

**AGENDA**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, July 6, 2020**



*Crested Butte is a small mountain town with a big community that strives toward a balanced and sustainable lifestyle while enjoying and protecting the soul of the Valley.*

**Town Council Values**

- Support Crested Butte's quality of life
- Promote resource efficiency and environmental stewardship
- Encourage a sustainable and healthy business climate
- Actively support an authentic and unique community
- Remain fiscally responsible
- Continue thoughtful management of our historic character
- Seek collaborative solutions to regional and local issues

*Critical to our success is an engaged community and knowledgeable and experienced staff.*

**Meeting Information to Connect Remotely.**

**Please use the address below to join the webinar:**

**<https://us02web.zoom.us/j/87103338275>**

**Or Telephone:**

**Dial US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592**

**Webinar ID: 871 0333 8275**

*The times are approximate. The meeting may move faster or slower than expected.*

**6:00 WORK SESSION**

1) Update from Gunnison County Commissioner Roland Mason.

**6:30** 2) Joint Work Session with BOZAR Regarding Ordinance No. 18, Series 2020 PUD Amendment.

**7:00 REGULAR COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM**

**7:02 APPROVAL OF AGENDA**

**7:04 CONSENT AGENDA**

1) June 15, 2020 Regular Town Council Meeting Minutes.

2) Memorandum of Understanding Between the Town of Crested Butte and Municipal Court Judge Eden.

3) Resolution No. 16, Series 2020 - A Resolution of the Crested Butte Town Council Authorizing the Grant of Revocable License to Timothy J. Blewett and Cinda L. Blewett to Encroach Into the Right-of-Way Adjacent to Elk Avenue and Tract 2 of the Block 27 Subdivision, Town of Crested Butte.

4) Approval of the Use of Town Property for Temporarily Modifying the Liquor Licensed Premises of The Last Steep Bar & Grill.

5) Approval of a Letter to the Mined Land Reclamation Board Regarding Recent Road Construction at the West Elk Mine.

*The listing under Consent Agenda is a group of items to be acted on with a single motion. The Consent Agenda is designed to expedite Council business. The Mayor will ask if any citizen or council member wishes to have any specific item discussed. You may request that an item be removed from Consent Agenda at that time, prior to the Council's vote. Items removed from the Consent Agenda will be considered under New Business.*

**7:06 PROCLAMATION IN RECOGNITION OF PRIDE MONTH**

**7:12 PUBLIC COMMENT**

*Citizens may make comments on item not scheduled on the agenda. Those commenting should state their name and physical address for the record. Comments may be limited to five minutes.*

**7:20 STAFF UPDATES**

**7:30 PUBLIC HEARING**

1) Application to Transfer the Dispensary Permit, Located at 329 Belleview Unit A, from Crested Butte Wellness Center LLC to PG Retail I LLC.

**7:40 OLD BUSINESS**

1) Updated Financial Forecast and Discussion.

**8:00** 2) Update on Elk Avenue One-Way COVID Response Plan and Implementation.

**8:20 NEW BUSINESS**

1) Ordinance No. 17, Series 2020 - An Ordinance of the Crested Butte Town Council Amending the Crested Butte Municipal Code Sections 16-2-20 and 16-2-30 (3) and Adopting Revised Design Standards and Guidelines.

**8:30** 2) Ordinance No. 18, Series 2020 - An Ordinance of the Crested Butte Town Council Amending the Crested Butte Municipal Code Chapter 16, Article 6, Division 4, Planned Unit Developments.

**8:40** 3) Ordinance No. 19, Series 2020 - An Ordinance of the Crested Butte Town Council Amending the Crested Butte Municipal Code, Sections 16-1-10 and 16-5-530 to Define and Allow a Veterinary Clinic Or Hospital As a Conditional Use Within the Town's Commercial (C) Zone District.

**8:50** 4) Ordinance No. 20, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Town to Grant of a Right of Way Easement for Underground Electric

Transmission and Distribution Lines for an Electric Car Charging Station on the Town-Owned Public Parking Lot Located at Block 22, Lots 9-11.

**9:00** 5) Ordinance No. 21, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Town to Grant of a Right of Way Easement for Underground Electric Transmission and Distribution Lines for the Center for the Arts Located at 606 6<sup>th</sup> Street.

**9:10** **LEGAL MATTERS**

**9:15** **COUNCIL REPORTS AND COMMITTEE UPDATES**

**9:30** **OTHER BUSINESS TO COME BEFORE THE COUNCIL**

**9:35** **DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**

- Monday, July 20, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Tuesday, August 4, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, August 17, 2020 - 6:00PM Work Session - 7:00PM Regular Council

**9:40** **EXECUTIVE SESSION**

1) For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding interpretation of a PUD.

**10:15** **ADJOURNMENT**

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, June 15, 2020**

Mayor Schmidt called the meeting to order at 7:01PM.

Council Members Present: Will Dujardin, Candice Bradley, Chris Haver, Mallika Magner, Laura Mitchell, and Mona Merrill

Staff Present: Town Attorneys Barbara Green and John Sullivan and Town Manager Dara MacDonald

Community Development Director Troy Russ, Chief Marshal Mike Reily, Town Clerk Lynelle Stanford, Parks and Recreation Director Janna Hansen, Public Works Director Shea Earley, Finance Director Rob Zillioux, and Planner I Mel Yemma (for part of the meeting)

Everyone connected and participated in the meeting via Zoom. Schmidt, MacDonald, Zillioux, Yemma, and Stanford were present in Council Chambers.

**APPROVAL OF AGENDA**

Haver moved and Mitchell seconded a motion to approve the agenda as presented. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

**CONSENT AGENDA**

- 1) June 1, 2020 Regular Town Council Meeting Minutes.**
- 2) June 8, 2020 Special Town Council Meeting Minutes.**
- 3) Certification of Town’s Official Zoning Map.**
- 4) Approving a Letter to the Gunnison Watershed School District Board of Education Regarding Preliminary Site Designs for Expansion at the Crested Butte Community School Campus.**
- 5) Approval of the Use of Town Property for Modifying the Liquor Licensed Premises of: Tincup Pasty Co, Teocalli Tamale Company, Secret Stash/Red Room, Talk of the Town, McGill’s, Elk Avenue Prime, The Last Steep Bar & Grill, Brick Oven Pizzeria, Princess Wine Bar & Western Design Co, The Sunflower, Montanya Distillers, Coal Creek Grill, Kochevars Saloon, Bonez, Public House, The Eldo, Pitas in Paradise, The Dogwood, Marchitelli’s Gourmet Noodle Inc, and Paradise Café.**

**6) Amend the Location of the Sunday Farmers Market to Include Both the 100 Block and the 10 Block of Elk Avenue and to Amend the Location of the Artists of Crested Butte Art Market to the 1<sup>st</sup> and Elk Parking Lot.**

Kent Cowherd wanted to discuss the letter to the School Board (item #4) regarding the expansion. The letter was added for discussion to just before Old Business.

Haver moved and Dujardin seconded a motion to approve the Consent Agenda as amended. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

**PUBLIC COMMENT**

None

**STAFF UPDATES**

- Schmidt referred to the Manager’s Report.
- Schmidt acknowledged facemask enforcement mentioned in the update from the Marshals.
- Mitchell brought up an ongoing situation, at 1<sup>st</sup> and Elk, regarding a bench and bike rack, precluding ADA compliance.
- Haver thanked the Parks and Rec team for their work as they were short-staffed. He received questions about trashcans for dog poop.
- Schmidt asked whether a Councilperson would be of assistance in serving on the GCEA Climate Action Coalition. Dujardin was agreeable to participating, but he would defer to Yemma. Yemma would find out if one or both of them should serve on the coalition.
- Schmidt noted additional vehicle charging stations had been installed.
- Hansen updated that Town received the green light from the County for summer programs, such as tennis, baseball, and youth skateboarding. Schmidt was aware of a variance requested by the County to increase group size.
- Dujardin noticed there would be a mural at The Center. He wondered about the artist and the mural. Yemma reported on details.
- Dujardin asked about the next quarterly intergovernmental meeting. Schmidt would contact the Mayor in Gunnison. Haver agreed it would be a good time to meet.

**PUBLIC HEARING**

**1) Ordinance No. 16, Series 2020 - An Ordinance of the Crested Butte Town Council Repealing the Adoption of the 2010 Model Traffic Code and, in its Place, Adopting by Reference the 2020 Edition of the Model Traffic Code for Colorado Municipalities; and Providing Penalties for Violation Thereof.**

Schmidt read the title of the ordinance. Reily stated the ordinance was a clean-up item. He reviewed updates to the Model Traffic Code.

Schmidt confirmed proper public notice was given. He opened the public hearing. There were no comments from the public.

Mitchell moved and Dujardin seconded a motion to approve Ordinance No. 16, Series 2020. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**2) New Brew Pub License for Public House LLC DBA Public House Located at 202 Elk Avenue.**

Schmidt confirmed the entity currently held a Hotel and Restaurant license. Schmidt asked Robert Runco, representing both Public House LLC and Belleview Brew House LLC, what their plan was. Runco introduced himself. He informed the Council there were no intended changes to the operations of either Public House or Irwin Beer Company. The purpose of the liquor licenses was to consolidate ownership. Public House would sell to go beer manufactured by Irwin Brewing Company.

Schmidt asked for comments from the public. No one from the public chose to comment.

Mitchell moved and Bradley seconded a motion to approve the new Brew Pub license for Public House LLC DBA Public House. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**3) New Brew Pub License for Belleview Brew House LLC DBA Irwin Beer Company Located at 326 Belleview Avenue.**

Schmidt read the conditions for approval of the license:

- 1) The retail sale of prepared food and the onsite consumption of food is prohibited.
- 2) The microbrewery associated with the 326 Belleview property is allowed for beer to be brewed for private consumption or sold in kegs or growlers as a retail operation, but public consumption onsite by the general public is prohibited.
- 3) The use of outdoor seating areas is to remain private for staff and clients of the owners, and use is prohibited by the general public without the prior approval of the Board.
- 4) The microbrewery operation will comply with all Building Department measures to ensure odor mitigation is provided and maintained for the use of the 326 Belleview property as a microbrewery.

Schmidt asked about private consumption and whether clients would stay onsite. Runco recognized there were historical conditions on the property, and he stated there were no residents. Runco explained the consumption that would take place on the premises,

related to brewing. MacDonald said the intention was to keep the BOZAR conditions in place. Runco affirmed the applicant was agreeable to the conditions.

Schmidt asked for public comment, and no one from the public commented.

Dujardin moved and Haver seconded a motion to approve the Brew Pub license for Belleview Brew House LLC DBA Irwin Beer Company, located at 326 Belleview Avenue, with the conditions in the packet. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

### **FROM CONSENT AGENDA**

#### **Approving a Letter to the Gunnison Watershed School District Board of Education Regarding Preliminary Site Designs for Expansion at the Crested Butte Community School Campus.**

Cowherd encouraged stronger language in the letter communicating that the School Board actually had to apply to CDOT to improve the intersection at Hwy 135 and Red Lady. Cowherd specified there should be a deceleration lane on 135, with a separate entrance into the school. Schmidt disagreed regarding the deceleration lane.

MacDonald referenced numbers and projections. She acknowledged there would need to be a traffic analysis. She was hesitant to suggest a solution at this time. There would be a larger community conversation. She discouraged the Council from endorsing a solution. Cowherd reiterated the language was too soft. Russ thought the letter, from his perspective, was fine.

Mitchell moved and Dujardin seconded a motion to approve the letter to the Gunnison Watershed School District as written. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

### **OLD BUSINESS**

#### **1) Updated Financial Forecast and Discussion.**

##### **a) Construction Schedule for Hockey Changing Rooms at Big Mine Park.**

Zillioux began by reporting on the CARES Act funding. Gunnison County would get approximately \$1.5M, which equated to \$85 per capita. There were two allocation methodologies discussed for Gunnison County. He laid out the details of the agreed upon approach. The Town would be reimbursed \$12K, so far, as well as for the small business grants that were funded. There had been discussion about additional grants in the County. MacDonald elaborated upon the process. She asked for approval to sign on to a letter indicating that Town agreed to the scheme of divvying up the funding.

Haver moved and Mitchell seconded a motion that the Town of Crested Butte agrees to the proposed solution methodology for the CARES Act funding and to authorize the Town Manager to sign on to a letter to be submitted to DOLA before the end of the month. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

Zillioux reminded that the Council approved putting off the hockey changing rooms until the Town’s finances turned back to normal. Staff was exercising caution, not knowing what the fall and winter would hold. Zillioux reviewed the cost of the project and money budgeted. Met Rec agreed to hold grant funding until 2021. He pointed out the Facilities Department was down one person. MacDonald identified sales tax was down 21% for the year. She recommended to the Council not to take on new responsibilities while struggling to maintain what they had.

Merrill recognized the Whatever USA money that had been earmarked for changing rooms. Zillioux explained that every time a facility or park was added, there was maintenance. There was no money to maintain the changing rooms. MacDonald clarified the Staff was not proposing to reallocate the money. Revenues should stabilize before buying more. Schmidt listed three reasons to proceed with the changing facility, citing the importance of social distancing as one reason. Merrill wanted to see the Nordic Center function at a better capacity this winter. Mitchell agreed with Schmidt. She thought they should do it, but she was okay with waiting. Dujardin thought the changing rooms could give people a chance to play hockey. Haver was concerned about Staff’s bandwidth. Dujardin questioned the increase in cost. Magner calculated the shortage after the Whatever monies. She thought the spectating area would be really great. Bradley asked about the maintenance costs. Magner questioned what would be cut to make up the shortage. Zillioux recommended the Council look at other capital purchases.

Wendy Buckhanan - From WEHA

- They were planning for a full season next season.
- The locker rooms would allow for social distancing.
- She agreed the spectating area was lovely and would love to talk more about fitting it into the budget.

Christie Hicks - Crested Butte Nordic

- CB Nordic felt the amount of risk for doing the project this year was pretty minimal.
- More space would make social distancing easier.
- CB Nordic would love to see the project happen this year.

Jarrold Hinton - Athletic Director from Gunnison Watershed School District

- He thought the changing rooms would be a great resource to have.
- It would give the kids a chance to feel like they had a home.
- He was in favor of it.

Magner asked whether not having the changing rooms endangered either the Nordic or hockey program. Buckhanan agreed hockey was at risk.

Sarah Jones - On the WEHA Board

- She supported the project.
- She asked about adding the spectating area later.

Dujardin noted there were kids trying out for programs outside of the area. It was important to keep kids around.

Schmidt summarized the options, which were to rebid the project or put off for another year. Mitchell asked about revisiting the decision later. Haver was concerned about Staff workloads. Dujardin did not feel they could put the changing rooms off another year. He would like to see the project be put out to bid and then see where June sales tax was. Merrill agreed with Dujardin. Schmidt agreed. At least four of the Council members directed there to be a rebid for the hockey changing rooms.

## **2) Approval for the Request of Use of Public Property for Businesses Not Located on Elk Avenue.**

Yemma provided background on the agenda item. The Council directed Staff to work with businesses off Elk Avenue to expand on to Town rights of way. There were four businesses on 3<sup>rd</sup> Street that proposed expansions. Paradise Café proposed the use of sidewalk in front of their building. Schmidt asked about Slogar. Yemma stated the usage of private property was being approved administratively.

Magner moved and Dujardin seconded a motion to approve the requests to utilize public right of way on Third and Sixth Streets as described in the staff report and attached maps. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

## **EXECUTIVE SESSION**

Schmidt read the reason for the Executive Session: for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding COVID enforcement.

Dujardin moved and Haver seconded a motion to go into Executive Session. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

The Council went into Executive Session at 8:42PM. The Council returned to open meeting at 9:00PM. Mayor Schmidt made the required announcement upon returning to open meeting.

## **NEW BUSINESS**

**1) Resolution No. 15, Series 2020 - A Resolution of the Crested Butte Town Council Endorsing the Public Health Orders Issued by Gunnison County’s Public Health Official.**

Schmidt informed the Council they did not have to vote on the resolution tonight. The County health order was in effect, and he felt strongly about supporting the County on the issue. He reiterated the Council did not need to vote on the resolution. The effects of the pandemic on Crested Butte could be deadly serious. Town needed to enforce the County health orders in order to prevent closing. The virus was peaking in the states around Colorado. Schmidt thought the health orders were important. He supported what the County and the County Health Officer had done. Dujardin agreed it was important to support the County the best they could, including by applauding Joni Reynolds. Magner and Haver agreed.

Dujardin moved and Magner seconded a motion to approve Resolution No. 15, Series 2020. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

### **LEGAL MATTERS**

Green updated the Council there had been final legislation that expanded criminal liability for police and civil liability for municipalities and police. She would send a complete review prepared by CML. The legislation imposed a lot more requirements than to what Town was accustomed.

### **COUNCIL REPORTS AND COMMITTEE UPDATES**

Laura Mitchell

- Mountain Express hired a new Executive Director, whom she would announce later in the week. MacDonald identified Mountain Express hired Jeremy Herzog.

Candice Bradley

- She sat in the Mountain Express interviews.
- CB and Valley lodging were recovering faster than others in the metric set.
- They were working on marketing to the drive markets right now. The fly market was coming back. The discussion became focused on marketing.

Chris Haver

- He attended the RTA meeting.
  - Fourteen passengers were allowed per bus.
  - They were looking into electro static sprayers.
  - More locals were using the airport compared to five years ago.
  - There would be two flights a day starting July 6<sup>th</sup>.
  - They were looking at building a Bustang shelter.
- He had a Housing Authority meeting.

Mallika Magner

- Regarding the Valley Housing Fund, the Redden Project retained BOZAR approval.
- The Chamber meeting would be tomorrow morning.

### Will Dujardin

- He had been plugging along with the EOC.
- There would be a CC4CA retreat later this week.
- Community members approached him to see how we could do better here. The local Marshals were really good at their jobs, but he heard worrisome things about officers from different departments. We could do better. A public conversation could be useful.

### Jim Schmidt

- He had a Housing meeting last Thursday.
  - There had been a lottery for the 20 units in Mt. Crested Butte. Twenty people applied for 20 units.
  - Anthracite Place was completely full. They discussed the process for violations.
- He attended the CAST Mayors' meeting.
  - Everyone was going through the same issues.
  - They talked about masks a lot. The general consensus was it was difficult to enforce.
  - He mentioned Ketchum, ID and the similarities to this area related to the virus.

### **OTHER BUSINESS TO COME BEFORE THE COUNCIL**

Magner acknowledged how lucky Town was with the Marshals. However, it was a national conversation. She would love to have the discussion. Secondly, she wondered if the Town wanted to honor Pride Month. Dujardin and Schmidt voiced their support. Schmidt and Magner would work on a proclamation. Then, Dujardin brought up a citizen proclamation. He wanted to recognize community members who were helping to give away food. He specified Kyleena Falzone deserved recognition. He cited the volume she had done was large. He suggested they develop a list of people, who had really stepped up, to be included in the recognition. Schmidt asked the Council to email Magner and him.

Haver brought up messaging. He wanted to get an encouraging message out there. It would be helpful to get Town's message out in a positive light. He thought Town could do better. MacDonald acknowledged marketing was not what the Staff did. She knew of professionals in the community who did really great messaging. Merrill supported it. Dujardin agreed.

Haver communicated frustration with what had been happening with the industry subgroups. He was blown away that it fell apart. The combined voice, such as in lodging, was really helpful. Dujardin wondered what the best way was to send a message. Bradley agreed the industry subgroups were really important. She mentioned issues she experienced. She identified where she saw the shift happening, and she was willing to see what it was like. TAPP needed to hear from each and every person that sat

in the calls. Schmidt asked to whom they needed to deliver the message. Haver summarized the message he wanted to communicate. Bradley emphasized the importance of communication. MacDonald recommended two Council members work to draft a letter that generally captured what was discussed. Schmidt suggested Bradley and Haver work on the letter. Haver and Bradley would work with MacDonald to draft the letter.

Haver pulled together questions for clarification on the new health order. The County was asking for a waiver to allow larger group sizes. The Coronameter would allow the County to lessen restrictions, tighten them, and be more in charge of their own destiny. A waiver was needed to be less strict. Haver then spoke about face coverings. Six foot distancing was standard in the County. Businesses needed to be aware of more than the health order. He mentioned statutory authority and contact tracing. Haver said education was first. The discussion was briefly focused on bars. Face coverings would help in the ability to stay open and move forward. Schmidt concurred people needed to be following the rules to avoid going to the next level. He knew of restaurants in Aspen and Basalt that had been closed.

#### **DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**

- Monday, July 6, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, July 20, 2020 - 6:00PM Work Session - 7:00PM Regular Council
- Tuesday, August 4, 2020 - 6:00PM Work Session - 7:00PM Regular Council

Schmidt reminded that Elk Avenue would become a one-way tomorrow.

#### **ADJOURNMENT**

Mayor Schmidt adjourned the meeting at 10:15PM.

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James A. Schmidt, Mayor

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Lynelle Stanford, Town Clerk (SEAL)



## Staff Report

July 6, 2020

**To:** Mayor and Town Council

**Thru:** Dara MacDonald, Town Manager

**From:** Lynelle Stanford, Town Clerk

**Subject: Memorandum of Understanding Between the Town of Crested Butte and Municipal Court Judge Eden**

**Date:** June 25, 2020

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### **Summary:**

Article 7 of the Town's Charter states in part: "...The municipal court shall be presided over and its functions exercised by a judge appointed by the Council for a specified term of not less than two (2) years..."

The memorandum of understanding included in the packet is between the Town and existing Municipal Court Judge Ben Eden, effectively extending his term for another two years.

### **Recommendation:**

To approve Mayor Schmidt signing the Memorandum of Understanding Between the Town of Crested Butte and Municipal Court Judge Ben Eden as part of the Consent Agenda.



### Memorandum of Understanding

#### Between the Town of Crested Butte and the Town of Crested Butte Municipal Court Judge

1. The Crested Butte Municipal Judge shall attend regularly scheduled Court dates, which shall occur the first and third Wednesdays of February, March, April, July, and August and the first Wednesdays of January, May, June, September, October, November and December. An alternative judge may appear in cases of illness, emergency, or pre-scheduled absence.
2. Compensation for Court appearances shall be paid at \$350 per appearance.
3. If a Crested Butte Municipal Court session is cancelled due to lack of cases on the Court's Docket or for some other valid reason and the Judge is notified of such at least one day prior via e-mail, fax or phone then no compensation shall be remitted.
4. If a trial is set for a day other than a regularly scheduled Court date then compensation shall be remitted at the same rate as a regularly scheduled appearance.
5. The Crested Butte Municipal Court Judge shall review the Schedule of Crested Butte Municipal Court Fines on an annual basis and shall provide the Town with recommendations for revisions if deemed necessary. The Judge shall provide written notice to the Court Clerk upon review of the final schedule.
6. The Crested Butte Municipal Court Judge shall present to the Crested Butte Town Council a biennial review of activities and conduct of the Municipal Court.

This Memorandum of Understanding is entered into this 25th day of June, 2020 and is valid for the appointment period of two years unless otherwise revised by mutual consent of both parties.

Ben Eden  
Ben Eden, Crested Butte Municipal Court Judge

6/25/2020  
Date

\_\_\_\_\_  
Jim Schmidt, Mayor

\_\_\_\_\_  
Date

June 25, 2020

Crested Butte Town Council  
PO Box 39  
Crested Butte, CO 81224

Dear Jim Schmidt, Will Dujardin, Chris Haver, Mallika Magner, Mona Merrill, Candice Bradley, and Laura Mitchell,

In accord with our most recent memorandum of understanding, I submit this letter on the status of the Court. My thanks to the Council for its support and especially to Betty Warren, who does a wonderful job as Court Clerk. A Court Clerk typically takes the brunt of bad-mannered defendants, who, strangely, are on better behavior with me.

#### CURRENT OPERATION OF THE COURT

Cases in 2019 were similar, both in numbers and types of cases to those of previous years. Again, false credentials to obtain marijuana remain one of the more common misdemeanors, along with public consumption of alcohol or marijuana. There has not been a False ID to obtain alcohol case in several years. Many of the defendants are out-of-staters, as one might predict.

Parking tickets and dog cases remain the most emotional cases and the most likely to involve a trial. Defendants continue to say they are confused by parking signs. I do not know how much clearer the signage can be.

January and February 2020 cases were similar in numbers to previous years. That all changed with COVID-19. We have cancelled one docket date and have done all Court dockets telephonically. The case numbers are down well over 70% since March 2020. That will continue at least until Town rules re: Town Hall change.

State rule changes on arrest warrants for failures to appear have not caused a significant problem for the aggregate of defendants. We have had one defendant (who has two cases) that has failed to appear several times since 2018 and gotten arrested. That has required multiple hearings on non-Court days to comply with state statute. These hearings involve no extra cost to the Town, as I view them as part of my administrative duties. The case is now a collection case as he pled out several months ago. As State probation will not take on the municipal collection (as they did prior to 2017), we have to schedule monthly payment reviews. (This particular defendant has multiple state charges he is on probation for.) Hopefully, this defendant's situation remains rare. We have had people pay fines and costs slowly, but they eventually have paid in full.

## FUTURE CONCERNS

Coping with COVID-19 remains the most significant concern. The Court will continue to follow all restrictions required by the Town. Masks and telephone conferences are easy to accomplish and do not impair rights of any party. Historically there are not many citizens who attend Court session unless they are personally involved in a case. Therefore, the public nature of courts are not impaired. Jury trial request would pose some problem with respect to COVID-19. However, since there has been only one jury trial in Municipal Court in the last 10 years, that is not a substantial worry.

I anticipate that there may be some sign code cases upcoming. Otherwise, the most common types of offenses will probably remain the same. One aspect of sentencing that may require some attention is increasing minimum fine amounts on misdemeanors. The current "schedule" has been unchanged since my tenure began in 2005. I would suggest to the Council, however, that now would not be the time to undertake such changes.

One aspect that we may have to consider is the passage of a bail-bond violation ordinance. The D.A. has indicated they will not prosecute Municipal bond violations under state statute. A Municipal ordinance would give us the ability to sanction people who fail to appear multiple times and better enforce the orders of the Court.

I would be happy to answer any questions any of you might have. I would like to again thank the Council for the opportunity to serve as Municipal Judge.

Sincerely yours,



Ben F. Eden

Municipal Court Judge



## Staff Report

July 6, 2020

**To: Town Council**

**Thru: Dara MacDonald, Town Manager, Troy Russ, Community Development Director and Shea Earley, Public Works Director**

**From: Jessie Earley**

**Subject: Revocable License Agreement (RLA), 304/306 Elk Avenue, Block 27, Tract 2 Block 27 Subdivision, Timothy J. Blewett and Cinda L. Blewett**

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### SUMMARY:

The owners of the building located at 304/306 Elk Avenue would like to heat the sidewalk in front of their building. The sidewalk measures 8.1' x 63.4' and is on town right of way (shown in "Exhibit B" of the RLA). Use of the public right of way requires such an agreement per the Public Works Director.

It is not uncommon for the Town to grant licenses for this type of feature. Attached you will find the license agreement. Exhibits identifying the area are included.

### RECOMMENDED MOTION:

A Councilmember make a motion followed by a second to approve Resolution 16, Series 2020 for a license agreement with Timothy J. Blewett and Cinda L. Blewett to allow the heating of the sidewalk adjacent to Elk Avenue and Tract 2 Block 27 Subdivision, Block 27 as part of the consent agenda.

**RESOLUTION NO. 16**

**SERIES NO. 2020**

**A RESOLUTION OF THE CRESTED BUTTE TOWN COUNCIL AUTHORIZING THE GRANT OF A REVOCABLE LICENSE TO TIMOTHY J. BLEWETT AND CINDA L. BLEWETT TO ENCROACH INTO THE RIGHT-OF-WAY ADJACENT TO ELK AVENUE AND TRACT 2 BLOCK 27 SUBDIVISION, BLOCK 27, TOWN OF CRESTED BUTTE**

WHEREAS, the Town of Crested Butte, Colorado (the “**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 laws of the State of Colorado;

WHEREAS, the Town staff has recommended to the Town Council that it grant a revocable license to Timothy J. Blewett and Cinda L. Blewett to encroach into the right-of-way adjacent to Elk Avenue and Tract 2 Block 27 Subdivision, Block 27, Town of Crested Butte; and

WHEREAS, the Town Council hereby finds that granting a revocable license to grant a revocable license to Timothy J. Blewett and Cinda L. Blewett to encroach into the right-of-way adjacent to Elk Avenue and Tract 2 Block 27 Subdivision, Block 27, Town of Crested Butte, is in the best interest of the Town and the health, safety and welfare of the residents and visitors of the Town.

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

1. **Findings**. The Town Council hereby finds that granting a revocable license to Timothy J. Blewett and Cinda L. Blewett to encroach into the right-of-way adjacent to Elk Avenue and Tract 2 Block 27 Subdivision, Block 27, Town of Crested Butte, by installing heat tubing in the sidewalk is in the best interest of the Town and the health, safety and welfare of the residents and visitors of the Town.

2. **Authorization of Mayor**. Based on the foregoing, the Town Council hereby authorizes the Mayor to execute the “Revocable License Agreement” in substantially the same form as attached hereto as **Exhibit “A.”**

INTRODUCED, READ AND ADOPTED BEFORE THE TOWN COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

TOWN OF CRESTED BUTTE

By: \_\_\_\_\_  
James A. Schmidt, Mayor

ATTEST

\_\_\_\_\_  
Lynelle Stanford, Town Clerk

(SEAL)

**EXHIBIT "A"**

**Revocable License Agreement**

[attach approved form here]

**RECORDING REQUESTED BY:  
WHEN RECORDED RETURN TO:**

Town of Crested Butte  
Attn: Town Clerk  
502 Maroon Avenue  
Crested Butte, CO 81224

**REVOCABLE LICENSE AGREEMENT**

THIS REVOCABLE LICENSE AGREEMENT (this “**Agreement**”) is made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between the TOWN OF CRESTED BUTTE, COLORADO (“**Licensor**”), a Colorado home rule municipality with an address of 507 Maroon Avenue, P.O. Box 39, Crested Butte, CO 81224 and TIMOTHY J. BLEWETT and CINDA L. BLEWETT (“**Licensee**”), 3515 Honey Locust Dr., Montrose, CO 81401-6478.

**RECITALS:**

- A. Licensee owns the real property described as follows:

Block 27,  
Tract 2 Block 27 Subdivision,  
Town of Crested Butte,  
County of Gunnison,  
State of Colorado,

commonly known as 304 Elk Avenue, Crested Butte, Colorado 81224 (the “**Premises**”).

- B. The Premises is bound by that certain public right of way known as Elk Avenue (the “**Public Property**”).

- C. Licensee has requested the right to construct and install, and keep and maintain certain improvements in the Public Property.

- D. The Town is willing to allow Licensee to keep and maintain such improvements in the Public Property, subject to certain conditions and requirements.

NOW, THEREFORE, for and in consideration of the covenants, terms, conditions and requirements set forth herein, the sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

**AGREEMENT:**

1. **Grant of License.** Licensor hereby grants to Licensee and its successors in interest a revocable license (the “**License**”) to keep and maintain the improvements, which is the heating of the sidewalk via tubing adjacent to Tract 2 of the Block 27

subdivision, as described in Exhibit “A” (the “**Improvements**”) attached hereto on the Public Property in the location set forth on Exhibit “B” attached hereto.

2. **Permit for Construction and Maintenance.** Licensee shall obtain permits from the Town pursuant to Chapter 11, Article 2 of the Crested Butte Municipal Code relative to all construction, installation and maintenance activities relative to the Improvements.

3. **Term of License; Revocation.**

3.1. The License shall exist and continue until the happening of either the following events, which such event shall automatically terminate and extinguish the License:

(a) the Improvements are demolished, removed or damaged by fire or other casualty such that such Improvements cannot be reasonably repaired in their present location; or

(b) the Town Council finds at a regular, public meeting that (i) the Improvements must be removed in order to make the Public Property available for public use or for such other reason as determined by the Town Council in its sole discretion, or (ii) Licensee is in default of this Agreement.

3.2. The License is made subordinate to the right of Licensor to use the Public Property for any public purpose, including, without limitation, public pedestrian uses, surface and subsurface improvements and public utilities. In addition to Licensor’s revocation rights set forth in Section 3.1, Licensee agrees that if Licensor subsequently determines to, without limitation, install, modify or change the grade of any street or sidewalk, or to modify, repair or install any underground utility, or to effect any other work in connection with any other public or utility improvement, or to use or occupy the area of the encroachment by the Improvements, then the License hereby authorized must be modified and the Improvements removed completely or otherwise relocated to a location acceptable to Licensor, and the Public Property shall be restored to its pre-existing and/or unobstructed condition to the satisfaction of Licensor at Licensee’s sole cost and expense. Licensor’s decision as to the necessity of such public use, occupancy or improvements shall be final and binding upon Licensee.

4. **Assumption of Risk.** Licensee assumes the risk of damage to the Improvements and agrees to repair any damage to the Public Property, and any third party’s property, arising from or relating to Licensee’s use of the Public Property. Additionally, Licensee assumes all risk of damage to property or injury to persons, including death, in connection, whether directly or indirectly, with the License and the Improvements. In the event of any such damage or injury, Licensee agrees to pay all costs related thereto, including, without limitation, reasonable attorneys’ fees.

5. **Indemnification.** By execution of this License, Licensee, for itself and its successors, hereby agrees to indemnify, defend and hold harmless Licensor, its elected

officials, employees, contractors, agents, insurers, insurance pools and attorneys against any and all claims, suits, damages, costs, losses and expenses, including reasonable attorneys' fees, in connection with any personal injury, including death, or property damage, arising out of or connected in any way with, whether directly or indirectly, the License, Licensee's use of the Public Property and the Improvements.

6. **Insurance.**

6.1. At its sole cost and expense, Licensee shall obtain and keep in force during from the date first written above until the Improvements are removed or relocated from the Public Property "all-risk" property coverage naming Licensee and Licensor as their interests may appear.

6.2 At its sole expense, Licensee shall obtain and keep in force from the date first written above until the Improvements are removed or relocated from the Public Property commercial general liability insurance with a combined single limit of not less than \$2,000,000.00 for injury to or death of any one person, for injury to or death of any number of persons in one occurrence, and for damage to property, insuring Licensee and Licensor, including, without limitation, coverage for contractual liability, broad form property damage and non-owned automobile liability, with respect to the Public Property. The insurance shall be noncontributing with any insurance that may be carried by Licensor and shall contain a provision that Licensor, although named as an insured, shall nevertheless be entitled to recover under the policy for any loss, injury, cost or damage to Licensor, or the property of the same.

6.3. All insurance required herein and all renewals thereof shall be issued by companies authorized to transact business in the State of Colorado and rated at least A+ Class X by Best's Insurance Reports (property liability) or otherwise approved by Licensor in writing. All insurance policies shall be subject to approval by Licensor as to form and substance, shall expressly provide that the policies shall not be canceled without 30 days' prior written notice to Licensor and shall provide that no act or omission of Licensor that would otherwise result in forfeiture or reduction of the insurance shall affect or limit the obligation of the insurance company to pay the amount of any loss sustained. Licensee may satisfy its obligation under this Section by appropriate endorsements of its blanket insurance policies.

6.4. All policies of liability insurance that Licensee is obligated to maintain according to this Agreement (other than any policy of workmen's compensation insurance) shall name Licensor as an additional insured. Originals or copies of original policies (together with copies of the endorsements naming Licensor as an additional insured) and evidence of the payment of all premiums of such policies shall be made available to Licensor on the date first written above. All public liability, property damage liability and casualty policies maintained by Licensor shall be written as primary policies, not contributing with and not in excess of coverage that Licensor may carry.

6.5. The parties waive all rights to recover against each other, or

against the elected and appointed officials, employees, contractors, agents, advisors, attorneys, insurers, insurance pools, shareholders, directors, members, managers, officers, suppliers, agents or servants of each other, for any loss or damage arising from any cause covered by any insurance required to be carried by each of them pursuant to this Section or any other insurance actually carried by each of them. Licensee shall cause its insurer to issue an appropriate waiver of subrogation rights endorsements to all policies of insurance carried in connection with Licensee's operations and Licensor's operations and property.

7. **Licensee Obligations Upon Revocation; Remedies.** Upon notice to Licensee of the Town Council's decision to revoke this License, the Improvements must be promptly removed. In the event that the Improvements are not so removed by Licensee, Licensor may remove the Improvements and restore the location to its original condition at Licensee's sole cost and expense. In such case Licensor shall have no responsibility for damage to the Improvements or Licensee's other property, whether personal or real property, located on Public Property and the Premises. Licensee shall immediately reimburse Licensor such costs and expenses incurred by Licensor in such removal. Licensor shall have the right to make an assessment against the Premises and collect the costs of removal and restoration in the same manner as general taxes are collected under State and local laws. Such rights shall be in addition to any rights available at law or in equity. All remedies may be applied concurrently and not to the exclusion of any other remedy. In the event of any legal action or advice necessary to execute such removal, Licensee shall pay Licensor all reasonable costs and expenses in connection therewith, including, without limitation, reasonable attorneys' fees.

8. **Responsibility for Maintenance; Damage to Improvements.** Licensee assumes and accepts sole responsibility for the maintenance and upkeep of the Improvements, which shall be performed only upon receipt of permits from Licensor as required by applicable law. Further, Licensor shall not be liable for any damage to the Improvements caused by Licensor's operations, including, without limitation, snow removal, street or alley maintenance, street or alley repairs and improvements and utility installation, maintenance and repairs.

9. **No Assignment.** This Agreement and the License granted hereunder shall not be assignable or transferrable by Licensee without Licensor's prior written consent. Failure to obtain Licensor's consent to such assignment or transfer as required shall make such assignment or transfer void *ab initio*.

10. **Subject to Laws.** This License is subject to all State and municipal laws as they now exist or may hereafter be amended.

11. **Licensee Representations.** Licensee represents and warrants that: (a) it is duly qualified to do business and is in good standing in the State of Colorado; (b) it has full power and authority to execute, deliver and perform its obligations under this Agreement; (c) the individual executing this Agreement has the full power and authority to do so; and (d) the Agreement does not violate any other obligation of Licensee.

12. **Notices.** All notices required pursuant to this Agreement shall be deemed served upon depositing a certified letter, return receipt requested, in the United States mail, addressed to the party being served with such notice at the addresses set forth above, unless a request to mail to a different address is provided in writing to the other party.

13. **Prevailing Party.** In the event of any dispute between the parties in connection with this License, the non-prevailing party shall pay the prevailing party all costs and expenses, including, without limitation, reasonable attorneys' fees, costs and expenses, incurred in such dispute.

14. **Entire Agreement; Amendment.** This Agreement represents the entire agreement of the parties respecting the subject matters addressed herein. This Agreement may be amended only in writing by properly executed agreement.

15. **Successors and Assigns.** The rights and obligations of the parties shall inure to the benefit and burden to the parties' successors and permitted assigns.

16. **No Waiver.** No waiver by either party of any breach of, or of compliance with, any condition or provision of this Agreement by the other party shall be considered a waiver of any other condition or provision or of the same condition or provision at another time.

17. **Photo-static Copies.** For purposes of enforcement of the terms hereof, photo-static reproductions shall be deemed to be originals.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;  
SIGNATURE PAGE(S) TO FOLLOW]

IN WITNESS WHEREOF, the parties have entered into this Agreement by their duly authorized representatives effective as of the date first written above.

LICENSOR:

TOWN OF CRESTED BUTTE,  
a Colorado home rule municipality

By: \_\_\_\_\_  
James A. Schmidt, Mayor

Attest:

By: \_\_\_\_\_  
Lynelle Sanford, Town Clerk

[SEAL]

LICENSEE:

\_\_\_\_\_  
Timothy J. Blewett

\_\_\_\_\_  
Cinda L. Blewett

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing Revocable License Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, Mayor of the Town of Crested Butte, a Colorado home rule municipality, on behalf of said entity.

WITNESS my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature

STATE OF \_\_\_\_\_ )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

The foregoing Revocable License Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_.

WITNESS my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature

STATE OF \_\_\_\_\_ )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

The foregoing Revocable License Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_.

WITNESS my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature



**EXHIBIT "A"**

A 8.1' deep x 63.4' wide section of the Elk Avenue sidewalk, right of way, adjacent to Tract 2 of the Block 27 subdivision.

**EXHIBIT "B"**





## Staff Report

July 6, 2020

**To:** Mayor and Town Council

**Thru:** Dara MacDonald, Town Manager

**From:** Lynelle Stanford, Town Clerk

**Subject:** **Approval of the Use of Town Property for Temporarily Modifying the Liquor Licensed Premises of The Last Steep Bar & Grill**

**Date:** June 30, 2020

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### Summary:

The Council adopted the plan for Elk Avenue to be a one-way as a response to the COVID-19 pandemic. Each business owner was given the option to use additional Town property on the furnishing zone and/or on Elk Avenue for retail space, restaurant/bar seating, or for parking.

