

ORDINANCE NO. 8

Series of 2019

AN ORDINANCE AMENDING TITLE 12, ZONING REGULATIONS, VAIL TOWN CODE, PURSUANT TO SECTION 12-3-7, AMENDMENT, AMENDING THE DEFINITION OF FLAT ROOF, ADDING DEFINITIONS FOR SLOPING ROOF AND PARAPET, CREATING REGULATIONS FOR PARAPET HEIGHT: AND SETTING FORTH DETAILS IN REGARD THERETO

WHEREAS, the Planning and Environmental Commission (the "PEC") held a properly noticed public hearing on the proposed amendment on April 22, 2019 in accordance with the provisions of the Vail Town Code;

WHEREAS, the PEC recommended approval of the proposed amendments at its April 22, 2019 meeting, and has submitted its recommendation to the Town Council;

WHEREAS, the Council finds that the proposed amendments are consistent with the applicable elements of the adopted goals, objectives and policies outlined in the Vail Comprehensive Plan and are compatible with the development objectives of the Town;

WHEREAS, the Council finds that the proposed amendments further the general and specific purposes of Title 12, Zoning Regulations, Vail Town Code; and

WHEREAS, the Council finds that the proposed amendments promote the health, safety, morals, and general welfare of the Town and promote the coordinated and harmonious development of the Town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO, THAT:

Section 1. Section 12-2-2, Definitions, Vail Town Code, is hereby amended to read as follows:

PARAPET: The extension of the main walls of a building above the roof level.

~~ROOF, FLAT: A roof that is not pitched and the surface of which is generally parallel to the ground.~~ **A roof or portion of roof that has a sloping plane less than a rise of two inches (2") over a distance of twelve inches (12").**

ROOF, SLOPING: A roof or portion of roof with a pitch greater than or equal to a rise of two inches (2") over a distance of twelve inches (12").

Section 2. Section 14-10-4, Architectural Projections, Decks, Balconies, Steps, Bay Windows, etc., Vail Town Code, is hereby amended by the addition of Sub-Section(G) to read as follows:

G. A Parapet or guardrail, transparent or otherwise, may exceed the allowable building height by no more than 30”, subject to a finding of the Design Review Board that the proposal meets the criteria enumerated in 12-11-1.

Section 3. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 4. The amendment of any provision of the Town Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

Section 5. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED
PUBLISHED ONCE IN FULL ON FIRST READING this 7th day of May, 2019, and a public hearing for second reading of this Ordinance set for the 21st day of May, 2019, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED
this 21st day of May, 2019.

Dave Chapin, Mayor

ATTEST:

Tammy Nagel, Town Clerk