

ORDINANCE NO. 21

SERIES 2008

AN ORDINANCE AMENDING THE ZONING AND LAND USE ORDINANCE TO ADD MUSEUMS AS A CONDITIONAL USE IN THE "T" TOURIST DISTRICT

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

WHEREAS, the Land Use Ordinance (the "Ordinance") contained in the Crested Butte Municipal Code of 1986, as amended, regulates the use of land by zone district;

WHEREAS, the Ordinance does not presently allow for the use of land in the "T" Tourist District as museums;

WHEREAS, the Town staff has determined that the "T" Tourist District, the purpose of which is to provide areas for the establishment of basically tourist oriented lodging accommodations and accessory uses, is an appropriate zone district for the location of museums as a conditional use;

WHEREAS, the Town staff recommends that the Town Council amend the Ordinance to define museums and allow for the location of museums as a conditional use in the "T" Tourist District; and

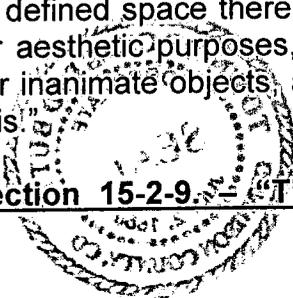
WHEREAS, the Town Council finds that the below amendments accomplish the recommendations of the Town staff and that such recommendations and the amendments to the Ordinance made hereunder are in the best interest of the health, safety and general welfare of the residents and visitors of the Town.

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

Section 1. Amending Section 15-2-3. – Definitions. A new definition entitled "Museum" is added to the Section and shall read as follows:

"Museum: a building and/or defined space therein that as its principal use is designated and operated for education and/or aesthetic purposes, with the primary function of displaying and interacting with animate and/or inanimate objects, and caring for such objects, exhibited to the general public on a regular basis."

Section 2. Amending Section 15-2-9. "T" Tourist District. Section 15-2-9 is hereby amended as follows:



(A) By replacing subsection A thereof with the following:

"A. Intent of District. The purpose for which this district is created is to provide areas for the establishment of basically tourist oriented lodging accommodations and accessory uses and museums. Careful attention will be accorded the scale at which such facilities and use are built."

(B) By including a new conditional use thereunder which shall read as follows:

"23. Museum."

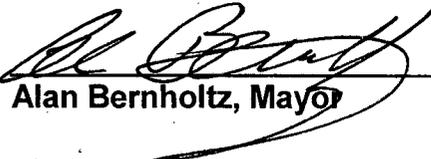
Section 3. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions 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 Town of Crested Butte Municipal Code of 1986, 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 enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 20th DAY OF October, 2008.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 3rd DAY OF November, 2008.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Alan Bernholtz, Mayor

ATTEST:


Eileen Hughes, Town Clerk

(SEAL)