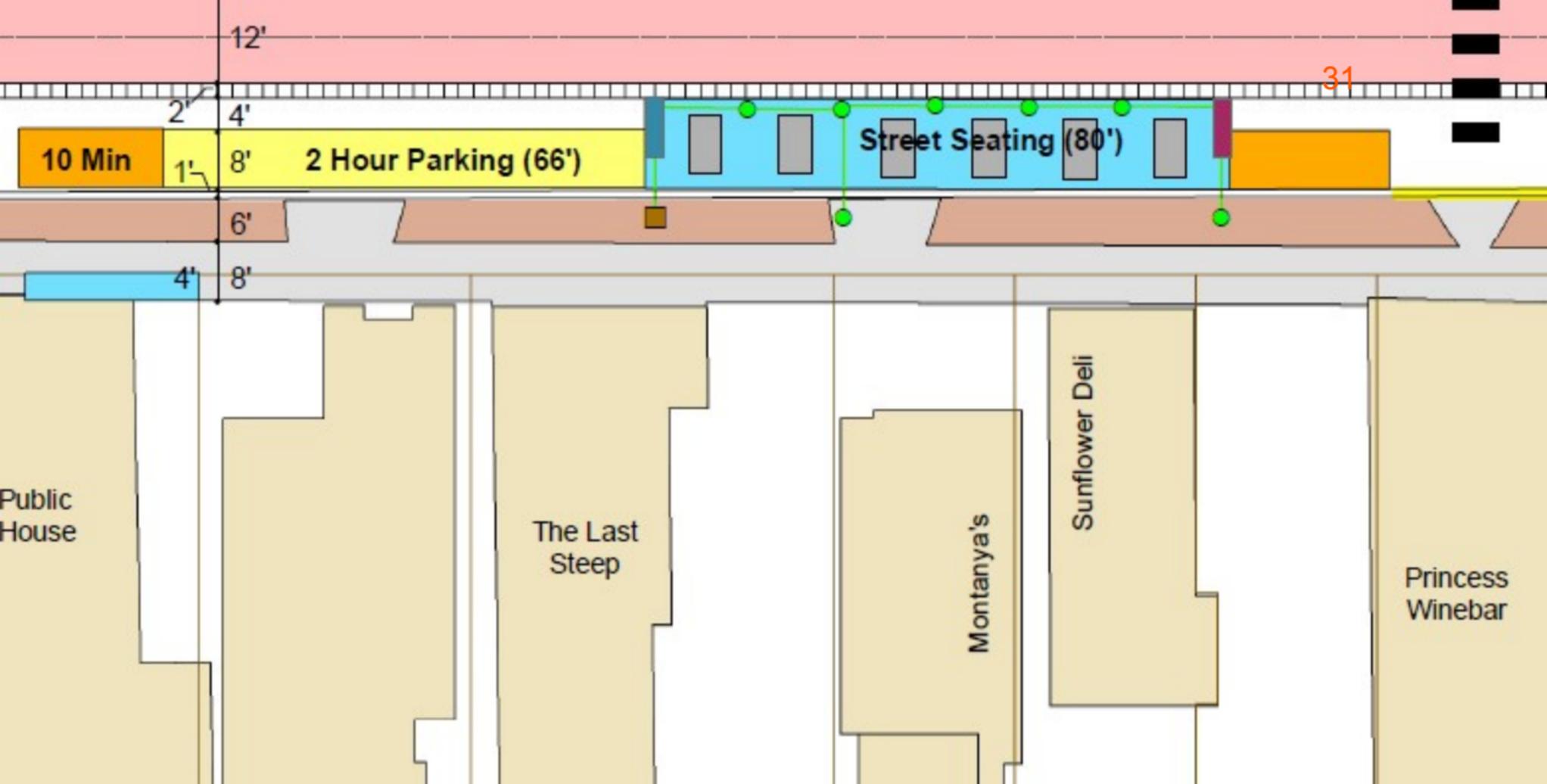
The restaurants and bars that desired to serve alcohol on the proposed areas were required to file temporary modifications of their premises, a process that required approval from Liquor Enforcement. As a part of the process to change the premises, the Town needs to show formal approval for the use of public property for liquor service.

The Last Steep Bar & Grill was approved at the last Council meeting to use the brick pavers (furnishing zone) to expand their premises. Upon further consideration, Sarah Hartigan requested usage of space on Elk Avenue. The Council is being asked to approve The Last Steep Bar & Grill utilizing Town property on Elk Avenue and including this property in the temporary change of the liquor licensed premises.

The attached map depicts the proposed expansion.

### Recommendation:

For the Council to approve, as part of the Consent Agenda, the use of public property for The Last Steep Bar & Grill to temporarily modify their liquor licensed premises.





Colorado Mined Land Reclamation Board  
Ginny Brannon, Director  
via email: [ginny.brannon@state.co.us](mailto:ginny.brannon@state.co.us)  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman St.  
Denver, CO 80203

July 6, 2020

Dear Board and Ms. Brannon,

The Council for the Town of Crested Butte recently learned that during June of this year, Mountain Coal Company constructed approximately one mile of new road and two new methane well pads in the Sunset Roadless Area of the Gunnison National Forest. We learned that this work was performed in spite of a ruling from the 10th Circuit Court of Appeals and an order from the federal district court vacating the so-called North Fork Exception from the Roadless Rule that applies to the Sunset Roadless Area. We understand that neither the USFS nor Mountain Coal notified Gunnison County or State officials of the work. In response, the Division of Reclamation, Mining and Safety (DRMS) issued a cessation order on June 18, 2020 requiring Mountain Coal to stop surface disturbance activities in the Sunset Roadless Area immediately, finding that Mountain Coal has failed to maintain its legal right to enter the Sunset Roadless area at the West Elk Mine.

The Town has been engaged over many years in efforts to ensure that mineral extraction and oil and gas operators comply with state and local laws and regulations before conducting any activities on federal lands. Compliance with these laws and regulations is essential to ensuring that environmental and socio-economic impacts of these activities are avoided or mitigated. We have learned that decisions by federal land managers cannot take into account the same impacts that are properly addressed by state and local regulatory powers granted by the 10<sup>th</sup> Amendment to the United States Constitution. Thus, coordination among levels of government is the key to protecting our precious natural environment while allowing the reasonable exercise of private property rights. The Town is extremely grateful to Ms. Brannon and the Board for their constant efforts to ensure this coordination.

The Town Council respectfully requests that DRMS keep the cessation order in place unless or until the disturbed area is reclaimed, the federal court determines that the work is authorized in the Sunset Roadless area, and Mountain Coal has obtained a legal right of entry.

Once again, we appreciate all of the efforts you have made to ensure that operators comply with all applicable requirements.

Very Truly Yours,

James A. Schmidt  
Mayor, Town of Crested Butte

c.c. Gunnison County Board of County Commissioners  
Dan Gibbs, Director, Colorado Department of Natural Resources

**Background for Agenda Item: Request from High Country Conservation Advocates for the Crested Butte Town Council to Submit a Letter to the Colorado Division of Reclamation, Mining and Safety (DRMS) Regarding Recent Road and Pad Construction at the West Elk Coal Mine**

Beginning the week of June 1, Mountain Coal Company constructed approximately one mile of new road and sometime between June 11 and June 18, constructed two new methane well pads in the Sunset Roadless Area of the Gunnison National Forest, west of Kebler Pass. This was all done without the Forest Service or Mountain Coal notifying Gunnison County or State officials. Mountain Coal's attorney has stated that the company intends to construct about twice as much road as it has already bulldozed in the Sunset Roadless Area during the 2020 construction season.

**Background**

- The Colorado Roadless Rule generally prohibits road construction within designated areas of National Forest lands in the state,<sup>1</sup> but the North Fork Exception allowed road construction for coal mining under certain conditions within the 19,000-acre North Fork Coal Mining Area.<sup>2</sup> During merits briefing before the Tenth Circuit Court of Appeals, Mountain Coal urged the Tenth Circuit to remand without vacating the North Fork Exception because the result of vacatur would be a prohibition on road construction for mining purposes. The Tenth Circuit rejected this request and ordered the vacatur of the North Fork Exception on March 2, 2020. In issuing this decision, the Tenth Circuit held that the Forest Service violated the National Environmental Policy Act (NEPA) by adopting the North Fork Exception to the Colorado Roadless Rule without considering a reasonable alternative that would have protected an additional roadless area from the impacts of coal mining. Neither Federal Defendants nor Mountain Coal sought to stay the Tenth Circuit's mandate, nor did they seek certiorari in the Supreme Court. The Tenth Circuit vacated the District Court's judgment and remanded the case for entry of an order vacating the North Fork Exception. On April 24, 2020, the Tenth Circuit issued the mandate, which the District Court received that day.<sup>3</sup> On June 15, 2020, the district court entered the order vacating the North Fork Exception.
- Despite the Tenth Circuit's holding, beginning the week of June 1, Mountain Coal Company constructed approximately one mile of new road and sometime between June 11 and June 18, constructed two new methane well pads in the Sunset Roadless Area of the Gunnison National Forest. This was all done without the Forest Service or Mountain Coal notifying Gunnison County or State officials. Mountain Coal's attorney has stated that the company intends to construct about twice as much road as it has already bulldozed in the Sunset Roadless Area during the 2020 construction season. Mountain Coal also imminently plans to conduct further surface disturbance to construct three more drilling pads accessible only using the completed road segment. Mountain Coal uses these half-acre or larger pads to drill wells to vent methane when mining occurs underground.
- In response to these actions, on June 18, the State issued a cessation order requiring Mountain Coal to stop surface disturbance activities in the Sunset Roadless Area immediately (Attachment 1). The cessation order states that "[n]otwithstanding BLM coal leases C-1362 and COC-67232, after reviewing the relevant facts and Orders from the 10th Circuit and the United States District Court, the Division has determined that Mountain Coal has failed to maintain its legal right to enter the Sunset Roadless area at the West Elk Mine."<sup>4</sup> On that same day, I participated in a site

<sup>1</sup> 36 C.F.R. § 294.43.

<sup>2</sup> Id. § 294.43(c)(1)(ix).

<sup>3</sup> Mandate of U.S. Ct. App., ECF No. 74.

<sup>4</sup> Cessation Order at 3.

visit with representatives from Mountain Coal and the Colorado Division of Reclamation, Mining and Safety (DRMS) to examine the illegal road. It was on this inspection that I learned of the new pad construction. Some of the photographs I took during that visit are attached (Attachment 2), showing the extent of the damage to the roadless forest.

- Also in response to Mountain Coal's actions, on Tuesday, June 16, approximately 50 people protested at the Paonia Ranger District expressing outrage at the Forest Service's culpability and failure to engage the public in allowing the development to proceed. On Thursday, June 18, several dozen showed up to meet representatives from the Colorado DRMS near the West Elk coal mine before the aforementioned site visit. Hundreds more have submitted comments to the Forest Service and to the Gunnison County Commissioners.

#### Request from High Country Conservation Advocates to Town of Crested Butte

- The Town of Crested Butte has an interest in the proposed expansion of the West Elk coal mine into the Sunset Roadless Area. In 2016 the Town urged the Forest Service to reject the proposal to reinstate the North Fork Coal Mining Area Exception to the Colorado Roadless Rule. Also in 2016, the Town called on the U.S. Forest Service to protect Crested Butte and other mountain communities by not consenting to the BLM modifying coal leases COC-1362 and COC-67232 in the Sunset Roadless Area. In 2017, The Town opposed Arch Coal Company's request for a royalty rate reduction at the West Elk Coal Mine.
- High Country Conservation Advocates (HCCA) respectfully requests that the Town of Crested Butte submit a letter to the Colorado DRMS regarding the importance of ensuring that mining operators on federal lands respect state and local authority, thanking the State for issuing its cessation order, and requesting that the State's cessation order remain in place unless and until the Forest Service adopts a lawful exception to the Colorado Roadless Rule explicitly authorizing such activities. Please direct correspondence to:

Ginny Brannon  
Director of Colorado DRMS  
1313 Sherman St.  
Denver, CO 80203  
[ginny.brannon@state.co.us](mailto:ginny.brannon@state.co.us)

Thank you for your consideration of this issue.

Sincerely,

*Matt Reed*

Matt Reed  
Public Lands Director  
High Country Conservation Advocates  
PO Box 1066  
Crested Butte, CO 81224  
970.349.7104  
[matt@hccacb.org](mailto:matt@hccacb.org)



**COLORADO**  
**Division of Reclamation,  
Mining and Safety**  
Department of Natural Resources

1313 Sherman St. Room 215 Denver, CO 80203  
P (303) 866-3567 F (303) 832-8106  
<https://colorado.gov/drms>

### CESSATION ORDER

Cessation			
Order No.	<b>CO-2020-001</b>	<b>Mine:</b>	<b>West Elk Mine</b>
Permit No.:	<b>C-1980-007</b>	<b>County:</b>	<b>Delta, Gunnison</b>
Type of Mine:	<b>Underground</b>	<b>Permittee:</b>	<b>Mountain Coal Company, LLC</b>
Operator (If		<b>Mail</b>	<b>5174 Highway 133</b>
Other than	<b>Mountain Coal Company, LLC</b>	<b>Address:</b>	<b>Somerset, CO 81434</b>
Permittee):			
Mail Address:		<b>Date/Time</b>	
	<b>5174 Highway 133</b>	<b>of</b>	<b>June 10, 2020</b>
	<b>Somerset, CO 81434</b>	<b>Inspection:</b>	
Inspector:	<b>Leigh Simmons</b>	<b>Served by:</b>	<b>James Stark</b>
Person Served:	<b>Weston Norris</b>		

*(Signature of Authorized Representative of the  
Division of Reclamation, Mining and Safety)*

*(Signature of Person Served)*

*(Please Print Name and Title)*

CERTIFIED MAIL NO.

Date and Time of Service:

The Division of Reclamation, Mining and Safety has conducted an inspection of the above mine, has made the findings stated in the attached schedule and hereby finds, for good cause shown, that a Cessation Order must be issued with respect to each of the conditions, practices, or violations listed in the attached schedule. This Order constitutes a separate Cessation Order for each condition, practice, or violation listed.

In accordance with Section 34-33-123 of the Colorado Surface Coal Mining Reclamation Act, you are ordered to CEASE IMMEDIATELY the operations described in the attached schedule and to perform the affirmative obligations (if applicable) described in the attached schedule within the designated time for abatement. Reclamation operations not directly the subject of this Order shall continue while this Order is in effect.

You are responsible for doing all work in a safe manner in compliance with applicable laws and regulations.

The undersigned finds that cessation of mining is \_\_\_\_ is not  X  expressly, or in practical effect, required by this Notice. For this purpose, "mining" means extracting coal from the earth or from a waste pile and transporting it within or from the mine site.

This Order shall remain in effect until the condition, practice, or violation has been abated, or until it is modified, terminated or vacated in writing by an authorized representative of the Division, or by the Mined Land Reclamation Board.

1. **Expiration Date of Notice - Informal Hearing at Site.** If this Order requires cessation of mining, expressly or in practical effect (but not otherwise), it will expire automatically 30 days after service upon you, unless, within that time, (a) an informal hearing on the cessation has been held at or near the site, or (b) the operator has waived the holding of such a hearing. The informal hearing will be presided over by representatives of the Division other than the representative who issued the Order. Temporary relief from the Order may be requested at such hearing. Your right to a formal review is not affected by any waiver on your part of an informal hearing.
2. **Formal Review and Temporary Relief.** The Operator has the legal right to a review of this Order or Violation in a formal public hearing before the Colorado Mined Land Reclamation Board. You may apply for review by submitting a Request for Review within 90 days of the issuance of this Order. The Request for Review must be submitted to:

Mined Land Reclamation Board  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

If you request a formal hearing, you may request temporary relief from this Order, pending hearing, but the filing of a request for review does not operate as a stay of any Order or Notice. Procedures in this regard are found in C.R.S. 1973, 34-33-124.

3. **Mandatory Minimum Penalties.** C.R.S. 1973, 34-33-123(8)(1) requires that a mandatory minimum penalty of \$750.00 or more must be assessed for each day during which the violation(s) continues beyond the abatement period set forth in this Order or in any Notice of Violation.

If you willfully and knowingly fail or refuse to comply with this Order, you will be subject to criminal prosecution and will, upon conviction, be punished by a fine of not more than \$10,000.00 or by imprisonment for not more than one year, or both.

4. **Effect on Permit.** In addition, if it is determined that a pattern of violations exists, and that the violations were caused by unwarranted failure to comply, or were willful, your permit may be suspended or revoked.

C.R.S. 1973, 34-33-123(8) provides for imposition of civil penalties of up to \$5,000.00 for each violation listed in the schedule and provides that each day of continuing violation may be deemed a separate violation.

Cessation Order No.: **CO-2020-001**

Nature of Condition, Practice, or Violation:

**On April 24, 2020 the United States Court of Appeals for the Tenth Circuit issued a mandate ordering the United States District Court for the District of Colorado to vacate the North Fork Exception to the Colorado Roadless Rule. On June 15, 2020 the United States District Court for the District of Colorado entered an order vacating the North Fork Exception to the Colorado Roadless Rule, 81 Fed. Reg. 91,811 (Dec. 19, 2016). Notwithstanding BLM coal leases C-1362 and COC-67232, after reviewing the relevant facts and Orders from the 10th Circuit and the United State District Court, the Division has determined that Mountain Coal has failed to maintain its legal right to enter the Sunset Roadless area at the West Elk Mine. Mountain Coal must immediately cease all surface disturbing activities in longwall panels LWSS-1, LWSS-2, LWSS-3, and LWSS-4 at the West Elk Mine. If Mountain Coal is currently conducting any surface disturbing activities, it must immediately stop and stabilize the area(s) to prevent any off-site impacts pursuant to the Colorado Surface Coal Mining Reclamation Act. The Division further determines that a condition of significant imminent environmental harm exists.**

ACT, REGULATION, OR PERMIT PROVISION(S) VIOLATED:

ACT SECTION(S): **C.R.S. 34-33-110(2)(j) and 34-33-114(2)(f)**

REGULATIONSECTION(S): **Rules 2.03.6 and 2.07.2**

PERMIT SECTION(S): **Permit Section 2.03 and Exhibit 4**

Portion of the Operation to which Order applies:

**This order applies to all surface disturbing activities in the Sunset Roadless area, including longwall panels LWSS-1, LWSS-2, LWSS-3, and LWSS-4, except as expressly permitted herein. Mountain Coal may access and continue current operations in longwall panel LWSS-1 and may conduct maintenance and surface stabilization activities in longwall panel LWSS-1 to prevent any off-site impacts pursuant to the Colorado Surface Coal Mining Reclamation Act. Mountain Coal may conduct ground stabilization activities in longwall panels LWSS-2, LWSS-3, and LWSS-4.**

Findings - (Check the appropriate blank):

- The condition, practice, or violation is creating an imminent danger to the health or safety of the public.
- The condition, practice or violation is causing or can reasonably be expected to cause significant imminent environmental harm to land, air, or water resources.
- The Permittee or Operator has failed to abate violation(s) No. \_\_\_\_\_ included in Notice of Violation No. \_\_\_\_\_ within the time for abatement originally fixed or subsequently extended.

Operation(s) to be Ceased Immediately:

1. All surface disturbing activities in the Sunset Roadless area must cease immediately, except as expressly permitted herein.
2. All travel on roads and drill pads constructed in longwall panels LWSS-2, LWSS-3, and LWSS-4 that are within the Sunset Roadless Area.
3. All equipment must be removed from the Sunset Roadless area unless it is actively being used for surface stabilizing activities and maintenance to prevent offsite impacts.
4. Mountain Coal may continue to access the roads and drill pads in longwall panel LWSS-1 and conduct surface stabilization and maintenance activities as necessary. No new construction activities are permitted in LWSS-1.
5. Mountain Coal may conduct ground stabilization activities in longwall panels LWSS-2, LWSS-3, and LWSS-4 to prevent offsite impacts pursuant to the Colorado Surface Coal Mining Reclamation Act.

STEPS NECESSARY TO ABATE VIOLATION (REMEDIAL ACTION):

Abatement Step Description

#

- |   |   |
|---|---|
| 1 | Notwithstanding BLM leases C-1362 and COC-67232, Mountain Coal must provide the Division with detailed information regarding its assertion that it maintains legal right of entry to the Sunset Roadless area and why it is not in direct conflict with the District Court order vacating the North Fork Exception to the Colorado Roadless Rule. |
|---|---|

TIME FOR ABATEMENT (NOT MORE THAN 90 DAYS):

ON OR BEFORE last abatement due date

Abatement Step #	Due Date
1	September 14, 2020

Affirmative Obligation(s) to Abate Imminent Danger or Harm, if Applicable\*:

Mountain Coal must immediately cease all surface disturbing activities in the Sunset Roadless area at the West Elk Mine. Mountain Coal may conduct surface stabilization activities as necessary to prevent off-site impacts pursuant to the Colorado Surface Coal Mining Reclamation Act.

\* If imminent danger to public health and safety or imminent environmental harm is found to exist.









## Memorandum

**To:** Town Council  
**From:** Dara MacDonald, Town Manager  
**Subject:** Manager's Report  
**Date:** July 6, 2020

### Town Manager

- 1) Conferences update –
  - a. The Colorado Association of Ski Towns (CAST) has cancelled their in-person meetings scheduled for the remainder of this year. They are working to organize a virtual event that would be of interest to their membership.
  - b. Mountain Towns 2020 (MT2020) has cancelled their October conference for now and will be rescheduling for next year. Like CAST, they are shifting to providing virtual forums for discussion to keep the conversation going about battling climate change.
- 2) Messaging assistance – I have retained Buttery Agency LLC (with CB local Mike Horn, Principal) to work with the Town of Crested Butte on COVID-19 messaging and communications. They have begun working and we should start to see production the week of July 13<sup>th</sup>.

### Public Works -

- 1) Streets Division
  - a. Upon the completion of crack sealing, staff placed mid-block 15 mph speed limit signs throughout Town. The signs purchased and utilized by Town are constructed and rated for highway traffic. They are constructed with the appropriate reflective material for night time visibility and are weighted to not blow over in strong winds. The cost of one sign is approximately \$504.00.  
 With limited supply, staff placed mid-block signs along roadways that see a higher volume of traffic. Over the past several years, staff have received more and more requests for signs on blocks that, traditionally, have not had mid-block signs. In an effort to accommodate these requests, Town rotates the speed alert trailers, targeting areas where staff have received complaints. The Town currently has three speed alert trailers, one of which is being utilized at the beginning of the Elk Ave one way. In an effort to further accommodate resident's requests, Town has offered to maintain signs (store in winter months and put on the road in summer months) for residents that wish to purchase a mid-block sign.
  - b. Street crews have also painted white stop bars at every stop sign in Town with the exception of 6<sup>th</sup> Street. Those are anticipated to be painted the week of the 6<sup>th</sup> of July.
- 2) Kapushion Project - The project is in its final stages of construction. Paving of 5<sup>th</sup> Street, between Gothic and Butte, and Teocalli Ave, between 5<sup>th</sup> and 6<sup>th</sup> Street, occurred on the 30<sup>th</sup> of June. The

contractor still has to install two sanitary sewer services on 4<sup>th</sup> Street. Street signs are on order and are anticipated to be up by the end of July.

### 3) Signs

- a. Rec Path Bridge – Signage has been installed in the 80 Block to help address the recreation that is occurring in the area. The hope is to manage the use of the alley/surrounding area and direct recreational users to the appropriate parking areas, while attempting to minimize the recreational impact on the surrounding residents.

### Marshals

- 1) Bicycles should travel with the flow of traffic. Cyclist fare best when that act and are treated as the drivers of vehicles. Yes, particularly Elk Ave.
- 2) Officers assisted with an orderly and well attended Thrive – BLM Rally on Saturday the 27<sup>th</sup>.

### Parks & Rec

- 1) PPE, social distancing, and sanitization practices for recreational programming has been well received and implementation is going well. Current programs include adult and youth tennis, youth baseball, and T'ai Chi. Our new skateboarding program starts on July 6<sup>th</sup>.
- 2) Adult Softball is ready to roll pending group sizes of 50 people. We anticipate a 6-week season starting on July 13<sup>th</sup> in hopes that group sizes will be increased by the state the first week of July. Rigorous sanitization protocols and other safety measures will be in place.
- 3) Four contractors (3 local, 1 out of town) attended the pre-bid meeting for the Hockey Changing Rooms Project. The deadline to submit bids for that project is July 9<sup>th</sup>.

### Community Development

- 1) Slate River Working Group: The lower Slate River continues to see a lot of floaters this year. This past weekend, the Land Trusts' river stewards engaged with 50 floaters on Friday, 137 floaters on Saturday, and 62 floaters on Sunday during their observation periods from 1-6pm. The river flow is drastically decreasing and the Slate River Working Group's flow committee is convening on July 6<sup>th</sup> to discuss the current status of the river and what that means in regards to messaging around the voluntary no float period on the upper Slate. Additionally, the Town placed signs in Block 80 designating the Alley for drop-off only, not parking, and encouraging recreational users to park on the north side of Butte Avenue and south side of Teocalli Avenue.
- 2) STOR Committee: Gunnison County in partnership with the National Forest Foundation is currently hiring for the "STOR Corps". This job-creation program is a local, urgent response to the economic crisis caused by the Covid-19 pandemic. The program will create up to 10 full-time, temporary positions (12 weeks) that will work on sustainable recreation and environmental stewardship projects on public lands throughout the Gunnison Valley. Local residents will receive priority consideration.

### Town Clerk

- 1) Summer event schedule attached.

### Finance

- 1) Revitalizing Main Streets Program – Colorado Department of Transportation- Staff is in the process of applying for a new State of Colorado grant program, which could award each recipient

(municipality, etc) up to \$50,000. The Revitalizing Main Streets Program was developed by the Colorado Department of Transportation (CDOT) and other state agency partners to support infrastructure projects that provide open spaces for mobility, community activities and economic development in the wake of the COVID-19 emergency. These quick-win activities will improve safety and create new community spaces to encourage healthy activity and mobility in Colorado's towns and cities.

Program goals include:

- Protect public health by encouraging social distancing and active transportation
  - Support economic development by allowing private enterprise to operate safely until a vaccine is found
  - Imagine innovative uses of public spaces to accommodate our new reality
  - Support community access to the right of way that safely accommodates all modes of travel
  - For Crested Butte specifically, these potential grant funds would reimburse for the expenses incurred to turn and manage Elk Avenue into a one-way street that accommodates outside dining and shopping. Also, the grant could potentially reimburse for the cost of increasing bus frequency on weekends.
- 2) Department of Revenue Sales and Use Tax Software ("SUTS" System) - Town of Crested Butte will soon connect with the Colorado Department of Revenue in use of their newly developed SUTS system. SUTS is a simplification system that allows taxpayers to look up and remit sales and use taxes through a single portal managed by vendors and held in trust for the benefit of the Jurisdiction. In Town's case, the SUTS system will be integrated into our existing Munirevs tax collection system. This system is intended to make tax compliance much easier of for out-of-town vendors to comply with our home rule tax rates. The system will also reduce calls received in Town Hall regarding tax rates, rules and application.
  - 3) Town Safety Committee - Safety is of foremost concern for Town Employees, Residents and Visitors. Related training is an integral component of Town's human resources protocol. CIRSA, the Town's workers compensation and property insurance carrier, is moving the majority of its workplace safety training to an online learning platform hosted by LocalGovU. Town staff must participate in workplace safety training to stay up to date with current safety standards, create and foster a safe work culture. As well as, maintain and promote safety consciousness while working. Employees have received invitations to activate personal training accounts which have course catalogs and dashboards. The dashboard is where any of the assigned and required learning assignments will live. Previously, training was done in person or via group video sessions.
  - 4) Annual Audit - The auditors will begin their "field work" and test the week of July 6<sup>th</sup>. In light of COVID 19 concerns, "field work" this year will be done remotely.

#### Intergovernmental

The City of Gunnison will be hosting the next meeting of the elected officials. They are discussing how they would like to proceed with hosting a virtual or in-person gathering.

#### Upcoming Meetings or Events

\* As always, please let me know if you have any questions or concerns. You may also directly contact department directors with questions as well.

## Crested Butte Special Events 2020

Organization, Contacts, Phone

### JANUARY

**January 6**

**12<sup>th</sup> Night Bonfire**

CB/Mt CB Chamber of Commerce

Contacts: Brittany Coutts/Ashley Upchurch

(970) 349-6438, (614) 599-7332/(919) 274-6917

**January 24-26**

**Fat Bike World Championships**

CB/Mt CB Chamber of Commerce

Contacts: Brittany Coutts/Ashley Upchurch

(970) 349-6438, (614) 599-7332/(919) 274-6917

**January 31**

**Alley Loop Nordic Marathon & Pub Ski**

Crested Butte Nordic Council

Contact: Andrew Arell

(970) 349-1707 x 4, (720) 404-2311

### FEBRUARY

**February 1**

**Alley Loop Nordic Marathon & Pub Ski**

Crested Butte Nordic Council

Contact: Andrew Arell

(970) 349-1707 x 4, (720) 404-2311

**February 25**

**Mardi Gras Parade**

CB/Mt CB Chamber of Commerce

Contacts: Brittany Coutts/Ashley Upchurch

(970) 349-6438, (614) 599-7332/(919) 274-6917

### MARCH

**March 30**

**Mushy Monday**

Gunnison County Library District

Contacts: Maria Fennerty/Becky Barkman/Abby Crowder

(970) 349-6535/(970) 641-1636

### APRIL

### MAY

**May 22-25**

**Event Cancelled**

**Memorial Day Sidewalk Sale**

CB/Mt CB Chamber of Commerce

Contacts: Brittany Coutts/Ashley Upchurch

(970) 349-6438, (614) 599-7332/(919) 274-6917

**May 31**

**Sunday Farmers Market**  
Crested Butte Farmers Market  
Contact: Catherine Vader  
(970) 901-4181

**JUNE**

**June 7, 14, 21, 28**

**Sunday Farmers Market**  
Crested Butte Farmers Market  
Contact: Catherine Vader  
(970) 901-4181

**June 14, 21, 28**

**ACB Art Market (Event Moved to 1<sup>st</sup> and Elk Parking Lot)**  
Artists of Crested Butte  
Contacts: Heather Bischoff/Adam Freed  
(518) 573-3151, (970) 349-6800/ (970) 596-9123

**June 22-28**  
**Event Cancelled**

**Junior Bike Week**  
Crested Butte Development Team-Silent Sports Association  
Contacts: Amy Nolan, Adam Olmstead  
(970) 596-4085/ (970) 275-1997

**June 26**

**POSSIBLE DATE CHANGE**  
**TO AUGUST 29**  
**Event Cancelled**

**Chainless World Championships**  
CB/Mt CB Chamber of Commerce  
Contacts: Brittany Coutts/Ashley Upchurch  
(970) 349-6438, (614) 599-7332/(919) 274-6917

**June 28**

**Event Cancelled**

**Black and White Ball (Application Pending)**

**June 30**

**Free Market-Emergency Food Relief**  
Mountain Roots Food Project  
Contacts: Holly Conn/ Molly Mazel  
(719) 359-1338, (970) 417-7548

**JULY**

**July 2, 9, 16, 23, 30**  
**(Moved to Crank's Plaza)**

**Thursday Farmers Market**  
Crested Butte Farmers Market  
Contact: Catherine Vader  
(970) 901-4181

**July 4**

**Event Cancelled**

**4<sup>th</sup> of July Parade**  
CB/Mt CB Chamber of Commerce  
Contacts: Brittany Coutts/Ashley Upchurch  
(970) 349-6438, (614) 599-7332/(919) 274-6917

**July 4****Event Cancelled****Gothic to CB 1/3 Marathon**

Rocky Mountain Biological Laboratory

Contact: Erin Fabbre

(970) 349-7420, (303) 827-8758

**July 4****Event Cancelled****4<sup>th</sup> of July Pancake Breakfast**

Crested Butte Fire Protection District

Contacts: Erin Croke-Renfro/Stephanie Blewett

(503) 341-7507/(970) 274-1547

**July 5, 12, 19, 26****Sunday Farmers Market**

Crested Butte Farmers Market

Contact: Catherine Vader

(970) 901-4181

**July 5****Event Cancelled****Oh Be Joyful Church in the Park**

Oh-Be-Joyful Baptist Church

Contact: Tyler Hansen

(970) 349-6237, (970) 596-0821

**July 5****Event Cancelled****Chalk Walk (Application Pending)****July 5, 12, 19, 26****ACB Art Market (Event Moved to 1<sup>st</sup> and Elk Parking Lot)**

Artists of Crested Butte

Contacts: Heather Bischoff/Adam Freed

(518) 573-3151, (970) 349-6800/ (970) 596-9123

**July 7, 14, 21, 28****Free Market-Emergency Food Relief**

Mountain Roots Food Project

Contacts: Holly Conn/ Molly Mazel

(719) 359-1338, (970) 417-7548

**AUGUST****August 2****Rotary Rubber Ducky Race**

CB and Mt. CB Rotary Club

Contact: Chuck Cliggett/Chelsea Stengl

(970)209-3530

**August 2, 9,16,23,30****Sunday Farmers Market**

Crested Butte Farmers Market

Contact: Catherine Vader

(970) 901-4181

**August 4, 11, 18, 25**

**Free Market-Emergency Food Relief**

Mountain Roots Food Project  
 Contacts: Holly Conn/ Molly Mazel  
 (719) 359-1338, (970) 417-7548

**August 6, 13, 20, 27**

**(Moved to Crank's Plaza)**

**Thursday Farmers Market**

Crested Butte Farmers Market  
 Contact: Catherine Vader  
 (970) 901-4181

**August 7-8**

**Event Cancelled**

**CB Street Vault (Rescheduled-Revised App Pending)**

**August 9, 16, 23, 30**

**ACB Art Market (Event Moved to 1<sup>st</sup> and Elk Parking Lot)**

Artists of Crested Butte  
 Contacts: Heather Bischoff/Adam Freed  
 (518) 573-3151, (970) 349-6800/ (970) 596-9123

**August 29**

**Event Cancelled**

**Bridges of the Butte (8am-8pm) Application Pending**

**SEPTEMBER**

**September 1**

**Free Market-Emergency Food Relief**

Mountain Roots Food Project  
 Contacts: Holly Conn/ Molly Mazel  
 (719) 359-1338, (970) 417-7548

**September 5-6**

**Event Cancelled**

**Paragon People's Fair**

Paragon Art Gallery  
 Contacts: Megan Craver/Jeff Deatrich  
 (970) 763-4019/(970) 209-8311

**September 6, 13, 20, 27**

**Sunday Farmers Market**

Crested Butte Farmers Market  
 Contact: Catherine Vader  
 (970) 901-4181

**September 6, 13, 20, 27**

**ACB Art Market (Event Moved to 1<sup>st</sup> and Elk Parking Lot)**

Artists of Crested Butte  
 Contacts: Heather Bischoff/Adam Freed  
 (518) 573-3151, (970) 349-6800/ (970) 596-9123

**September 12**

**Event Cancelled**

**Chili and Beer Festival**

CB/Mt CB Chamber of Commerce

Contacts: Brittany Coutts/Ashley Upchurch

(970) 349-6438, (614) 599-7332/(919) 274-6917

**September 26-27**

**ARTumn Festival (Event Moved to 1<sup>st</sup> and Elk Parking Lot)**

Colorado Events

Contact: Steve Wallis

(720) 272-7467

**OCTOBER**

**October 4, 11**

**Sunday Farmers Market**

Crested Butte Farmers Market

Contact: Catherine Vader

(970) 901-4181

**NOVEMBER**

**DECEMBER**

**Color Coding for Calendar:**

**Red: New Applications received**

**Recurring Events:**

**Green: Farmers Market/Evening Market**

**Blue: Art Market**

**Purple: Misc. Pending Applications**

**Light Blue: Alpenglow**



## Staff Report

July 6, 2020

**To:** Mayor and Town Council  
**Thru:** Dara MacDonald, Town Manager  
**From:** Lynelle Stanford, Town Clerk  
**Subject:** Transfer of the Retail Marijuana Dispensary Permit from Crested Butte Wellness Center LLC to PG Retail I LLC  
**Date:** June 25, 2020

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### Summary:

PG Retail I LLC DBA Backcountry Cannabis Company applied for a transfer of a Retail Marijuana Dispensary Permit at 329 Belleview Avenue, Unit A. Staff submits the following findings regarding the application:

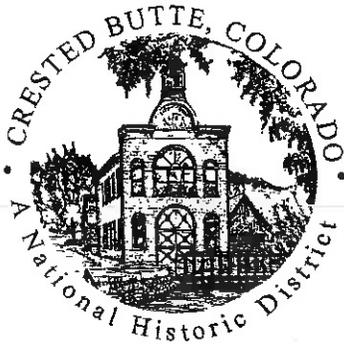
1. Notice of public hearing on the application was posted on the premises at least 10 days prior to the public hearing, and notice was published in the *Crested Butte News* on June 26, 2020.
2. A complete application has been submitted and all application fees have been paid.
3. It appears from evidence submitted that the applicant is entitled to possession of the premises for which the application for retail marijuana has been submitted.
4. It is confirmed that the sale of marijuana on the premises is not a violation of zoning, building, and health laws or regulations.
5. Crested Butte Wellness Center LLC was approved at the May 27, 2014 BOZAR meeting to obtain a conditional use that generated restrictive covenants.
6. PG Retail I LLC will only be selling to individuals 21 and over (Retail Dispensary).
7. The Crested Butte Marshal's Office conducted local background investigations concerning the records of Terry Lee Hibbs, Sterling Stoudenmire IV, and William Scott Boatman. The background investigations produced no results which would cause concern about the characters of the applicants at the public hearing. Fingerprints were also taken in June of 2020 and submitted to the CBI/FBI for complete background checks.
8. The State of Colorado has issued a contingent approval letter for the change of ownership. Part of the contingency is showing approval of the transfer from the Town of Crested Butte's Local Licensing Authority.

### Recommendation:

Staff recommends approval of the application to transfer the retail marijuana dispensary permit to PG Retail I LLC.

**Recommended Motion:**

Motion to approve the application for a transfer of a retail marijuana dispensary permit to PG Retail I LLC.



**TOWN OF CRESTED BUTTE  
APPLICATION FOR TRANSFER OF A MEDICAL AND/OR  
RETAIL MARIJUANA DISPENSARY PERMIT**

**1. Applicant is applying as a:**

- Individual
- Corporation
- Partnership (includes Limited Liability and Husband and Wife Partnerships)
- Limited Liability Company

**For a:**

- Medical Dispensary
- Retail Dispensary
- Medical and Retail Dispensary

- 2. Present Trade Name of Establishment:** Backcounty Cannabis Company
- 3. Present Name of Entity Holding the Permit:** Crested Butte Wellness Center, LLC
- 4. Applicant Name** (If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation):  
PG Retail I, LLC
- 5. Trade Name of Establishment (DBA):** Backcounty Cannabis Company
- 6. Applicant Mailing Address:** 7800 County Road 152, Salida, CO 81201
- 7. Applicant Phone Number:** 719-362-1024
- 8. Applicant Email Address:** gcraig@puregreens.com
- 9. Premise Address** (specify exact location of premise): 329 Belleview Avenue, Unit A  
Crested Butte, CO 81224

10. FEIN (Federal Employer Identification Number): [REDACTED]

11. List all persons/entities with any ownership interest and all officers and directors whether they have ownership interest or not. If an entity (corporation, partnership, LLC etc.) has interest list all persons associated with the entity, their ownership in the entity, and their effective ownership in the license. List all parent, holding or other intermediary business interests. **ALL PERSONS** with an ownership interest must also attach an Individual History Report, be fingerprinted at the Crested Butte Marshal's Office, provide proof of Colorado residency and a signed affidavit stating how long they have been a resident of Colorado. (*Attach additional sheet(s) if necessary*).

Name	Home Address, City & State	DOB	Position	% Owned
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See attached.

12. Attach the following (as applicable):

(a) Non-refundable application fee in the amount of \$1,000.00. Check made payable to the "Town of Crested Butte."

(b) Physical Address of the Property: 329 Belleview Avenue, Unit A  
Crested Butte, CO 81224

(c) Diagram of the premises of the marijuana dispensary. (on 8 1/2" x 11" paper, reflecting all ingress, egress, dimensions, walls and partitions).

(d) Owner of the property of the marijuana facility.  
Blue Skies Resources, LLC

➤ If applicant is the owner of the property attach deed of the property.

Ⓜ If the applicant is not the owner of the property where the marijuana dispensary is located, a notarized statement from the owner of such property authorizing the submission of the application and acknowledgement that the property is being leased for the purpose of operating a marijuana dispensary must be attached hereto.

(e) A complete set of applicants' fingerprints on file at the Crested Butte Marshal's

Office for all officers, directors, general partners, and managing members, in addition to any stockholders, partners or members with an ownership interest in the business.

- ✓ (f) Individual History Report for all for all officers, directors, general partners, and managing members, in addition to any stockholders, partners or members with a an ownership interest in the business.
- ✓ (g) Corporate Applicant Information: A Certificate of Incorporation or a Certificate of Good Standing if incorporated more than 2 years ago.
- NA (h) Partnership Applicant Information: A Partnership Agreement (general or limited). Not needed if husband and wife partnership.
- ✓ (i) Limited Liability Company Applicant Information: A copy of Articles of Organization (date stamped by the Colorado Secretary of State's Office), copy of Operating Agreement (if applicable).
- ✓ (j) Tax Distraint Information: Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other person with a financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue?  YES  NO
- If yes, provide an explanation and include copies of any payment agreements.
- ✓ (l) A comprehensive business plan for the marijuana dispensary, which shall contain:
- ✓ A security plan that reflects the proposed marijuana dispensary's compliance with Section 6-5-320 of the Code.
  - ✓ A description of the security provisions and systems.
  - ✓ A complete lighting plan that is in compliance with the applicable requirements for lighting in the Town Code.
  - ✓ A complete signage plan that is in compliance with the applicable requirements for signage in the Town Code, including, without limitation, Section 6-5-260.
  - ✓ A plan for disposal of unwanted marijuana, by-products and paraphernalia as required in Section 6-5-330 of the Town Code.
  - ✓ Hours of operation.
  - ✓ Number of employees.
  - ✓ Description of products to be sold.

- N/A (m) The Town Manager may also require the applicant to submit additional supporting documentation that he/she determines to be reasonably necessary in evaluating this application.

**By initialing each item below, applicant agrees to the following:**

- A. Applicant shall have an ongoing obligation to keep this application and all associated submittals and supporting documents included herewith up to date and current during the term of the permit for the marijuana dispensary and any renewal thereof.  
applicant initials: 
- B. If this application is approved and a permit is issued for the transfer of a marijuana dispensary permit, the applicant must provide the Town Manager with proof of the following prior to the commencement of business:
- ✓ A Town of Crested Butte Business License.
  - ✓ A Town of Crested Butte Sales Tax License.
  - ✓ A State of Colorado Sales Tax License.
  - ✓ A lease in the name of the applicant demonstrating possession of business premises if the property is not owned by applicant.
- applicant initials: 
- C. Submission of this application shall not eliminate the need for applicant to apply for any other required Town permits related to the operation of the approved marijuana dispensary, including, without limitation, conditional use permits, development approvals and building permits.  
applicant initials: 
- D. Applicant hereby swears, acknowledges, consents and agrees to the following:
- The owner of the premises where the marijuana dispensary will be located, applicant and the employees of the marijuana dispensary may be subject to prosecution under State, federal and local controlled substance laws.
- The owner of the premises where the marijuana dispensary will be located, applicant and the employees of the marijuana dispensary acknowledge and agree that the Town accepts no legal liability in connection with the approval and subsequent operation of the marijuana dispensary.
- Applicant hereby acknowledges consents and agrees that the Town will conduct a background investigation of applicant.  
applicant initials: 
- E. In executing this application, applicant hereby acknowledges, consents and agrees to the following:
- In executing this application applicant waives and releases the Town, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pools from

any liability for injuries, damages or liabilities of any kind that result from any arrest or prosecution of dispensary owners, operators, employees, clients or customers for a violation of State or federal laws, rules or regulations.

In executing this application the applicant agrees to indemnify, defend and hold harmless the Town, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands, on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the marijuana dispensary that is the subject of this application. The applicant further agrees to investigate, handle, respond to and to provide defense for and defend against, any such liability, claims or demands at its expense, and to bear all other costs and expenses related thereto, including court costs and attorneys' fees.

