

**ORDINANCE NO. 21
SERIES 2021**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL
MODIFYING A LAND USE DEFINITION OF CONGREGATE HOUSING AND
ALLOWING IT AS A CONDITIONAL USE WITHIN THE TOURIST ZONE DISTRICT,
AMENDING ARTICLES 1 AND 5 OF CHAPTER 16 OF THE TOWN CODE.**

WHEREAS, the Town of Crested Butte, Colorado (“Town”) is a home rule municipality duly and regularly organized and now validly existing as a body corporate and public under and by virtue of the Colorado Constitution and laws of the State of Colorado; and

WHEREAS, Section 1-3-70 of the Town’s Municipal Code requires that amendments to the Code be done by an ordinance; and

WHEREAS, the Town finds that changes to the Town’s zoning code in Chapter 16 of the Code regarding the change in definition of the land use classification called “Congregate Housing” promotes the purposes in Section 16-1-10 of the Code by enabling a housing option for the community to efficiently accommodate affordable housing for seasonal employees; and

WHEREAS, this new land use definition identified as a conditional use within the “T” zone district will promote seasonal long-term rental housing which is a goal and priority of the Crested Butte Town Council and the Town; and

WHEREAS, the Town’s Board of Zoning and Architectural Review considered the proposed amendments to the Town Code set forth herein on September 28, 2021, and voted to recommend such amendments to the Town Council for approval; and

WHEREAS, the Town Council has determined that the amendments to the Town Code sections set forth herein will protect the public health, safety, and welfare of the Town’s residents and visitors to the Town and will further promote the Town’s efforts to support affordable housing and preserve the character of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO,

Section 1. Sec. 16-1-20 of Chapter 16 of the Town Code is amended to modify the following Definition (changes to existing Code are represented with removals shown with ~~strikeouts~~ and additional language shown underscored):

Congregate Housing means a ~~residential use utilized by no more than six (6) unrelated persons sharing common bath and kitchen facilities in a single unit~~ building or part thereof that contains sleeping units where residents share bathroom or kitchen or both.

Section 2. Article 5 of Chapter 16 of the Town Code is amended by adding Congregate Housing as conditional use in the “T” zone district (changes to existing Code underscored).

Sec. 16-5-30. Conditional uses.

The following uses shall be permitted as conditional uses in the "T" Zone District.

(28) Congregate Housing for the purposes of affordable or workforce housing.

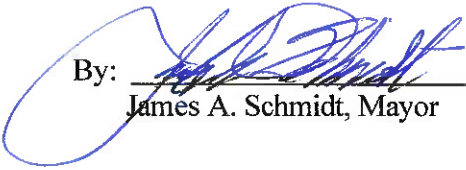
Section 3. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 4. Savings Clause. Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of the Code that is in conflict with this ordinance is hereby repealed as of the effective date hereof.


INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 4th DAY OF October, 2021.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 18th DAY OF October, 2021.

TOWN OF CRESTED BUTTE, COLORADO

By: 
James A. Schmidt, Mayor

ATTEST:



Lynelle Stanford, Town Clerk

[SEAL]

