

ORDINANCE NO. 12

SERIES 2009

AN ORDINANCE ADOPTING THE DESIGN  
GUIDELINES, TOWN OF CRESTED BUTTE,  
SEPTEMBER 2009

**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 Town currently has in place and utilizes Design Guidelines - Town of Crested Butte, October, 1995, as amended (the "Existing Guidelines");

**WHEREAS**, Town staff has found that the Existing Guidelines are outdated and inadequate due to (1) changes in technology, sustainability and materials that affect design review that have changed since the Town Council adopted the Existing Guidelines, (2) the need to clarify the Existing Guidelines that address, in important part, the basis for decision making on issues identified by the Board of Zoning and Architectural Review (the "Board") over the intervening year since the Town Council's adoption of the Existing Guidelines, (3) the creation of new zone districts since the Town Council adopted the Existing Guidelines, and (4) the desire and need on the part of Town staff and the Board to reformat and renumber the Existing Guidelines to improve clarity and ease of use;

**WHEREAS**, the Town staff has determined that amending the Existing Guidelines as contemplated hereinabove will improve said Guidelines and make them a much improved, more workable set of standards; and

**WHEREAS**, the Town Council shares the Town staff desires to amend the Existing Guidelines and finds that the amendments to the existing Guidelines proposed herein will accomplish said desires and goals, and, accordingly, such amendments are in the best interest of the health, safety and welfare of the Town, its residents and visitors.

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

**Section 1. Adoption of New Design Guidelines.** The Town Council hereby repeals the Existing Guidelines as defined above and replaces the same with new Design Guidelines, Town of Crested Butte, September 2009 attached hereto as **Exhibit "A"** (the "New Guidelines"), the New Guidelines being adopted hereby.

**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 shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

**Section 3. Savings Clause.** Except as amended hereby, the Crested Butte Municipal 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 enforcement date hereof.

**INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 8<sup>th</sup> DAY OF SEPTEMBER, 2009.**

**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 2<sup>nd</sup> DAY OF NOVEMBER, 2009.**

**TOWN OF CRESTED BUTTE, COLORADO,**

By:   
\_\_\_\_\_  
**Alan Bernholtz, Mayor**

**ATTEST:**

  
\_\_\_\_\_  
**Eileen Hughes, Town Clerk**

**(SEAL)**



**EXHIBIT "A"**

**New Guidelines**

**[attach final Design Guidelines, Town of Crested Butte, September 2009 here]**