This application and the requirements associated herewith do not, and are intended to, protect the applicant, operators, employees, customers, property owners and clients of a permitted marijuana dispensary from prosecution pursuant to any laws that may prohibit the growing, cultivation, sale, use, distribution or possession of controlled substances. In addition, as of the date of this application the growing, cultivation, sale, possession, distribution and use of marijuana remain violations of federal and State law (except for conduct covered by Amendment 20), and this application affords no protection against prosecution under such federal and State laws. Applicant, operators, employees, customers, property owners and clients of a permitted marijuana dispensary assume any and all risk and any and all liability arising or resulting from the operation of the dispensary under any State or federal law. Further, to the greatest extent permitted by law, any actions taken under the provisions of this application by any public officer or officers, elected or appointed officials, employees, attorneys and agents of the Town shall not become a personal liability of such person or of the Town.

applicant initials: 

- F. This application may not be assigned or otherwise transferred in whole or in part. Any attempted assignment or transfer shall void the application *ab initio* and the application fee shall be forfeited.

applicant initials: 

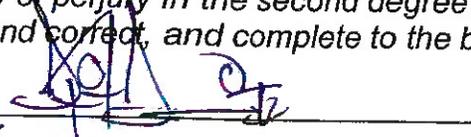
- G. The individual executing this application represents and warrants that he/she has obtained any and all approvals, authorizations and otherwise necessary to complete and submit this application and obligate itself to the conditions and requirements contained herein.

applicant initials: 

**Oath of Applicant**

*I declare under penalty of perjury in the second degree that this application and all attachments are true and correct, and complete to the best of my knowledge.*

Authorized Signature

A handwritten signature in blue ink, appearing to be "D. J. [unclear]", written over a horizontal line.

Title:

PRESIDENT & CEO

Date:

4/13/2020

Name	Title/Position	Business Associated With	Own % Business Associated with	Effective Own % in Applicant	Home address	DOB
William Scott Boatman	Owner/Manager	C3 Holdings, LLC	100%	98.90%	5801 East Princeton Ave., Englewood, CO 80111	[REDACTED]
C3 Holdings	Owner/Member	Pure Greens, LLC	98.90%	98.90%	5801 East Princeton Ave., Englewood, CO 80111	NA
Terry Lee Hibbs	Owner/Member	Pure Greens, LLC	1%	1%	146 Poncha Blvd., Salida, CO 81201	[REDACTED]
Sterling Stoudenmire IV	Owner/CEO	Pure Greens, LLC	0.10%	0.10%	6990 CR 111B, Salida, CO 81201	[REDACTED]
Pure Greens, LLC	Owner/Manager	PG Retail I, LLC	100%	100%	7800 County Road 152, Salida, CO 81201	NA



## Staff Report

July 6th, 2020

**To:** Mayor and Town Council  
**From:** Rob Zillioux, Finance and HR Director  
**Through:** Dara MacDonald, Town Manager  
**Subject:** 2020 Financial Update

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**Summary:** The COVID 19 pandemic continues to impact Crested Butte's economy and will be a strain on Town resources for the foreseeable future. The enclosed presentation is intended to:

1. Provide an update on year to date sales tax collections
2. Provide a refresher on expenses actions necessary to help offset revenue reduction due to the pandemic
3. Discussion of trade-offs

**Discussion:** This crisis is exactly why Town has maintained strong reserves and practiced conservative spending habits. Continued spending caution is advised should conditions worsen or another crisis hit Town.

In summary, and assuming the full complement of recommended expense actions are taken, Town can manage operations and provide regular services to our residents through 2020, even in a scenario where revenue is only 25% of budget. Full year sales tax revenue will likely come in below budget by \$1,000,000 to \$1,250,000. STR Excise tax, recreation / parks revenue and RETT are all likely to be well below budget for the year. All non-essential expenses will be scrutinized so as to protect against potential economic worsening. Given recent spikes in COVID 19 cases, particularly in States such as Texas, we should begin considering the possibility that CBMR may open in a limited basis, or not at all, this coming winter. Should this scenario occur, Town will need to rely on reserves for many months to come.

# 2020 Financial Update

Town of Crested Butte

July 6, 2020



# Headlines

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- YTD May sales tax collections are roughly 15%, and \$207k, below 2019. This total amount includes deferred collections from February, March and April.
- May sales tax was 9% down from 2019.
- STR Excise tax collections are \$74,286 YTD, versus \$97,432 in 2019.
- Cigarette / Nicotine tax collections are \$56,092 YTD
- 2020 Sales Tax deficit, versus budget, is projected at \$1,000,000 to \$1,250,000
- Town staff implemented expense management actions amounting to \$1,311,500 that will help offset revenue losses. However, Council since then has approved the Hockey Changing Room project to proceed. Thus, the net expense actions are now \$1,114,500.
- The pandemic continues to be very problematic, with several states (*including Texas*) slowing their reopening plans and some even going back to stricter measures.

# Sales Tax Collections – Monthly and Year to Date

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BUSINESS TYPE	Sales Tax Growth per Month					Year to Date - April			
	January	* February	March	April	May	2020	2019	\$ Diff	% Diff
BARS/REST	9%	-27%	-75%	54%	-40%	\$333,347	\$455,348	(\$122,001)	-27%
RETAIL	-6%	-18%	-41%	45%	12%	\$261,088	\$293,678	(\$32,590)	-11%
GROCERY	4%	5%	-11%	7%	25%	\$173,503	\$167,350	\$6,154	4%
CONST/HRDWR/AUTO	5%	34%	-26%	-6%	-8%	\$125,085	\$130,067	(\$4,982)	-4%
OTHER / Utilities	20%	-4%	5%	-8%	-18%	\$114,382	\$113,689	\$694	1%
LODGING	-17%	3%	-53%	27%	-60%	\$113,031	\$154,966	(\$41,935)	-27%
RETAIL:MMJ	5%	6%	-19%	-6%	28%	\$51,779	\$52,058	(\$279)	-1%
SERVICE	1%	-36%	-23%	-15%	-40%	\$45,825	\$58,005	(\$12,181)	-21%
<b>TOTAL</b>	<b>3%</b>	<b>-12%</b>	<b>-45%</b>	<b>22%</b>	<b>-9%</b>	<b>\$1,218,225</b>	<b>\$1,425,426</b>	<b>(\$207,202)</b>	<b>-15%</b>
Monthly Sales Tax \$000	\$340,684	\$278,842	\$240,897	\$187,629	\$170,173				

\* February normalized

# Expense Management Steps – Council approved 3/30

March 30 items - approved	Funds					Total
	General	Capital	Affordable	Enterprise	Streets	
Delay Marshal patrol vehicle		\$80,000				
Essential travel only	\$10,000					
Henderson Park		\$15,000				
Goth Raw Water		\$91,000				
Ice Hockey Changing Rooms		\$197,000				
Delay CAP projects		\$50,000				
Delay SOAR build			\$250,000			
Misc exp management	\$50,000					
<b>Total</b>	<b>\$60,000</b>	<b>\$433,000</b>	<b>\$250,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$743,000</b>

# Additional Expense Management Steps – Council approved 4/6/20<sup>66</sup>

## April 6th items

	Funds					Total
	General	Capital	Affordable	Enterprise	Streets	
Contract Custodian	\$13,500					\$13,500
TH Water Mitigation		\$25,000				\$25,000
Pita Shed Engineering		\$5,000				\$5,000
Capital Equipment					\$200,000	\$200,000
Alley paving					\$50,000	\$50,000
Capital Projects				\$200,000		\$200,000
MTX express (while idle)	\$0					\$0
Seasonal workers - Parks		\$75,000				\$75,000
	\$13,500	\$105,000	\$0	\$200,000	\$250,000	<b>\$568,500</b>

# Trade-offs made, and necessary, to achieve 2020 expense reductions to offset revenue losses due to COVID 19

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- **Capital Fund Parks:**

- \$142,800 in operating costs were cut. This includes no summer parks crew, only 1 gardener, no spring temp labor, reduced park maintenance supplies (i.e.. tools, non-capital equipment), reduced flowers, reduced trash receptacles and emptying, reduced lawn moving and trimming, reduced picnic tables in parks, no tree planting for Arbor Day, no holiday wreaths.
- \$360,500 in capital projects were cut. This included Hockey Changing Rooms (since re-approved), Henderson Park Renovation, and Gothic Field Raw Water Project.

- **General Fund Recreation:**

- \$31,500 in operating costs has been cut. This includes cuts in equipment purchases, program staffing, no summer intern, travel and education, office supplies, etc.

- **Open Positions that are on hold indefinitely:**

- Senior Planner, Facilities Maintenance Worker, Summer Park Crew, Streets Heavy Equipment Operator

# Recommendations

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- Continue to defer non-essential expenses, as previously approved by Council for purposes of offsetting lost sales tax revenue.
  - COVID 19 cases are spiking now in the USA, as restrictions have been lifted. Hypothetically, should “ski season” start today it would be unlikely for CBMR to open or open at regular capacity.
  - The prospect of no (or limited) CBMR ski season should spur Staff and Council to continue conservative spending for the remaining 2020 and into 2021.
- Prior to commencing construction of the hockey changing rooms, gain commitment from WEHA to clean thoroughly after each use. Town does not have staff for nightly cleaning. Waiting to the next morning is not an option as the facilities will be frozen and, in turn, all the beer and any other fluids deposited from the previous night’s festivities will be frozen as well. This does not work for cleaning.
- Shop local!

# Appendix

# Shopping Locally

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Shopping locally is proven to be a great way to strengthen communities. Roughly 70% of money spent locally stays and circulates locally. This compares, typically, to NO money staying in the community when you shop online.

## Primary benefits of shopping locally:

### 1. Local job base

- Amazon and other on-line retailers do not hire locally. Big Al's, Chop Wood, Alpineer and all our local businesses hire locally.

### 2. Unique community and creativity

- Local businesses help foster a unique, strong community. Think Pizza Hut versus Secret Stash, Mikey's or The Brick....

### 3. Lower environmental impact

- How many boxes, plastic packaging material and CO2 came with the "must have" item that was shipped to you from who knows where?

### 4. Non-profits benefit

- Thriving local businesses support local non-profits. On-line retailers and big box stores typically do not give back to small communities.

### 5. Taxes are put to good use

- Healthy local business communities foster a healthy tax base that in turn helps with important local municipality needs. For example, a strong CB tax base allows for important recreational programs and parks. In a weak local tax environment, parks and recreation are typically hurt first and most.

### 6. Personal touch and support

- Your local fishing outfitter can advise better flies and honey holes



## Staff Report

July 6, 2020

**To:** Mayor Schmidt and Town Council  
**From:** Mel Yemma, Planner I  
**Thru:** Troy Russ, Community Development Director  
**Subject:** Elk Avenue One-Way COVID Response Plan Update  
**Date:** July 6, 2020

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**Summary:** On June 16<sup>th</sup>, the Town of Crested Butte reconfigured Elk Avenue into a one-way street with a hybrid design of converting select public on-street parking spaces to seating/retail areas. The Town also converted some on-street parking spaces along Third Street, as well as worked with off-Elk businesses to expand their outdoor sales opportunities for the summer of 2020.

The Town's goal for the Elk Avenue, Third Street, and all off Elk businesses is to help everyone succeed in a time of social distancing and limited retail capacity for business, bars, and restaurants. The following staff report provides an update on the reconfiguration including feedback received, public health order compliance, and more.

**Implementation Overview:** All businesses utilizing the public ROW, brick paver furnishing zone, and/or expanded seating on their private property had to submit a revocable outdoor seating expansion permit application. The attached map indicates the seating/retails areas that are utilizing the public ROW on Elk Avenue and Third Street. In total, 48 permits were issued, with several businesses obtaining public ROW, brick paver furnishing zone, and private property seating/retail expansion permits.

Over the last two weeks, Town Staff has conducted several courtesy walks and business check-ins, as well as fielding requested changes and adding seating/retail areas for The Last Steep, Pfisters, and Mountain Tops. The Town is currently out of supplies for additional seating areas and has established a waitlist for additional area requests from Rocky Mountain Chocolate Factory and the Public House.

**Staff's Next Action:** *During the week of July 6<sup>th</sup>, Town Staff will again check with businesses who haven't fully utilized their outdoor areas to date and either reduce their size, or convert their spaces back to on-street parking. The extra barriers and barrels will be moved to the businesses on the waitlist for them to utilize.*

**Public Health Order Compliance:** The Town is aware of the amount of visitation and congestion on Elk Avenue and has been working with all of the businesses to ensure that the public health order requirements are being adhered to. Town Staff has had multiple contacts with restaurants regarding their table spacing (6 ft. between chair backs (with people in them), as well as 8 ft. clearance on the sidewalk for through traffic. Additionally, the Community Development Department invited the Gunnison County Health Inspector Jenn Chavez and the Town Marshal to do a walk through on June 26<sup>th</sup> to check compliance, answer

questions and provide clarity around the public health orders. While there were minor tweaks to be made, the majority of the corridor was in compliance.

On June 29<sup>th</sup>, Town Staff sent out a reminder email to all businesses regarding the public health orders and communicated that going forward, the Town will be using a three step education and enforcement process for public health orders and licensing requirements.

- The 1<sup>st</sup> violation will result in a written warning from Town;
- The 2<sup>nd</sup> violation will result in the business losing the use of its public outdoor seating area for the following weekend; and,
- The 3<sup>rd</sup> violation will cause the Town to revoke the outdoor seating permit for the business with removal of the barriers and tables for the summer.

Note that violation of a public health order may also constitute a violation of a liquor license of the establishment for failure to comply with State, County and/or local conditions and requirements for serving alcohol. Such violations could trigger the liquor license revocation process. The letter sent out to Crested Butte businesses is attached.

***Staff's Next Action:*** *One item staff is considering is assigning the four blocks of Elk Avenue as a mandatory mask zone for certain times of day. It is becoming difficult, if not impossible, to maintain 6-foot separation along Elk Avenue sidewalks. Therefore, to maintain current health orders, staff is considering signing and enforcing the four blocks as a mandatory mask zone.*

**Elk Avenue Feedback Received:** Town Staff sent out a survey to local businesses on June 23<sup>th</sup> to gauge feedback on the reconfiguration. The survey results as of 2:00 p.m. on Wednesday and additional email comments received are attached. Overall, of 40 respondents, 70% indicated that the reconfiguration meets or exceeds expectations and 30% indicated it is below expectations. Staff will provide an update at the Council meeting on any additional surveys submissions received after the Town Council packet was sent out. The primary feedback points are centered around the following:

**Look of the Street:** Due to the temporary nature of the reconfiguration, as well as the Town's current financial status with COVID-19, the Town utilized existing materials for barricades on Elk Avenue, which saved costs while also ensuring a safe environment for Elk Avenue. The Town has fielded many complaints regarding the look of the yellow high-visibility rope and the unplanted flower barrels. The Town has been working to plant all of the large flower boxes and they will all have been planted as of July 3<sup>rd</sup>. Additionally, the Town communicated with the businesses prior to implementation that we were unable to plant the barrels due to our lack of seasonal gardening staff and that all businesses are welcome to decorate their areas as they see fit (including changing the rope, providing additional barriers, etc.). Many of the businesses have taken advantage of this opportunity to decorate their spaces with their own unique styles. Additionally, the Town worked with the Crested Butte/Mt. Crested Butte Chamber of Commerce to develop a "sponsor a seating" program to help businesses plant flowers and decorate their areas.

***Staff's Next Action:*** *Staff will conduct a follow-up survey in the last week of July.*

**Bike Access:** A primary complaint that the Town has fielded is that bikes may only travel one-way on Elk Avenue during the reconfiguration and that there are no bike lanes in the design.

Unfortunately, there is not enough space for bike lanes in the current reconfiguration. According to the Federal Highway Administration (FHWA) standards, a bike lane would need at least 5 feet wide (when adjacent to on-street parking) and a contra-flow bike lane would need an additional 3 feet. In order to fit a bike lane, the parking and seating areas from at least the south side of the street would need to be removed, which would defeat the intent of the reconfiguration and substantially reduce the amount of parking on Elk Avenue.

Town Staff would like to again remind bikers that they are subject to the same traffic regulations as vehicles, which includes riding one-way west-bound down Elk Avenue. With the 10 mph speed limit, bike riders are encouraged to “take the lane” and ride in the middle of the road with traffic, as there is less than a 5 mph speed differential and cars should not overtake and pass a biker at that speed. Additionally, there are numerous alternatives to biking east-bound, including the alleys, Sopris Avenue, Maroon Avenue, and any other street parallel to Elk Avenue.

***Staff's Next Action:*** *No further action is contemplated at this time*

**Safety:** Town staff has received some comments (positive and negative) regarding perceived safety of the street. Many of these comments relate to the barriers, traffic and bike and pedestrian mix, and overall change from the standard Elk Avenue operation.

The key measure of success is the number of crashes reported on the corridor. The Marshals have filed one report on Elk Avenue since the reconfiguration, involving a motorist opening a door and hitting a bicyclist. This incident was not caused by the design of Elk Avenue; it was the result of the motorist failing to survey his surroundings before opening his door.

The corridor, while chaotic, is operating safely. The street’s design and the diverse number of users along the street, including: diners and shoppers, elevates the awareness of pedestrians, bicyclists, and motorists. Chaos is a key principle of a shared street and, in combination with a 10 mph speed limit, staff is confident in the safety of the corridor.

***Staff's Next Action:*** *Staff is working with Mountain Express to reconfigure the mid-block bus stop on Elk Avenue. Currently buses stop in the middle of the street, creating passing areas for bikers and a conflict point where customers board and alight the buses. The new operation will shift the buses’ stopping slightly to the right, creating a bike passing area to the left of bus eliminating that potential conflict.*

**Parking and Bus Access:** June has been a busy month, and understandably due to COVID-19, more people are opting to drive instead of ride public transportation. While there have still been parking spots available at the 4-way and 1<sup>st</sup> and Elk Avenue public parking lots, the Town remains committed to utilizing signage and outreach to encourage parking at the school parking lot if parking becomes a larger concern. Additionally, to mitigate parking issues, Mountain Express added a new, temporary stop mid-way down Elk Avenue on the 300 block, which has seen good ridership. Additionally, for the 4<sup>th</sup> of July weekend, and potentially for future weekends (based on ridership levels), Mountain Express will be adding an additional bus in order to transport additional passengers and provide bus service every 10 minutes.

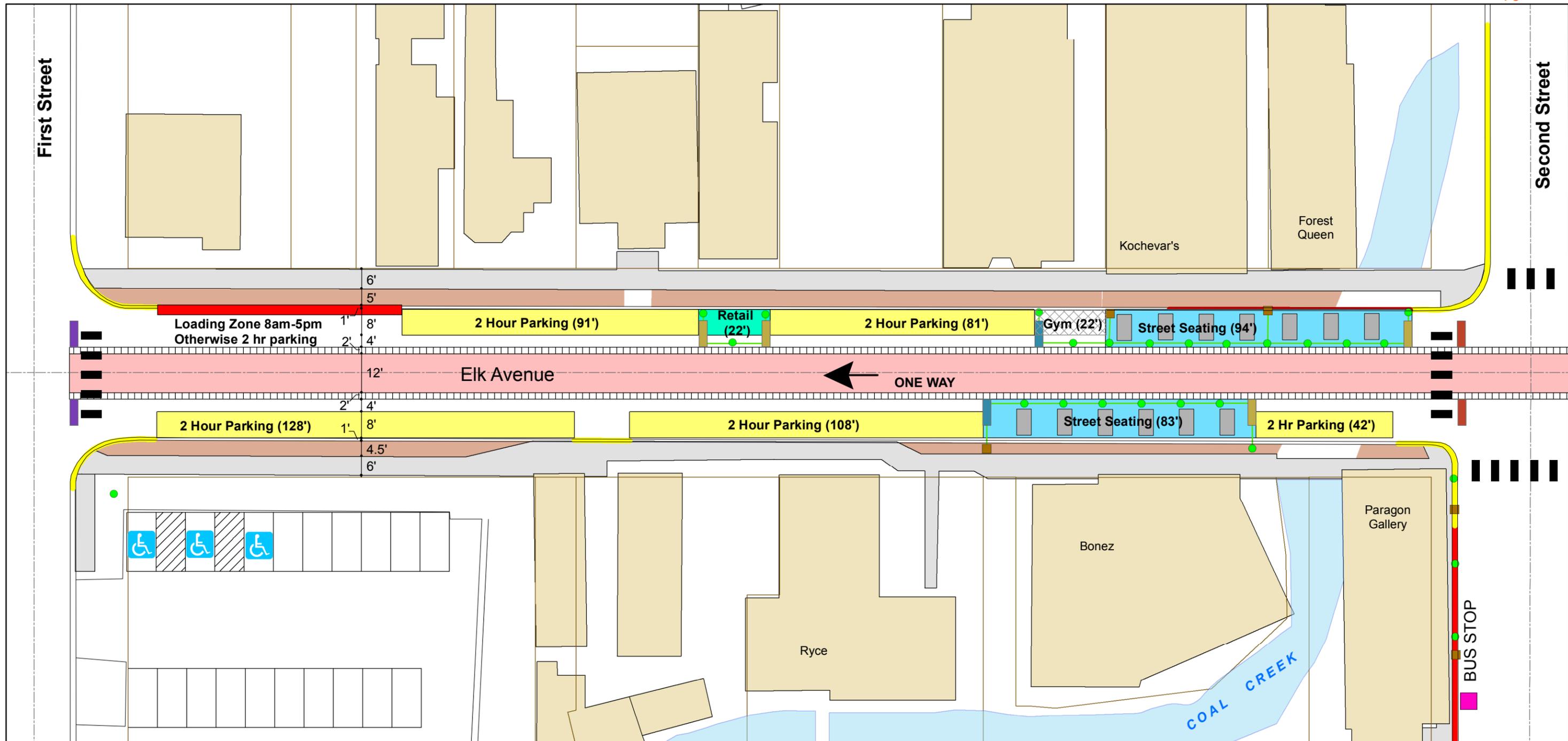
***Staff's Next Action:*** *Safety improvements are noted above. Staff is additionally pursuing grant funding to assist with additional 10 minute services of summer weekends (see below).*

**Timeline:** The Town Council approved the Elk Avenue COVID-19 response plan with the intent of resuming the normal operation of Elk Avenue on September 1<sup>st</sup>, or checking in on the timeline at each meeting. The current survey results indicate that 27.5% are comfortable with September 1<sup>st</sup>, 37.5% would prefer for it to be up longer depending on the weather in September, and 35% prefer for it to be taken down before September 1<sup>st</sup>.

***Staff's Next Action:*** *Town Staff would like to check in with Council on a potential timeline modification on August 4<sup>th</sup> based on additional survey results and COVID-19 conditions.*

**CDOT Funding Opportunity:** The Colorado Department of Transportation released a new grant opportunity called the “Revitalizing Main Streets Program”. This program was developed to support infrastructure projects that provide open spaces for mobility, community activities and economic development in the wake of the COVID-19 emergency. These quick-win activities will improve safety and create new community spaces to encourage healthy activity and mobility in Colorado’s towns and cities. CDOT’s streetscape challenge will offer small-scale grants that support creative uses of public infrastructure in both cities and small towns across the state. Town Staff submitted a grant application on July 2<sup>nd</sup> with the hope of recouping our costs on the reconfiguration and reimbursing the costs of the additional Mountain Express bus service.

**Town Council Direction:** Town Staff would like to discuss the Town Council and community’s feedback on the reconfiguration during this agenda item and check in on any suggested changes and the timeline.

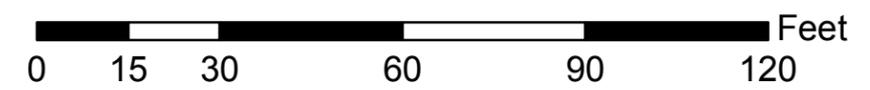
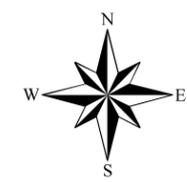


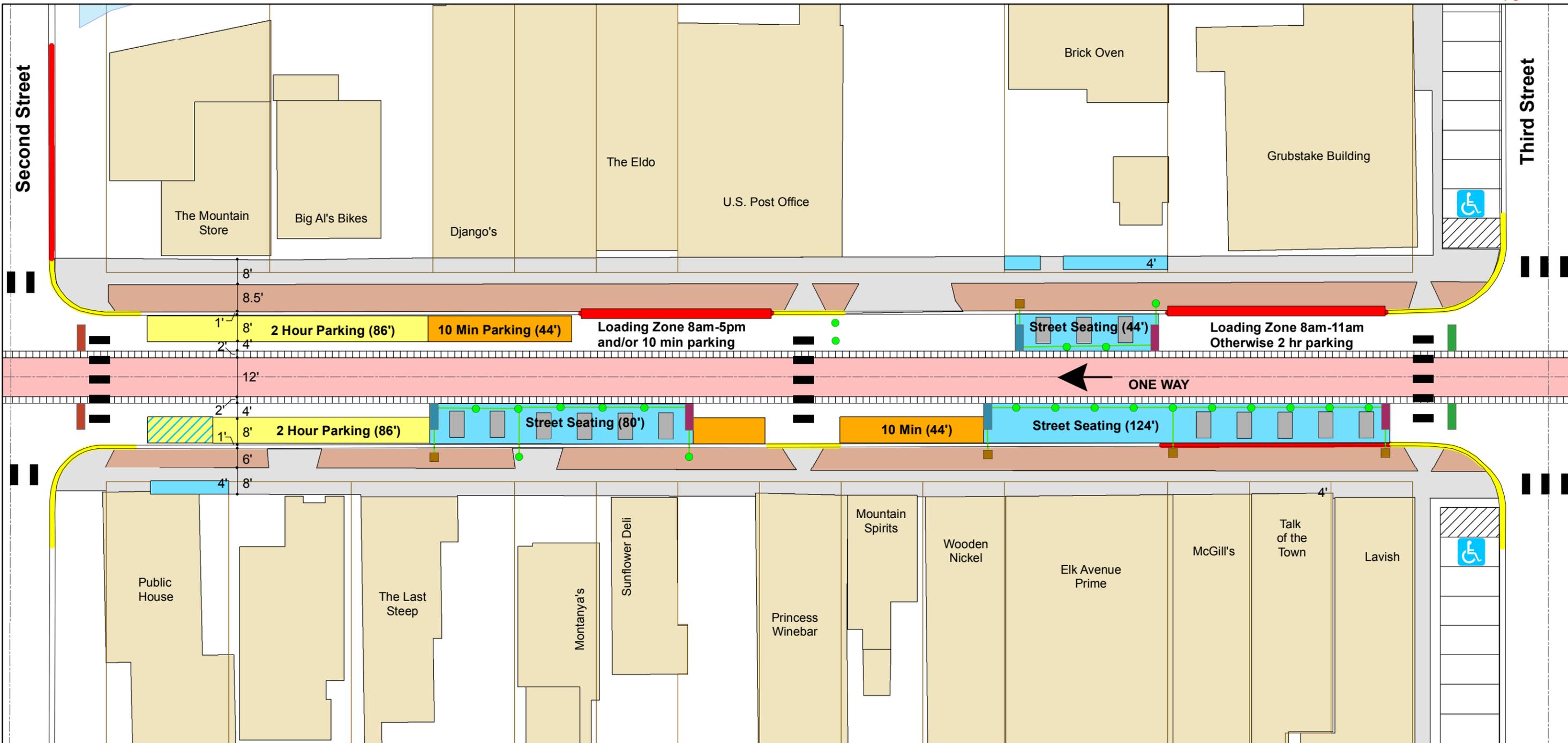
### Proposed Elk Avenue Layout, Summer 2020

### 100 Block

- Road Centerline
- █ One Way Drive Lane (12' wide)
- ▨ 2' Wide Shoulder
- ▭ Parcel Boundaries
- ▭ Buildings
- ▬▬▬▬ Crosswalk
- Flower Boxes**
- █ 4 x 8 (4)
- █ 3 x 8 (4)
- █ 2 x 8 (11)
- █ 3 x 6 (13)
- █ 3 x 8 Triangular (4)
- █ 5 x 6 Triangular (4)
- █ 10 Minute Parking
- █ 2 Hour Parking
- █ Seating
- █ Retail
- ▨ Waitlist for Seating Area
- ▭ Sidewalk
- █ Brick Pavers
- █ Grass
- █ Bear-Proof Trash Cans
- Flower Barrel

▭ Picnic Table Size 8' x 4.5'



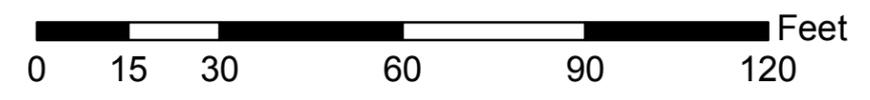
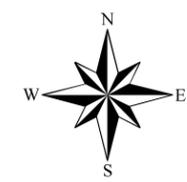


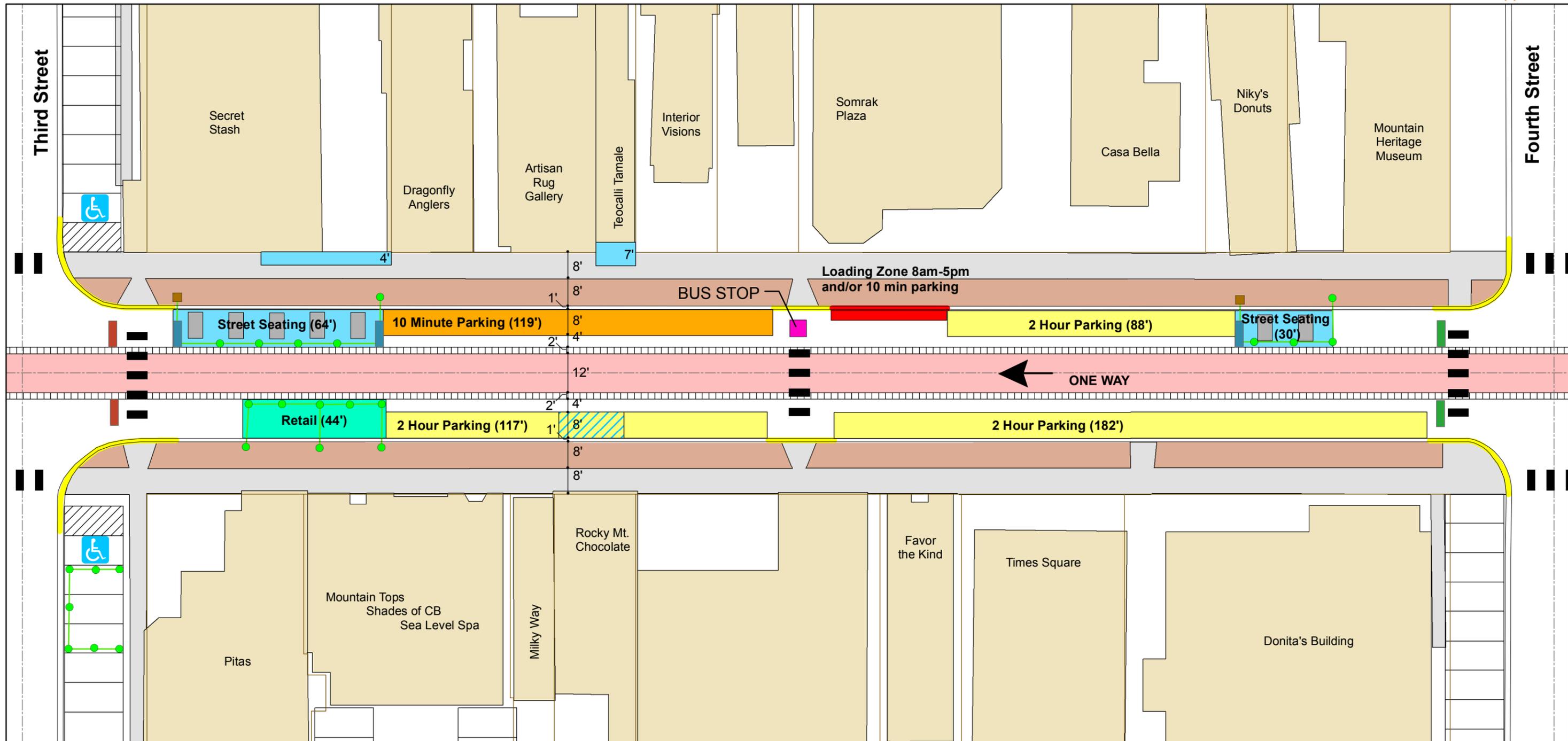
### Proposed Elk Avenue Layout, Summer 2020

### 200 Block

Grey square icon: Picnic Table Size 8' x 4.5'

- Road Centerline
- One Way Drive Lane (12' wide)
- 2' Wide Shoulder
- Parcel Boundaries
- Buildings
- Crosswalk
- Flower Boxes**
  - 4 x 8 (4)
  - 3 x 8 (4)
  - 2 x 8 (11)
  - 3 x 6 (13)
  - 3 x 8 Triangular (4)
  - 5 x 6 Triangular (4)
- 10 Minute Parking
- 2 Hour Parking
- Seating
- Retail
- Waitlist for Seating Area
- Sidewalk
- Brick Pavers
- Grass
- Bear-Proof Trash Cans
- Flower Barrel

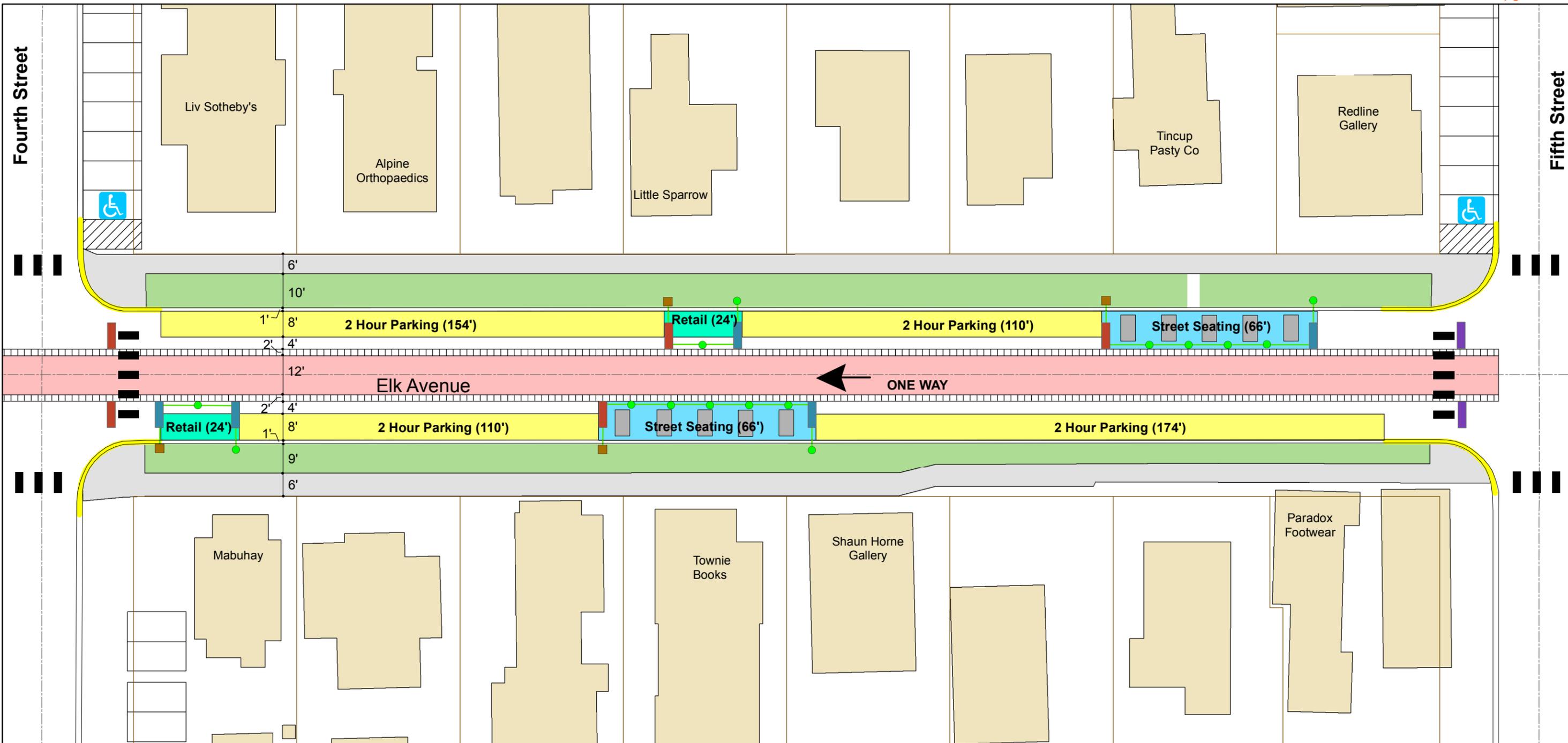




**Proposed Elk Avenue Layout, Summer 2020 300 Block**

<ul style="list-style-type: none"> <li>--- Road Centerline</li> <li>One Way Drive Lane (12' wide)</li> <li>2' Wide Shoulder</li> <li>Parcel Boundaries</li> <li>Buildings</li> <li>Crosswalk</li> </ul>	<p><b>Flower Boxes</b></p> <ul style="list-style-type: none"> <li>4 x 8 (4)</li> <li>3 x 8 (4)</li> <li>2 x 8 (11)</li> <li>3 x 6 (13)</li> <li>3 x 8 Triangular (4)</li> <li>5 x 6 Triangular (4)</li> </ul>	<ul style="list-style-type: none"> <li>10 Minute Parking</li> <li>2 Hour Parking</li> <li>Seating</li> <li>Retail</li> <li>Waitlist for Seating Area</li> </ul>	<ul style="list-style-type: none"> <li>Sidewalk</li> <li>Brick Pavers</li> <li>Grass</li> <li>Bear-Proof Trash Cans</li> <li>Flower Barrel</li> </ul>	<p>Picnic Table Size 8' x 4.5'</p>
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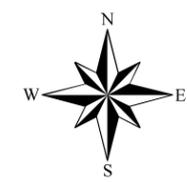


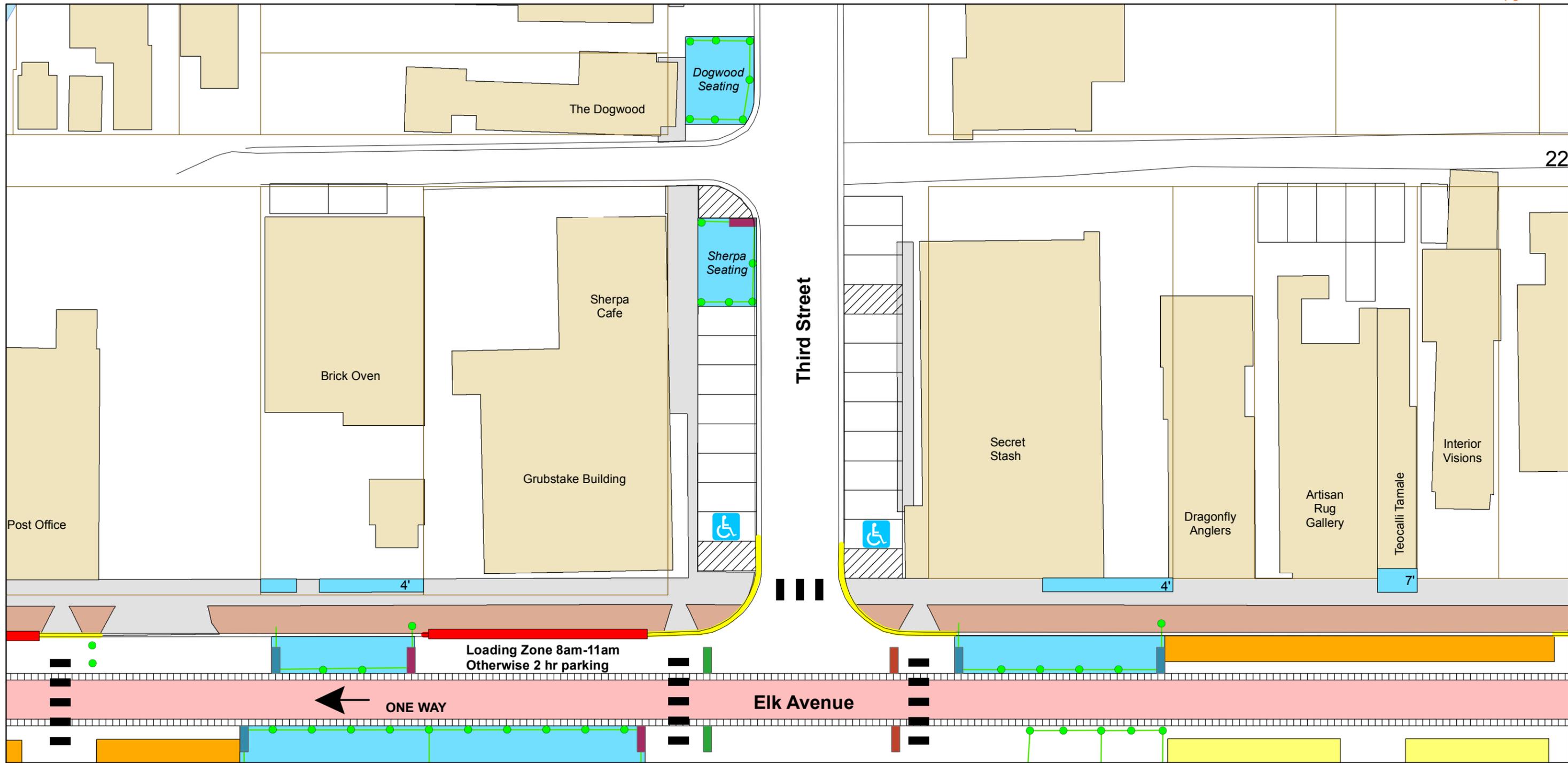
### Proposed Elk Avenue Layout, Summer 2020

### 400 Block

<ul style="list-style-type: none"> <li>--- Road Centerline</li> <li>One Way Drive Lane (12' wide)</li> <li>2' Wide Shoulder</li> <li>Parcel Boundaries</li> <li>Buildings</li> <li>Crosswalk</li> </ul>	<b>Flower Boxes</b> <ul style="list-style-type: none"> <li>4 x 8 (4)</li> <li>3 x 8 (4)</li> <li>2 x 8 (11)</li> <li>3 x 6 (14)</li> <li>3 x 8 Triangular (4)</li> <li>5 x 6 Triangular (4)</li> </ul>	<ul style="list-style-type: none"> <li>10 Minute Parking</li> <li>10 Minute Parking (possible future seating)</li> <li>2 Hour Parking</li> <li>Seating</li> <li>Parking (possible future seating)</li> <li>Retail</li> </ul>	<ul style="list-style-type: none"> <li>Sidewalk</li> <li>Brick Pavers</li> <li>Grass</li> <li>Bear-Proof Trash Cans</li> <li>Flower Barrel</li> </ul>
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Picnic Table Size 8' x 4.5'

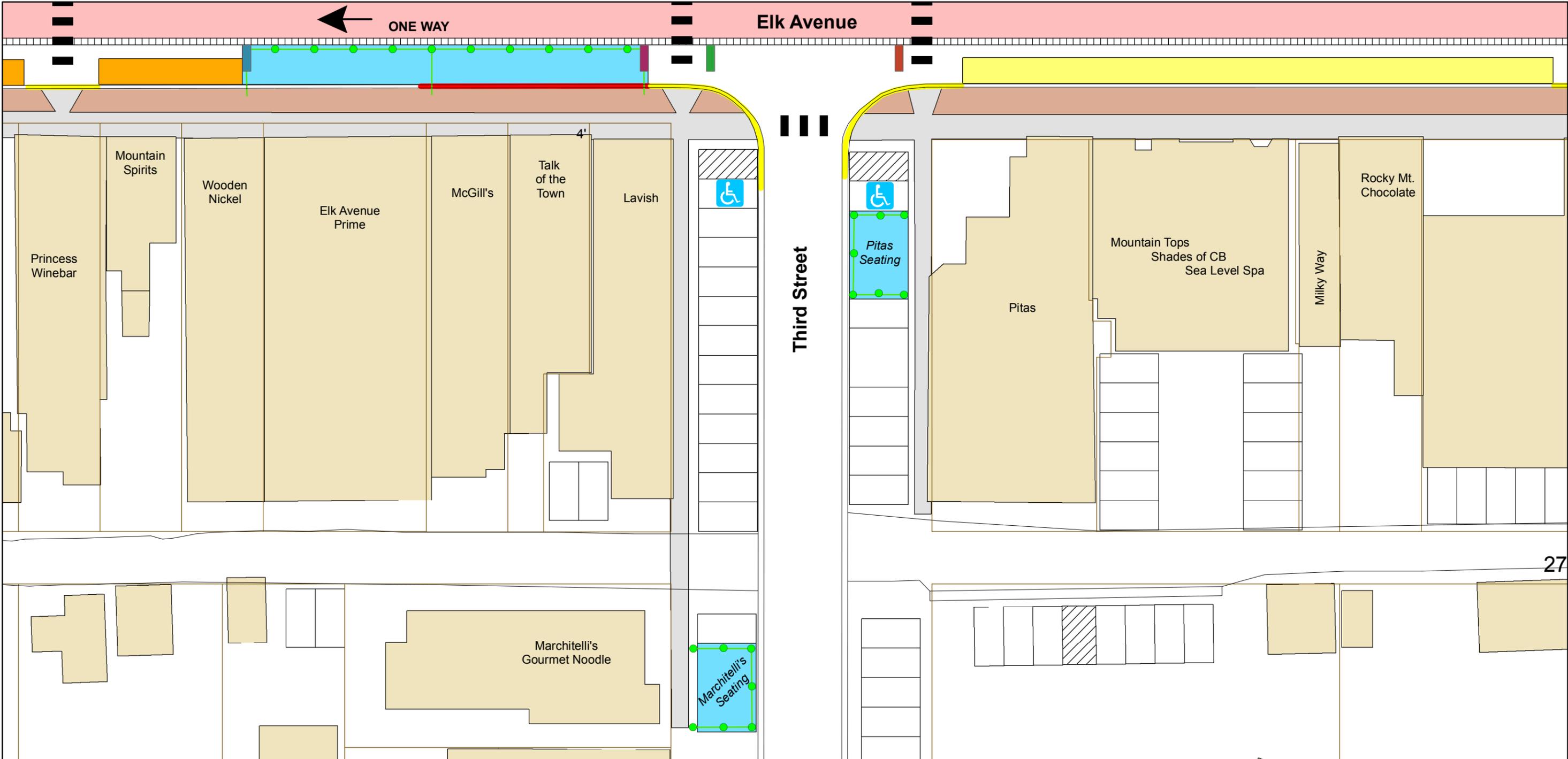




**Proposed Elk Avenue Layout, Summer 2020 - North Side of Elk Avenue at Third Street**  
**Town of Crested Butte, CO**

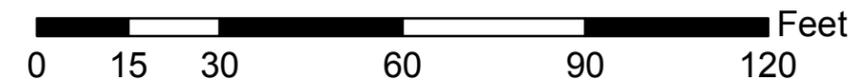
- |                               |                     |                      |   |               |
|-------------------------------|---------------------|----------------------|---|---------------|
| One Way Drive Lane (12' wide) | <b>Flower Boxes</b> | 3 x 6 (14)           | 10 Minute Parking                           | Sidewalk      |
| 2' Wide Shoulder              | 4 x 8 (4)           | 3 x 8 Triangular (4) | 10 Minute Parking (possible future seating) | Brick Pavers  |
| Parcel Boundaries             | 3 x 8 (4)           | 5 x 6 Triangular (4) | 2 Hour Parking                              | Flower Barrel |
| Buildings                     | 2 x 8 (11)          | Seating              | Parking (possible future seating)           |               |
| Crosswalk                     |                     |                      |   |               |





**Proposed Elk Avenue Layout, Summer 2020 - South Side of Elk Avenue at Third Street  
Town of Crested Butte, CO**

- |                               |                     |                      |   |               |
|-------------------------------|---------------------|----------------------|---|---------------|
| One Way Drive Lane (12' wide) | <b>Flower Boxes</b> | 3 x 6 (14)           | 10 Minute Parking                           | Sidewalk      |
| 2' Wide Shoulder              | 4 x 8 (4)           | 3 x 8 Triangular (4) | 10 Minute Parking (possible future seating) | Brick Pavers  |
| Parcel Boundaries             | 3 x 8 (4)           | 5 x 6 Triangular (4) | 2 Hour Parking                              | Flower Barrel |
| Buildings                     | 2 x 8 (11)          | Seating              | Parking (possible future seating)           |               |
| Crosswalk                     |                     |                      |   |               |



July 30, 2020 (sent via email and through the CB/Mt. CB Chamber of Commerce)

Good morning,

The Elk Avenue/3<sup>rd</sup> Street reconfiguration has now been operating for two weeks along with additional outdoor seating areas for some off-Elk businesses. During this time, town staff has been proactive in conducting courtesy walks and check-ins with each business to ensure the design is working and each business knows the social distancing requirements, are adhering to the 9:00 pm curfew, and are enforcing the smoking ban in seating areas as required in the Town's outdoor seating permits.

