

**ORDINANCE NO. 22  
SERIES 2021**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL  
MODIFYING A LAND USE PROVISION IN THE R4 ZONE REGARDING ROOF PITCH  
OF MULTIFAMILY DWELLINGS, AMENDING ARTICLE 4 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 roof slope requirements for multifamily dwellings promotes the purposes in Section 16-1-10 of the Code by encouraging innovations in residential development so that the growing demand for housing may be met by greater variety of type and design of dwellings, in a way that maintains the architectural and community character of Crested Butte and its neighborhoods; and

**WHEREAS**, this amendment regarding roof slope in the R4 zone will provide additional benefits of reducing snow maintenance challenges and opportunities for roof top solar, which are consistent with the goals and values of the Town Council; 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. 16-4-940 (b) of Chapter 16** of the Town Code is amended to modify the following provision (changes to existing Code are represented with removals shown with ~~strikeouts~~ and additional language shown underscored):

b) Slope of roof shall be a minimum of 4:12. A portion of flat roof may be considered for multi-family dwellings with five or more units.

**Section 2. 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 3. 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 18<sup>th</sup> DAY OF October, 2021.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 1<sup>st</sup> DAY OF November, 2021.

TOWN OF CRESTED BUTTE, COLORADO

By:   
James A. Schmidt, Mayor

ATTEST:

  
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Lynelle Stanford, Town Clerk

