

ORDINANCE NO. 2019-05

AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC) AT SECTION 17.5.6.C.3, ROOF MATERIAL

RECITALS

- A. The Town of Mountain Village (the “Town”) is a legally created, established, organized and existing Colorado municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado (the “Constitution”) and the Home Rule Charter of the Town (the “Charter”).
- B. Pursuant to the Constitution, the Charter, the Colorado Revised Statutes and the common law, the Town has the authority to regulate the use and development of land and to adopt ordinances and regulations in furtherance thereof.
- C. The Town Council may amend the CDC, including the Roof Material Section in the CDC, from time to time.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO AS FOLLOWS:

Section 1. Amendment of Community Development Code

- A. The Town of Mountain Village Community Development Code, section 16.5.6.C.3 is hereby amended and replaced as set forth in Exhibit A which is attached hereto and incorporated herein.
- B. The Planning Division is directed to codify the amendments in Exhibit A into the CDC.
- C. The Planning Division may correct typographical and formatting errors in the amendments or the adopted CDC.

Section 2. Ordinance Effect

- D. This Ordinance shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.
- E. All ordinances, of the Town, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 3. Severability

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

Section 4. Effective Date

This Ordinance shall become effective on July 13, 2019.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the 13th of June, 2019 in the Town Council

Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 16th of May 2019

TOWN OF MOUNTAIN VILLAGE:

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

ATTEST:


By: 
Laila Benitez, Mayor


Jackie Kennefick, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this 13th of June, 2019.

TOWN OF MOUNTAIN VILLAGE:

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: 
Laila Benitez, Mayor

ATTEST:


Jackie Kennefick, Town Clerk

Approved As To Form:


Jim Mahoney, Assistant Town Attorney

I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. 2019-05("Ordinance") is a true, correct and complete copy thereof.
2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on May 16, 2019, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor	X			
Dan Caton, Mayor Pro-Tem	X			
Dan Jansen	X			
Bruce MacIntire	X			
Patrick Berry	X			
Natalie Binder	X			
Jack Gilbride	X			

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on May 22, 2019 in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on June 13, 2019. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor	X			
Dan Caton, Mayor Pro-Tem	X			
Dan Jansen			X	
Bruce MacIntire	X			
Patrick Berry			X	
Natalie Binder	X			
Jack Gilbride	X			

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town 13th day of June 2019.

(SEAL)



Jackie Kennefick
 Jackie Kennefick, Town Clerk

- e. Roof ridgelines shall, where practicable, step with the topography of the site following the stepped foundation.
- f. The design of roofs shall reflect concern for snow accumulation and ice/snow shedding. Entries, walkways and pedestrian areas shall be protected from ice/snow shedding.
- g. Eaves and fascia shall generally be responsive and proportional to the design of the building.

2. Roof Drainage

- a. Where roofs drip onto pedestrian or other public areas, all multi-family, mixed use or commercial buildings shall provide a system of gutters, downspouts and permitted heat-tape to direct and channel roof run-off into the project's landscape areas and to prevent ice build-up in pedestrian areas. In non-pedestrian or public areas, roofs may drip to cobble lined swales that direct water to the natural or proposed landscape.
- b. All development within the Village Center shall be required to provide an integral guttering system designed into the roof or other DRB approved system of gutters, downspouts and heat-tape to contain roof run-off.
- c. Within the Village Center, all building roof run-off shall be directed to storm sewers or drainage systems capable of handling the volume of run-off. Such system shall be kept and maintained by the owner and/or respective homeowners association in a clean, safe condition and in good repair.

3. Roof Material

- a. All roofing material shall be of a type and quality that will withstand high alpine climate conditions.
- b. The review authority may require class A roofing materials as a fire mitigation measure.
- c. Permitted roof material outside the Village Center include:
 - i. Metal roof material limited to the following: rusted, black or gray standing seam, bonderized or corrugated metal (not reflective);
 - ii. Zinc;
 - iii. Minimum 1/2" slate; and
 - iv. Copper;
 - (a) Copper shall only be considered when it is proposed with a brown patina finish.
 - (b) The brown patina finish shall be completed prior to issuing a certificate of occupancy.
 - v. Synthetic roofing material that accurately emulates wood shake, concrete and slate tile or any other roofing material permitted or existing in Mountain Village.
 - (a) Synthetic roofing material shall be:
 - (i) Durable

- ~~(ii.) High strength, both material and shape;~~
- ~~(iii.) Low absorption or permeability;~~
- ~~(iv.) High freeze/thaw damage resistance;~~
- ~~(v.) Color throughout the tile (not surface applied); and High-quality design that fits within the architectural context of the building and the architectural context of the surrounding area.~~

d. The following roofing materials outside of the Village Center shall be approved by the DRB as a specific approval that is processed as a class 3 development application if the DRB finds the roofing material is consistent with the town design theme and the applicable Design Regulations:

~~i. Synthetic roofing material that accurately emulates wood shake, concrete and slate tile or any other roofing material permitted or existing in Mountain Village.~~

~~(a) Synthetic roofing material shall be:~~

- ~~(i.) Durable~~
- ~~(ii.) High strength, both material and shape;~~
- ~~(iii.) Low absorption or permeability;~~
- ~~(iv.) High freeze/thaw damage resistance;~~
- ~~(v.) Color throughout the tile (not surface applied); and High-quality design that fits within the architectural context of the building and the architectural context of the surrounding area.~~

i. Solar roof tiles so long as they are contextually compatible in design, color, theme and durability (non-reflective).

e. Village Center roofing material will require a class 3 development application and building specific design review. The following roof materials shall be approved by the DRB if the DRB finds the roofing material is consistent with the town design theme and applicable Design Regulations:

- i. Burnt sienna concrete tile.
- ii. Earth tones compatible with burnt sienna concrete tile in color and texture.
- iii. Brown patina copper
- iv. Standing seam or bonderized metal (dark grey or black) (not rusted)
- v. Zinc
- vi. Solar roof tiles so long as they are contextually compatible in design, color, theme and durability (non-reflective).
- vii. Some variation of roof material color is permissible by specific DRB approval as long as it is contextually compatible in design, color, theme and durability.

f. Modification to roof materials on dormers and secondary roof forms may be reviewed as a class 1 development application.