The courtesy walks culminated last Friday when town staff, the Town Marshal, and the County Health Department walked the corridor together. While there were minor tweaks to be made, the majority of the corridor is working well. Great job!

The Town's goal for the Elk Avenue One-way, and all of the outdoor expansion permits, is to help everyone succeed in a time of social distancing and limited retail capacity for business, bars, and restaurants. Businesses have largely done an outstanding job of decorating and utilizing these spaces and we hope it is helping your bottom line.

We have all read about new outbreaks of the Coronavirus throughout the Country. The July 4<sup>th</sup> weekend is upon us. We cannot let down our guard and risk another shutdown of our economy. Therefore, we all need to work together to comply with the public health orders to keep our town open. Under Gunnison County and Colorado health orders, businesses are allowed to re-open, subject to certain conditions and requirements. The Town also has imposed conditions on outdoor seating permits. This means that each business has to make sure that it is in compliance with County, State and local conditions and requirements. Going forward, the Town and the County will be using a three step education and enforcement process for public health orders and licensing requirements.

- The 1<sup>st</sup> violation will result in a written warning from Town;
- The 2<sup>nd</sup> violation will result in the business losing the use of its public outdoor seating area for the following weekend; and,
- The 3<sup>rd</sup> violation will cause the Town to revoke the outdoor seating permit for the business with removal of the barriers and tables for the summer.

Note that violation of a public health order may also constitute a violation of a liquor license if the establishment for failure to comply with State, County and/or local conditions and requirements for serving alcohol. Such violations could trigger the liquor license revocation process.

We have all witnessed a busy June, and as we enter a holiday weekend, the Town of Crested Butte is sending you all a reminder regarding important aspects of the public health orders and the requirements of the Town's outdoor seating permits that we must all work together to adhere to and ensure the Town does not experience another spread of the Coronavirus.

1. **Capacity and Table Spacing:** Businesses utilizing expanded outdoor seating areas must maintain the capacity and table spacing layout that was approved with the revocable permit. For all restaurants and bars, for both inside and outside service, tables must be spaced 8 ft. apart or 6 ft. from chair back to chair back when people are seated (whichever is more). Social distancing must be maintained—large parties of more than eight, whether inside or outside, are not allowed.

2. **Managing Lines:** Businesses serving take-out food must manage their lines with six foot separators within their building and along the sidewalk to ensure social distancing for both their customers and pedestrians moving on the sidewalk can be maintained. **Businesses are welcome to utilize tape, paint, or decals to mark spaces on the sidewalk as necessary.**
3. **Sanitation and Trash:** All tables must be sanitized between parties. Businesses serving take-out food/beverages or food/beverages in disposable containers and utilizing an outdoor seating area must have a trash can on-site and are responsible for emptying. **The Town has extra bear-proof trash cans available where the business is responsible for emptying. Please contact Town if you would like a trash can. Also, the Crested Butte Fire Protection district has bulk hand sanitizer that you may use if you need it.**
4. **Masks:** Face coverings are required in the public health order for employees interacting with the public, and for customers indoors and for everyone outdoors if 6 ft. of social distancing can't be maintained. **The Chamber of Commerce has extra masks for businesses to hand out to customers. Please contact the Chamber if you need masks. Wearing is caring—please help us adhere to this requirement.**
5. **Smoking Ban:** No smoking is permitted in the outdoor seating areas, or in areas within 25 feet of an entrance to a business. **The Town has extra Clean Air Act smoking signs if you would like one.**
6. **9pm Curfew:** All use of the spaces allowed through outdoor seating permits must stop at 9pm.

We understand that the COVID-19 Pandemic has been difficult for everyone. We also understand that the public health order requirements can be confusing. If you have questions, please ask. The Town is working closely with Gunnison County's Health and Human Services Department to ensure everyone understands and can implement public health orders. The Town and County are here to help. Please contact Mel Yemma at [melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov) , or Jenn Chavez at [JChavez@gunnisoncounty.org](mailto:JChavez@gunnisoncounty.org) with any questions.

Finally, the [business survey regarding the Elk Avenue reconfiguration](#) is still open until the end of the day on Wednesday, July 1<sup>st</sup>. We appreciate your submissions and we will be discussing the reconfiguration at the next Town Council meeting on July 6<sup>th</sup>. Additionally, the Town is now receiving requests for additional outdoor seating areas and we are out of supplies. If you are not utilizing your outdoor area and would prefer to have it taken down to resume standard public parking, please let us know.

Thank you,

Mel Yemma  
Planner  
Town of Crested Butte  
(970) 349-5338

## Q1 What is the name of your business?

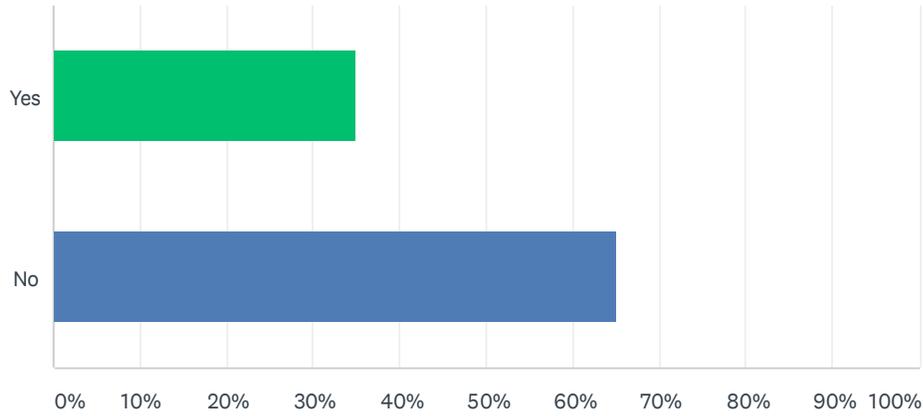
Answered: 39 Skipped: 1

#	RESPONSES	DATE
1	Coal Creek Grill	6/30/2020 11:17 PM
2	Redline gallery	6/30/2020 5:49 PM
3	studio west inc	6/30/2020 7:46 AM
4	Sea Level Spa	6/27/2020 12:19 PM
5	The Mountain Store	6/27/2020 11:58 AM
6	West Elk Soccer Association	6/26/2020 4:23 PM
7	Thrive Yoga	6/26/2020 3:43 PM
8	Mountain Tops/Shades	6/26/2020 2:22 PM
9	Coburn Development	6/26/2020 10:40 AM
10	Mountain Spirits Liquors	6/25/2020 2:32 PM
11	Evolve Coworking	6/24/2020 3:44 PM
12	The Dogwood	6/24/2020 11:52 AM
13	elk ave prime	6/24/2020 9:11 AM
14	Crested Butte Angler	6/24/2020 8:32 AM
15	The Sunflower	6/24/2020 8:31 AM
16	Mcgills	6/24/2020 7:41 AM
17	Milky Way	6/23/2020 6:27 PM
18	Alpha Theory	6/23/2020 6:13 PM
19	Townie Books/Rumors	6/23/2020 5:47 PM
20	Tin Cup Pasty Co	6/23/2020 5:40 PM
21	LIV Sotheby's Internationa Realty	6/23/2020 5:19 PM
22	Andrew Hadley Architect	6/23/2020 4:57 PM
23	The secret stash + Bonez	6/23/2020 4:54 PM
24	Marchitelli	6/23/2020 4:50 PM
25	Talk of The Town	6/23/2020 4:24 PM
26	Chopwood Mercantile	6/23/2020 3:36 PM
27	Teocalli Tamale	6/23/2020 3:36 PM
28	Paradox Footwear	6/23/2020 3:16 PM
29	Casa Bella	6/23/2020 3:08 PM
30	Wooden Nickel	6/23/2020 3:08 PM
31	Bliss	6/23/2020 3:06 PM
32	Peak Property Management	6/23/2020 2:23 PM
33	Stanford Computers & Technical Services	6/23/2020 2:12 PM
34	Bluebird Real Estate	6/23/2020 2:05 PM
35	Niky's	6/23/2020 2:05 PM
36	brick oven	6/23/2020 2:04 PM
37	Crested Butte Tobacconist & Lifted Gifts	6/23/2020 1:58 PM

38	Mabuhay LTD.	6/23/2020 1:58 PM
39	Favor The Kind	6/23/2020 1:56 PM

### Q2 Are you using the Brick Furnishing Zone?

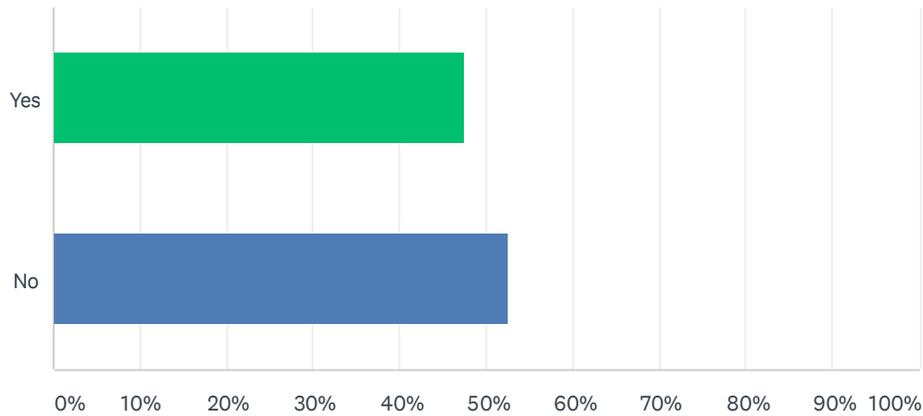
Answered: 40 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	35.00%	14
No	65.00%	26
TOTAL		40

### Q3 Are you using parking spaces from either Elk Avenue or Third Street?

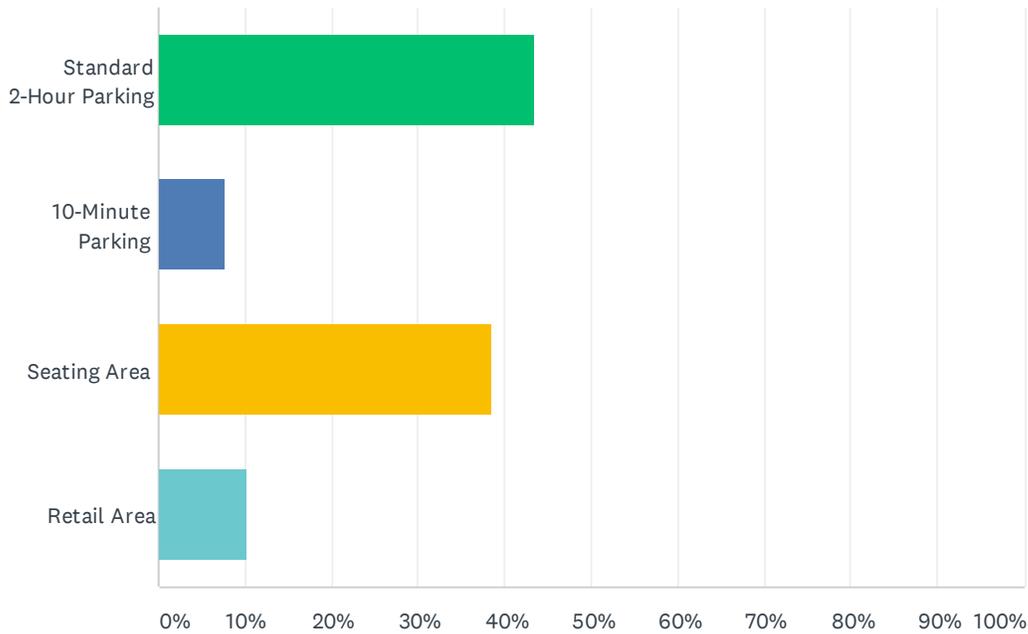
Answered: 40 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	47.50%	19
No	52.50%	21
TOTAL		40

### Q4 How is the Street space in front of your business being used? (Please check one option)

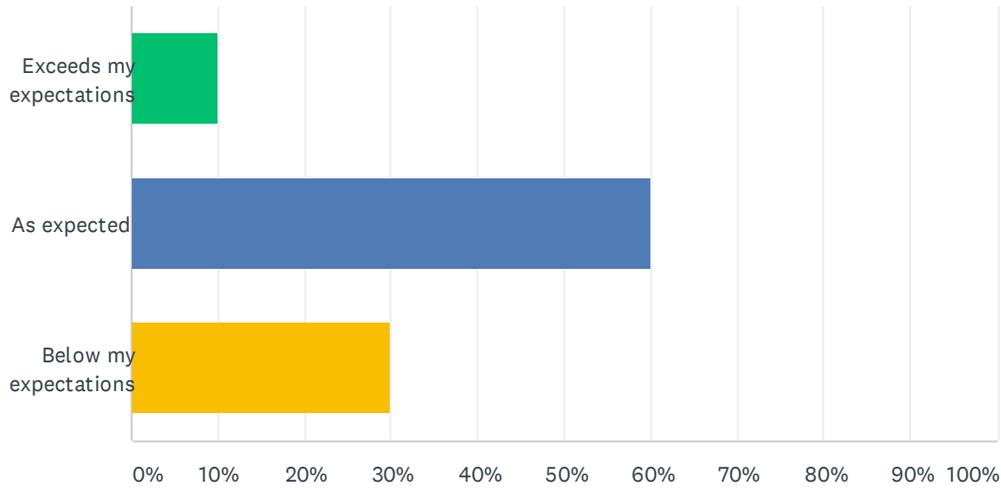
Answered: 39 Skipped: 1



ANSWER CHOICES	RESPONSES
Standard 2-Hour Parking	43.59% 17
10-Minute Parking	7.69% 3
Seating Area	38.46% 15
Retail Area	10.26% 4
<b>TOTAL</b>	<b>39</b>

### Q5 How is the current reconfiguration working for your business?

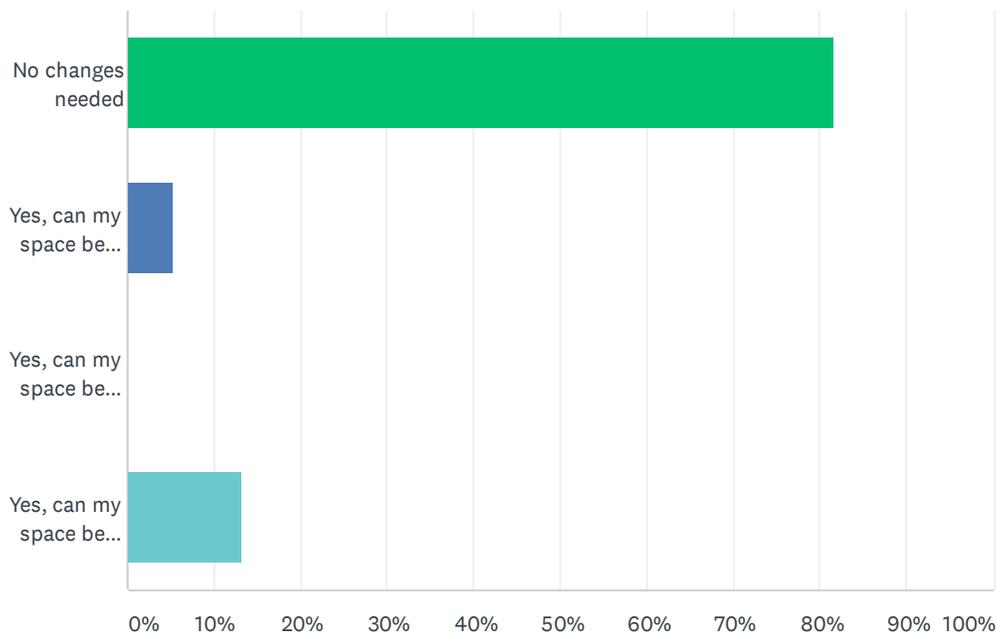
Answered: 40 Skipped: 0



ANSWER CHOICES	RESPONSES	
Exceeds my expectations	10.00%	4
As expected	60.00%	24
Below my expectations	30.00%	12
TOTAL		40

### Q6 Do you have any requested changes or tweaks?

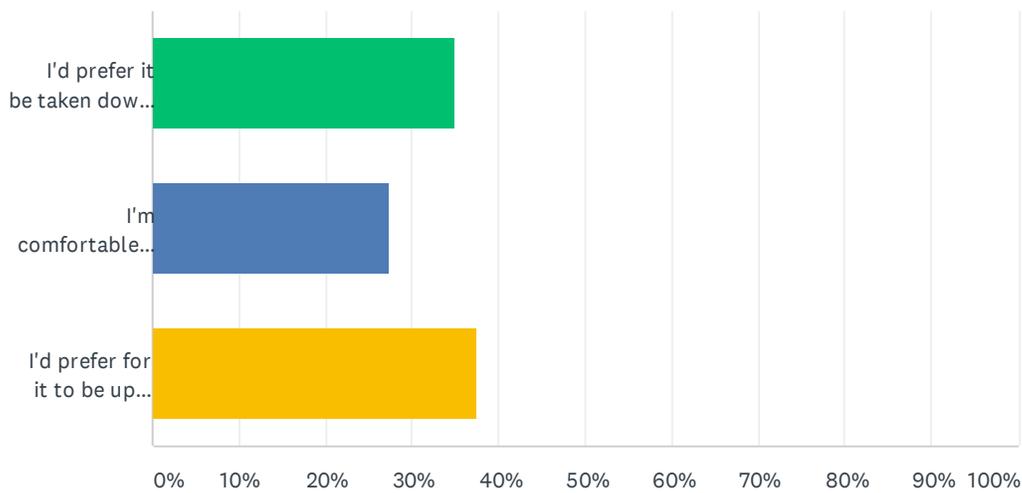
Answered: 38 Skipped: 2



ANSWER CHOICES	RESPONSES	
No changes needed	81.58%	31
Yes, can my space be expanded?	5.26%	2
Yes, can my space be reduced in size?	0.00%	0
Yes, can my space be converted back to parking?	13.16%	5
TOTAL		38

### Q7 What do you think about the timeline to have Elk Avenue reconfigured until September 1st?

Answered: 40 Skipped: 0



ANSWER CHOICES	RESPONSES	
I'd prefer it be taken down before September 1st	35.00%	14
I'm comfortable with September 1st	27.50%	11
I'd prefer for it to be up longer depending on the weather in September	37.50%	15
TOTAL		40

### Q8 Please describe below any concerns you have related to the operation of Elk Avenue:

Answered: 34 Skipped: 6

#	RESPONSES	DATE
1	I have no issues at my gallery but personally I am avoiding ELK Ave, it has too many people. In hindsight, it would have been nice to space tables etc so a person can walk down one side of the street without being so close to restaurant patrons.	6/30/2020 5:49 PM
2	It is very difficult for pedestrians. We just received a letter from fedex ground letting us know no deliveries would be possible by them to our business until Elk can allow for semis. The delivery are at the end of block 100 is not delineated as promised so there is always cars there.	6/30/2020 7:46 AM
3	Get rid of all traffic! Possible exception for the bus. I have seen so many near-misses of vehicles, bikes, skateboards, and pedestrians. It's only a matter of time before someone gets seriously hurt on Elk. I have seen one bike-car hit so far, but this morning a little 5yr girl almost got runover. There is no functional bike formula out there. There are flower boxes blocking what appear to be bike lanes which then force the bikes into traffic (that's how the little girl almost got hit). Sorry, but the cars are a horrible idea, and they serve no purpose at all. Get them out of there, please!!!!	6/27/2020 12:19 PM
4	The size of the planter at the corner of 2nd and Elk makes parking and turning right difficult. Could it be smaller to fit into the parking zone and not extend into the buffer zone? Also, I think the new configuration is sloppy looking in some places and the yellow cord looks like police tape. Some businesses have made their areas look good.	6/27/2020 11:58 AM
5	Elk Aven looks junky. It looks like a yard sale & not attractive. Looks a bit like an afterthought.	6/26/2020 4:23 PM
6	I think we need to do away with this one way street. I have asked my staff about their thoughts and opinions and we all agree, Elk Ave is messy (in a literal and figurate sense) confusing and more dangerous in terms of contact spreading than ever before. We DON'T approve or want to see this continuing on any longer! Thank you for the opportunity for us to share our feedback.	6/26/2020 3:43 PM
7	We had originally requested use of our area for parking, but after having several days of loading trucks parked in front of the building, we thought it was best to switch to utilizing the space for retail. Unfortunately, the request was met with much hesitation, and then only PART of one of our two business was blocked off. Although we are extremely grateful for the space, We would prefer both stores as they are two separate businesses and we have two business licenses. At the very least, we need our space to go to the end of Mountain tops as it is only part of the way down. In general, it all seems like a cluster, every shop and restaurant seem to be treated differently in the amount of space they are allowed. We are also extremely upset about the new bus stop location. This should have been place down by the museum, which is the actual I half way point on elk, and a neutral business as it is a non profit.	6/26/2020 2:22 PM
8	My main problem is parking, and delivery / Fed Ex trucks. Deliver trucks are now double parking along 3rd Street. There have been multiple occasions where I am not able to get out of where I am parked. Also, people are parking in places that are not parking spaces, like on 3rd, in the alley. People will park partly in the alley. Twice I have not been able to drive in the ally due to improper parking.	6/26/2020 10:40 AM
9	Parking needs to be enforced. Or signage needs to be better. Too many folks are using the 10 minute parking for hours	6/25/2020 2:32 PM
10	Please keep it going. It gives Elk a much friendlier, more festive atmosphere!	6/24/2020 3:44 PM
11	I think the use of space for additional seating is necessary. We need to be able to have this additional seating until, at least oct. 1st.	6/24/2020 11:52 AM
12	we would love to keep paver seating every summer.	6/24/2020 9:11 AM
13	No Concerns :)	6/24/2020 8:31 AM
14	Have noticed many bikes going the wrong direction. I feel that may lead to a serious accident more so than anything else	6/24/2020 7:41 AM
15	One way seems great! Folks from Breck said that the closure of their Main Street has negatively affected all business there. Thank you for doing what you can to help us. Any chance we could get people to wear masks on Elk?? It seems strange that we have to be so strict inside our businesses, and people are standing 1 foot from each other on Elk. I really do not want to have to shut my doors again. Thank you!	6/23/2020 6:27 PM
16	Today my son had a seizure at school and with Elk one way I was forced to deal with significant	6/23/2020 6:13 PM

congestion and too many damn stop signs trying to get to CBCS from 1st and Elk. The EMS was also slow to arrive because of the new configuration.

17	We have seen some issues with bikes going the other way. It would be nice to find a way to make a bike lane for bikes going East. I am concerned that Mabuhay has what looks like 2 parking spaces blocked off for one sculpture. Our UPS driver is struggling to find parking to deliver to us so our shipments are coming later than needed.	6/23/2020 5:47 PM
18	Ideas/Questions for future consideration: 1) Has it been critical to maintain a one-way travel lane? Without it, the dining/retail experience could be more pleasant. Should this be tried before the end of the experiment? 2) Would the Town consider setting a minimum standard for the private use of the public right-of-way and helping fund those standards: specs for on-street furniture, common retail boundary delineators, raised platforms to provide consistent level and look to the private spaces, clean-up services. 3) When will the flowers appear in the planters?	6/23/2020 5:19 PM
19	The space in front of our business is not being used for anything. Also, the buffer zones should be widened to allow for two way bike traffic	6/23/2020 4:57 PM
20	its been really GREAT the only issue is that 9pm is WAY TO EARLY. Town noise ordinance starts 10pm and the busses are louder than people sitting finishing their dinner. It is still light out at 9 pm. So we have to stop seating at 8pm? Seems pretty early. We are requesting 10pm. Remove that rule and enforce the regular noise ordinance accordingly. Currently we are allowed to have our outdoor speakers on until 10 PM so letting people sit and finish their dinner seems reasonable. if you measure decibel levels of the town bus, verses people talking at their tables the buses are much louder. :) Thank you all for what you are doing!! LETS DO THIS EVERY SUMMER!!	6/23/2020 4:54 PM
21	Shit show.... shit show... and my third thought is SHIT SHOW	6/23/2020 4:50 PM
22	Just bikes and bike racks.	6/23/2020 4:24 PM
23	Need signage so Bikes don't go against traffic	6/23/2020 3:36 PM
24	Festival party out there, not what we need right now with COVID	6/23/2020 3:36 PM
25	For the above question- through Labor Day would be great. Also- we need biking info (that bikes are one-way also) and we need welcoming signs about where to park- maybe at the school marquee, Center for the Arts or at the chamber.	6/23/2020 3:16 PM
26	I worry about the bicyclists getting hit by a car door. I would love it if the whole street were completely pedestrian. No cars. But I am happy now too.	6/23/2020 3:08 PM
27	The street is turning into a free-for-all. There is a little consideration of social distancing little face mask wearing in all these areas there's little control. It is jeopardizing the ability of all the other businesses to remain open possibly.	6/23/2020 3:08 PM
28	It is only June, and there is no parking available on Elk already, two bikers have been injured...one with a vehicle incident, one with a planter. The restaurant supply truck uses parking mid day for unloading. We need parking! How can we help restaurants have space and open air and still have parking?! And safety-for bikers, pedestrians, handicapped folks etc	6/23/2020 3:06 PM
29	We moved our business to CB South, so really this no longer applies to our business. However, as a resident, it looks a bit "thrown together", but knowing it was a little last minute, maybe if this becomes a regular thing in the summer (which I would be in favor of - only all pedestrian) perhaps businesses would start finding ways to make their outdoor area a little nicer or more uniform. :)	6/23/2020 2:23 PM
30	In the mornings my customers are still able to find parking within a block of my office, but I'm no longer able to have customers drop off or pick up their computers in the afternoons with the closest parking available is typically across Sopris on 3rd, two blocks down. This is not life or death but is an inconvenience for my customers.	6/23/2020 2:12 PM
31	We might like to offer patio seating in the brick area for special events. thanks - We are very glad you are trying this, thank you. It's a great idea!	6/23/2020 2:05 PM
32	No concerns people really enjoy it!!	6/23/2020 2:05 PM
33	This thing is a mess it's hurting my business and others. There has already been a couple accidents some one going to get hurt real bad or killed. It's ugly and dose not look like CB. The restaurants are only one doing well and they are hurting our sales The Stash has taken over	6/23/2020 1:58 PM

the whole corner she has inside seating patio seating sidewalk seating brick paving seating and street seating this is sick what she is doing we can't even walk down the sidewalk because of all her seating. So you and the council don't care what you are doing to us or the town it's not good or pretty

34	I think the most important element of this experiment is time. It is going to take business time to develop the space that has been appropriated to them. I think those spaces will evolve and become more attractive and user friendly later in the summer. I applaud the town for trying to do something. Let it grow naturally and avoid the town's instinctive need to regulate. It will turn out great. Just give it time.	6/23/2020 1:58 PM
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**Elk Avenue 2020 Reconfiguration—Additional Email Comments Received**

**From:** MICHAEL MARCHITELLI [mailto:marchitelli@msn.com]  
**Sent:** Tuesday, June 30, 2020 1:37 PM  
**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>  
**Subject:** Re: Public Health Order Reminders

Hi

Thank you for the update. Thoses of off elk are not do well. The festive atmosphere on elk is a huge draw... elk ave gets all the business and I get all their cars parking... I hope I make it.

Thanks again for updating us.

Michael Marchitelli

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**From:** Blake Woodward [mailto:blakewoodward@hotmail.com]  
**Sent:** Tuesday, June 30, 2020 1:37 PM  
**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>  
**Subject:** Re: Public Health Order Reminders

Hi Mel, great job implementing the reconfiguration. Thanks for your hard work and dedication.

This weekend we had a garbage overflow problem on the corner of 4th and Elk. I put on gloves and pulled my can over to pick up the mess. It was hard to believe that people would just start piling trash on trash but that is what happened. I would suggest we add one more bear-proof unit to the area and or increase the pickup schedule for trash on busy weekends.

Thanks again, Blake Woodward

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**From:** Drew Stichter [mailto:[pitasinparadise@gmail.com](mailto:pitasinparadise@gmail.com)]  
**Sent:** Tuesday, June 30, 2020 10:23 AM  
**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>  
**Subject:** Re: Public Health Order Reminders

Mel,

Thank you. Is the town going to do walkthroughs outside of the standard government M-F 9-5? Because outside of these hours is when major violations occur. I am losing staff because they can go down the street and make more money at a place that is exceeding the requirements.

Drew

**From:** Drew Stichter [mailto:[pitasinparadise@gmail.com](mailto:pitasinparadise@gmail.com)]

**Sent:** Tuesday, June 30, 2020 10:44 AM

**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>

**Subject:** Re: Public Health Order Reminders

Mel

I'm not going to tell on another business. Just know that business owners' and employees' backs are against the wall and will do anything they need to in order to survive and I don't blame them. But if businesses that feel like they aren't getting support and necessary policing/educating isn't being done to our satisfaction then the town government will lose the little support they have. This is just my opinion from what I've seen and heard over the last few months. This is starting to get pretty real around here and the threat of another shutdown isn't calming anyone down. By the way, Gunnison is a complete free for all and no policing/educating is being done.

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**From:** Crested Butte Tobacconist [mailto:[cb\\_tobacconist@hotmail.com](mailto:cb_tobacconist@hotmail.com)]

**Sent:** Tuesday, June 30, 2020 10:00 AM

**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>

**Subject:** Re: Public Health Order Reminders

First of all, this mess on Elk is hurting retail businesses our and other's sales are down several thousand dollars which I know you really don't care about. But the restaurant at third and Elk has taken over that corner is way over capacity and is covid 19 pandemic ready to explode. The number of people that have come from states that are being shut down because of it is a serious concern to many but my guess you will do nothing about it because of the owner seems to have all of you under her thumb. If the pandemic comes back to CB it will be because of you , her, and the town council. This game you are playing with Elk is really stupid and hurting my income and is making the town an eyesore.

John Penn

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**From:** Nancy Woolf [mailto:[nancy.woolf44@gmail.com](mailto:nancy.woolf44@gmail.com)]

**Sent:** Wednesday, June 24, 2020 4:40 PM

**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>

**Subject:** Elk ave

Hi Mel

Just wanted to let you know I really like the new design on Elk. I think you did a great job keeping access, parking and making it easier for businesses! Not that I'm going down there much...its crazy how many people are in town even with Covid.

Nancy Woolf

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**From:** Andrew Hadley [mailto:[andrew@andrewhadleyarchitect.com](mailto:andrew@andrewhadleyarchitect.com)]  
**Sent:** Tuesday, June 23, 2020 4:58 PM  
**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>  
**Subject:** Elk ave

Mel,

Thanks for sending out the survey and working so hard to bring a bit of change to Elk Avenue, everything may not be perfect, but I like change.

My one major comment is to try to make it so Elk can have two way bike traffic on the street.

Thank you,

Andrew Hadley, Andrew Hadley Architect

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**From:** Jamie Schneider [mailto:[jamie\\_schneider@rocketmail.com](mailto:jamie_schneider@rocketmail.com)]  
**Sent:** Sunday, June 21, 2020 1:09 PM  
**To:** Candice Bradley <[cbradley@crestedbutte-co.gov](mailto:cbradley@crestedbutte-co.gov)>; Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>  
**Subject:** Elk Ave Car Door Incident

Good Morning Ladies,

I hope you are not seeing this until Monday morning. If you are checking your email on Sunday stop and go have fun!

Candice - you asked if I thought the Elk Ave Configuration had anything to do with the incident of the biker getting hit by a car door. As my response is always the same in a situation like this, I stated that I cannot speak on someone else's behalf.

Mel - I think you need to read this too and it needs to be brought to the attention of the Council and Staff.

Yesterday I was at the playground, and began to talk to a non-local couple as my daughter chased their sons around in an attempt to play. They were speaking very highly of town. The gentleman said he comes every year and his wife said it was her second visit in 4 years. They love it here. Then, they asked what was going on with Elk Ave and is this what the community wanted. I stated some did, some didn't then asked what they thought. The wife then stated, "I was hit by a car door." Low and behold, this is the woman everyone is talking about.

She proceeded to tell me that, before she came to town, for a week she kept up to date on our County regulations and proposed changes to Elk Ave. Before she rode her bike, (I am not sure if it was the day

before or the same day) she spoke with Scott at Pfister's and looked at the map of Elk Ave. that was provided to businesses. She felt prepared to ride her bike. Very soon after leaving her house, she turned onto Elk in what she perceived to be the bike lane. She believed, based on painted lines and the map she had viewed, that she was strictly following town regulations and that is why she was close to the truck. Speaking to me was the first time she was told it is not a bike lane, and she was surprised by the lack of signage warning bikers since it is supposed to be a bike friendly town.

After she was hit by the door, the owner of the truck did everything right. He stayed, checked on her, called the police, EMTs etc. Everyone was nice, but she does feel that the Elk Ave configuration IS the cause of her injury.

The other interesting thing that is of huge importance is what the officer at the scene said. Although she could not remember the officer's name, she stated it was a woman. Not once was she asked if she would like to press charges or have the matter looked into. (The victim was very clear that she had no intention of pressing charges but would have appreciated being asked.) Instead, the officer told her three times that "no one is at fault" and reiterated it was not the driver's fault. Both the injured party and her husband were under the impression the officer knew the driver and was trying to protect him. They also stated that, when the officer said this, the officer, EMTs, and driver, gave each other a look of, "I guess this is strike one". She then asked me to this pass on as well as stating that she believes there should be better signage or a reconfiguration. She and her husband also stressed the fact that it is an eyesore and every business owner they spoke to was upset about it. (I do not know who they spoke with.)

On a side note, off course as a Paralegal I am familiar to the Colorado Revised Statutes.

Please refer to C.R.S. 42-4-1207. Opening and Closing Vehicle Doors

"No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic; nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. Any person who violates any provision of this section commits a class B traffic infraction."

No, charges should not be pursued when someone really tried to help, and so far, she does not have serious injuries. But, the driver was still very much at fault and that should have been recognized.

Town is lucky this woman does not have plans to look into this further. Town is lucky she is not an attorney. However, she is still having head pain and, due to having a father with Alzheimer's, she is very concerned about the implications of head injury. What she said to me, "I know it sounds silly but I am still concerned. I went out and bought a helmet."

Town may not be so lucky if this happens again, you all have opened the door to lawsuits. This is exactly what I have been stressing, repeating, and repeating, and I will continue to do so.

**From:** Jamie Schneider [[mailto:jamie\\_schneider@rocketmail.com](mailto:jamie_schneider@rocketmail.com)]

**Sent:** Friday, June 19, 2020 12:30 PM

**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>

**Subject:** What will make things safe?

I went for a run, since the weather broke, and thought seriously about your question: what will make it safe?

Although I am not sure if I cc'd you on my previous emails to the Council, here is some more information on my research.

After the meeting on Elk, I dug in deep regarding safety requirements and came across the Voonerf concept. If the Council or Troy mentioned this, it is because I brought it to their attention.

Since the 1960's Voonerfs (Dutch multi-use streets) have been implemented, studied, and designed. Not only did I heavily research these studies, I spoke with a couple of European City Planners and a Citi Development Philosopher ('cause yeah, turns out that's actually a real job).

We have 60 YEARS of study available on what requirements are needed, even the most basic requirements, to implement a safe multi-use street.

A few of the ideas were used here:

lowering the speed limit - mathematical equations came up with a max speed of 13 mph but more safety studies show no more than walking pace should be implemented.

noticeable signage

heavy landscaping etc.

Town did a great job with signage, an okay job with landscaping, and and negligible job with the speed limit.

However, we did not, and cannot within a \$5,000 budget, meet the other basic criteria. Level streets w/out sidewalks, varied paving to differentiate between regular streets and the Voonerf area, no government buildings within the area, wide enough space and spacing between tables for cars to pull over in emergencies, ample parking around the area, public transportation for disabled, injured, and elderly.

Also, the implementation of Voonerfs is to deter traffic as a whole to the side streets.

When done right, Voonerfs are proven to be safer than most streets. However, when implemented in the US vs Europe we have seen a reduction in business in some cases.

Again, this is 60 years of research at our fingertips. Easy to find, even in a rushed situation.

So can our design be safe? The answer is no. We will be lucky if no incident occurs - which I hope it doesn't.

What I realized on my run is that, God forbid, something does happen, I will wake up with a clear conscience knowing I did everything in my power to prevent it. What about you? If you feel the same

way, that you will wake up knowing you did everything to make it safe, than stay your course. If you hesitate, even the slightest, in answering this, maybe you should reevaluate the plan.

Thanks again for all of your hard work. I do appreciate it.

Sincerely,

Jamie

**From:** Jamie Schneider [[mailto:jamie\\_schneider@rocketmail.com](mailto:jamie_schneider@rocketmail.com)]

**Sent:** Friday, June 19, 2020 1:46 PM

**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>

**Re:** What will make things safe?

Oh and yes, based on safety models the speed limit should be less but for our town that will not work.

Unfortunately, this is the wrong design as it, in my opinion and based on the available research, cannot be made safe. Even if we meet width regulations we do not meet regulations for mixed use areas. The US is lacking in those requirements as models have only been used in a few US cities. I would like to see people scratch it and start over. Or leave town as it was. But that takes a lot of self reflection as people don't generally want to reject their own work.

We may have to agree to disagree but, like I said, I will have a clear conscience as I am trying to stop this. And yes, I would like to remain informed.

