

**ORDINANCE NO. 3**

**SERIES 2011**

**AN ORDINANCE AMENDING CRESTED BUTTE'S OFFICIAL ZONE DISTRICT MAP TO REZONE THE NORTH 25 FEET OF LOTS 17-20 AND 24-27, BLOCK 40 FROM THEIR CURRENT ZONING CLASSIFICATION OF "C" COMMERCIAL TO THE "P" PUBLIC ZONE CLASSIFICATION**

**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 politic under and by virtue of the Constitution and the laws of the State of Colorado;

**WHEREAS**, the Town has acquired fee title to north twenty-five (25) feet of Lots 17-20 and 24-27, Block 40 ("**Subject Lots**") of the Town of Crested Butte;

**WHEREAS**, the Subject Lots are presently classified as "C" Commercial in the Town's official zone district map;

**WHEREAS**, the Subject Lots are to be used by the Town to accommodate public uses, including, without limitation, the development of, and creation of parking for, "Big Mine Park";

**WHEREAS**, the Town Council finds that the Subject Property will be better aligned with the intent of the "P" Public district than the "C" Commercial district, and that, in accordance with the foregoing, a rezoning of the Subject Lots as aforesaid is appropriate;

**WHEREAS**, the Town Council finds that the rezoning of the Subject Lots, as stated above, will achieve the standards for zoning and rezoning set forth in Section 16-23-90 of the Crested Butte Municipal Code ("**Code**"); and

**WHEREAS**, in accordance with the foregoing, the Town Council finds that the below amendments to the Code and to the Town's Official Zoning District Map are in the best interest of the general health, safety and welfare of the residents and visitors of Crested Butte.

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

**Section 1. Amendment to Official Zoning District Map, Section 16-3-30, and Amendment to Corresponding Sections of the Code.**

(1) The north twenty-five (25) feet of Lots 17-20 and 24-27, Block 40 are hereby rezoned from their current zoning classification of "C" Commercial to the "P" Public classification. The Official Zoning Map, and all corresponding sections of the Code, principally Sections 16-5-510 et seq. and 16-6-110 et seq., are likewise hereby amended accordingly.

Pursuant to Sections 16-3-30(c) and 16-23-80 of the Code, the Building Official is hereby authorized and directed to cause said amendments to be reflected on the Official Zoning District Map. Said amended map shall be reproduced and made available to the public as necessary.

**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 Code, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which 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 JANUARY, 2011.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN  
PUBLIC HEARING THIS 7<sup>th</sup> DAY OF February, 2011.

TOWN OF CRESTED BUTTE, COLORADO

By: Leah B. Williams  
Leah B. Williams, Mayor

ATTEST:

Eileen Hughes  
Eileen Hughes, Town Clerk

