

RESOLUTION NO. 2018-25

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO
BLANCO COUNTY, COLORADO, AMENDING THE TEXT OF
SECTION R-105-2 AND CHAPTER 2 OF THE
RIO BLANCO COUNTY RESIDENTIAL BUILDING CODE, 2006 EDITION
EXEMPTING RECREATIONAL CABINS FROM PERMIT REQUIREMENTS**

WHEREAS, the Board of County Commissioners of Rio Blanco County, Colorado (herein BOCC), previously adopted the International Residential Code, 2006 Edition by Resolution 2008-05 to regulate construction in the unincorporated areas of Rio Blanco County; and

WHEREAS, the regulation by Rio Blanco County of construction activities in Rio Blanco County is intended so that no operational conflict exists with state statutes or regulations; and

WHEREAS, the Rio Blanco Planning Commission conducted a hearing on this proposed amendment of the Rio Blanco County Residential Code on May 31, 2018, upon notice duly given; and

WHEREAS, the Planning Commission voted 3 for and 0 against, to recommend to the BOCC approval of an amendment to Section R 105.2 and Chapter 2 exempting Recreational Cabins from building permit requirements as set forth in Exhibit "A" attached hereto; and

WHEREAS, the BOCC commenced a public hearing at Rangely, Colorado on June 18, 2018, upon notice duly given; and

WHEREAS, the BOCC has reviewed and approved the proposed amendment to the Rio Blanco County Residential Code, 2006 Edition, exempting Recreational Cabins as defined from permit requirements, attached hereto as "Exhibit A"; and

WHEREAS, the BOCC has discussed and agreed it is necessary to add the following requirements and exemptions for the Recreational Cabins:

1. The minimum parcel size for a recreational cabin shall be 35 acres; and
2. Recreational Cabins are exempt from the Driveway Standards § 7-305 A, of the 2016 Land Use Regulation; however, where required, applicants must obtain all required County Road access permits through the Rio Blanco County Road and Bridge Department; and
3. For the purpose of documentation, the approved Recreational Cabin Application will be recorded by the County Clerk and Recorder.

WHEREAS, the BOCC has reviewed the record and the requirements of State and Federal regulations, the Rio Blanco County Residential Code, 2006 Edition, and has deliberated thereon; and

WHEREAS, the BOCC closed the hearing and the record is deemed complete; and

WHEREAS, the BOCC, on the basis of the evidence produced at the aforementioned

Reception # 316623 Record Date 06/25/2018 3:55 PM
Page: 1 of 4 RecFee: \$0.00 DocFee: \$0.00
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hearings, makes the following findings:

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

1. The BOCC is authorized by the provisions of Sections 30-28-116 and 30-28-133 C.R.S., as amended, and the provisions of the Rio Blanco County Residential Code, 2006 Edition, to adopt amendments to the Rio Blanco County Residential Code, 2006 Edition, whenever the public necessity, health, safety and general welfare, justify such action.
2. The public hearings before the BOCC were extensive and complete. All pertinent facts, matters, and issues were submitted and all interested parties were heard at the hearing.
3. Proper public notice was provided as required by law and the Rio Blanco County Residential Code, 2006 Edition.
4. The proposed amendments to the Rio Blanco Residential Code, 2006 Edition, attached hereto as Exhibit "A", are in compliance with the recommendations set forth in the Master Plan for the unincorporated areas of the County.
5. The proposed text amendments are in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.


THEREFORE, BE IT RESOLVED THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO:

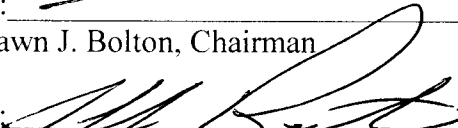
- A. The BOCC hereby approves and adopts the amendment to the Rio Blanco County Residential Code, 2006 Edition, exempting recreational cabins from permit requirement, as attached hereto as Exhibit "A";
- B. The effective date of this Resolution shall be the 18th day of June, 2018;
- C. If any section, subsection, sentence, clause, phrase or portion of this Resolution and the attached Exhibit A are, for any reason, held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses phrases, or portions would be declared invalid or unconstitutional.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST, THIS 18 DAY OF JUNE, 2018.



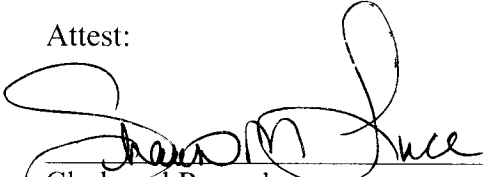
OF RIO BLANCO COUNTY, COLORADO

By: 
Shawn J. Bolton, Chairman

By: 
Jeff Rector, Commissioner

By: 
Si Woodruff, Commissioner

Attest:


Shawn M. Ince
Clerk and Recorder

Reception # 316623 Record Date 06/25/2018 3:55 PM

Page: 3 of 4

BOOTS M. CAMPBELL RIO BLANCO COUNTY COLORADO







EXHIBIT "A"

Amendment of the Rio Blanco County Residential Building Code, 2006 Edition, to allow for Recreational Cabins.

Section R105.2 Work exempt from permit is amended by the addition of the following.

12. Recreational Cabins as defined in Chapter 2 of the Rio Blanco County Residential Building Code, 2006 Edition. (IRC)

Chapter 2 is amended by the addition of the following definition.

Recreational Cabin. A structure with no more than 800 square feet of gross floor area including unfinished basements and lofts that meets all applicable requirements of the Rio Blanco County Development Department.