Sent from my iPhone

Sorry for any typos

**From:** Jamie Schneider [[mailto:jamie\\_schneider@rocketmail.com](mailto:jamie_schneider@rocketmail.com)]

**Sent:** Wednesday, June 17, 2020 12:22 PM

**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>

**Re:** Updates on Elk Ave

Hi Mel,

Just so you are aware, (although hopefully you already are). Here is a list of things that have happened in the past 24 hours on Elk Ave.

1. a police officer almost got in a fight with a PO employee. The employee was simply trying to get to work and had no choice but to go up the alley. The officer was very aggressive and this was witnessed by many people. I am not blaming either party - they have both been forced into a corner by you, the rest of Town Staff, Stephanie, and Town Council.
2. a skateboarder was stopped by police for skating on Elk. He can't be on the sidewalk but there is no bike lane. He was told skateboards are no longer allowed. That goes against what you guaranteed us - that bikes etc would be allowed and encouraged.

3. Three (probably more) bikers were stopped by police for riding the wrong way. Again, they are not allowed on the sidewalks but the parallel streets are already becoming more dangerous from people driving too fast trying to get to work, restaurants etc.

4. A biker going the correct way, was hit by a truck door this morning. Bikes have nowhere else to go

5. I have counted 12 people who have individually told they will not go to Elk Ave this summer. They will not shop, eat, or support any business b/c they think the businesses supported this decision - most did and do not.

I would like to know exactly how you are dealing with these issues, and what changes will be made to prevent further injury.

Sincerely,

Jamie

---

**From:** jason white [crestedbutteangler@hotmail.com]

**Sent:** Thursday, June 18, 2020 8:34 AM

**To:** Mel Yemma <[melyemma@crestedbutte-co.gov](mailto:melyemma@crestedbutte-co.gov)>

**Re:** Elk

Mel

The Elk Avenue experiment looks terrible, it's unsafe, and not being used. Yesterday only one retailer had product in the street and only two restaurants were serving on the street. This is completely unfair and unnecessary. The bike lanes end in flower boxes with no flowers, so bikers either run into the flower box or they are forced into car traffic. This design is extremely unsafe, and unfortunately my children will not be riding their bikes down Elk anymore. The flower pots and yellow tape look like a cross between a crime scene and an electric cattle fence. On Second Street, no restaurants were serving on the street yesterday and no retailers had product on the street. With very little participation, how long will you let this continue?

Please don't quote me in the paper

Sincerely

Jason White

Crested Butte Angler

229 Elk Avenue Suite A

P.O. Box 1777

Crested Butte, CO 81224

970-349-1568 - shop

[www.crestedbutteangler.com](http://www.crestedbutteangler.com)

Crested Butte Parks and Rec provides high quality year-round recreational programs and amenities for residents and visitors alike. We value community connection, high quality of life, accessibility, healthy lifestyles, fair play, sportsmanship, economic vitality, and responsible stewardship of public funding.

Dear Town Council;

I really like the new one way. For many years, I have thought that would be a solution for the "Nightmare on Elk Street". It's so much safer and as a bus driver, safety is no accident.

However: the midway stop on Elk Avenue is not likeable nor safe. We (Mountain Express drivers) are often stuck behind lost and self-important people. Now Mountain Express is causing the traffic congestion when we stop for passengers.

Since most people are capable of walking two blocks, let's pull that midway bus stop.

Thanks

Michelle English

Instructor

Name (printed)

JACQUE BINGHAM-KERNE

Address

P.O. Box 3018

Phone:

970-344-7079

Signature

*[Handwritten Signature]*

Town Approver

Name (Printed)

Zoe Carpenter

Signature

*[Handwritten Signature]*

Date

10/1/18

Comments

**From:** [Mel Yemma](#)  
**To:** [Lynelle Stanford](#)  
**Subject:** FW: Visit to CB on June 22  
**Date:** Thursday, July 02, 2020 10:06:18 AM

---

**From:** Stephanie Sandstrom [mailto:director@cbchamber.com]  
**Sent:** Tuesday, June 23, 2020 2:55 PM  
**To:** Mel Yemma <melyemma@crestedbutte-co.gov>; Dara MacDonald <dmacdonald@crestedbutte-co.gov>  
**Subject:** Fwd: Visit to CB on June 22

Thought you might enjoy this positive feedback :) Great work guys!

----- Forwarded message -----

**From:** **steve ferency** <[steveroyboy3@hotmail.com](mailto:steveroyboy3@hotmail.com)>  
**Date:** Tue, Jun 23, 2020 at 8:37 AM  
**Subject:** Visit to CB on June 22  
**To:** [director@cbchamber.com](mailto:director@cbchamber.com) <[director@cbchamber.com](mailto:director@cbchamber.com)>

Good Morning from Lake City,

My partner and I own a small business in Lake City and after 10 days of getting ready to prepare our shop to open and actually open, we decided to take a day off, relax and head to one of our favorite mountain towns....Crested Butte!

We were not sure what to expect because it was a Monday, not quite "in season" and naturally there were fears of what impact the virus would have on our visit.

We were pleasantly surprised to see the one way street, large crowds (most following the covid 19 safety guidelines and upbeat atmosphere taking place in CB.

The street dining reminded us of being in Europe and having almost all of the town merchants and restaurant staff etc, wearing masks was comforting and reassuring that safety was definitely a concern for the local's as well as the visitors.

The team at The Last Steep even had paper menu's which was a nice touch and made us again feel that safety was a concern.

We will be telling our local business members about our positive experience in CB and hope they will follow suit and learn from a neighbor community.

Just wanted to share and thank you for making our day off very pleasant.

Steve Ferency  
Barry Thompson

PS: When we stopped in Gunnison on our way back, we commented how the two towns were so different regarding their response to the virus. At a gas station in Gunny, none of the three employees had masks on and there were no signs talking about social distancing, masks etc. This was not the only business that did not take the virus serious.  
Please leave the one way street in CB as it currently is as well as the fun outdoor seating

Sent from [Mail](#) for Windows 10

--

Stephanie Sandstrom

**Executive Director**

CB/Mt CB Chamber of Commerce

P.O. Box 1288, Crested Butte, CO 81224

970-349-6438





Staff Report  
July 6, 2020

**To:** Mayor and Town Council  
**From:** Jessie Earley and Molly Minneman  
**Thru:** Troy Russ, Community Development Director  
**Subject:** Design Standards and Guidelines Revisions and Approval of an ordinance amending Sections 16-2-20 and 16-2-30 (3) Historic Preservation and Architectural Control District

### **Proposal:**

#### *Guidelines:*

Town Council directed the Board of Architecture Review (BOZAR) to review the Design Standards and Guidelines (Standards and GL) in January of 2019. The purpose of the revision includes the following:

- Review information as it pertains to the Climate Action Plan (CAP)
- React to comments from the design community
- Provide Clarity:
  - Transition from Guidelines (GL) to GL and Standards
  - Convert BOZAR policy/practices into GL and Standards
  - Create parameters for emerging BOZAR policies
  - Discuss new features and the use of materials

Information that did not change as part of the revision includes the philosophy of the document, design review process, submittal information requirements or zoning code requirements (per Chapter 16 of the Municipal Code).

#### *Code Revisions:*

Two amendments to the Chapter 16, Article 2 of the Town Code are necessary to set forth Certificate of Architectural Appropriateness, which was initiated at the end of 2018, and to rename the Town of Crested Butte's Design Guidelines to the Town of Crested Butte's Design Standards and Guidelines.

These item will be considered at first reading on July 6<sup>th</sup> and discussed in a study session and considered for approval at second reading on July 20<sup>th</sup>.

### **Background:**

The original GL document was created in 1989 with substantial revisions in 1995. Updates and revisions have occurred in 2001, 2009, and 2017. The proposed Standards and GL are broken into the following chapters:

- Chapter 1: Historic Overview
- Chapter 2: All Projects
- Chapter 3:

- 3A: All historic properties
- 3B: Historic residential properties
- 3C: Historic commercial properties
- Chapter 4:
  - 4A: New commercial construction
  - 4B: New residential construction
- Chapter 5: Neighborhood/zone district specific
- Chapter 6: Signage

The focus of the project was not a rewrite of the Standards and GL, rather identify problem areas or specific guidelines within the document. To accomplish this goal, each BOZAR member was given a copy of the Standards and GL in February of 2019. The Board had one month to submit comments and highlight areas of concern to staff. Any Standard and GL chosen by at least two commenting members was included in the initial list for review. Staff also had the ability to include Standard and GL of concern.

Staff assembled all comments in an excel spreadsheet. An overview of comments received was provided to the Board at the April BOZAR meeting and a Standard/GL committee was selected. Three Board members and staff sat on the committee that met three times per month, from May through September.

The committee worked on those GL chosen by Board members. Originally, the Committee was tasked with updating roughly 42 Standard/GL, yet the number changed over time, as review of one GL is often linked to others throughout the document. The Committee sought to clarify sections of the document, or specific phrasing, that was confusing or difficult to understand. The Committee's focus was for the process to be easier for the Board and the public (applicants, designers/architects and contractors) to understand and minimize gray areas.

The committee was engaged in the revisions through a democratic process. Grammatical and spelling errors through the document were addressed. Date notations of Standard/GL revisions/additions were made throughout Chapters 2-6.

The Board held a Public meeting in June and heard comments regarding the following issues:

- Allowances for solar
- Dormers (GL 3.46 g) – rear versus center of the roof
- New materials and time/process to vet
- Window materials for historic homes
- Deck materials – metal versus wood
- Foundation cover height
- Excessive similarity versus dissimilarity
- Fenestration ratios (GL 4.49)
- Painting or staining homes
- Policies that aren't in GL form

The committee took into account the Public's comments during their meetings over the summer.

Simultaneously, Staff consulted with August Hasz, REG, to review and update the Standards/GL for all projects relating to energy efficiency in Chapter 2 and Appendix 1. Staff incorporated all comments from the committee and Hasz.

The Board received all of the document changes at the beginning of January. Board Members had one month to review the text and to return comments and questions to Staff.

A second public meeting was held February 11, 2020 for the public and design/build community. The Board heard discussions that included the following issues:

- Synthetic railing materials
- Solar applications
- Sliding glass doors
- Fiberglass windows
- Synthetic turf

Written comments from the meeting were then forwarded to the full Board for discussion at the February 25, 2020 BOZAR meeting. The Board re-reviewed changes from the February meeting and updates to captions and photographs at the June 23<sup>rd</sup> BOZAR meeting.

### **Background:**

#### *Standards and GL:*

BOZAR discussed the text document of the Standards and GL at the February 25<sup>th</sup> meeting. The Board made several revisions and recommended the document for approval to the Town Council. The document was then re-reviewed at the June 23<sup>rd</sup> BOZAR meeting and the Board made a recommendation upon the changes from the February meeting. The full document with the revisions is included in the CouncilPacket.

An overview of the revisions includes:

- Based upon the **Climate Action Plan (CAP) and the Town's Goals and Priorities**, the Standards/GL were reviewed to ensure that reduction of greenhouse gas emissions and green building could be achieved through the document. For instance:
  - Language on the Standards/GL for solar (2.09-2.14) were revised to make it clearer to applicants about the requirements for solar on both historic and new construction and residential and commercial.
    - Removal of restrictions for visibility on new residential construction.
      - Panels are allowed on front facing facades of new residential construction.
      - Landscaping is not required to shield panels.
    - Allowances for awnings/porch roof panels, such as 330 Belleview Avenue.
    - Removal of requirement to block freestanding units with landscaping, only use of landscaping to shield bracket or poles.
    - Increase in allowance for height of freestanding units.
  - Terminology has changed over the years and the language was made to be more inclusive of new technologies, as they may become available.
  - Appendix 1 – revisions to reflect current building practices and code requirements, to include passive solar.
  - Exterior fireplaces were not allowed based upon concerns for use of fossil fuels.

- Additions to the Standards/GL in the future may be necessary based upon decisions made pertaining to the CAP plan.
- Areas that were **formerly Board policies**:
  - Parking area definition – 2.26 a, 4.27 e
  - Skylights (residential) – historic 3.34, new 4.46, 4.88 j
  - Number of dormers – historic 3.46 h
  - Number of window sizes - historic 3.51 c, new 4.56 c
  - Awnings – commercial, historic 3.72, residential 4.49 b
  - Ridge length (residential) – 4.42
  - Porch depth (residential) – 4.48 b
  - Size of square windows (residential) – 4.52 c
  - Siding treatment (residential) – 4.78
  - Separation of accessory building and accessory dwelling unit GL – 4.83-4.89
  - Garage door materials and number GL 2.27
- Standards/GL for **new items** within the document:
  - Fire pits – 2.22 (residential and commercial)
  - Folding/sliding/accordion doors – historic 3.58 c, new 4.64
  - Roof top decks – 4.22
  - Additions to existing (non-historic) buildings – 4.37
  - Fiberglass windows – 4.54
  - Transom windows – 4.59
  - Metal accent materials – 4.71
  - Use of barn wood/reclaimed and plank and chink siding - 4.75
  - Deck railing and post materials (wood/metal) – 4.82

The adoption of these Standards/GL originally in 1989 with a comprehensive update in 1995 have served to ensure the preservation of the National Historic District. Many other communities like ours have felt pressures of architectural trends and fads, but through the Standards/GL we have maintained the connection with our historic roots. This has helped to guide growth and development and has provided thoughtful infill.

*Code Revisions (Please see the attached Ordinance No. 17, Series 2020):*

BOZAR discussed the text document of the code amendments at the February 25 meeting. They provided a recommendation for approval of the document to the Town Council.

**Certificate of Appropriateness:** During the development of the BOZAR training documents in 2018, staff advised the creation of Certificate of Architectural Appropriateness be generated following architectural approval by the BOZAR. The document includes pertinent information that includes the applicant, address, legal description along with the Board approval and any conditions of approval. The CAA will be inserted into Code Section 16-2-20 and will be linked with Section 16-2-30 (3) providing clarity and defensibility for BOZAR decisions.

*Existing Sec. 16-2-20. - Restrictions.*

*Unless otherwise specifically provided in this Article, any erection, moving, demolition, reconstruction, restoration, improvement or alteration of any structure shall be prohibited unless the Board first reviews the plans and grants permission for said change in the structure. No building permit shall be issued unless the Board first reviews and approves the architectural appropriateness of the proposed structure, except in the case when said structure or structural change is deemed by the Board to be "insubstantial."*

**Revise Sec. 16-2-20 to read as follows:**

Unless otherwise specifically provided in this Article, any erection, moving, demolition, reconstruction, restoration, improvement or alteration of any structure shall be prohibited unless the Board first reviews the plans and issues a Certificate of Architectural Appropriateness for said change in the structure. No building permit shall be issued unless the Board first issues a Certificate of Architectural Appropriateness for the proposed structure, except in the case when the Board deems said structure or structural change to be "insubstantial."

Design Guidelines: The Board has undertaken revisions to the Standards/GL, as outlined above. The Board makes part of their determination for architectural appropriateness based upon the application of one of more Standards/GL provided for in 'Review Criteria 16-2-30 (3)'. Town Attorney, Barbara Green upon reviewing the review criteria in Section 16-2-30, advised that the term 'Standards' be added to the document and renamed as Design Standards and Guidelines. She advised that adding the term 'standards' to 16-2-30 (3) removes misunderstandings that the design guidelines are only advisory when they are actually part of the basis for the Board decision. She included language that can be applied to Major Subdivisions contained in Chapter 17. She also includes language linking the above Section 16-2-20 with this section.

*Existing Language:*

- (3) *Design Guidelines. The Town has adopted the Design Guidelines - Town of Crested Butte, October, 1995, to aid in the application of the above-listed review criteria. Such guidelines may be amended from time to time by ordinance, and shall be utilized by the Board in its review deliberations to assure that there is compliance with the review criteria. Such guidelines shall be made available, at cost, to any person requesting a building permit which will be subject to review pursuant to this Code.*

## Proposed Language

**Revise subsection 16-2-30 (3) to read as follows**

(3) Design Standards and Guidelines. The Town has adopted Design Standards and Guidelines as amended from time to time by Ordinance. A copy of the Design Standards and Guidelines is available. The Design Standards and Guidelines apply to the Board's review and approval of requests for a Certificate of Architectural Appropriateness as set forth in Sections 16-2-20 and 16-2-30. The Design Standards and Guidelines also apply to the review and approval of Major Subdivisions under Chapter 17, Article 5; Subdivision Tract and Lot Design in Chapter 17, Article 7; and Subdivision Landscaping in Chapter 17, Article 13.

a. An applicant seeking a Certificate of Architectural Appropriateness under Sec. 16-2-20 shall demonstrate that the proposed construction, demolition, addition or alteration to an existing structure complies with the applicable Design Standards and Guidelines.

b. If the Board determines that the proposed construction, demolition, addition or alteration to an existing structure does not satisfy the applicable Design Standards and Guidelines and Review Criteria, the Board shall deny the request for a Certificate of Architectural Appropriateness, or impose such conditions of approval on the Certificate of Architectural Appropriateness it deems necessary for the proposal to comply with the Design Standards and Guidelines Review Criteria.

RECOMMENDED MOTION:

A Councilmember make a motion and followed by a second to set Ordinance No. 17, Series 2020 for public hearing at the July 20<sup>th</sup>, 2020 Council meeting.

**ORDINANCE NO. 17**

**SERIES 2020**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING THE CRESTED BUTTE MUNICIPAL CODE SECTIONS 16-2-20 AND 16-2-30 (3) AND ADOPTING REVISED DESIGN STANDARDS AND GUIDELINES.**

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

**WHEREAS**, the Town believes that changes to the Town Code and the adoption of updated Design Standards and Guidelines further the Town's historic preservation efforts, protect the integrity and character of the community, and clarify requirements for construction and development in the Town; and

**WHEREAS**, the Town's Board of Zoning and Architectural Review ("BOZAR") considered the proposed amendments to the Town Code on February 25, 2020 and moved to recommend the amendments to the Town Council; and

**WHEREAS**, BOZAR considered the proposed Design Standards and Guidelines on February 25, 2020 and June 23, 2020 and moved to recommend to Town Council that they be adopted; and

**WHEREAS**, the Town Council has determined that the below amendments to the Town Code and the revised Design Standards and Guidelines will protect the public health, safety, and welfare and further efforts to preserve the character of the community.

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

**Section 1.**     **Sec. 16-2-20** of the Town Code is repealed and replaced in its entirety to read as follows:

Unless otherwise specifically provided in this Article, any erection, moving, demolition, reconstruction, restoration, improvement or alteration of any structure shall be prohibited unless the Board first reviews the plans and issues a Certificate of Architectural Appropriateness for said change in the structure. No building permit shall be issued unless the Board first issues a Certificate of Architectural Appropriateness for the proposed structure, except in the case when the Board deems said structure or structural change to be "insubstantial."

**Section 2.**     **Sec. 16-2-30 (3)** of the Town Code is repealed and replaced in its entirety to read as follows:

(3) Design Standards and Guidelines. The Town has adopted Design Standards and Guidelines as amended from time to time by Ordinance. A copy of the Design Standards and Guidelines is available in the Town Clerk's Office. The Design Standards and Guidelines apply to the Board's review and approval of requests for a Certificate of Architectural Appropriateness as set forth

in Sections 16-2-20 and 16-2-30. The Design Standards and Guidelines also apply to the review and approval of Major Subdivisions under Chapter 17, Article 5; Subdivision Tract and Lot Design in Chapter 17, Article 7; and Subdivision Landscaping in Chapter 17, Article 13.

a. An applicant seeking a Certificate of Architectural Appropriateness under Sec. 16-2-20 shall demonstrate that the proposed construction, demolition, addition or alteration to an existing structure complies with the applicable Design Standards and Guidelines.

b. If the Board determines that the proposed construction, demolition, addition or alteration to an existing structure does not satisfy the applicable Design Guidelines and Standards, the Board shall deny the request for a Certificate of Architectural Appropriateness, or impose such conditions of approval on the Certificate of Architectural Appropriateness it deems necessary for the proposal to comply with the Design Standards and Guidelines and Review Criteria.

**Section 3.** The existing Design Guidelines are repealed in their entirety and replaced with the **Design Standards and Guidelines** incorporated herein by reference and attached to this Ordinance as **Exhibit A**.

**Section 4.** **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 5.** **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 the Code that is in conflict with this ordinance is hereby repealed as of the effective date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS \_\_\_ DAY OF \_\_\_\_\_, 2020.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

TOWN OF CRESTED BUTTE, COLORADO

By: \_\_\_\_\_  
James A. Schmidt, Mayor

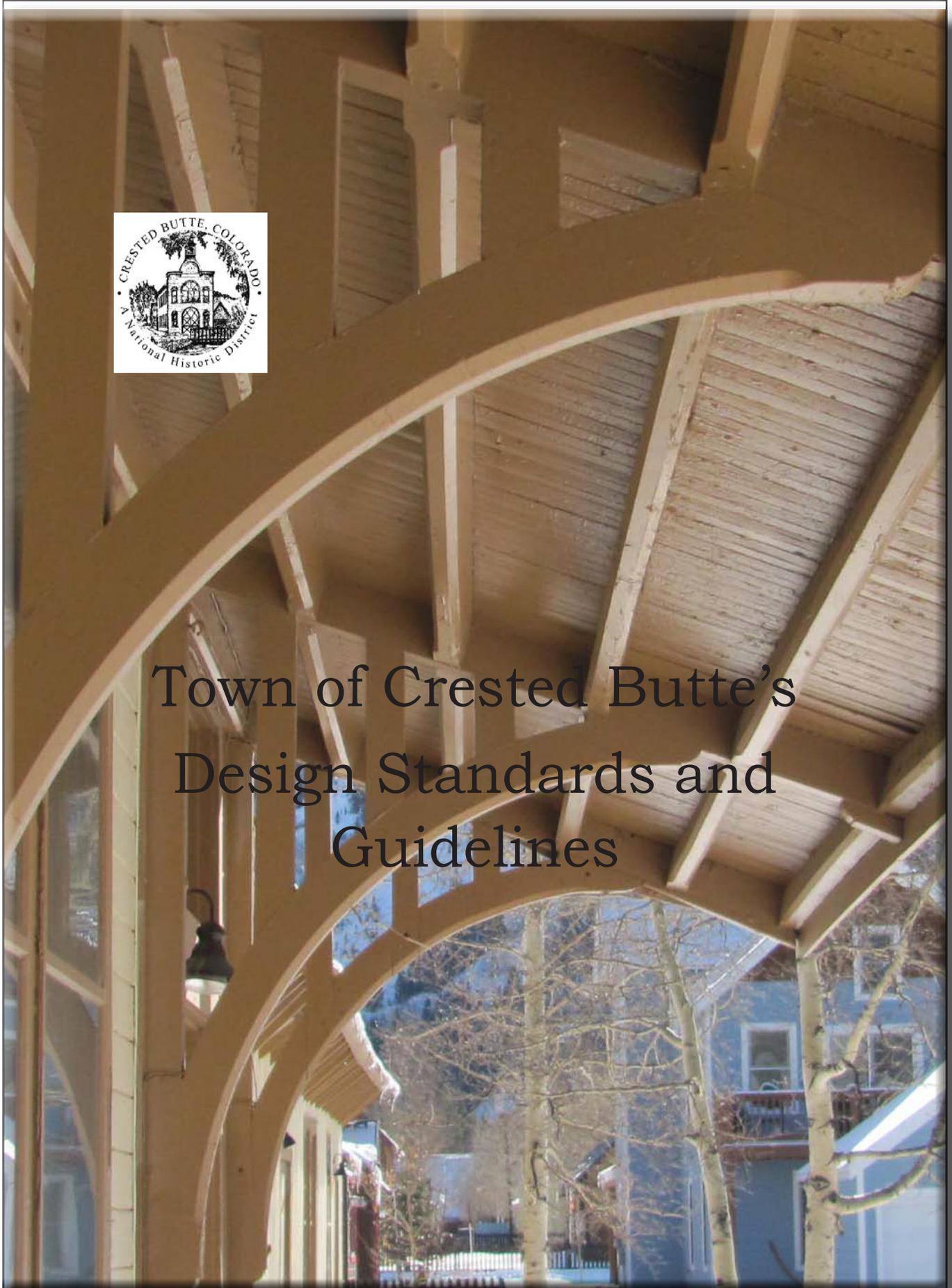
ATTEST:

\_\_\_\_\_  
Lynelle Stanford, Town Clerk

[SEAL]



# Town of Crested Butte's Design Standards and Guidelines



## CREDITS

### **Town of Crested Butte**

Michael Yerman, Community Development Director (2020 updates)  
 Troy Russ, Community Development Director (2020 updates)  
 John Hess, Director of Planning and Community Development (2009 updates)  
 Bob Gillie, Building Official (2009 Updates)  
 Molly Minneman, Design Review & Historic Preservation Coordinator  
 Phillip Supino, Building Department Administrator (2009 Updates)  
 Bob Nevins, Senior Town Planner (2020 Updates)  
 Jessie Earley, Assistant Design Review & Historic Preservation Coordinator (2020 Updates)

### **Board of Zoning and Architectural Review (BOZAR)**

<b>1992</b>	<b>2008</b>	<b>2020</b>
Linda Beck	Keith Bauer – Chairman	Erik Nauman - Chairman
Ted Bosler	Melissa Belz	David Russell – Vice Chairman
Susan Gardiner	Mark Collins	Roxana Alvarez- Marti
Marcia Hegeman	Glenn Michel	Mary Ellis
John LaDuke	Sean Norton	Donny Davol
Julie McCarthy	Liz Sawyer	Heather Allyn Seekatz
Loree Mulay	Bob Vandervoort	
Chris Myall		
Steve Shaffer – Chairman		
Chuck Shaw		
Bob Vandervoort		

### **Winter & Company**

Consultants in Urban Design & Historic Preservation, Boulder, CO  
 Nore V. Winter, Guidelines Director  
 Julia Husband  
 Helen Hudson  
 Betsy Shears

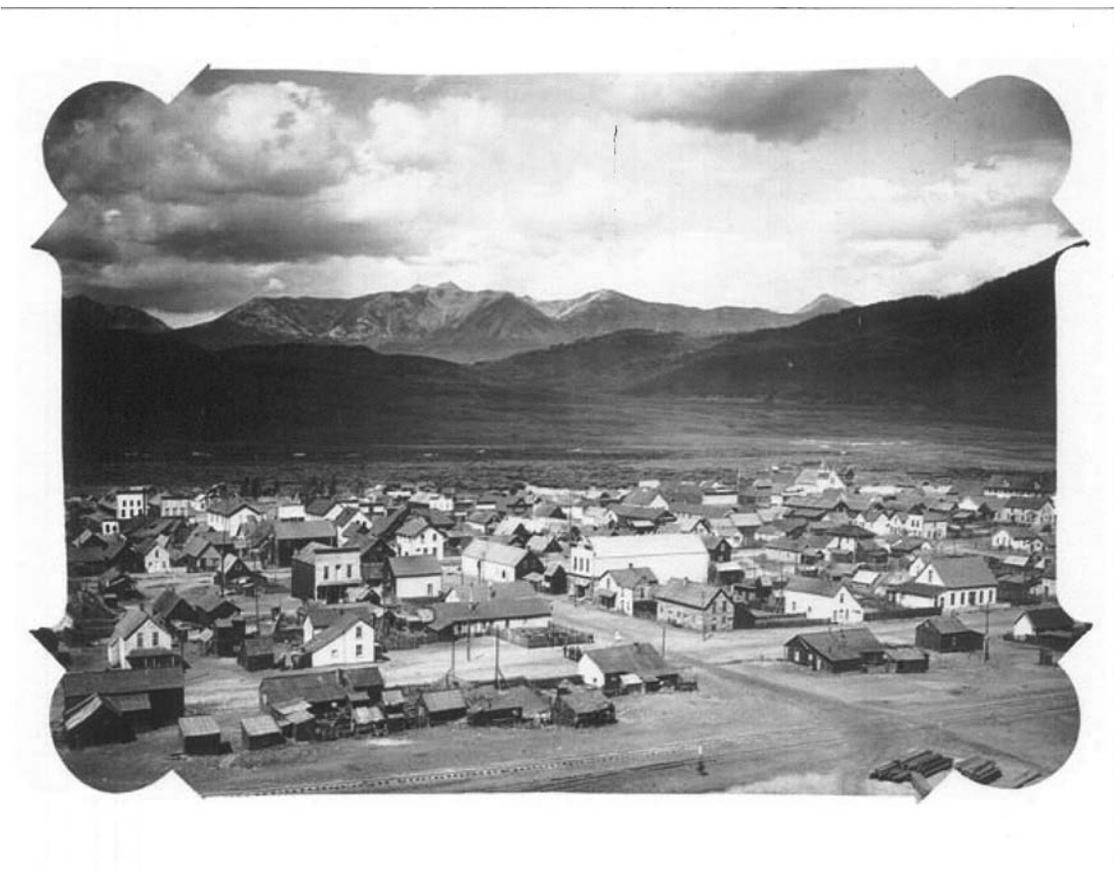
Vincent Rossignol, Landscape Architect  
 Les Choy, Lead Gardener, Town of Crested Butte  
 August Hasz, Resource Engineering Group

Lane Ittelson, Deputy State Historic Preservation Officer

The activity that is the subject of this material has been financed in part with federal funds from the National Historic Preservation Act, administered by the National Park Service, U.S. Department of the Interior, and for the Colorado Historical Society. However, the contents and opinions do not necessarily reflect the views and policies of the U.S. Department of the Interior or the Society, nor does the mention of trade names or commercial products constitute an endorsement or recommendation by the Department of the Interior or the Society.

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The Town of Crested Butte thanks those individuals who have contributed historical review and pictorial information for this project. The Town particularly appreciates the review made by Michele Veltri of the historical section of the Standards and Guidelines. The Town is also indebted to Western State College Professor, Dr. Dwane Vandenbusche, for lending his historical photographic library for review and photocopying for historical photo displays.



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## Introduction



*Decorative shingle work and projecting cornices are characteristics of early commercial buildings in Crested Butte.*



*Crested Butte has developed with a unique character that conveys a special part of the history of the Rocky Mountain West and contributes to a quality of life that is treasured by its residents.*

This book presents design standards and for building in Crested Butte. These Design Standards and Guidelines are community policies affecting the design of the built environment and, as such, they provide a common basis for making decisions about design. However, while the Standards and Guidelines do indicate which design approaches are appropriate, there are many designs that are compatible with these Standards and Guidelines.

## **Why have Design Standards and Guidelines?**

Why has the community adopted Design Standards and Guidelines? One purpose is to inform the community about the design policies of the Town. These policies are aimed at protecting the integrity of the National Historic District. They indicate an approach to design that will help sustain the character of the community that is so appealing to residents and visitors of Crested Butte. Therefore, one purpose is to provide information that property owners may use in making decisions about their buildings. The Standards and Guidelines also provide the town, through the Board of Zoning and Architectural Review (BOZAR), a basis for making informed, consistent decisions about design. The BOZAR conducts design review throughout the town. All work requiring a building permit must go through the BOZAR's design review process.

## **What is the Legal Basis for Design Review?**

Crested Butte's zoning ordinance (Chapter 16, Articles 1-24) provides for design review (Chapter 16, Article 22), a process continuously upheld by the courts, as long as it is applied equally and consistently and does not deny the property owner use of his or her property. Once adopted the Standards and Guidelines have the force of law. Anyone seeking a certificate of appropriateness must comply with all the Design Standards and Guidelines.

## **Scope of the Standards and Guidelines**

The purpose of this book and of the Standards and Guidelines in particular is to protect the historic value of Crested Butte. This historical value has been recognized nationally by the Town's designation as a National Register Historic District.

The Standards and Guidelines address all projects requiring a building permit and certain other actions, such as providing direction for policy related to the historic district. These include rehabilitation of existing historic and non-historic structures, new buildings and landscaping.

The Standards and Guidelines are also intended to aid in the preservation of historic buildings within the district, and to assure that new construction is compatible with the character of the community. The Standards and Guidelines and design suggestions are also intended to assure that new buildings can meet the special constraints of Crested Butte's climate, such as heavy snow loads in the winter.

The architectural control district is governed by Section 16-2-20, which speaks to excessive similarity and dissimilarity later referenced in 4.1-4.2 (Commercial) and 4.25-4.26 (Residential).

**When evaluating an application for appropriateness, the BOZAR will consider how the proposed project would help the Town accomplish its standards for design review.**

## **Standards for Design Review in Crested Butte**

In general, the intended result of design review (Code Section 16-22) is to preserve the historical resources of the community and have new construction that stays in character with the existing forms in both scale and appearance. With increasing development pressure, caused in part by the positive attributes of the historic district, it is especially important to curb the desire to attempt to build out a property to its theoretical maximum capacity, as this would be detrimental to the overall community character and function. Therefore, the Town holds these goals for design:

Standard A: To preserve the integrity of individual historic structures found throughout the Town.

Standard B: To protect the sense of time and place conveyed by the collection of historic buildings in the historic district.

Standard C: To enhance livability.

Standard D: To protect property values and investments.

Standard E: To retain a small-town image and atmosphere.

Standard F: To minimize negative impacts on adjacent properties from drainage and snow shedding.

Standard G: To encourage pedestrian activity.

Standard H: To convey a sense of human scale.

Standard I: To protect significant views.

Standard J: To protect the existing sense of community.

Standard K: To preserve the character of historic community.

Standard L: To encourage sustainable building practices including conscientious materials and waste/recycling/reuse.



*Uncover original building materials.*

### **BUILDING MATERIALS**

Primary structures in Crested Butte were traditionally covered in horizontal, lap siding along with some log. Accessory structures were covered with board-and-batten siding. In general, retaining original materials is preferred. Some replacement may occur, but it should amount to a low percentage of the overall building envelope.

**\*57. Replacement materials should appear similar in character to those used historically when they cannot be the same.**

*Sample Guideline*

## **How the Standards and Guidelines are Organized**

The Design Standards and Guidelines are organized into six sections:

- The first section summarizes the history of building in Crested Butte. This provides a basis for many of the Standards and Guidelines that follow, and should be read by all users.
- The second section presents Design Standards and Guidelines that apply to all projects throughout town, including rehabilitation and new construction.
- The third section provides Standards and Guidelines for the rehabilitation of historic buildings.

These apply to work on any structure, both primary and accessory, considered “contributing” by the Town (BOZAR makes this determination on a case-by-case basis).

- The fourth section provides Standards and Guidelines for all new construction. These apply to all new building in town in all zone districts.
- The fifth section includes Standards and Guidelines for individual zoning districts. These Standards and Guidelines apply to specific neighborhoods, as defined by the zoning districts.
- The sixth section addresses signage. In conjunction with the zoning code, section six defines appropriate signage throughout town.

As a context for projects, the public should use both surrounding buildings as well as the historical character and the character reflected by the different zone districts.

## **Format for the Standards and Guidelines**

The Design Standards and Guidelines in this document typically have four components: The first element is a policy statement, which describes a desired state or condition of the design element being discussed. This is followed by the Design Standards and Guideline Statement itself, which is typically performance-oriented and describes a desired design treatment. The Design Standards and Guideline Statement is followed by supplementary information, which may include additional requirements, or may provide an expanded explanation. These are listed as letters. Finally, an illustration may be provided to clarify the intent of the standard or guideline.

It is important to note that all of these elements of the Design Standards and Guidelines constitute the material upon which BOZAR will make its determination of the appropriateness of a proposed project.

## **Design and Architectural Review**

### **BOZAR**

The Board of Zoning and Architectural Review (Code Section 16-22-10) consists of a seven-member board comprised of local residents appointed by the Town Council to serve for a term of at least three years. One Chairperson is elected by the Board to lead the Board meetings and approve insubstantial changes.

The BOZAR generally holds one public hearing a month to review all of the published building, zoning and land use requests submitted to the Building Department (see calendar for submittal dates). The Board also makes recommendations to Town Council regarding issues affecting zoning, land use, historic preservation and design review.

### **DRC**

The Design Review Committee (Code Section 16-22-90) consists of two BOZAR members serving for two to three-month intervals and one Town staff person with a permanent position on the Committee. Work sessions are held twice a month to review insubstantial determinations, informal plan reviews and formal applications.

The DRC reviews all building and land use projects with the Applicant to resolve issues in conflict with the purposes and intents of the Zoning Code, Design Standards and Guidelines and neighborhood context. As a result of the discussions, the DRC makes recommendations to the BOZAR for approval, denial or no recommendation. Historic properties often require a more in-depth review of Standards and Guidelines as they relate to proposed alterations and materials to determine how the overall proposal affects the historic building and surrounding historic district.

## **Scheduling**

1. Plan submittal for a formal review is on the first or last Friday of the Month. (See calendar). For Informal and Insubstantial reviews – Plans must be submitted to the Building Department one week prior to the DRC meeting.
2. Staff Reviews occur during the following week. This includes plan review, floor area ratio calculations, fact sheet and Guideline review.
3. 1st DRC meeting is generally held on the second Monday of the month (except for holidays) and all projects reviewed, including insubstantial requests and informal reviews, start at 3:00 p.m.
4. Publications of formal applications are submitted to the Crested Butte News (official newspaper) on the Tuesday following the 1st DRC (if on a Monday), unless a significant conflict is identified during plan review or at the meeting. Applications for building, zoning or land use changes must be published for two consecutive weeks.
5. 2nd DRC meeting is generally held on the third Monday of the month, reviewing issues from the first meeting, insubstantial, or informal reviews. This meeting starts at 3:00 p.m.
6. BOZAR hearings are generally held on the last Tuesday of the month starting at 6:00 p.m.

## **Types of DRC Review**

### **Insubstantial Review**

Review of minor changes to existing structures or to previously approved plans often can be reviewed insubstantially. The DRC first determines if a request is insubstantial (see criteria in “Definitions” Section 16-1-20 of the Town Code), and then proceeds with a decision:

- If a request is determined to be insubstantial, the DRC provides approval or denial of the requested insubstantial change;
- If the DRC determines that a request is not insubstantial, the request must be published for a formal BOZAR hearing to obtain a decision on the issue; or
- If the insubstantial request is denied, the applicant has the option to submit an application to the Building Department for a formal hearing of the issue to be heard by the BOZAR.

*Plans for insubstantial review must be submitted to the Building Department one week prior to the DRC meeting.*

### **Informal Review**

The informal review is utilized at the sketch plan phase or concept stage for new construction, historic rehabilitation or additions to existing structures. This review aids the applicant by providing direction or outlining possible issues for a building project prior to a formal request for review. A sketch (1/4” or 1/8” scale on 11”x17” paper) of all 4 elevations (or the elevations affected) and a site plan (including a parking scheme) are necessary for the DRC to provide effective comments. In addition, if floor plans have been developed, they should be submitted in

order for the floor area ratio (FAR) to be calculated prior to the meeting. It is possible to request more than one informal review.

Submit sketch plans to the Building Department one week prior to the DRC meeting.

### **Required Formal Review**

Applicants submitting plans for a formal review resulting in a publication for a public hearing must come to at least one DRC meeting during the month the project has been submitted. Any informal reviews that have occurred do not replace the required DRC meeting. The DRC will make a recommendation to approve, deny or make no recommendation to the BOZAR per the plans and application materials provided. The BOZAR will then determine whether they accept an affirmative or negative recommendation, make comments or revisions, address zoning and land use issues, or fully review the project, as presented.

Submittal dates are referenced on the BOZAR Calendar and can be obtained in the Building Dept.

# USING THE STANDARDS AND GL

A Helpful Guide from Town of Crested Butte



## Using the Standards and Guidelines

Property owners and architects should start using the Standards and Guidelines when beginning a project. This will help establish an appropriate direction for the design. Designers are urged not to proceed with time and resources to a building plan without considering the information contained in the Standards and Guidelines. A building plan should take special care to adhere to the specific Standards and Guidelines for the proposed project's location.

Town staff will also use the Standards and Guidelines when advising property owners about issues that should be addressed before formally presenting a project to the BOZAR. They will also use the Standards and Guidelines in staff reviews.

The BOZAR will refer to the Standards and Guidelines when making a decision about architectural appropriateness. An approval by the BOZAR is required before the Town's building official may issue a building permit. The Town Council will refer to the Standards and Guidelines when hearing appeals of BOZAR decisions.

## How the Standards and Guidelines Relate to Other Town Regulations

The Standards and Guidelines supplement other adopted Crested Butte ordinances. These other regulations may also affect the design character of a project. Other ordinances that may influence the project are:

- **Zoning and Land Use Ordinance (Chapter 16):**

This code establishes zoning and basic land use controls such as uses, building heights, setbacks, parking, etc.

- **The Sign Code (Chapter 16, Article 18):**

Signs are regulated by the zoning and land use ordinance, which applies to all of Crested Butte.

- **The Lighting Code (Chapter 16, Article 17):**

Light fixtures, light types and quality are regulated by the night sky ordinance throughout Crested Butte

- **The Building Code (Chapter 18):**

A new building or renovation of an existing one must meet the building code. The code allows some flexibility for historic structures.

The Building Department staff can provide information about these regulations and can direct you to other Town departments for specific details.

In cases where standards or requirements within these Standards and Guidelines and other regulations are in conflict, the other regulations will take control.

**It is important to note that all of the elements of a Design Standard or Guideline illustrated on the previous pages constitute the material upon which BOZAR will make its determination of the appropriateness of a proposed project.**

**\***

**Note that a bold asterisk (\*) preceding the number of a Standard or Guideline indicates a high priority. The BOZAR will weigh compliance with the Standards and Guidelines more heavily in making its decision regarding the appropriateness of a proposed project.**

## Chapter 1 Historical Overview of Crested Butte

The history of Crested Butte includes the contribution of a wide variety of cultures, all of which have recognized the beauty and natural resources of the Upper East River Valley. Located at an elevation of 8,800 feet, the valley at the base of the Elk Mountains provided hunting grounds for the Tabeguache Utes long before Europeans saw the area. The first encounter with European culture may have been with the Franciscan explorers Dominguez and Escalante, who were the first white people to visit the region, in 1678. They preceded the prospectors who searched the area for gold and silver in the 1870s. The origins of the town's name occurred in 1874 when the United States Geological Survey's F.V. Hayden named a nearby mountain on a surveying expedition. Hayden reportedly referred to the mountain as "crested buttes," thinking it resembled the crests of a helmet, thus providing a name for the future townsite.

### The Early Years

Although the area had been occupied by the Utes, they were forced out in the 1870s as prospectors moved into the area. In exchange, they were eventually given land on Kebler Pass. In the interim, deadly incidents between the Utes and prospectors occurred at Washington and Deadman's gulches. The Kebler Pass land was eventually seized from the Utes when valuable minerals were discovered there.

