, 01-12-11](#) [Ord. 011-11, 08-10-11](#); [Ord. 038-12, 12-19-12](#); [Ord. 019-2013, 08-14-13](#); [Ord. 032-14, 10-08-2014](#); [\(Ord. 006.16, 02-24-2016\)](#); [Ord. 040-2019, 11-20-2019](#)

5-20-80: MEASUREMENT OF GROSS FLOOR AREA

Gross floor area is calculated by adding areas included in the measurement of floor area, pursuant to Sec. 5-20-70, and the following exemptions from floor area: below-grade space, garages and carports, and ANSI compliant residences pursuant to Sec. 5-20-70(g)(1 and 2) and (k). Gross floor area measurement excludes agricultural buildings as specified in Sec. 5-20-70(j) and other floor area types exempt from the calculation of floor area pursuant to Sec. 5-20-70(a-e).

(Code repealed and reenacted (all sections) by Ord. 014D-2006; § 5-20-70 (part) amended by [Ord. 010-08](#), [03-26-08](#) [Ord. 038-12](#), [12-19-2012](#))

5-20-90: MEASUREMENT OF USABLE OPEN SPACE

Usable open space is measured as that portion of the lot or parcel not occupied by structures, but excluding rights-of-way, streets, parking areas, and slopes over thirty (30) percent.

5-20-100: PERMITTED ENCROACHMENTS INTO SETBACKS FROM ROADS AND PROPERTY LINES

In measuring a front, side, or rear yard setback, the horizontal distance between the lot line and the closest projection of the principal or accessory structures shall be used. Required front, rear, and side setback areas shall be unoccupied and unobstructed from the natural grade skyward, except as provided below:

- (a) Changing existing grade less than thirty (30) inches in height as measured above or below natural grade; uncovered porches, slabs, patios, terraces, walks, steps, decks, retaining walls and similar structures that do not exceed thirty (30) inches above or below natural grade – no restriction;
- (b) Driveways and associated retaining walls that do not exceed six (6) feet in height as measured above or below the natural grade.
- (c) Fences and walls used as fences as provided in the definition of "Development" within this section.
- (d) Berms that do not exceed four (4) feet in height as measured from the natural grade.
- (e) Fences, walls used as fences, berms, hedges, or similar obstructions erected or maintained within twenty (20) feet of any street corner shall not exceed forty-two (42) inches in height as measured from street grade.
- (f) Grade changes required to meet compliance for Accessible ANSI Residences permitted pursuant to Section 5-20-70 (k), provided the grade change does not exceed four (4) feet in height as measured above or below the natural grade.

(Code repealed and reenacted (all sections) by Ord. 014D-2006; § 5-20-100 (part) amended by [Ord. 038-12, 12-1-2012](#))