

**ORDINANCE NO. 8,**

**SERIES 2020**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL  
AMENDING CHAPTER 16, ARTICLE 4 TO INCLUDE  
DIVISION 12-R1F RESIDENTIAL DISTRICT.**

**WHEREAS**, the Town of Crested Butte, Colorado ("Town") is a home rule municipality duly and regularly organized and existing as a body corporate and public under the Colorado Constitution and laws of the State of Colorado; and

**WHEREAS**, the Town has the authority to enact and enforce land use regulations pursuant to Article XX of the Colorado Constitution, as implemented through the Town of Crested Butte Charter and Code; and Title 31, Article 23, and Title 20, Article 29, C.R.S.; and

**WHEREAS**, the Town Municipal Code (the "Code") in Chapter 16, Article 4 currently has zoning provisions for residential districts; and

**WHEREAS**, the Town seeks to create new zoning regulations for low-density residential development along with customary accessory uses for subdivided lots within this district and that provide a transition between the Town and the larger residential lots outside of Town; and

**WHEREAS**, the Town Council referred the staff's request for proposing the R1F Residential District text amendment to the Board of Zoning and Architectural Review ("BOZAR"); and

**WHEREAS**, BOZAR reviewed the proposed text amendment to Chapter 16, Article 4, Division 12 as part of the Slate River Major Subdivision Sketch Plan review on March 26, 2019 and voted to recommend approval of the text amendment to Town Council; and

**WHEREAS**, the Town Council considered BOZAR's recommendation and reviewed the proposed regulations pertaining to low-density single-family residential development along with customary accessory uses for annexed land that has been subdivided; and

**WHEREAS**, the Town Council hereby finds that it is in the best interests of the Town to adopt the proposed text amendment to the Code.

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

**Section 1: Chapter 16, Article 4 Residential Districts.** Chapter 16, Article 4 Residential Districts is hereby amended to include Division 12-R1F Residential District.

**Section 2: Chapter 16, Article 4, Division 12-R1F Residential District.** Division 12-R1F Residential District of the Code is to hereby read as follows:

## **Chapter 16, Article 4, Division 12 "R1F" Residential District**

### **Sec. 16-4-1000. - Intent of district.**

The purpose for which this District is created is to provide areas for low-density residential development along with customary accessory uses. The lots in this District provide a transition between the Town and the still larger residential lots outside of Town. Accessory uses naturally and normally incidental to, and exclusively devoted to such primary residential uses are included as conditional uses. It is intended that no more than two (2) units, designed or used for dwelling by a family, shall be allowed on a site.

### **Sec. 16-4-1010. - Permitted uses.**

The following uses shall be permitted in the "R1F" District:

- (1) One-family dwelling units.
- (2) Accessory buildings, incidental nonresidential uses, not heated or plumbed.
- (3) Home occupations.
- (4) Attached garages.
- (5) Detached garages as accessory buildings to the principal permitted uses.

### **Sec. 16-4-1020. - Conditional uses.**

The following uses shall be permitted as conditional uses in the "R1F" District:

- (1) Accessory dwellings in conjunction with a one-family dwelling unit.
- (2) Two-family dwelling units.
- (3) Parking areas.
- (4) Accessory buildings, incidental nonresidential uses, heated and/or plumbed.

### **Sec. 16-4-1030. - Lot measurements.**

The following shall be lot measurements for property located in the "R1F" District:

- (1) Minimum lot area: five thousand (5,000) square feet.
- (2) Maximum lot area: eleven thousand four hundred (11,400) square feet.
- (3) Minimum frontage: fifty (50) feet.
- (4) Minimum front yard:
  - a. Public street: twenty (20) feet.
  - b. Private access road: ten (10) feet.
- (5) Minimum side yard: At least seven and one-half (7½) feet, and up to eleven and one-half (11½) feet, dependent upon snow storage and snow shed guidelines.
- (6) Minimum rear yard:
  - a. Principal building: ten (10) feet.

- b. Accessory building: five (5) feet.
- c. Wetland setback: seven and one-half (7'-6") feet.

**Sec. 16-4-1040. - Floor areas.**

The following shall regulate measurements for floor areas located in the "R1F" District:

- (1) Minimum floor area: four hundred (400) square feet for each residential unit.
- (2) Maximum floor area:
  - a. Accessory building, including an accessory dwelling, if any: one thousand (1,000) square feet or two-thirds (2/3) of the floor area of the principal building, whichever is smaller.
  - b. Accessory dwelling: one thousand (1,000) square feet of floor area or two-thirds (2/3) of the floor area of the principal building, whichever is smaller.
- (3) Maximum floor area ratio:
  - a. The principal building shall not exceed two thousand eight hundred (2,800) square feet.
  - b. All buildings shall not be larger than three thousand eight hundred (3,800) square feet in the aggregate.

**Sec. 16-4-1050. - Building measurements.**

The following shall regulate measurements for buildings located in the "R1F" District:

- (1) Maximum building height:
  - a. Principal building: thirty (30) feet.
  - b. Accessory building: twenty (20) feet or the height of the principal building, whichever is less.
  - c. Accessory dwelling: twenty-four (24) feet or the height of the principal building, whichever is less.
- (2) Maximum building width: thirty-five (35) feet.

**Sec. 16-4-1060. - Additional provisions.**

- (a) Primary and accessory residential buildings shall be oriented on a north-south or east-west axis.
- (b) Open space required: fifty percent (50%) of the lot area shall be open, unencumbered and free of any building or structure.
- (c) Minimum exterior wall height shall be seven (7) feet.
- (d) Minimum vertical distance from eave line of roof to the finished grade level shall be six (6) feet.
- (e) Slope of roof shall be a minimum of 4:12.

**Section 3. Severability.** If any section, sentence, clause, phrase, word or other provision of

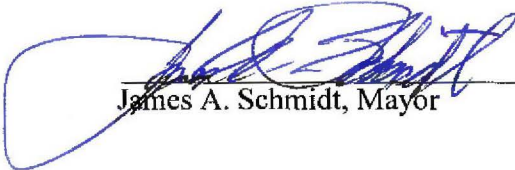
this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative 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 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.

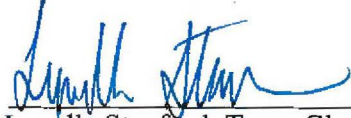
**INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 6<sup>th</sup>  
DAY OF APRIL, 2020.**

**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING  
IN PUBLIC HEARING THIS 18<sup>th</sup> DAY OF MAY, 2020.**

**TOWN OF CRESTED BUTTE**

  
James A. Schmidt, Mayor

**ATTEST:**

  
Lynelle Stanford, Town Clerk

[SEAL]