In 1877, the area saw its first settlement when Howard Smith established a sawmill, found gold in Washington Gulch and established a smelter at what was to become the Town of Crested Butte. It wasn't long before the settlement became a supply center for the numerous mining camps nearby. Because it stood at a crossroad to the region's mining camps, Crested Butte became known as the "Gateway to the Elk Mountains." All prospectors and equipment passed through it to the mines located in the mountains, and the town's streets were busy with activity as supplies were loaded and shipped through town. Pack mules and trains were plentiful. (During the town's early months, tents and log cabins provided rudimentary accommodations.) The sawmill provided materials for building, and by July 1879 a boarding house with a store, a mining engineer's office and one saloon were available for the miners.

The town became more stable as it established itself as a supply center. The sawmill provided lumber for frame houses, a post office was opened, a town plat filed, and in 1880 the town incorporated. Howard Smith, along with William and George C. Holt, were responsible for incorporating the township. Crested Butte's population that year was 250 residents living in 50 structures with 1,000 miners working in the surrounding hills and mountains.

Although the area was important for mining of precious metals, it took a new focus in 1878 when John and Dan Jennings developed a coal mine south of the Crested Butte settlement. Smith purchased the coal interests shortly afterwards, but transportation problems prevented the mines from being profitable. However, it was a prelude of things to come.

### Coal and the Railroad

Two months after incorporating Crested Butte, Smith and his associates sold half of their interest in the townsite to the Denver & Rio Grande Railroad, which intended to extend its line to Crested Butte to reach the coal deposits.

Once the narrow-gauge train arrived in 1881, it further opened the isolated area, and Crested Butte saw a growing economy.

Both bituminous and anthracite coal were abundant, which made Crested Butte particularly attractive for coal mining activity. In fact, finding anthracite deposits was very unusual west of Pennsylvania. Yet discovering coal did not produce the excitement of silver and gold discoveries, hence development was left in the hands of a few farsighted individuals, including the Denver and Rio Grande Railroad along with its affiliate, Colorado Coal and Fuel Company (renamed Colorado Fuel and Iron, or CF&I). One thousand acres of coal land was controlled by the railroad as early as 1880. It was the chief customer and primary transporter of the resource, ensuring Crested Butte's survival and making it the leading coal-producing town on Colorado's Western Slope.



*CF&I 'Big Mine' tippie and coke ovens dominated the scene along the southern edge of Town.*



*Crested Butte Denver and Rio Grande Railroad Depot (located at 716 Elk Avenue) and Engine 268 headed North*

Crested Butte continued its role as a transportation hub as roads connecting Crested Butte with other mining settlements began to proliferate. Roads were constructed over Pearl and Maroon passes, providing access during the summer from as far away as Marble and Aspen. During the winter, bobsleds transported ore and supplies. Burro strings, 200 long, carried the freight in the summer months. A wagon road connected Crested Butte with the Ruby-Irwin silver camp, and a stage road joined Gunnison with Crested Butte. The Gothic Toll Road to Ashcroft was opened in 1881. The road from Crested Butte through Gothic and Marble is today's Schofield Pass Road.

Farms and ranches soon appeared in the area to supply the miners with food. Cattle raised in the valley south of Crested Butte helped strengthen the town's future, and a few farms and orchards appeared along with ranches and dairies.

Unlike other mining towns of the era, which experienced boom-and-bust cycles, Crested Butte enjoyed steady, continuous growth in its early years. George Crofutt's Grip-Sack Guide of Colorado, published in 1885, boasts Crested Butte as "by far the most important as a mining center, of any west of the mountains. Coal mining is the

principal business.”



*152 coke ovens lined the southern edge of Town in the vicinity of the current day Ice Rink and Belleview Avenue.*

As with mining in those days, destruction of the natural environment was inevitable. Trees were cut down for lumber and fuel. The mountains were cleared for prospecting, and buildings and streams became polluted. Coal was processed into coke on open roasting pits, and soot and smoke filled the air. Like most of the period’s mining towns, Crested Butte was dirty and polluted.

The open roasting pits were replaced in 1884 with 154 beehive ovens built of firebrick, which were erected on the southern edge of town. Soon Crested Butte was acclaiming itself as “The Pittsburg of the West.” The coke ovens produced a glow through the coal dust similar to the Eastern steel towns, although the aspirations of becoming a major industrial area never came to be. By the mid 1880s, 350 tons of coke shipped each week to Pueblo’s steel mills. With CF&I leading the way, Crested Butte soon evolved into a company-supported community, although it never developed into a true company-owned town.

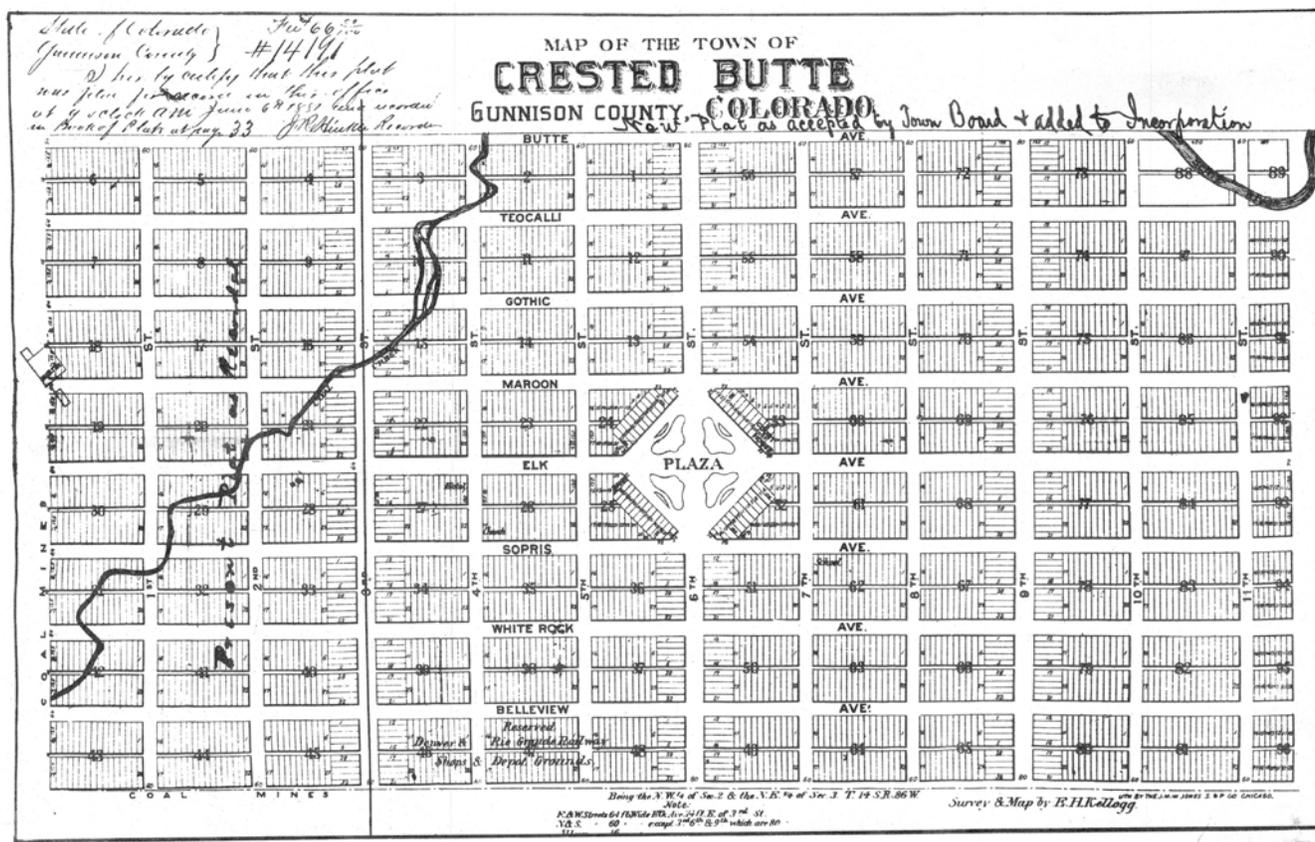
As CF&I began operation of the mines, it opened a company store called The Colorado Supply. CF&I also hired a local physician and built and rented houses, including a boarding house for unmarried miners. However, the company never monopolized the real-estate market.

Labor relations in the mines were sometimes tense. Crested Butte miners experienced several strikes (1890, 1903-4, 1914-15, and 1927), but in comparison to other mining towns throughout the country the number of strikes was minimal.

## **Community Development**

As the small settlement took shape as a mining town, the growing community cultivated an atmosphere of confidence and optimism. Real estate soared in Crested Butte’s early development. Graded streets, sidewalks and telegraph lines reflected the town’s prosperity, and the Crested Butte Town Company advertised the community to prospectors, speculators and even tourists. By 1881, Crested Butte had 2,000 residents, and its many buildings included five hotels, a bank, 12 saloons, three livery stables, 12 restaurants, and five sawmills.

This early growth was carefully planned. Town organizers established a central plaza around which blocks were organized. “In what was intended to be the center of town, portions of four blocks were laid out into a beautiful plaza which was to eventually include three artificial lakes, shade trees and shrubbery.” Eight long avenues, named for the major peaks of the surrounding mountain range, extended from the hills that rose at the west end of the valley to the base of the Butte. The low ridges to the west and south dictated that the basic building form should be a rectangle rather than a square.



Copy of the June 6, 1881 plat map of the Town of Crested Butte. Note the 'plaza' included idealistic water features.

An influx of merchants followed the growing numbers of miners into Crested Butte, and thus business activity increased. As the town continued to grow the business community diversified. Throughout the 1880s a variety of establishments appeared, including dry goods, a drugstore, a jewelry store, a bank, a bowling alley, grocery stores, meat markets, artisans, attorneys, doctors, restaurants, saloons, hotels, blacksmiths, mining engineers, newspapers, coal dealers, lumber mills, the railroad, and the smelter. By 1890 other establishments had opened, and at this point there were eight saloons, two barbers, a men's furnishing store, a milliner, a laundry, a livery, a furniture store, a shoemaker, a photographer, a hardware store, and a stationery store.

Known for its heavy snows, Crested Butte gained a reputation for long, frigid winters. This harsh climate, along with the town's isolation and less-than-perfect living conditions, caused Crested Butte's citizens to band together through the years and become a close-knit community.

The social atmosphere consisted of picnics and fishing in the summer, sleigh rides and school dances in the winter, concerts, parties, saloons, gambling halls, a small red-light district, and fraternal organizations. Sports were prevalent, including football, horse racing, roller skating, baseball, and skiing. Skiing was popular as early as 1880-1881 when competitions were staged on nearby mountainsides. By 1886, a ski-racing circuit was established with races in Crested Butte, Schofield, Ruby, Gothic, and Gunnison.

However, hardships were profound, and living conditions were marginal: dirty, smelly and gloomy, with frigid, rough winters. Many of the miners could not tolerate the conditions and left.

Disasters seemed to plague the town in the mid to late 1880s. In 1883, tragedy struck when an avalanche killed seven men at nearby Anthracite. The next year, one of the worst mining accidents in the history of Colorado and the West occurred when gas caused an explosion in the Jokerville Mine. The mine had opened in 1881, just three years prior to the catastrophe. Sixty-one miners including three boys, and mostly English, were killed. The third disaster to hit Crested Butte was a major fire in 1890 that destroyed the town's main business block, followed by another fire in 1893.

Because of the tragic explosion in 1884, CF&I closed its Jokerville Mine. However, the company continued to wield immense power. After phasing out the Jokerville Mine, CF&I opened the Big Mine in 1894 on the mesa directly south of town. This mine was to become the principal mining operation in Crested Butte, maintaining a consistent reputation for its safety practices throughout the period.

The early miners were of Welsh, Scottish, German, and Irish descent, and of these 62 percent were single. The mix of cultures sparked many ethnic disputes. In 1891, when wages were cut, the miners struck. Italians were blamed for causing trouble during the strike and eventually were refused employment. Soon afterward, they left the community. At the turn of the century, many Slavic immigrants arrived to join a majority of Italians and Austrians. These hardworking European miners endured despite the fact that they were unfamiliar with the English language and were at times exploited by the mining company. By 1914 the crew at the Big Mine was completely dominated by Slavic workers, who became the backbone of the United Mine Workers.

Neighborhoods in Crested Butte were defined by ethnic origins. Ethnic saloons (i.e. Kochevar's, 127 Elk Avenue; Spritzer's, 200 Sopris Avenue; Elk Head Bar, 202 Elk Avenue; and Kikel Saloon, 413 Second Street), lodges (i.e. Croatian Fraternal Union, 512 Second Street; and Masonic Hall/Knights of Pithia, 311 Elk Avenue) and churches (i.e. United Congregational Church, 403 Maroon Avenue; and Saint Patrick's Catholic Church, 108 Maroon Avenue) arose to serve the neighborhoods. Foreign immigrants replaced Americans as laborers. Foreign miners, railroad workers, coke workers, engineers, freight workers, and main-street business owners outnumbered the Americans. Most of the town's population consisted of unskilled immigrant labor by 1925.

## **A New Era: The Turn of the Century / Mining Closed / Skiing Started**

During the late teens and twenties coal mining declined, and coke production eventually collapsed due to the state of the national economy. Even before the Great Depression coke production had begun to taper, and in 1918 the last coke ovens in Crested Butte closed. The closing of the smelters, high transportation costs and changes in industrial methods were all responsible for the significant decline of the coal industry.

Nonetheless, mining at the Big Mine continued, although not with the technology available in other parts of the country. In 1929 the Big Mine received electricity, and Crested Butte's life continued to revolve around the Big Mine.

The automobile had both positive and negative effects on Crested Butte. CF&I opened a gas station, and good roads were built, which encouraged tourism after World War I. However, with the increased use of the automobile

came the decline of steady business on Main Street (now Elk Avenue). People had easier access to stores in Gunnison, and many small businesses could not compete with the Colorado Supply Company Store. The number of Main Street (now Elk Avenue) stores declined in the 1920s.



*1951 Aerial Photo of the Town. Note the tipple and coke oven remnants located on the south side, Hwy 135 (gravel) and the railroad at the eastern edge with Kebler Pass road accessed via Elk Avenue to the west.*

In 1931 the Depression caused the mines in the area to close completely. Perhaps an even harder blow came to the community a few years later, in 1938, when the bank failed. Ironically, it was during this time that hard-rock mining again became popular due to the rise in the price of gold. The “rush” only lasted a few years until the economy picked up and jobs were available elsewhere. Roosevelt’s New Deal and the establishment of the Civilian Conservation Corps provided jobs for unemployed miners and contributed to the survival of Crested Butte during the Depression and until the Big Mine reopened.

Coal production increased with World War II. During this time the town’s population stabilized at approximately 1,500 people. However, coal production steadily diminished in the years following the war due to an increase in the use of gas, electricity and oil for heating. The Big Mine was completely closed in 1952, and the company’s buildings in Town were sold. What had been the town’s life support for nearly 70 years was gone. By that time the Crested Butte Mine had produced 10.2 million tons of coal. The town’s population waned as many of the miners left for jobs in larger towns. Only about one-third of the town remained. The railroad pulled up the tracks when business succumbed to trucking, cars and improved highways.

However, a new era was on its way as the tourist and ski industries embarked on a new image for the town. In 1960 Crested Butte Limited began development of a ski area. Crested Butte had a chance for survival, and many who stayed were ready for the new challenge.

## The Significance of the Historic District

In 1972, the Town Council enacted an ordinance establishing a Historic Overlay District being the Town of Crested Butte. The historic buildings within Crested Butte provide a visual link with the past and the men and women who worked to form a community at this elevation. In addition, these buildings contribute to the quality of life of the town. Because historic buildings are at a human scale, one to three stories in height, they contribute to a pedestrian-oriented environment. Their porches, moldings, windows, and doors enliven the street, making the town an interesting place to walk.

The historic areas of Crested Butte help tell the story of the mining era in the Rocky Mountains. Because the town retains so many wood-frame structures, it is a rare example of a mining town during its development stage.

The historic district and the surrounding areas appeal to visitors, and therefore these areas contribute to the economic well-being of the community. Residents develop a sense of community from the distinct identity that the historic core of town provides.

Today the historic district offers a living history and environment that are becoming increasingly rare across the country. However, this experience does come with constraints. Historic houses are small and require regular maintenance. Lot sizes also constrain new development. People who live and work here must recognize that some life patterns that work elsewhere will not apply in Crested Butte. Accommodating the lifestyle that is embedded in the history of the community is essential to the district's survival.



*The Pilot Office in its early years exhibited the simple false fronts of the vernacular commercial architecture of Crested Butte. The vertical board wall screened a typical gable roof.*

## Listing in the National Register

In recognition of the historic significance of Crested Butte's coal-mining heritage and Western Victorian setting, a portion of the town was entered into the National Register of Historic Places (NRHP) in 1974. A rectangular boundary from Maroon to Whiterock avenues and First to Eighth streets was established as the original NHRP District. In 1981, a Review and Evaluation (historic building survey) determined that 53 of the 412 historic buildings included in the survey were within the NRHP boundary. Sixty-six of the historic structures surveyed were built between 1880 and 1930, which is considered to be a period of historic significance in Crested Butte. Twenty-one structures built between 1930 and 1974 were determined to neither enhance nor disturb the integrity of the National Historic District established by the 1974 boundary.

The Town of Crested Butte was granted Certified Local Government (CLG) status by the Colorado Historical Society in 1992. The CLG program was established by Congress in 1980 and revised in 1992 in order to develop relationships between federal, state and local governments and the National Park Service to foster historic-preservation efforts around the country. In Crested Butte, the Board of Zoning and Architectural Review is the reviewing entity of the CLG, and it has the ability to administer state income-tax credits for historic preservation efforts as defined by the National Park Service. The tax-credit program helps to offset the expenses associated with historic rehabilitation projects by crediting 20% of qualified costs to the property owner's state income tax returns.

In 1998 and again in 2000, the Town completed a new inventory and survey of the historic structures within its boundaries. The study included historic primary structures as well as numerous outbuildings, which define much of the character of Crested Butte's historic district. All buildings were identified and photographed to establish a permanent record of the historic building stock within the town limits. Additionally, the NRHP boundary and period of historical significance were revised to include all buildings constructed up to and including, when the CF&I mine closed and the railroad ceased to operate. This period marked the end of the mining era and the beginning of the transition to the tourism and recreation industries, which have become the basis for the local economy. A total of 419 buildings were studied. Of those, 225 (54%) are primary buildings and 194 (46%) are outbuildings, which historically served as outhouses, smokehouses, barns, storage areas, and garages. Of the primary structures identified, 187 (83%) are residential buildings, 15 are commercial or public buildings that are eligible to be individually listed on the NRHP, and 23 are commercial buildings. Of the residential structures, 121 (54%) were constructed prior to 1900, 56 (25%) were constructed in the 1880s, and 65 (30%) in the 1890s. Another 35% were constructed between 1900 and 1930, which is a slightly higher figure than that determined in the first historic building survey.

The revised 2000 NRHP boundary included 88% of the historic buildings found within the town limits as opposed to the 53% included in the original 1974 boundary. The Depot, which is no longer included in the boundary, is individually listed in the National Register for Historic Places, and the old Mine Superintendent's Home is listed on the State Register of Historic Places. Through the 1972 Historic Preservation Ordinance, the Town protects all historic buildings within the original town boundaries, and those 50 years or older are protected by the Board of Zoning and Architectural Review and the Municipal Code.

Elk Avenue represents a concentration of false fronts, decorative window and door surrounds and decorative

boxed cornices. Residential structures exhibit vernacular building tastes in subtler, yet equally significant fashion. Basically functional in shape, these structures are decorated with window and door trim and occasionally with other wood ornamentation.

## Building Types in Crested Butte

Because its heritage is founded in timber and mining, Crested Butte possesses a unique architectural heritage that reflects a tradition of industry, projecting a feeling of simplicity and practicality. This has had a significant impact on building types. Despite its modest beginnings, the town cultivated a rich architectural history. A large number of the commercial and residential structures are based on building types that appeared over an extended period of time, not only in Crested Butte, but throughout the West. Many of these structures are characteristic of Crested Butte's vernacular influenced by the immigrants who constructed them



*The Union Congregational Church is a rare example of Gothic Revival style architecture in Crested Butte.*

Historically, structures built in Crested Butte tended to be small wood structures free of elaborate ornamentation. The early establishment of the sawmill ensured the dominance of wood-framing techniques and materials, as seen in both residential and commercial structures. However, a few buildings were built of stone, including the jailhouse and the schoolhouse. Most of the structures are one- or two-story buildings topped with steeply pitched, gabled or hipped roofs to promote snow shed in the winter.

Because most building forms were similar and lacked extensive stylistic decoration, it is easier to categorize the buildings in Crested Butte by type rather than by style. This is especially true for the vernacular buildings, both residential and commercial. "Victorian" elements are distinguishable on many buildings, particularly details of porches, cornices and patterned shingles. Although most buildings are simple, a few buildings do have a sense of style and suggest a conscious effort to acknowledge a stylistic trend. For example, the Union Congregational Church, built in 1882, is an example of a Gothic-inspired building representative of the Gothic Revival in vogue in the West during the late nineteenth century. (See the photo on page 20.)

However, most buildings in town are not typical of a particular architectural style. Instead, they represent the work

of builders who were inspired by the styles popular in the Eastern United States, and also indicate the minimalist needs and local modifications that make them characteristic of Crested Butte. For example, many roof forms in Crested Butte are steeply pitched to mitigate snow buildup. In addition, a house form that is characteristic of Crested Butte is the mining town cabin, with the porch inset under the gable.



*The typical false front has a simple rectangular front façade, with a cornice at the top, used to conceal a sloped roof behind.*

## Commercial Building Types

Originally, Crested Butte was a mining camp, but as the town attracted more industry and gained permanence development followed. For instance, by 1890 various businesses had opened, such as dry goods, a drugstore, a bank, a grocery, bars, restaurants, and hotels. This growth resulted in an interesting, visually unified commercial area that featured variations of the storefront. Many of the commercial structures were constructed with features found on most retail-oriented buildings of the day. Large display windows on the ground level created transparency, allowing the goods and services inside the shop and in the windows to be in plain view. A kick plate below the display windows provided protection from the street. The second floor was designed with more solid space on the façade and with windows that were generally smaller and vertically oriented.

### False Front

Many of Crested Butte's commercial storefronts exemplify the traditional Western false front. In most cases, the false front is a rectangular form with variation in the silhouette of the cornice line. In Crested Butte, it is common for the cornice to be broken in the middle with a triangular or rounded form. The false front conceals a simple gable roof. The upper portion of the front is usually blank. Where windows occur at this level, they are small in proportion to the surface area of the façade itself.

The Company Store and the Creamery are examples of mission-influenced false-front structures with rectangular forms fronted with a curvilinear cornice line. The Company Store, built in 1937, is a historic example of the mission style in Crested Butte.

### Vernacular Commercial Storefront

This term refers to Crested Butte's small, one- or two-story wood frame commercial buildings, many of which have components of the traditional commercial storefront. In addition, many of these buildings have ornamentation, but no features or configurations that categorize them as a distinct style.



*Vernacular commercial storefronts use a combination of style elements.*

### Residential Building Types

The residential building types are also indicative of the town's mining heritage, as they tend to be small and simple building forms. The overall design expression of the buildings conveys a sense of modest building traditions and tastes. Practically all residential structures were of wood frame construction with clapboard or drop lap siding. Many houses have folk Victorian detailing, such as turned posts, saw work and patterned shingling. Entrances are commonly defined by a porch. These porches either project from the façade or are inset, such as those on houses built by the mining companies. Windows are vertically oriented and are commonly double-hung. Some of the building types of residential structures found in Crested Butte include ell-shape, rectangular, gable end, hip roof, and vernacular.

#### Ell Shape

The ell-shaped house is defined by the shape of its floor plan. The most obvious element is an intersecting gable roof. Porches are usually attached, sometimes with a side extension. The ell-shaped house is built in both one- and two-story configurations.



*The L-shaped form is common in residential construction.*

### **Rectangular, or Side-gabled, House**

A building described as rectangular has a simple, rectangular shape and a gable roof. The ridge is usually parallel to the street.



*The rectangular house roof ridge is usually parallel to the street.*

### Gable-end House

This is the most common house form in Crested Butte, and it may be seen in one-, one-and-a-half- and two-story forms. The gable-end dwelling has the gable end toward the street. Some houses include a combination of several gable-end forms. Although similar to the rectangular house, the gable-end structure has different proportions. Some have attached, full-width porches. Some gable-end structures in Crested Butte have an entry door coupled with a bay window on the front façade. Another version has an inset porch located under the gable. Only a handful of these historic cabins still exist. The gable-end house has varying degrees of roof slope, although most tend to be steep in order to shed snow. However, the mining village cabin's roof tends to have a gentler slope.



*The gable-end house roof ridge is usually perpendicular to the street.*

### Hipped-roof House

Like the ell-shaped house, the hipped-roof form did not gain the popularity of the gable-end form in Crested Butte. Because of the pyramidal shape of the roof, most hipped-roof structures appear to be square in shape. However, rectangular examples are found. Common to the hipped structure is the center dormer and center porch. Like the other building forms, the hipped-roof structure is very simple and usually minimally adorned.



*The hipped-roof house is characterized by the pyramidal shape of its roof.*

### **Vernacular House**

This term refers to a non-stylized building design, meaning that it was not constructed following an architectural trend or fashionable style of the period. The historic vernacular building was usually a product of local craftsmen who employed native building techniques and materials, designing their buildings in response to climate and setting. The vernacular house is usually unadorned, as it was built to be functional. Most building types in Crested Butte, including those of the ell-shaped, rectangular, gable-end and hipped-roof forms could be classified as vernacular, as it is a catch-all term.



*The typical vernacular house is not characteristic of a distinctive style, but is built with traditional elements of the period.*

## Chapter 2 Design Standards and Guidelines for All Projects

These standards and guidelines apply to all projects, including alterations to historic buildings, new construction and site improvements.

For a project that includes construction of a new building or alteration to an existing non-contributing building, see also the Standards and Guidelines for All New Construction (Chapter 4), beginning on page 98. For a project that includes work on a historic building, see also the Standards and Guidelines for Historic Properties, beginning on page 51.

### ACCESSIBILITY

Places of public accommodation are required to provide access to their services and programs under provisions of the 1990 Americans with Disabilities Act (ADA). In the case of historic buildings, some provision for using alternative measures exists. None of the provisions of these standards and guidelines are intended to conflict with meeting the accessibility requirements. However, any alterations to historic buildings that would affect their integrity should be minimized. The historic Company Store building located at 303 Elk Avenue building is a good example of providing ADA accessibility.

Congress nationalized the interest in preserving significant properties and established alternative requirements for buildings and facilities that cannot be made physically accessible without threatening or destroying their significance. Qualified historic properties include properties listed in or eligible for listing in the National Register of Historic Places, and those designated under state or local law. Owners of historic buildings undertaking rehabilitation or restoration work should not use the alternative minimum requirements without first consulting the appropriate State Historic Preservation Officer (SHPO) or the Board of Zoning and Architectural Review (BOZAR), a Certified Local Government. If it is determined by the SHPO or the BOZAR that compliance with the full accessibility requirements would “threaten or destroy those materials and features that make a property significant,” then alternative minimum requirements may be used. Consult Item 3 of National Park Service Preservation Brief 32 “[Making Historic Properties Accessible.](https://www.nps.gov/tps/how-to-preserve/briefs/32-accessibility.htm)” <https://www.nps.gov/tps/how-to-preserve/briefs/32-accessibility.htm>.



*The ADA ramp added to the rear elevation of the Company Store building at 303 Elk Avenue represents an effective placement on a historic building.*

**2.1 Alterations to historic properties that are designed to improve access for persons with disabilities should create minimal negative effects on the historic character or materials. Alternative measures for providing access to activities and services may be considered in some cases (see above).**

## COLOR

Traditionally, color schemes on buildings in Crested Butte were simple in character, and the colors themselves were muted. Most primary structures and some secondary structures were painted: continuing that tradition is encouraged. If color is included in a project requiring a building permit, the color scheme will be reviewed.

Please note that color schemes should be considered at the outset of a project.

*The photograph above illustrates an appropriate contrast in color, one that highlights the historic character and unique detailing of the building.*



## HISTORIC COLOR SCHEME

When renovating a historic building, first consider returning to the original color scheme. To accurately determine the original color scheme requires professional help, but you can get a general idea of the colors that were used by scraping back paint layers with a pen knife. Since the paint will be faded, moisten it slightly to get a better idea of the original hue. However, it isn't necessary to use the original color schemes of the building. An alternative is to create a new color scheme using colors in ways that were typical of the period.

With respect to the treatment of color on individual historic buildings, colors that represent the appropriate period of history are preferred but not necessarily required. Color does not damage the historic materials or alter

significant details and can always be changed in the future, so its application is not as critical as some other design options.

However, some inappropriate applications of color may hinder one's ability to perceive the character of the architecture. For example, if a building with jigsaw brackets and moldings is painted one color with no contrast between the background and the details and little opportunity for expression of shadows, the perception of the character of the building may be diminished. Conversely, in Crested Butte details should not be highlighted with excessively contrasting colors.



*Reserve the use of bright colors for accents only. Although this color scheme does no damage to historic building fabric, its composition varies from traditional ones.*

This concern for perception of character is more relevant in the management of a historic district where the assemblage of buildings on the street is important to one's perception of the character of the streetscape. In this sense, one building that stands out from the rest with an inappropriate color scheme will impede one's perception of continuity in the district. For this reason, the BOZAR may discuss the use of color as a part of its consideration of other design issues.

In general, bright colors used on large surfaces are discouraged. In all cases, the following standards and guidelines for the use of color shall apply.

**\*2.2 Colors should be muted.**

- a. Traditional colors that match those found in nature are preferred over colors with intense chroma.
- b. Roof colors also should be muted. Brown and gray were the dominant roof colors in the past because of the materials used – wood shingles and sheet metal. That tradition remains today and should be respected.
- c. Reserve the use of bright colors for accents, such as on ornamentation and entrances.
- d. In most cases, only one or two accent colors should be used in addition to the base color.
- e. Doors may be painted an accent color or they may be left a natural wood finish. Historically, some doors simply had a stain applied.
- f. Window sashes or trim are also an excellent opportunity for accent color. *(Rev. 2020)*

- g. Brilliant luminescent or “day-glow” colors are inappropriate.
- h. Street-facing garage doors must be painted or stained the same colors as the areas around them. *(Rev. 2020)*

### **2.3 Use colors to create a coordinated color scheme for the building.**

- a. Choose a muted base color that will link the entire building face together.

### **2.4 Primary structures should be painted or color stained.**

- a. Historically, most primary structures were painted. In both rehabilitation and new construction, this tradition should be continued.
- b. For historic buildings, please refer to GL 3.63. For new construction, please refer to GL 4.9 for commercial buildings and GL 4.74 for residential. *(Added 2020)*

### **2.5 Accessory structures may be painted. However, in the historic core zones accessory structures should remain unpainted and be covered with a protective sealant. *(Rev. 2020)***

### **2.6 Natural masonry and brick shall remain unpainted. Stucco finishes are addressed in materials, Chapter 3 for historic buildings and Chapter 4 for new construction. *(Rev 2020)***

- a. For other parts of the building that do require painting, select colors that will complement through similar tones those of the natural materials.



*Site planning should include sufficient Areas to accommodate snow deposition areas, and drainage to the street or alleyway.*

## DRAINAGE/SNOW SHEDDING

Crested Butte’s alpine environment means a relatively wet climate for the West, with high accumulations of snow in the winter and rain in the summer. Precipitation must be adequately addressed in the design of buildings and site work.

### **\*2.7 Provide snow storage on site.**

- a. Generally, snow storage areas should be one-third the size of all areas to be plowed.
- b. Snow must not shed or be stored on adjacent properties. *(Rev 2020)*
- c. Be aware of safety concerns regarding snow shed into paths and walkways at doors and on decks. *(Added 2020)*

### **2.8 Minimize drainage onto adjacent properties.**

- a. To prevent moisture damage, drain away from structures.
- b. Avoid increasing runoff onto adjacent properties.

## ENERGY CONSERVATION

The use of solar applications and alternative energy measures within town is encouraged. Crested Butte experiences an extreme winter climate. Heating costs can be lowered through good design that takes into account energy conservation measures and alternative sources of energy. Individual solar devices and their placement should be analyzed to ensure that they are effective in this climate and can withstand snow load and shed issues. Additional information and suggestions can be found in the appendix to this document.

*(All of these GL were added in 2009 and revised in 2020)*

### **\*2.9 On historic buildings in the historic core zones, solar collectors or devices must be placed to minimize their visibility. *(Added. 2009, Rev. 2020)***

- a. The use of solar collectors or devices on historic buildings is a particularly sensitive issue and will be subject to higher levels of review that may include the National Park Service Technical Preservation Services, “Solar Panels on Historic Properties”, See Appendix 3.
- b. In historic zones, do not locate solar collectors or devices on principal roof elements of primary structures with street frontage. Locate them on non-visible roofs or accessory buildings instead.



*Roof top solar arrays on historic buildings are placed to minimize visibility from the street.*

**\*2.10 On pitched roofs, solar collectors and devices must be parallel to the angle of the roof with minimal projection from the roof.**

- a. Secondary shed roofs that incorporate solar collectors and devices may be considered.
- b. Roof color should be selected to complement the color of the solar collectors and devices. For installations on existing buildings, this may not have to be met.
- c. In new zones, solar collectors and devices may be installed on roofs that face the street.



*Placements of solar panels parallel with the roof are required, as seen on residential buildings in the 500 Block of Gothic and 900 Block of Elk Avenue. Roof color should be complementary with the solar collectors and devices.*

**2.11 Solar Panels may be mounted on flat roofs so long as they adhere to the following standards and guidelines:**

- a. The tops of the solar panels must not protrude more than six feet above the roof deck, the parapet or the highest structure on the side of the building.
- b. In the historic core zones and on historic buildings, the tops of solar panels should not protrude above a plane drawn 40 degrees above horizontal from the highest structure on the side of

- the building.
- c. In the historic core zones and on historic buildings, solar panels should not be visible from a point six feet above the curb opposite the primary street frontage.



*The placement of the solar array on the sloped roof of the historic module located at 512 Second Street is effective in minimizing the visibility as seen from the street.*

**2.12 Freestanding are acceptable if no other reasonable solutions are available and if they adhere to this section.**

- a. Freestanding units may not be placed in front yards or on side yards adjacent to streets.
- b. Freestanding units may not exceed 18 feet in total height above grade.
- c. Minimize the impact of freestanding supporting structure (i.e. pole, bracket, etc.) with landscaping, such as trees behind or low-level shrubs in front of the supporting structure.
- d. Ground mount units should not adversely affect neighboring properties.

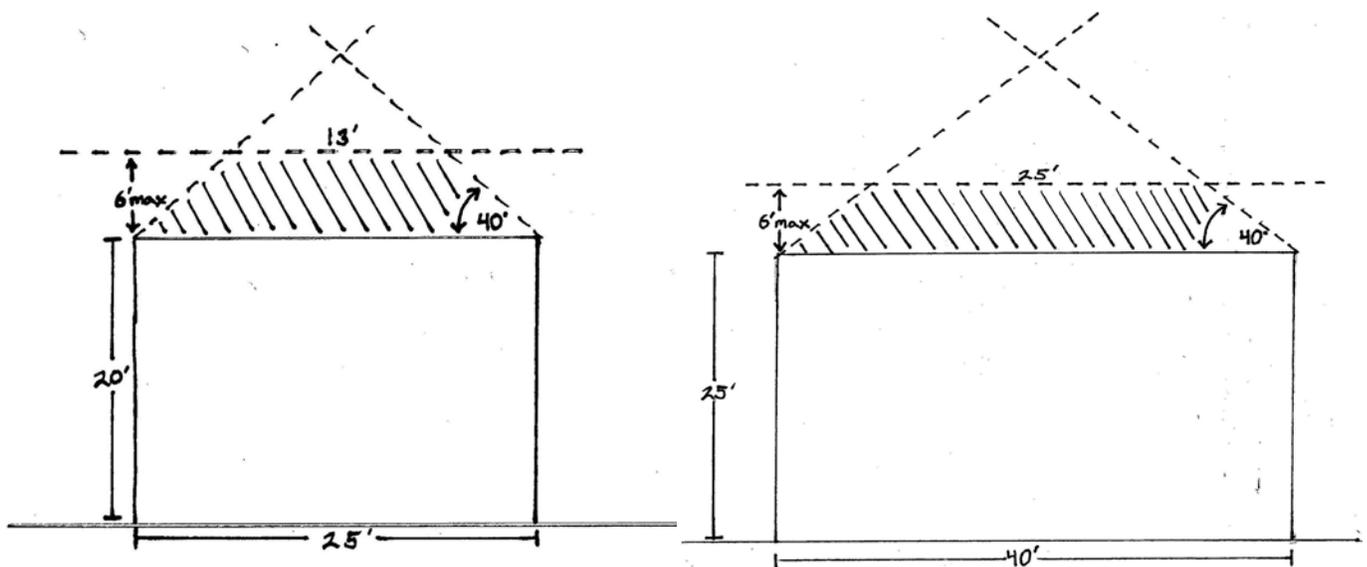
**2.13 Wall-mounted units are acceptable if no other reasonable solutions are available and if they adhere to this section.**

- a. Wall-mounted units may be considered on primary and accessory structures. They should not be placed on street-front elevations of primary structures.
- b. Vertical wall-mounted units may be considered.

**2.14 Awnings and porch roofs that incorporate solar panels on the roof may be considered.**



*The awning solar array attached to the rear of 330 Bellevue is an effective method to increase the energy production or off-set ground surface heating.*



*Envelope for placement of solar panels.*

**2.15 Minimize the visual impacts of expansive areas of glass associated with sun spaces. In passive solar applications, do not utilize more glass than is necessary. A licensed solar design professional will be required when pursuing passive solar systems.**

- a. In Crested Butte, the amount of glass needed for solar gain is less than some people may assume. It is important to follow the standards and guidelines for solid-to-void ratio. Refer to Appendix 1 for additional information on passive solar design.
- b. Design fenestration patterns to be similar to those of traditional windows.
- c. Use smaller glass panes in frames rather than a large plate of glass.
- d. Large expanses of glass are inappropriate except on first-floor storefronts.
- e. The construction of a sun space should not alter the character of a historic building.
- f. Glass should not continue to the edge of a wall, which creates a contemporary appearance. Corners of buildings should be solid materials, not glass.
- g. The addition of a sun space should not alter the character of a historic home. On historic homes, the glass on porches was traditionally mounted higher off the floor.



*The sun space addition to this home was renovated. The glazing was replaced with walls and conventional window openings.*

## LANDSCAPING

The Crested Butte townscape should complement the town's historic character and reflect the indigenous landscape of the surrounding countryside. Landscape elements should include: tree-lined streets; ground-cover plantings to control dust, erosion and noxious weeds; a minimum of unplanted, hard-surface areas; and tree, shrub and wildflower plantings of indigenous species to help define a sense of place for this unique community. In addition, a goal is to increase the amount of green space in Crested Butte.

In recent years, the amount of hardscape, including roofs, streets, drives, decks, and parking areas has increased dramatically, at the expense of green space. This trend should be reversed. Therefore, a high degree of compliance with these landscape standards and guidelines is expected. In all cases, the preference is to preserve mature, existing landscaping.

### 2.16 Include substantial amounts of landscaping in all projects.

- a. All unpaved surfaces that are not part of plant beds or other landscape features should be seeded with a mixture of short-growing native grasses.
- b. Non-vegetative ground covers, such as crushed rock, gravel, decorative bark, and rock are discouraged as landscape materials in non-parking areas.
- c. Bluegrass lawns are strongly discouraged.
- d. Trees, shrubs, wildflowers, ground covers, and grasses should be species that are indigenous (native) to the area surrounding Crested Butte in order to develop a sense of belonging to the surrounding natural landscape.
- e. Pervious materials such as gravel or pavers are preferred over non-pervious materials such as concrete or asphalt for driveways and parking areas. Pervious materials allow water to percolate into the soil and reduce runoff. *(Rev 2020)*
- f. All plantings should be well maintained.
- g. Provide a convenient source of water, such as well-placed hose bibs, for all plantings.
- h. The lighting of landscaping features is discouraged. *(Added 2020)*



*The use of trees, shrubs, flower beds and soft-scape surfaces create effective landscaping.*

**2.17 Arrange landscape elements in a manner similar to those seen traditionally.**

- a. Plants that are not indigenous should be kept to a minimum. If exotic annuals and perennials are used in floral displays, they should be confined to small, well-defined areas such as flower beds, rock gardens or planter boxes.
- b. Landscape plantings should reflect the form, color and texture of the surrounding landscape.
- c. Aspens appear more natural when planted in clusters.
- d. Designs should use a mix of deciduous and evergreen trees.

**\*2.18 Preserve existing mature trees and other established vegetation.**

- a. This is especially important along property lines and within required setback areas.
- b. Existing plantings that are in the way of proposed construction should be relocated on site when ever practical or replaced with an equal number of the same species as the space allows.
- c. When historic structures are preserved on site, the immediately adjacent plantings should also be preserved.



*Preserve existing native trees and vegetation when feasible, especially those along property lines or within required setback areas.*

**2.19 Trees are to be planted behind the property line and within the required setback area. (Rev. 2020)**

- a. Planting of a minimum of two trees per 50 feet of street frontage is encouraged.
- b. Recommended trees are cottonwood, aspen, pine, and spruce. Spruce and pine trees shall have a minimum height of 4 feet, and cottonwood and aspen trees a minimum height of 6 feet at

- the time of planting.
- c. Cottonwood trees are recommended as street trees along the fronts of properties.
  - d. Mature trees vary in size depending upon their microclimate and species, however trees a minimum of 8 feet tall appear mature as people must look up to see the entire tree. When planting aspens, use three small trees to replace one mature one.
  - e. Consider the impact of snowplows when locating trees next to streets or driveways.
  - f. Consider using deciduous trees on the south side of structures to maximize solar gain in the winter and conifers on the north side to shield structures from the prevailing winds. *(Added 2009)*
  - g. Consider your neighbors' solar access when planting trees. *(Added 2009)*



*The use of native trees are encouraged.*

## **2.20 The use of native plant materials is strongly encouraged.**

- a. Use plantings of native shrubs and wildflowers to screen building foundations.
- b. Use plantings of native trees, shrubs and wildflowers to define property lines and other borders.
- c. Enhance large open spaces with native plants.
- d. Accent plantings that are compatible with the available open space and snow-storage requirements are encouraged.
- e. Wildflower meadow plantings of native species are encouraged within larger open-space areas.
- f. The use of synthetic turf is prohibited.



*Use plantings of native trees, shrubs and wildflowers to define property lines and other borders.*

## MAINTENANCE

### **2.21 Provide an adequate water supply to meet the needs of vegetation if non-xeriscape plants are selected.**

- a. Use natural site drainage to provide water to vegetation.
- b. Where necessary, provide an irrigation system.

### **2.22 Plan for the replacement of mature trees that are near the end of their lifespan.**

- a. If plants that are part of an approved landscape die, replace them with similar plants. Note that tree removal permits are required for the removal of mature trees that have a trunk diameter of two inches when measured at four feet six inches from ground level per Section 16-15-50 of the Municipal Code. (Rev. 2020)

## NATURAL FEATURES

Steep slopes, rivers, rock outcroppings, and stands of mature trees are examples of natural features that should be preserved on site when feasible.

### **2.23 Protect natural features.**

- a. When feasible, locate structures to avoid negative effects on natural features.



*Protect natural features, such as the hillside seen here.*

## **FIRE PIT**

### **2.24 Permanent fire pits, wood or gas, may be considered in specific locations. (Added 2020)**

- a. In residential applications, the fire pit must be located in the rear or side yard of a home and must meet all IFC and IFGC requirements for distances and manufacturer's specifications in the installation guide. The setback for wood burning fire pits is from the property line and/or any structure.
- b. In commercial applications, the fire pit must be 12 feet back from the street frontage or alley and at least five feet from the side yard property line. The pit must meet all IFC and IFGC requirements for distances and manufacturer's specifications in the installation guide. Screen the fire pit with tables and/or landscaping. The pit should be visually unobtrusive, measuring not more than six feet in diameter and 18" in height. Dry stacked stone, metal and wood are appropriate materials to cover the base. The setback for wood burning fire pits is from the property line and/or any structure.
- c. Wood and gas exterior fireplaces are not permitted.

## **HISTORIC FENCES**

The general character of historic fences should be retained. In Crested Butte neighborhoods, these were traditionally wood picket or wire fences.

**2.25 Consider using fences to define yard edges.**

- a. In front yards, fences should enhance a pedestrian environment.
- b. A fence should not exceed 3 ½ feet in height in the front yard and be consistent with code section 16-14-30. *(Rev. 2020)*
- c. Tall privacy fences are discouraged.

**2.26 Preserve original fences when feasible.**

- a. Replace only those portions that are deteriorated.

**2.27 For replacement fences, use materials similar to the original.**

- a. Avoid using solid fences with no spacing between boards.
- b. Simple iron or wire fences may be considered.
- c. Wood picket fences also are appropriate.
- d. Chain link is not an appropriate material.
- e. In historic Crested Butte, simple iron and woven wire fences were common. Wrought-iron fences were not prevalent due to the expense of hand forging individual components. *(Added 2009, Rev. 2020)*

**PARKING AREAS**

*Minimize the visual impacts of parking. Locate parking areas in the rear when feasible.*

Cars were not a part of the historic character of Crested Butte, and their presence can radically alter one's perception of the district today. In all cases, the visual impacts of the automobile should be minimized.

**2.28 Throughout town, minimize the visual impacts of parking. *(Rev. 2020)***

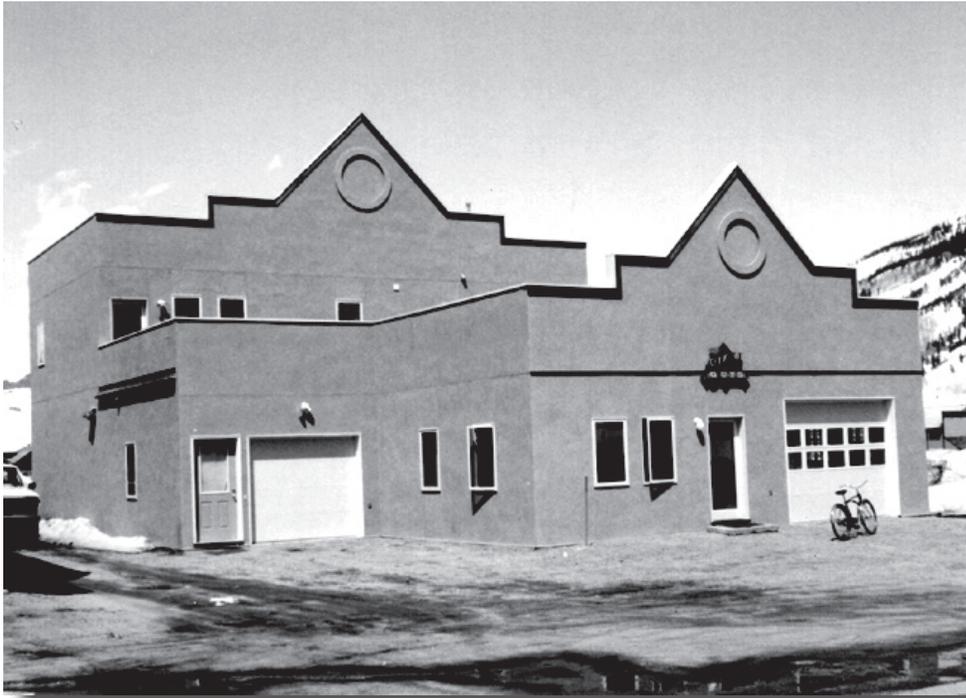
- a. Define parking areas. Parking should not be located on grass surfaces. *(Added 2020)*
- b. Parking should not dominate the street frontage of a property.
- c. Locate parking to the rear when feasible. See also the relevant standards and guidelines for individual zone districts.
- d. Screen parking from adjacent properties with plantings and fences when feasible. Provide detail in the screening that gives a sense of scale and visual interest.
- e. Minimize the extent of paved/asphalt surfaces in parking areas.
- f. Use materials other than asphalt, especially porous materials such as gravel, brick pavers and concrete pavers. *(Rev. 2020)*
- g. Vehicles should not dominate the site.
- h. In single-family residential zones, no more than 40% of the street frontage of a lot may be used for driveways and parking areas.



*In residential zones, parking areas located on the rear of the property are strongly encouraged.*

### **2.29 Minimize the visual impacts of a garage.**

- a. A garage shall appear subordinate to the primary structure and should be detached.
- b. In residential areas, detached garage should be placed in the rear of the property. For commercial properties and multi-family, please see GL 5.34 in the B-2 zone, 4.57 in the B-3 and B-4 zones, 5.61 in the T zone, and 5.78 in the C zone in Chapter 5. *(Rev. 2020)*
- c. Street facing garage doors must be painted the same color as the areas around them to minimize the garage door's visual impact.
- d. Garage doors should be located away from the primary façade, if possible.
- e. In core zones, single garage doors should be used instead of one oversized door.



*Minimize the visual impacts of parking and garages. The above structure demonstrates several issues: (a) the location of the right garage is too prominent; (b) garage doors should be located away from primary façades, if possible; (c) landscaping is needed to screen the parking areas; and (d) doors should be the same color as the building to minimize their appearance.*



*The scale of an accessory building should be subordinate to the main building to reduce the overall mass on the site.*

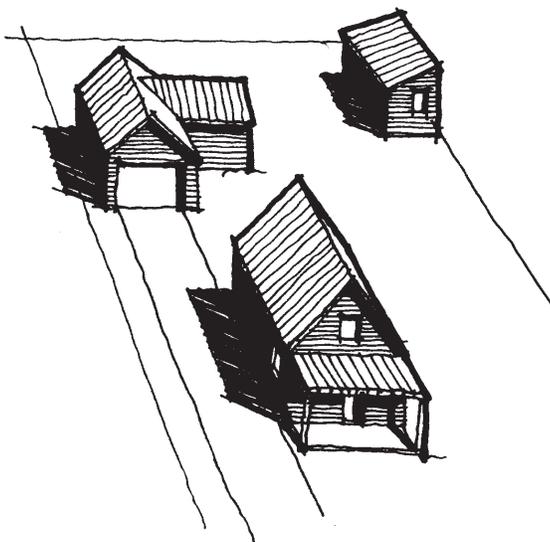
## ACCESSORY STRUCTURES

### **\*2.30 The construction of accessory structures is encouraged to reduce the overall mass on a site.**

- a. Accessory structures should be subordinate in scale to the primary structure in order to reduce the overall mass on the site. *(Rev. 2009, 2020)*
- b. The accessory structure should be simple in character, and materials may be rustic.
- c. In residential areas, a detached garage should be set to the rear of the property.
- d. Dormers on accessory dwellings may break the eave-line of the roof if the dwelling ridge height is 3 or more feet lower than the allowable maximum height from grade. *(Added 2009)*
- e. Provision of long-term affordable housing in accessory structures is strongly encouraged. This type of structure will be classified as an accessory dwelling. *(Rev. 2020)*

### **2.31 Freestanding greenhouses structures are designed for the growing of plants, not for storage, and are at least 80% transparent or translucent. They should abide by the rules and standards and guidelines for accessory buildings unless otherwise stated and must meet the following standards and guidelines *(Added 2009, Rev. 2020)*:**

- a. Cold frames or structures that are less than 30 inches above the ground are exempt from review and these guideline provisions.
- b. Greenhouses shall not be subject to the typical solid-to-void ratios or standards and guidelines related to window placement and type.
- c. Greenhouses shall not be larger than 96 square feet or taller than 7 feet at the eave.
- d. Bowed or curved roof forms are not allowed. Roof pitches as low at 4:12 may be considered.
- e. Greenhouses may be located in the rear half of the property and should be located in the rear yard where feasible.
- f. One greenhouse is allowed per property and must be associated with a dwelling unit.
- g. Greenhouses must be used for horticultural purposes and kept in good condition while on the property. *(Rev. 2020)*
- h. For greenhouse spaces attached to a primary or accessory building, please see GL 2.13 regarding sunspaces. *(Added 2020)*



*The use of accessory structures is encouraged.*

## FRONT-YARD ACCESSORY STRUCTURES

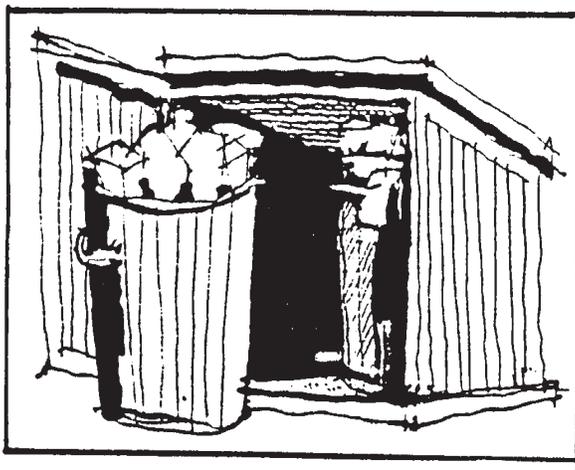
**2.32 In limited situations, an accessory dwelling may be placed in the front yard in residential zones, if all of the following criteria are met (*Ord 25, Series 2017, 10/02/2017, Rev. 2020*):**

- a. The primary residence existing on site was constructed prior to 2012 and is situated in the rear of the lot in such a manner that a detached building is not possible.
- b. The square footage of the existing residence exceeds 1,000 sf.
- c. The existing residence was not approved or classified as an accessory dwelling by the BOZAR.
- d. The proposed building must contain a dwelling unit and be classified as an accessory dwelling.
- e. The dwelling shall be subordinate in height to the primary residence.
- f. The structure should have an entry door facing the street.
- g. A garage door may not face the street, but a side-facing garage door may be considered if access from the rear of the building is not possible.
- h. No more than one garage structure may be located on the site.
- i. A substantial amount of landscaping is added to minimize the appearance of the building.
- j. The new accessory building materials shall be compatible with the primary structure. Metal siding is not allowed. (*Rev. 2020*)
- k. The setbacks for the site must be met.

## SERVICE AREAS

**\*2.33 In commercial zones, minimize the visual impacts of trash storage and service areas.**

- a. Screen dumpsters from view as seen from the public way when feasible.
- b. Locate service areas away from primary façades.
- c. Use landscaping to buffer service areas that abut residential uses.
- d. Provide space for snow storage when planning service areas.
- e. Coordinate the location of trash storage and pickup with the collection agency or company, but screening is a priority concern.



*Enclose waste receptacles. Wood, masonry and landscaping screens are appropriate. Chain-link fences are inappropriate.*

## TOWN GRID

### 2.34 In all new development, respect the town grid.

- a. Orient building walls parallel to the lot lines.
- b. Use simple, rectangular building forms to reflect the town grid.
- c. If lots are subdivided, they should reflect the town grid. New lot lines should reflect the traditional rectilinear platting.
- d. The historic street plan should not be altered within the town limits.

## VIEWS

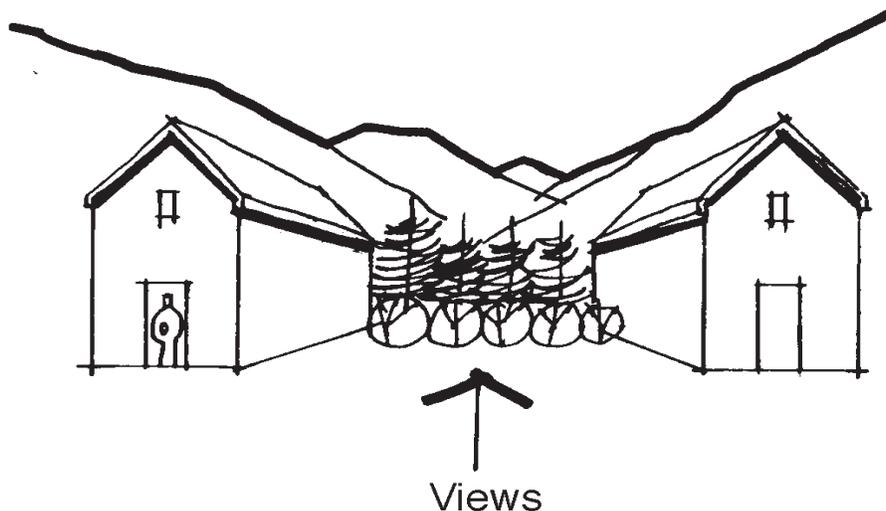
One of the attractive features of Crested Butte's setting is the existence of interesting views that can be seen from the public rights of way to the mountains and, in some cases, landmark structures. As new buildings and additions are constructed, opportunities will exist to preserve these views by thoughtful massing and siting.

### 2.35 Protect views from public ways to the mountains, Coal Creek and historic landmarks. (Rev. 2020)

- a. When feasible, site buildings to maintain established views from public rights-of-way.
- b. For example, set a mass to one side of the lot to allow a view along the other side.
- c. Consider how roofs and dormers may be designed to preserve views.

### 2.36 Consider protecting views from public ways to the mountains, Coal Creek and to historic landmarks.

- a. For example, site new buildings to maintain established views from key points in the public way.



*Site buildings to maintain established views where feasible.*

## LIGHTING

**2.37 All exterior lighting or illumination must be located, placed, shielded, and designed to be architecturally and aesthetically in keeping with the buildings and surroundings.**

- a. Only full cut-off shielded fixtures may be utilized as exterior lighting on all structures. The entire light bulb must be fully shielded by the fixture for compliance with the Town's Lighting Ordinance in Chapter 16 Article 17. *(Added 2009, Rev. 2020)*

**2.38 All exterior lighting should have minimum visual pollution or impact on any other lot.**

- a. Motion sensors and/or timers are encouraged to minimize unnecessary light pollution. *(Rev. 2020)*

**2.39 The lighting of landscaping features is discouraged. *(Added 2009)***

**2.40 Use the minimum amount of outdoor lighting necessary to address building code and safety concerns. *(Added 2009)***



*Down-shielded lighting fixtures should completely cover the bulb from view.*

## Chapter 3 Design Guidelines for Historic Properties

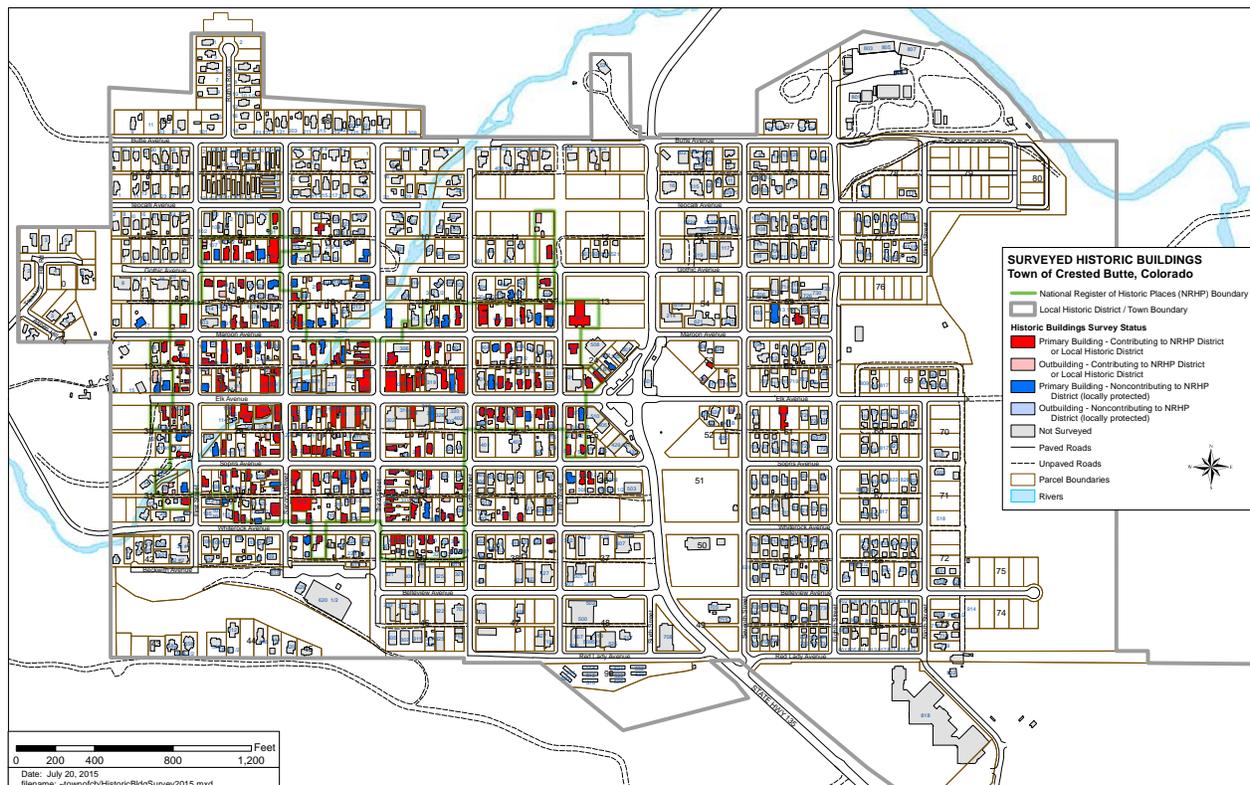
The Design Guidelines that follow are principles for the treatment of historic properties and buildings constructed within the Period of Significance (POS) that occurred between 1880 and 1952 in Crested Butte. They provide a basis for making consistent, informed decisions about the appropriateness of work that may be proposed for historic buildings in the town. These Guidelines are for use by property owners and their architects and contractor when developing designs for alterations and strategies for rehabilitation and repair of historic features. The Board of Zoning and Architectural Review (BOZAR) will also use these Guidelines when determining the appropriateness of proposed work that is subject to their review.

These Rehabilitation Guidelines apply to all properties that are determined to have historic significance, including primary and secondary structures and historic site features.

Ownership of a historic property carries with it certain responsibilities. These are related to the appropriateness of the maintenance of existing fabric and changes that can occur to historic structures. These responsibilities carry with them certain costs. Potential purchasers should be clearly aware of these responsibilities and their associated costs before making a decision to buy a historic structure or property within the historic district.



*The Union Congregational Church is a historic building that is still in use and retains its character-defining features.*



## Scope of work reviewed

No building, or part thereof, may be altered or demolished without prior approval by the BOZAR. In general, the BOZAR is only concerned with work that affects the exterior of a property. Typically, interior work is not reviewed, although the Board may review interior work when owners are applying for special rehabilitation tax incentives.

Work that includes exterior alterations or additions must receive approval from the BOZAR before the Building Official may consider issuing a permit. In addition, if property owners seek special zoning or building code considerations for historic buildings, or are applying for tax incentives for rehabilitation of historic properties, the work is subject to review by the BOZAR.

## How are the Guidelines applied?

The Rehabilitation Guidelines apply to individual landmarks and to contributing structures in the historic district. All buildings within the POS that retain their integrity are considered contributing structures in the Town of Crested Butte. The Town's definition of a contributing structure should not be confused with that of the 1998 and 2000 historic building surveys performed under the auspices of the Colorado Historical Society. Among those buildings that are considered contributing, many survive in virtually their original condition. Preserving contributing structures in their original state is the goal for these properties, and therefore Guidelines for such preservation, or treatment, apply. Other buildings may have been altered to some extent and yet still retain their integrity. Some flexibility in the treatment of this class of buildings is appropriate. The Rehabilitation Guidelines do not apply to noncontributing buildings in historic districts. Non-contributing structures, which may be new buildings or older buildings that lack historical significance or architectural integrity, are reviewed by the BOZAR

using the Design Guidelines for All New Construction on page 48.



*The Old Rock Schoolhouse is a community landmark that has been preserved.  
Extensive rehabilitation in the early 1990s repaired exterior features.*

## **General Principles for Treatment of Historic Properties**

### **The Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings**

When the BOZAR adopted these Design Guidelines they also adopted the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings as a basis for its Rehabilitation Guidelines. For more information visit: [www.nps.gov/history/hps/tps//tax/rhb/stand.htm](http://www.nps.gov/history/hps/tps//tax/rhb/stand.htm). Developed as a guide to preservation projects, the standards were created as part of the Historic Preservation Act of 1966. These standards have generally been accepted as well-established national preservation philosophy concerning the treatment of historic properties.

The Secretary of the Interior's Standards should apply to all historic buildings as designated by the Town. Although the Town's standards will be used by the BOZAR in reviewing applications for architectural appropriateness, property owners should note that adherence to these principles and architectural approval do not constitute any expressed or implied approval of the property by the Internal Revenue Service.

## Choosing an Approach for Your Rehabilitation Project

Preservation projects may include a range of activities, including maintenance of existing historic elements, repairs to deteriorated historic elements, replacement of missing features, and construction of new additions. When planning an approach, consider the definitions of the following terms: adaptive use, additions, maintenance, preservation, rehabilitation, remodeling, renovation, replication, and restoration.

### Adaptive Use

Converting a building to a new use that is different from that which its design reflects is considered to be an adaptive use. A good adaptive-use project retains the historic character of a property while accommodating the new functions. An example of an adaptive use is converting a residential structure to offices.

### Additions



Increasing the size of an existing historic structure is possible if done within the constraints of these Guidelines. It is imperative that the integrity of the original structure not be compromised or obscured by the new construction. The design of the new construction should be respectful of the existing historic structure by relating to it, but not mimicking or copying it. Location of the original and the size and style of additions are the most important factors in assessing compatibility. The less visible the addition is from public ways, the larger the addition can be without detracting from the original historic structure. Every situation is unique, and compatibility consists of a variety of factors. These factors make up the substance of the Guidelines.



## Maintenance

Some work focuses on keeping the property in good working condition by repairing features as soon as deterioration becomes apparent, taking special care to use procedures that retain the original character and finish of the features. In some cases, preventive maintenance is executed prior to noticeable deterioration, and no alteration or reconstruction is involved. Such work is considered to be maintenance. For example, painting to seal and preserve wood is a form of maintenance. Property owners are strongly encouraged to maintain their properties in good condition so that more invasive measures of rehabilitation, restoration or reconstruction are not needed.

## Preservation

Preservation is the act or process of applying measures to sustain the existing form, integrity and material of a building or structure, along with the existing form and vegetative cover of a site. It may include initial stabilization work, as well as ongoing maintenance of the historic building materials. Essentially, the property is kept in its current good condition. An example of preservation work is repairing historic wood siding.

## Rehabilitation

Rehabilitation is the process of returning a property to a state which makes a contemporary use possible while still preserving those portions or features of the property that are significant to its historic, architectural and cultural values. Rehabilitation may include the adaptive reuse of the building; major or minor additions may also occur. Most good preservation projects in Crested Butte may be considered rehabilitation projects. An example of rehabilitation is adding a concrete foundation and sill plate under a historic structure that previously sat on dirt.



## Remodeling

To remodel means to remake or make over the design image of a building. The appearance is changed by removing original detail and by adding new features that are out of character with the original. An example of remodeling is removing historic double-hung windows and replacing them with a large picture window that extends down to the floor level. Please note that remodeling is inappropriate for historic buildings in Crested Butte.

## Renovation

To renovate means to improve by repair or to revive. In renovation, the usefulness and appearance of a building is enhanced. The basic character and significant details are respected and preserved, but some sympathetic alterations may occur. Alterations are generally reversible should future owners wish to restore the building to its original design. An example of a renovation is the reconstruction of a front porch with a roof added over an opening for protection from snow shedding.



*Many projects, such as this commercial false front, have experienced appropriate maintenance and preservation. As owners and businesses change, the exterior image can be updated while preserving the building's character. Compare the photographs above.*

## Replication

A replica is a very close reproduction or copy of an original object. In building, missing details may be replicated to accurately match the appearance of the original. In some rare cases, a building may be reconstructed as a replica, although most such buildings are not exact copies of the original, and therefore the term is not used accurately.

In some cases, the term replica is used to refer to the design of a new building in which a historic design style is used, but the building does not actually attempt to reproduce an earlier structure. It is simply a building that evokes an older style. In general such replications are inappropriate in Crested Butte because they falsely convey the history of the community.

## **Restoration**

To restore, one reproduces the appearance of a building exactly as it looked at a particular moment in time. Restoration reproduces a pure style, either interior or exterior. This process may include the removal of later work or the replacement of missing historic features. Use a restoration approach for missing details or features of a historic building when the features are determined to be particularly significant to the character of the structure and when the original configuration is accurately documented. An example of restoration work is the replacement of original windows with newer windows in the original location as determined through historic photographs and inspection of the existing wall framing.

Many successful rehabilitation projects that involve historic structures in Crested Butte may include a combination of preservation, restoration and other appropriate treatments. For example, a house may be adapted to use as a restaurant, and in the process missing porch brackets may be replicated in order to restore the original appearance, while existing original dormers may be preserved.

In general, the term rehabilitation refers to all approaches to the appropriate treatment of historic properties, including adaptive use, maintenance, preservation, remodeling, and renovation.

The Guidelines for the treatment of historic properties that follow are organized into three divisions:

- A. Guidelines for the rehabilitation of all historic properties.**  
These apply to all historic structures as defined by the Town, including primary and accessory buildings, fences and walls.
- B. Guidelines for rehabilitation of historic residential structures.**  
These apply to all historic residential-type structures, in addition to the Guidelines for the Rehabilitation of All Historic Properties.
- C. Guidelines for rehabilitation of historic commercial structures.**  
These apply to all historic commercial-type structures, in addition to the Guidelines for the Rehabilitation of All Historic Properties.



*The Dogwood building before rehabilitation.*



*The Dogwood building after rehabilitation.*

## 3A-DESIGN GUIDELINES FOR THE REHABILITATION OF ALL HISTORIC PROPERTIES

The Guidelines in this section apply to all rehabilitation projects, including additions to historic buildings. They apply to all structures designated as contributing to the historic district. These Guidelines also apply to historic secondary structures and site features, such as fences and walls.

**Note: The primary structure of a lot is the original or historic structure that served the primary inhabited function of the historic lot.**

### LANDSCAPING AND SITE FEATURES

Street trees, garden plantings and other site features may contribute to the historic character of the site. These elements should be preserved.

#### 3.1 Preserve historic landscape features when feasible.

- a. Historic features may include walkways and retaining walls, street trees, special plantings, and ornamental site features.



*Preserving the historic rock wall is integral to the character of the historic residence.*

- b. When street trees must be removed because of disease or death, replace them in kind.

### SITE ORIENTATION

#### \*3.2 A historic primary structure shall remain on the lot on which it has been historically located.

- a. In order to maintain the structure's historic relationship with the lot, the structure should remain on its historic footprint location and in its traditional orientation.

**\*3.3 Preserve historic accessory structures on site when feasible.**

- a. In limited circumstances, a historic accessory structure may be relocated to a similar context in the historic district if it is currently deteriorated and will be rehabilitated immediately after the move.
- b. If a structure is intact, it must remain on the lot with which it has been historically associated. However, accessory structures that lack historical significance may be moved.

## APPROPRIATENESS OF USE

Building uses that are closely related to the original use are preferred because they will cause less need to alter the original building design to meet functional requirements. Therefore, every reasonable effort should be made to provide a compatible use for the building as this will require minimal alteration to the building and its site. An example of an appropriate adaptive use is converting a residence into a bed and breakfast. This can be accomplished without radical alteration of the original architecture. Note that the Board does review and approve conditional uses as covered in the zoning ordinance, however property owners should consider the impacts that some changes in use would have upon their historic properties since this may affect design considerations that the BOZAR reviews.

**\*3.4 Seek uses that are compatible with the historic character of the building.**

- a. These uses may aid in interpreting how the building was used historically.
- b. Check the zoning code to determine which uses are permitted or allowed as conditional uses.



*Seek uses that are compatible with the historic character of the building. This adaptive use is compatible with the historic character of this structure because conversion of the original residence into a restaurant has kept the original character-defining features intact.*

## TREATMENT OF HISTORIC FEATURES

Historic features contribute to the character of a structure and should be preserved when feasible. Such features include architectural details, window and door openings and building form and materials. When planning a rehabilitation project, follow this sequence: First, if a feature is intact and in good condition, maintain it as such. Second, if the feature is deteriorated or damaged, if feasible repair it to its original condition. If it is not feasible to repair the feature, then replace it with one that is similar in character (materials, details, finish) to the historic one. It is best to replace only that which is beyond repair. If the feature is missing entirely, reconstruct it from appropriate evidence. These principles are defined in more detail in the guidelines that follow.

### PRESERVATION OF SIGNIFICANT ORIGINAL QUALITIES

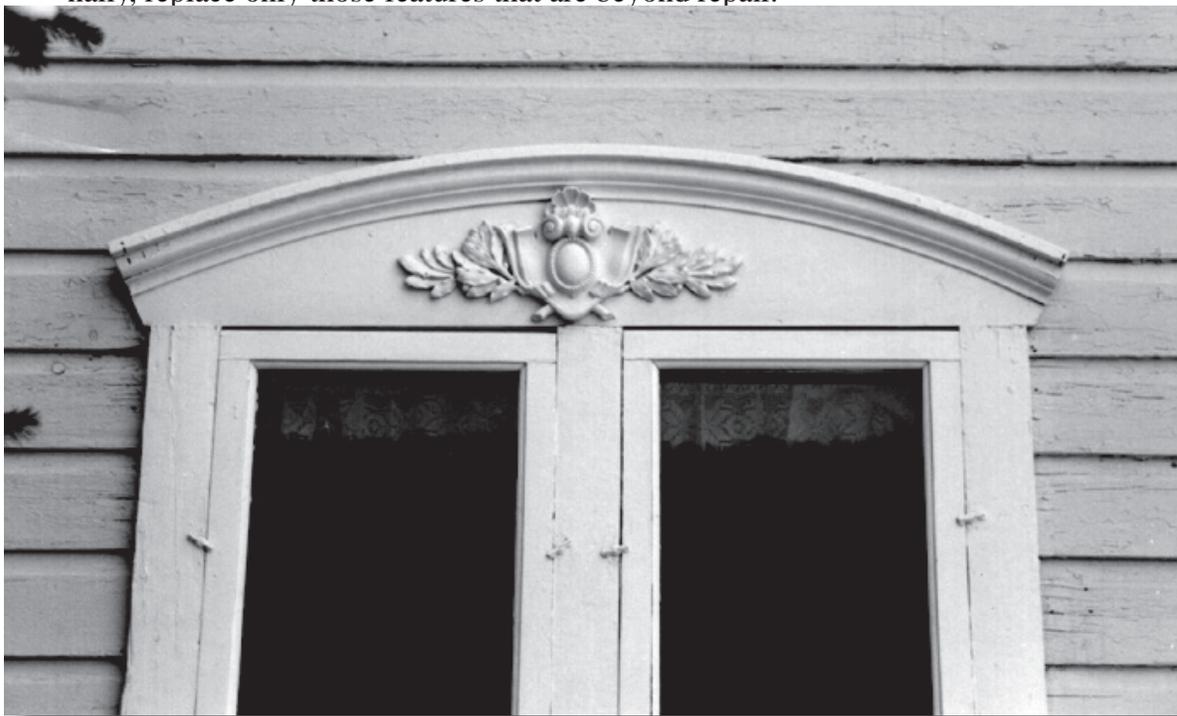
Original materials and building details, as well as the distinctive form and scale of a structure, contribute to the historic character of the structure and should be preserved whenever feasible. Rehabilitation work should not destroy the distinguishing character of the property or its environment.

#### **\*3.5 Respect the historic design character of the building.**

- a. Don't try to change its style or make it look older or younger than it really is.

#### **3.6 Minimize intervention with historic elements.**

- a. First, maintain character-defining features. Then, repair those features that are deteriorated. Finally, replace only those features that are beyond repair.



*Original materials and building details, as well as the distinctive form and scale of a structure, contribute to the historic character of the structure and should be preserved whenever feasible.*



*Respect the historic design character of the building.*

### **3.7 Protect and maintain significant stylistic elements.**

- a. Distinctive stylistic features and examples of skilled craftsmanship should be treated with sensitivity. The best preservation procedure is to maintain historic features from the outset so that intervention is not required.
- b. Preserve stylistic elements by employing treatments such as rust removal, caulking, limited paint removal, and re-application of paint.

### **3.8 Avoid removing or altering any historic materials or significant features.**

- a. Examples of historically significant architectural features are porches, chimneys, enclosed exterior stairways, turned columns, brackets, and jig-saw ornaments. Other significant features include the building's overall form and its roof form.
- b. Preserve original doors, windows and porches in their original condition.
- c. Also preserve original wall and siding materials in their original condition. Do not try to make old, weathered siding appear to be newer than it is by making it smooth.
- d. Materials such as asbestos, vinyl and aluminum siding are not acceptable.
- e. While stucco was occasionally used for re-siding, its use as a primary exterior finish to cover historic siding is strongly discouraged.

### **3.9 Use the gentlest possible procedures for cleaning, refinishing and repairing historic materials.**

- a. Many procedures can actually have an unanticipated negative effect upon building materials and result in accelerated deterioration or a loss of character.
- b. For example, do not use harsh paint removal methods. These will damage the historic finish of the material. (See more detailed advisory materials for technical rehabilitation that are available at the planning department.)

- c. Also see technical rehabilitation literature published by the National Park Service and available on the following website: <https://www.nps.gov/tps/how-to-preserve/briefs.htm>.



*Strap work details in the gables of the historic depot are examples of significant stylistic elements that should be preserved.*

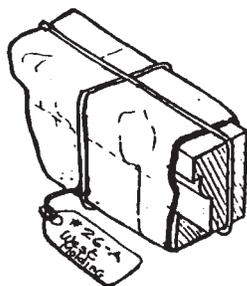
### **3.10 Repair original building features when feasible.**

- a. Whenever possible, deteriorated architectural features should be repaired rather than replaced.
- b. Whenever possible, patch, piece-in, splice, consolidate, or otherwise upgrade the existing material using recognized preservation methods, rather than remove the element.

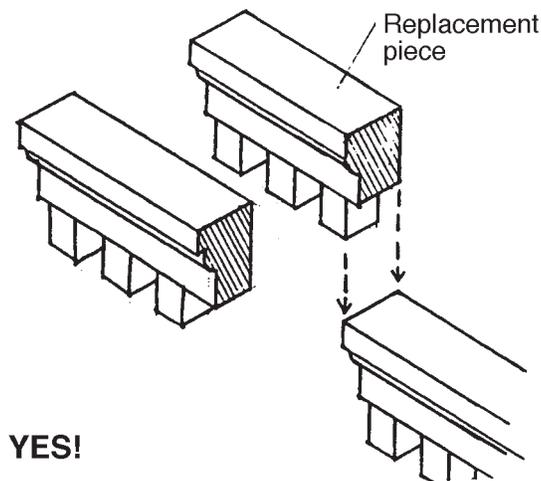
### **3.11 When disassembly of a historic element is necessary for its restoration, use methods that minimize damage to the original materials.**

- a. For example, it may be necessary to remove a historic window to repair it.
- b. Always devise methods of replacing the disassembled materials in their original configuration.
- c. When disassembly of a historic feature is required in a restoration procedure, document its location so it may be repositioned accurately.

Historic detail for temporary storage



*When disassembly of historic elements is necessary, carefully identify all historic elements that will be stored during your rehabilitation project. Store them in a safe place until they are reinstalled.*



*Replace only those portions of features that are beyond repair.  
The original material, even in worn condition, is preferred over an exact replica.*

## **REPLACEMENT OR SUBSTITUTION OF ORIGINAL FEATURES**

While restoration is the preferred alternative, replacement in kind is an option. In the event replacement is necessary, the new material should match that being replaced in design, color, texture, and other visual qualities.

### **3.12 Replacement of missing elements may be included in repair activities.**

- a. Use the same kind of material as the original when feasible. A substitute material is acceptable if the form and design of the substitute itself conveys the visual appearance of the original material.
- b. Replacement elements should be based on documented evidence.

### **3.13 Replace missing original features in kind when feasible.**

- a. Replace only those portions that are beyond repair.
- b. If alternate materials must be used, they should match the original in appearance as closely as possible.
- c. Later covering materials that have not achieved historic significance should be removed. For example, asphalt siding that covers original wood siding is inappropriate, as is vinyl siding over original stone or brick.



*Replacement materials should be similar in character to those used historically. This is an inappropriate use of materials. Coverings such as this obscure the original lap siding.*

**3.14 Replacement of missing architectural elements should be based on accurate information about original features, when feasible.**

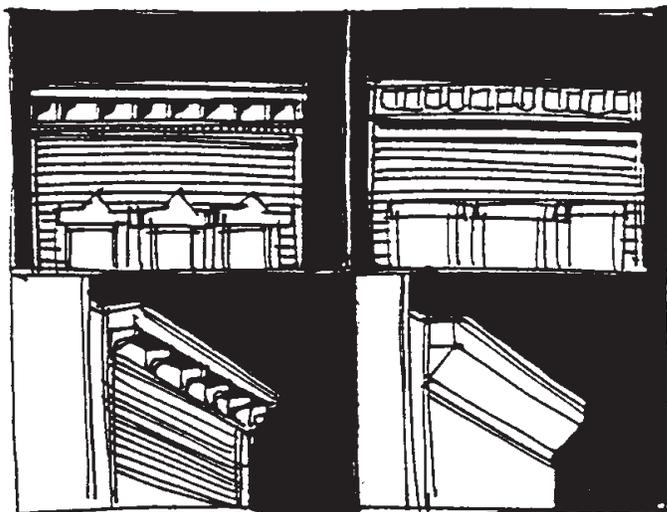
- a. The design should be substantiated by physical or pictorial evidence to avoid creating a misrepresentation of the building's genuine heritage. *(Rev. 2020)*
- b. Overall, a large percentage of the materials and features of the property must be historic in order to retain the integrity of the resource as a historic property.

**3.15 When there is insufficient information to allow for an accurate reconstruction of missing features, it is appropriate to develop a compatible new design, based upon simple design features seen in the neighborhood, that is a simplified interpretation of the original. *(Rev. 2020)***

- a. The new element should relate to comparable features in general size, shape, scale and finish.
- b. Other evidence such as subtle shadow lines may also be used.

**3.16 Conjectural "historic" designs for replacement parts that cannot be substantiated by written, physical or pictorial evidence are generally inappropriate.**

- a. Many architectural details were repeated around Crested Butte. Such details from similar structures may be considered as substantiation of architectural details.
- b. When feasible, use materials similar to those employed historically.



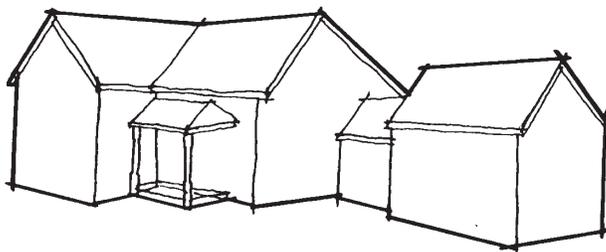
*When reconstruction of an element is impossible, developing a compatible new design that is a simplified interpretation of the original is appropriate.*

## ADDITONS TO EXISTING BUILDINGS

When planning an addition to a historic building, consider the effect the addition will have on the historic building itself. Loss of historic building fabric should be minimized. The addition also should not strongly diminish one's perception of the building's historic character. In historic districts, also consider the effect the addition may have on the district as seen from the public right of way, which includes views from alleys and to the sides of buildings.

### **\*3.17 Design additions to historic buildings such that they will not destroy or obscure any significant historic architectural or cultural material.**

- a. Additions also should not obscure significant features.
- b. Set back additions from primary facades in order to allow the original proportions and character to remain prominent, or set them apart from the main building and connect them with a link.
- c. In theory, additions should be reversible so that a future owner may be able to restore the building to its historic condition if they so desire.



*Separate a large addition from the historic structure and use a smaller connecting element to link the two.*

### **\*3.18 Additions should be compatible in size and scale with the main building.**

- a. Historically, additions stepped down in size to the rear. They should be visually subordinate to the main building. Additions should not be taller than the primary module of the historic structure unless it is necessary to increase the height to allow the matter-of-right square footage permitted in the zone and still meet other zoning requirements. *(Rev. 2001)*



*Historically, additions stepped down in size to the rear. They should be visually subordinate to the main building.*

- b. If it is necessary to design additions that are taller or wider than the main building, set them back substantially from primary character-defining façades and link them to the historic structure through the use of connectors that are smaller than the linked elements. Large additions should be placed on the site in such a manner so as to be screened from the primary street views by landscaping or existing structures. *(Rev. 2001)*
- c. No addition, nor the total mass of all additions, should be larger than the mass of the original structure unless it is necessary to allow more square footage to be added to reach the matter-of-right square footage for that structure. *(Rev. 2001)*



*When it is necessary to design larger additions, separate an addition with a smaller link.*

**\*3.19 New additions or alterations that would hinder the ability to interpret the historic character of the building are not acceptable. Additions should be recognized as products of their own time.**

- a. Additions can be made distinguishable from the historic building elements, while also remaining visually compatible with these earlier features.
- b. A change in setback of the addition from the main building, a subtle change in material, or a differentiation between historic and more current styles are all techniques that may be considered to help define a change from old to new construction.
- c. New additions that create an appearance inconsistent with the historic character of the building are discouraged.
- d. Alterations that seek to imply an earlier period than that of the building are inappropriate.
- e. Alterations that seek to imply an inaccurate variation on the historic style are inappropriate because they would convey a false history of the character of the building. In particular, adding very ornate trim, which was not seen in Crested Butte, would be an inappropriate alteration because historically buildings were simpler in character.
- f. Alterations that cover significant features are also inappropriate.



*New additions or alterations that would hinder the ability to interpret the historic character of the building are not acceptable. Additions should be recognized as products of their own time, as this one is.*



*New additions such as this create an appearance inconsistent with the historic character of the building, due to its height and change in roof peak orientation. This large addition should have been discouraged or separated from the original by a connector element.*

### **3.20 Respect historic alignments that may exist on the street when planning additions to buildings.**

- a. Some rooflines and porch eaves on historic buildings in the area may align at approximately the same height. Avoid placing additions in locations where these relationships would be altered or obscured.

### **3.21 Respect traditional entrance patterns when planning additions to buildings.**

- a. Retain the appearance of the relationship of primary entrances, usually facing the street, when planning new additions.
- b. Additions that obscure original entrances are strongly discouraged.

## **EXISTING ALTERATIONS ON HISTORIC BUILDINGS**

Many additions to buildings that have been constructed over time are themselves evidence of the history of the building and its neighborhood and therefore may merit preservation. These additions may have developed significance in their own right, and this significance should be recognized and respected.

### **3.22 Alterations that occurred after initial construction, but more than 50 years ago may have become significant and thus should be preserved.**

- a. An example of such an alteration may be a porch or a kitchen wing that was added to the original building early in its history.
- b. Recent alterations that are not historically significant may be removed. An example is asphalt siding that has not achieved historic significance and that obscures the original clapboard

siding. In this case, removal of this alteration and restoration of the original material would be encouraged.

- c. Most alterations less than 50 years old lack historic significance unless they have been determined to be historically significant or contributing according to the criteria listed at the beginning of this section.



*Alterations that occurred after initial construction, but more than 50 years ago, may have become significant and thus should be preserved.*

## **NEW PROPOSED ALTERATIONS**

When planning a new alteration, consider the effect it will have on significant historic features of the property. Such alterations should not negatively affect the property. Alterations may be considered for historic structures where the proposed alterations maintain the historic features of the property. These may include adding a porch, providing an opening for a new window, or adding a dormer.

### **3.23 When planning alterations to a historic building, minimize negative effects on existing character-defining features.**

- a. Do not remove significant features to accommodate new alterations.
- b. Such character-defining features may include a porch, ornamental details, the roof pitch, dormer designs, window shapes, fascia size, and the building's siding materials.
- c. In theory, new alterations should be reversible.

### **3.24 Minimize negative technical effects upon historic features.**

- a. One should be concerned about any technical impacts that may occur on the historic structure as a result of the new construction or alteration. For example, a construction process may cause vibration that result could in cracks in a historic masonry wall.

*(Before)**(After)*

*When planning alterations to a historic building, minimize negative effects on existing character-defining features.  
This design alters the character of the original design.*

## ARCHITECTURAL DETAILING

Uncovering architectural details that currently are covered but not destroyed offers an opportunity for an interesting renovation. These details also contribute to the historic value of the building and add visual interest to the district.

### 3.25 Preserve original architectural detailing.

- a. Do not add decorative elements that cannot be documented as original.
- b. Protect existing details with weather-protective finishes, such as a good coat of paint.
- c. If original details are covered, expose them and incorporate them into the renovation design.
- d. Repair damaged details.

Of special concern is what to do in a renovation scheme where details are missing. In some cases, a portion of the ornamentation remains from which copies can be made. In other situations, all is missing. Where feasible, these should be replaced.

### 3.26 Replace ornamentation where it is known to have once existed.

- a. Use remaining portions of details as models if they exist. Also, refer to old photographs for information. Attention to proportion and detail is essential.
- b. If you cannot determine what originally existed, a simplified ornamentation similar to those on similar buildings would be appropriate.
- c. Don't misrepresent history by creating ornate details when no evidence of such detailing exists. Fancy jigsaw trim will not be approved unless documented by historic photographs.

- d. Decorative shutters are inappropriate, as they were not used during the POS. (Added 2020)

Where no evidence of elements such as railings, columns or eave trim exists, new designs may be substituted if they maintain the traditional proportions that original elements would have had.

**3.27 Simplified modifications may be appropriate where historic elements have already been lost.**

- a. Simplicity and restraint should be used to avoid detracting from the characteristically simple lines of Crested Butte's houses and commercial buildings.



*Preserve original architectural detailing. Note that original metal siding is obscured by an imitation brick covering.*

## BUILDING MATERIALS

Primary structures in Crested Butte were traditionally covered in horizontal lap wood siding along with some log. Accessory structures were covered with board-and-batten siding. In general, retaining original materials is preferred. Some replacement may occur but should be a low percentage of the overall building.

**3.28 Replacement materials should appear similar in character to those used historically when they cannot**

be the same.

- a. Substitute materials may be used for replacing individual building elements if the need can be substantiated and it is not the building's primary building material. An example of primary building material is wood siding.
- b. If portions of masonry walls must be replaced, be sure to match the size, proportions and finish of the original.

**\*3.29 Original building materials should not be covered with synthetic siding.**

- a. If original masonry is currently covered, consider exposing it.
- b. Masonite, T-111, vinyl, aluminum, composition, pressed board, panelized siding, stucco, and imitation bricks are prohibited as replacement materials.

**3.30 Preserve original mortar characteristics.**

- a. In some cases, matching the composition of the historic mortar mix may be essential to the preservation of the brick or rock itself.
- b. In limited quantities, stucco may be used as an exterior finish material if it already exists on the historic structure.

**3.31 Protect historic wood with paint, varnish or other protective finishes.**

- a. Repair door frames by patching, splicing, or reinforcing them.



*Historically many decorative features, such as this balustrade, were crafted as simple elements free of excessive detailing.*



*(Before) Uncover original building materials. (After)*

### **WINDOW TREATMENT** *(Section added in 2009)*

Wood windows are encouraged on new building in the core zones. Restoration of wood windows on all buildings is encouraged. Contributing historic buildings must use wood windows on replacements, additions and rehabilitations.

#### **3.32 Wood windows are encouraged on new construction and renovations in the historic core zones.**

- a. Historic wood windows are generally constructed from old-growth wood; therefore, they should be restored and weatherproofed whenever possible.
- b. Consider adding removable storm windows to increase energy efficiency during the winter months.
- c. If historic wood windows must be replaced, windows that emulate the size, style and appearance of the originals are strongly encouraged.
- d. For additions to contributing historic buildings, wood windows are strongly encouraged.

#### **3.33 Metal-clad windows may be considered in core zones on noncontributing historic buildings.**

- a. Window treatment for non-contributing houses in the core will be taken on a case-by-case basis.
- b. Non-historic buildings may use metal-clad windows.
- c. Vinyl windows are not acceptable in any zone.

#### **\*3.34 Skylights on historic buildings must not be visible from the street. *(Added 2020)***

- a. Skylights must be located on roofs that face the rear and side yards and not be visible from the street.
- b. Bubble skylights are not allowed.
- c. Skylights should be relatively small in size (2'x3' or smaller) and number (1 per plane) and sit at least one foot below the ridgeline. In commercial buildings, no more than two per building. For buildings with larger roof areas, the Board may give special consideration.

- d. Skylights should be vertically oriented and not wider than they are tall.

## MECHANICAL EQUIPMENT

Introducing a new heating and ventilating system into a historic building should be planned to avoid damaging or obscuring historic materials. These systems also should not alter the perceived character of a historic building as seen from the public way.

### 3.35 Minimize the visual impacts of new mechanical systems.

- a. Especially avoid placing mechanical and electrical equipment on the exterior of primary, character-defining façades. When possible, consider locating mechanical equipment inside the roof form to lessen its visual impact.
- b. Avoid damaging historic materials when installing new mechanical and electrical systems.
- c. Visually screen service equipment, including transformers, dryer vents and commercial kitchen fans or locate them out of public view. Use screen designs that are in character with the property. Also check to see that the design will comply with Town codes.
- d. Locate satellite dishes and other telecommunications equipment away from primary, character-defining façades and screen them in an appropriate manner.

### 3B-DESIGN GUIDELINES FOR THE REHABILITATION OF HISTORIC RESIDENTIAL PROPERTIES

The Guidelines in this section apply to all residential-type buildings within the district that are historically significant either individually or because they are considered contributing to the character of the district as determined by the BOZAR. These standards apply to the treatment of historic primary and secondary structures that are residential. They provide more detailed guidance for issues that specifically relate to this building type and should be used in conjunction with the general Guidelines for all historic properties.



*Set back additions from primary façades in order to allow the original proportions and character to remain prominent, and set them apart from the main building with a connecting link. This example is a less desirable solution.*



*The addition is distinguished from the historic building with a connector piece.*

## GROUND-LEVEL ADDITIONS

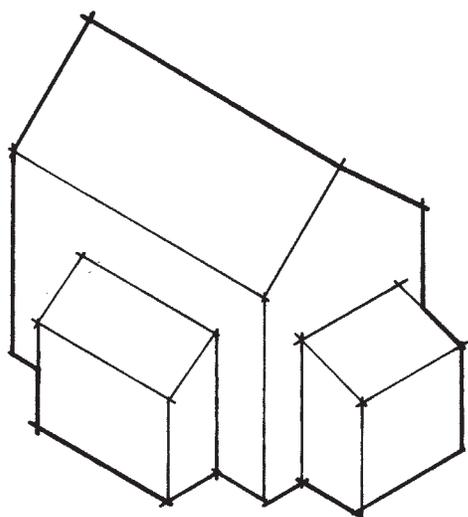
Ground-level additions should be designed to be compatible with the historic structure. They should minimize destruction of historic building materials and should not alter the perceived character of the historic structure.

### \*3.36 A new addition should be subordinate to the historic structure.

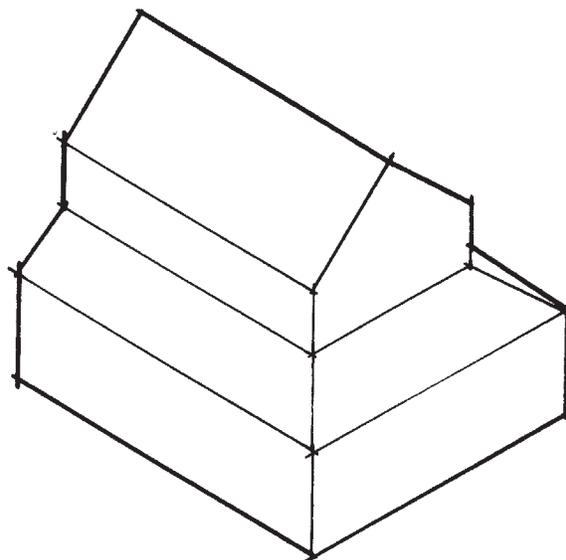
- a. The addition must be set back significantly from primary façades.
- b. The addition should minimize destruction of historic material.
- c. The addition should be consistent with the scale and character of the main structure.
- d. On large additions, separate the addition from the historic structure and use a smaller connecting element to link the two. The larger the addition, the greater the separation. Connectors should be long enough to provide a visual break in the structure.
- e. Additions should not wrap around the first story of a historic structure.

### 3.37 Additions that can be distinguished, in subtle ways, as being new are encouraged.

- a. Additions may be shown to be a later construction by joggling the wall plane such that it is inset from the original wall.
- b. A change in siding depth, a change in fascia size or a subtle difference in style also may be considered.



**Yes**



**No**

*As illustrated above, additions should not engulf or wrap around the first story, especially if the first story retains character-defining details.*

**3.38 Materials of a new addition should be similar to and compatible with the primary structure.**

- a. Within applicable zone districts (all except T, C, B2, M, R4, R1E, R1D, R2A), the materials also should be similar to those seen historically in the neighborhood. (*Rev. 2020*)
- b. Exposure of new foundations above grade should be kept to a minimum.

**3.39 Roof forms for additions should be compatible with the historic structure.**

- a. Typically, gable, hipped and shed roofs are appropriate.
- b. Flat roofs are appropriate in business and commercial districts only.

**3.40 On primary elevations, the solid-to-void ratio should be similar to that of the historic structure.****DORMER ADDITIONS**

These Guidelines apply to dormers and other rooftop additions. When considering constructing an addition to the top of a historic residence, it is important that the integrity of the historic resource be preserved. Therefore, the addition should be designed in a manner that minimizes damage to the historic building fabric and that does not alter the perceived character as seen from the street. The character of the dormer addition must also be in keeping with the original structure.

**\*3.41 A new dormer should remain subordinate to the historic roof in scale and character.**

- a. A new dormer should fit within the existing wall plane. It should be lower than the ridgeline and in from the eave.
- b. A gable dormer is the preferred form.
- c. The mass and scale of a dormer addition must be subordinate to the scale of the historic building.

**3.42 Raising the ridge of a roof above its historic height is inappropriate.****3.43 The dormer should respect the established orientation of the building.**

- a. For example, if historically the building had a horizontal emphasis, this perceived orientation should be preserved.
- b. The addition should not result in an asymmetrical roof form.

**3.44 The materials of rooftop additions must be compatible with those of the primary structure.**

- a. They should also be similar to other upper stories in the neighborhood.
- b. However, additions may be differentiated as being new by a subtle change in lap dimension of the siding.

**3.45 Windows in the addition should be similar in size and character to those of the historic structure.****3.46 The roof form of the addition must be in character with the historic structure. Historically, roof pitch ranged from 8:12 to 12:12.**

- a. The slope must be in character with that of the historic structure.
- b. If the roof of the historic building is symmetrically proportioned, the roof of the addition should be symmetrically proportioned also. Eave lines on the addition must be similar to those

- of the historic building.
- c. Dormers must be subordinate to the main roof element and in scale with those that appeared on similar historic structures.
  - d. The ridge line of a dormer should be lower than the ridge line of the roof element the dormer is attached to. In no circumstance should a pitch of 4:12 or less be used.
  - e. Dormers on any one side of a module should not occupy more than 30% of the roof. (*Added 2009*)
  - f. Dormers (gable and shed) should be placed in the middle 1/3 of the primary roof form, measured from the centerline of the dormer. Gable dormers placed toward the rear of the home may be considered, if not highly visible from the street. (*Rev. 2020*)
  - g. One dormer is allowed per roof plane. (*Added 2020*)



*A rooftop addition should be set back from the existing building front and, to a lesser degree, the back and sides.*

## PORCHES

Porches protect entrances from snow and provide shade in summer. A porch is often one of the most important character-defining elements of the primary façade of a historic residence. Their general character should be preserved.

### **\*3.47 Preserve the original porch.**

- a. Replace missing posts and railings when necessary.
- b. Match the appearance of original proportions and spacing patterns of balusters, while adhering to currently adopted Building Codes.
- c. Do not use wrought iron posts or railings on porches.
- d. Although locating an addition to the rear is often a preferred alternative, it may involve the dem

olition of an original rear porch, which contributes to the character of the property. Consider other options such as moving the original porch to the rear of the addition or using it as a connector, if feasible.

- e. Avoid enclosing historic front porches.

**3.48 If a porch must be replaced, reconstruct it to match the original in scale, form and detail.**

- a. Use materials with similar dimensions to the original wherever feasible.
- b. Avoid decorative elements that are not known to have been used on the house or others like it.
- c. When difficult to discern the scale, forms and material dimensions, the new porch should be in proportion to elements of the primary structure, relate visually to the human scale using conventional materials of the period. (Rev. 2020)



*Preserve the original porch.*

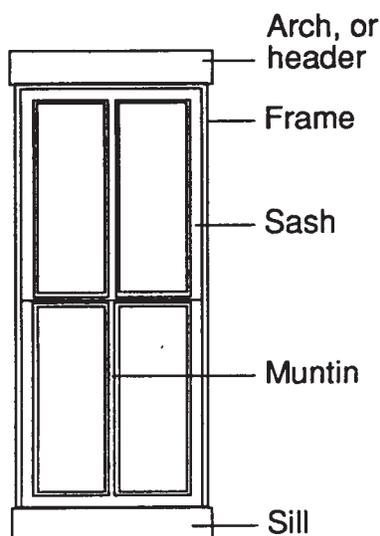


*Avoid enclosing historic front porches.*

## WINDOWS

The basic character-defining elements of a window are its shape and proportions, the number of divisions and the dimensions of the frame. These features should be preserved.

Most historic windows were of a rectangular shape. A few instances of odd shapes did exist. These were usually half and quarter rounds as opposed to triangles and trapezoids.



*Historic window elements shall be preserved.*

### **3.49 Preserve the functional and decorative features of original windows.**

- a. Such features can include frames, sash, muntins, mullions, glazing, sills, heads, jambs, and moldings.
- b. Repair frames and sashes by patching, splicing, or reinforcing.
- c. If replacement is necessary, replace in kind to match the original.
- d. Most windows were wood with fixed frames on the exterior and interior.
- e. Refer to technical information available at the Town Building Department for renovation techniques.

### **3.50 Avoid changing the position of historic windows.**

- a. This is especially important on significant façades.
- b. Avoid adding new windows to façades that are visible from the street.

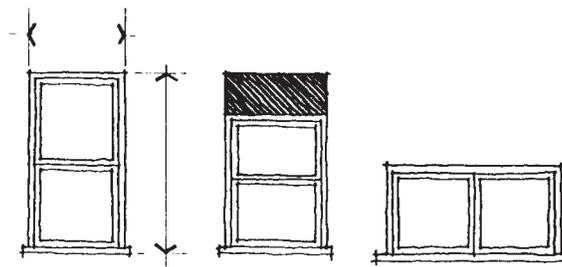
### **\*3.51 Maintain original window proportions.**

- a. Most windows have a vertical emphasis, which should be preserved. In some cases kitchen windows were horizontally oriented.

- b. Do not reduce the size of the original opening to accommodate smaller windows.
- c. In core zones, only four window sizes on the front façade or on elevations highly visible from the street are allowed. (*Added 2020*)

### 3.52 Maintain the historic subdivisions of windows.

- a. Replacing multiple panes with a single, fixed pane is inappropriate.
- b. Property owners should note that replacing single-pane glass with double-pane glass does not achieve a significant increase in R-value or energy efficiency. The most significant energy savings come from eliminating gaps in existing windows that allow cold air to move through the window assembly. Re-glazing, caulking, and adding weather stripping to an existing window will significantly improve energy conservation. Adding a storm window will further enhance savings.
- c. True divided lights are preferred. It is not acceptable to create panel lights with add-on mullions that are not integral to the window pane.
- d. Mullion and muntin sizing should relate to historic profiles.



*Maintain original window proportions.*

### 3.53 When a replacement window is necessary, use materials that appear similar to those seen historically.

- e. Replacing a wood window with another wood window is essential if the window is historic. Some materials, such as metal-clad, may appear similar at the time of installation but weather differently than wood and therefore do not match over time.
- f. The window components should be similar in dimension and depth to those used historically and should be set a similar depth in the wall plane.
- g. Maintain historic trim proportions.

### 3.54 Install storm windows on the interior when feasible.

- a. Interior storm windows will not alter the perceived character of the original window as seen from the public way.
- b. Where exterior storm windows are necessary, wood windows with sashes matching those of the original windows are most appropriate.
- c. Removable metal storm windows may be appropriate if the frames match the proportions and profile of the original windows and if the frames are anodized or painted so that raw metal is not visible.

## DOORS

The size, proportion and design details of original doors contribute to the character of a historic building and should be preserved where feasible.

**\*3.55 Preserve the functional and decorative features of original doors.**

- a. Such features can include frames, sills, heads, jambs, and moldings.

**\*3.56 Avoid changing the position of historic doors.**

- a. This is especially important on significant façades.
- b. Also avoid adding or deleting doors to façades that are visible from the street.

**\*3.57 Maintain the original door proportions.**

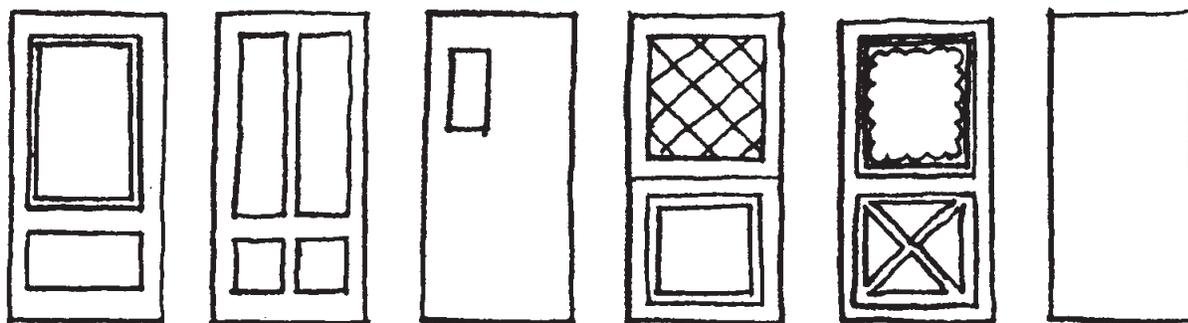
- a. Do not enlarge the opening to accommodate a larger new door.
- b. If a wider door is needed for access, consider alternative locations.
- c. If door proportions need to be altered to comply with ADA standards, if possible consider locating the door on the side of the building.

**3.58 When replacing doors, use designs similar to those found historically on comparable buildings.**

- a. Metal replacement doors are inappropriate.
- b. New materials may be considered on secondary doors if they appear to match the original doors. (Added 2009)
- c. Folding and sliding doors are inappropriate. (Added 2020)

**3.59 New doors should reflect the character and details of historic doors used in Crested Butte.**

- a. Overhead garage doors are allowed provided they are laminated with wood materials that emulate historic side hinged double doors. (Rev. 2020)
- b. In new doors, additional insulating qualities should be obtained through thicker wood doors.



YES

YES

NO

NO

NO

NO

*Preserve the functional and decorative features of original doors.*

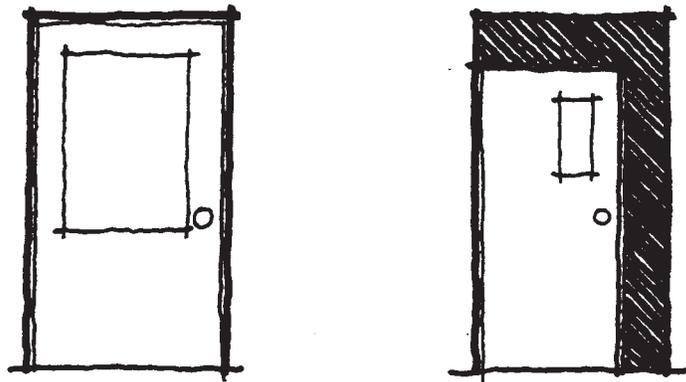


✓  
YES



✗  
NO!

*Original location vs. altered location: Avoid changing the position of the historic doors.*



*Maintain the original door proportions and relationship to the original opening.*

## ROOFS

Typical primary roof shapes are gabled, hipped and shed. Even commercial and institutional structures had these roof forms. Gambrel and mansard roofs are not traditional to Crested Butte and are discouraged.

### 3.60 Preserve the original roof form of a historic residence.

- a. Avoid altering the historic pitch of the roof.
- b. Maintain the perceived line of the roof from the street.
- c. Roof additions, such as dormers, should be kept to a minimum and should be set back from the primary façade so that the original roof line is perceived from the street.
- d. Flat skylights mounted flush with the roof may be considered. Bubbled or domed skylights are not appropriate. Skylights should not be visible on primary façades of buildings. Please see GL 3.34 for more information.
- e. Locate solar panels so they are not visible from the street. Please refer to GL 2.10 for more information.

### 3.61 Preserve original roof materials when feasible.

- a. Galvanized corrugated metal is preferred. Standing seam may be considered. *(Rev. 2020)*
- b. Smooth-sawn wood shingles are also traditional roofing materials.
- c. Brightly colored roofs are strongly discouraged.
- d. Avoid removing roof material that is in good condition.
- e. Where replacement is necessary, use materials similar to the original. Replacing with smooth-sawn wood shingles is encouraged. Low-profile asphalt shingles may be appropriate replacements for wood shingles because they have a similar appearance. Asphalt shingles that exhibit a thick edge to simulate hand split and/or shake shingles are inappropriate.



*Preserve original roof materials when feasible.*

## WOOD DETAILS

Wood trim and details are often found on historic houses in Crested Butte. To preserve wood, it is important to maintain with paint or a weather-protective coating.

### 3.62 Preserve original ornamental details.

- a. Do not remove historic details.
- b. If original details are currently covered, expose them and incorporate them into the renovation design.
- c. Generally, decorative shingles are appropriate only in gables and on dormers.

### 3.63 Protect historic wood with paint or a sealant.

- a. Milled wood siding on historic primary buildings should be painted or stained.
- b. Historic log structures should be treated with a sealant or stain. (*Rev. 2020*)
- c. For other parts of the building that do not require painting, select colors that will complement the building. (*Rev. 2020*)
- d. If an existing building is already painted, consider applying new colors that simulate the original color.

## ACCESSORY BUILDINGS

Accessory buildings, including garages and sheds, were secondary to primary structures, and were traditionally important elements on a residential site. They were generally simpler in form than primary structures and helped to establish a sense of scale and frame yards. Their presence helps one interpret how an entire site was used historically, and therefore accessory buildings should be preserved.

### \*3.64 Preserve historic accessory buildings.

- a. Previous Guidelines for primary structures about items such as window shapes, roof pitches, doors, etc. apply here as well.



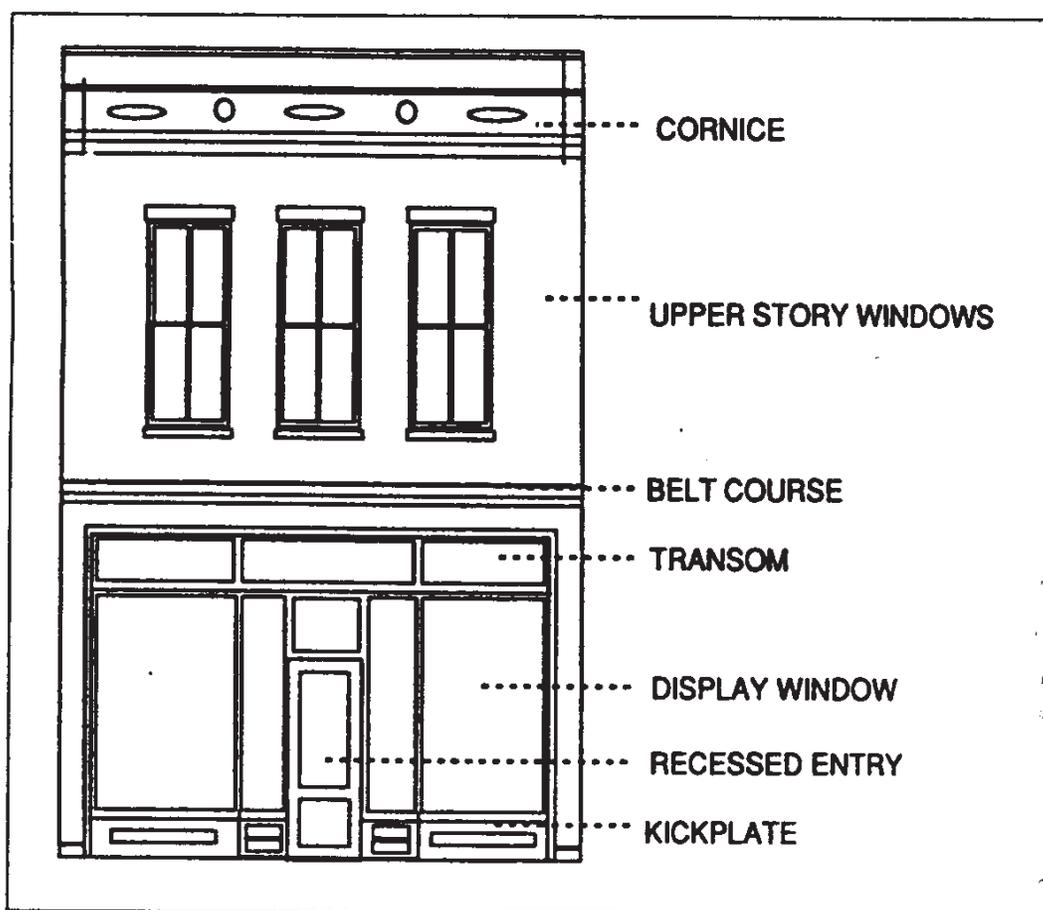
*Two historic accessory buildings on this property have been preserved as a garage and a storage shed.  
Every effort should be made to preserve historic outbuildings.*

### 3C-DESIGN GUIDELINES FOR THE REHABILITATION OF HISTORIC COMMERCIAL PROPERTIES

These commercial design standards apply in addition to the general standards presented earlier in this section.

#### TYPICAL BUILDING COMPONENTS

The commercial buildings typically exhibit the traditional features of historically seen commercial store fronts: A large area of display glass at the ground level with an upper level of more solid material and smaller, vertically-oriented windows. Ornamental moldings often separated the display windows from the upper levels, and a decorative cornice capped the building. This flat parapet was a false front that concealed a gabled roof. Other typical components are shown in the illustration below. The design standards that follow apply to historic commercial buildings.



*Typical storefront elements should be preserved.*



*This old photograph shows that storefronts traditionally were designed with large windows to provide interest to pedestrians.  
Note the historic awning and wooden sidewalks.*



*This historic photograph shows traditional storefront wall alignment.*

**\*3.65 Maintain the original size and shape of the storefront opening.**

- a. If possible, preserve the large panes of glass that were part of the original storefront opening. These transparent surfaces allow pedestrians to see goods and activities inside.
- b. If the storefront windows have been reduced in size over the years, re-establishing their original dimensions is encouraged. Be certain that the glass fits within original piers or columns that may exist. These are also essential parts of the design character that add interest and should not be obscured.
- c. The important principle is to provide surfaces that encourage walking and browsing in the downtown.
- d. Opaque materials, such as black plexiglass, are not appropriate in the place of display windows because they do not create pedestrian interest. Reflective, mirrored glass, which hides indoor activities and creates glare on the sidewalks, also is not appropriate.

**3.66 Maintain the storefront wall in its historic position.**

- a. Pedestrians downtown are accustomed to having the inside edge of the sidewalk clearly defined by a wall of storefronts, which presents interesting activities and merchandise to the street.
- b. This characteristic is an essential element of healthy downtown retailing.

**3.67 Where feasible, preserve the glass at the sidewalk line in order to define the pedestrian zone.**

- a. This is especially true if the building has historic significance because the original glass, frame and columns may be intact.

**3.68 Maintain recessed entries where they exist.**

- a. These areas provide protection from the weather, and the repeated rhythm of these shaded areas along the street helps to identify business entrances.
- b. Avoid placing doors flush with the sidewalk.
- c. If the original recessed entry has been removed, re-establishing it is encouraged.
- d. Use doors with large areas of glass where feasible to improve visibility of the business to outside viewers. Using an accent color on the door is encouraged. This will help to lead customers in side.
- e. Center the sign over the door as a way of highlighting the entrance for customers.



*Maintain recessed entries where they exist.*

**3.69 Maintain the kickplate that is found below the display window.**

- a. If the kickplate is missing, one option is to reconstruct the original using old photographs as a guide. This provides for a decorative color scheme. Coordinate the color scheme of the kickplate with other façade elements.
- b. If original design information is not available, another option is to design a new, simplified kick plate.
- c. Appropriate materials are painted wood or painted metal.



*Maintain the kickplates that are found below display windows.*

### **3.70 Preserve the transom above the display windows, if it exists.**

- a. The upper glass band of traditional storefronts introduced light into the depths of the building, saving on lighting costs.
- b. These bands of glass are found on many buildings, and they often align at the same height in a block. Maintaining this line will help to reinforce a sense of visual continuity for the street.
- c. When transoms are covered and the original moldings and window frame proportions are cocealed, or where the transom frame has been removed, the impact of the storefront is weakened. Restoring the transom to its original appearance is encouraged to maintain alignment of the storefront transom with others in the block. Use glass in the transom if possible. Glass is preferred because it introduces light into the interior of the store.
- d. As an alternative, use the space as a sign or decorative panel. Keep the background color dark, similar to the way glass is perceived. Always retain the original shape and proportions of the opening. If the interior ceiling is now lower than this glass line, pull the dropped ceiling back from the window on the inside to maintain the historic dimensions of the glass.



*A glass transom is best because it allows more light into the store.*

### 3.71 Preserve the size and shape of upper-story windows.

- a. Typical upper windows are vertically oriented, and usually several are uniformly spaced along the building front. This rhythm of upper story windows is a very important unifying feature of downtown, because it is repeated on most buildings.
- b. Re-opening of windows, if they are currently blocked, is encouraged. Window manufacturers now offer replacement windows that will fit the original openings; others will provide custom-ordered windows to fit exactly. Do not reduce or expand the opening to accommodate a stock window that does not fit the building!



*Preserve the size and shape of the upper-story windows.*

### 3.72 When substantiated by photographic evidence, using awnings over doorways to provide weather protection and create interest along the street front is encouraged. Please refer to GL 3.14-3.24. (Rev. 2020)

- a. Historically, awnings were on the north and east sides of the street. Shed roofs were the predominant form. Where possible, awnings associated with historic buildings should be restored.
- b. Awnings are useful on buildings. They provide shade for merchandise, shelter for pedestrians and a colorful accent to the building front.
- c. The size of the awning should fit the dimensions of the storefront opening and extend no more than three feet from the building, as seen historically. They may also extend from the door and shield street-facing windows. They should not obscure ornamental details. (Rev. 2020)
- d. Mount the top edge of the awning to align with the top of the transom above the door. Another option is to align the awning with the framing to separate the transom from the main display

- window. This will strengthen the visual continuity of storefronts.
- e. Awnings were made of wood supported by either posts or brackets. Operable fabric awnings are difficult to maintain and should be avoided. (Rev. 2020)
  - f. Coordinate the color of the awning with the color scheme of the entire building.
  - g. Rough-sawn wood, plastic, shake, or asphalt shingles are not appropriate materials for canopies. Fake mansard roofs are also inappropriate.
  - h. Installing lighting in awnings so they effectively act as an internally lit sign is inappropriate. These tend to overpower the building front at night, detracting from display windows rather than drawing attention to interesting building interiors.
  - i. Small awnings over individual windows are not appropriate. (Rev. 2020)
  - j. Retractable awnings are not appropriate in core zones. Instead, consider use of umbrellas. (Rev. 2020)



*Awnings are encouraged. Their shape and dimensions should reinforce the character of historic window sizes.*

*(Before)**(After)*

*On some buildings horizontal wood canopies may be appropriate where there is historic precedence for their use on similar buildings and where allowed by code.*



*Preserve original ornament and details of the façade.*

### 3.73 Preserve original ornament and details of the façade.

- a. Architectural details add interest to downtown and are a part of the unique identity of a building.
- b. Parapets, cornices and window arches are examples of decorative elements found on many buildings in downtown Crested Butte.
- c. Where portions of these details have been removed, refer to photographic evidence of the building's earlier condition and look for details that may have been removed and stored to use as patterns for new designs.
- d. Where exact reconstruction of details is not feasible, consider developing a simplified interpretation of the original in which its major form and line are retained.
- e. Ornamental caps or cornices at the top of the façade are especially encouraged because they give a finished look to the building. When these cornices are repeated along the street they create an important line that should be reinforced at every opportunity.
- f. Consider emphasizing details with accent colors.

### 3.74 If appropriate, develop rear entrances for shared public and service access.

- a. Use materials and colors that coordinate with the main façade so customers will learn to recognize that both entrances are related to the same business.
- b. Use a smaller version of the front sign to identify a rear entrance.
- c. Provide minimal lighting at the rear entrance.



*The rear of this Elk Ave. property was improved for outdoor restaurant seating when the historic building was remodeled.*

A goal for downtown is to lower the light intensity level of the street, especially the light spill generated from

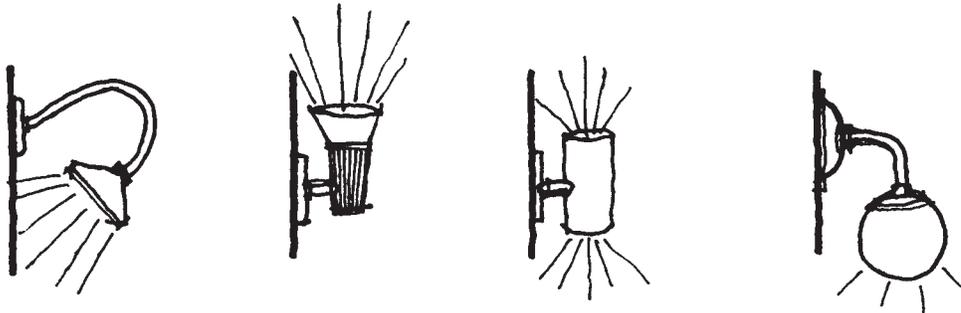
illumination of buildings. Lighting plans for buildings should not overwhelm the street or alter the perceived character of a historic building.

### 3.75 Use lighting to unify the building composition at night.

- a. Coordinate lighting of the following elements:
  - Window displays
  - Entrances
  - Signs
- b. Lighting should stay focused at the street level. Of those features that may be illuminated, the display-window lighting should remain the dominant element. Don't overpower this with extensive lighting on other façade elements or signs.
- c. Lighting the entire building front, either with spotlights or with strings of small exposed lights, is inappropriate. Wall-washer and flood lights are not appropriate.
- d. Use fully shielded, indirect light sources for all exterior lighting.

### 3.76 Balance the color and intensity of lighting among building features.

- a. Warm-colored lights, similar to incandescent, will more easily draw attention to window displays. The Correlated Color Temperature and color rendering Index is regulated to achieve this affect. High-intensity discharge light is not allowed. The Town's lighting ordinance should be referenced. (*Rev. 2009*)
- b. All exterior lighting shall have fully shielded cut-off fixtures. Light trespass onto adjacent properties is not allowed. Night sky protocol should be observed. (*Added 2009*)



Yes

No

No

No

*Use shielded, indirect light sources for all exterior lighting.*

# Chapter 4 Design Standards and Guidelines for New Commercial & Residential Construction

## CHAPTER 4A- DESIGN STANDARDS AND GUIDELINES FOR ALL NEW COMMERCIAL CONSTRUCTION

These design principles apply to all new commercial construction projects in the Town of Crested Butte. They are general design policies that apply in addition to the standards and guidelines for individual neighborhoods or districts, where more detailed guidance is provided.

New construction within Crested Butte should be compatible with the town's historic resources. Drawing upon the design elements of the historic buildings, yet they should not directly imitate historic structures in their entirety. Such design expression allows the historical evolution of the area to be evident, not projecting a false sense of history. Thus, creativity in new design that also is compatible with the design goals of the community is especially encouraged. This philosophy is based on strongly-established, accepted preservation theory, and, in particular, is espoused by the National Park Service, the federal agency responsible for administering programs established by the National Historic Preservation Act, including the National Register of Historic Places.

### CONTEXT

**\*4.1 Structures should not be excessively similar to other structures in a neighborhood. It is in the interest of diversity to have structures vary somewhat in form, materials, color and detailing in an immediate neighborhood, as was the case historically in Town. Please see Code Section 16-2-30 (1). (Added 2001, Rev. 2020)**

- a. Whereas a proposed structure may meet all Guideline requirements, if a proposal appears excessively similar to structures within 400 feet or one block of the proposal, changes may be required.

**4.2 A structure should not be excessively dissimilar from other structures of like use in its neighborhood, zone or the Town. a. The Design Standards and Guidelines are to be used to aid in the design process to keep structures from becoming excessively dissimilar from the Town's historic context. Please see Code Section 16-2-30 (2). (Added 2001, Rev. 2020)**

### SITE PLAN

**\*4.3 Develop the site for a new building in a manner similar to that used historically.**

- a. Orient new building parallel to lot lines, similar to historic building orientation.
- b. Maintain the typical building spacing pattern found on the block.
- c. Where uniform setbacks are characteristic, maintain the alignment of uniformly setback facades.
- d. Use architectural features such as fences and hedges, to define property boundaries.



*The consistent alignment of structures should be maintained.*

## **BUILDING ORIENTATION**

### **4.4 Orient the building containing the primary use toward the street.**



*Entry doors face the street at the sidewalk edge.*

#### 4.5 Clearly define primary entrances.

- a. For example, provide a recessed entryway on a commercial building.

### MASS AND SCALE

**\*4.6 New construction should appear similar in scale to historic structures found traditionally in the neighborhood.**

**\*4.7 If a larger building is divided into multiple modules, these should be expressed three-dimensionally, by having significant architectural changes, throughout the entire building.**



*Divide larger buildings into modules. Note the variations in the color schemes effectively distinguishes each module.*

### MATERIALS

A general philosophy to use when selecting new materials is that they should have a simple finish.

**\*4.8 Traditional materials are preferred, primarily wood clapboard. (Rev. 2020)**

- a. Wood should be painted, or it should have a pigmented stain.

**4.9 New materials must have a demonstrated durability and ability to be repaired. (Rev. 2020)**

- a. Materials such as aluminum and vinyl may look similar when installed but tend to dent over time.
- b. New materials may be considered, but they should appear similar in character to those used traditionally in Crested Butte for the relevant building type.

#### 4.10 Materials should be used in a manner similar to those used traditionally.

- a. Diagonal wood siding is inappropriate.
- b. Logs may be considered, but should have a whole log, hand-hewn appearance. Machine milled logs are inappropriate.
- c. Wood clapboard and board and batten are appropriate materials.
- d. Rock, stone, plywood and brick are not appropriate as primary materials.
- e. Dryvit and panelized stucco are also inappropriate materials.
- f. Indigenous rock is an appropriate foundation material.
- g. Corrugated metal siding may be appropriate for commercial buildings.
- h. In the historic core commercial zones, mixing primary materials on a building is inappropriate. A maximum of two primary materials may be considered in the new commercial zones. More information about this can be found in Chapter 5 for specific zone districts. (Rev. 2020)

### ARCHITECTURAL CHARACTER

#### \*4.11 The exact replication of older historic structures is discouraged.

- a. One should not replicate historic structures, because this blurs the distinction between old and new buildings, as well as making it more difficult to visually interpret the architectural evolution of the district.



*Historic corbel detail      Simplified modern corbel detail*

#### \*4.12 Interpretations of older historic styles may be considered if they are distinguishable as new.



*Contemporary interpretations of traditional details, such as this canopy bracket, are encouraged on new buildings in Town.*

**4.13 Contemporary interpretations of traditional details are encouraged.**

- a. Decorative window shutters are inappropriate, as they were not seen during the period of significance.

## **WINDOWS AND DOORS (*Rev. 2020*)**

**4.14 The window-to-wall ratio should be similar to those seen on comparable historic buildings.**

**\*4.15 Windows with vertical emphasis are encouraged. A general rule is that the height is twice the dimension of the width.**

- a. Double-hung windows with traditional depth and trim are preferred.
- b. Sliding-glass doors are not appropriate.
- c. Folding or accordion style doors are not appropriate in core zones.

**4.16 Keep windows simple in shape.**

- a. Odd shapes, such as triangles and trapezoids, are discouraged.

**4.17 Primary street front entrance doors should be wood or be indistinguishable from wood. They historically featured significant glass. (*Added 2009*)**

**4.18 Windows and doors should be trimmed with wood; this trim should have a dimension similar to that used historically.**

## **ROOFS**

**\*4.19 Roofs should be similar in form to those used historically.**

- a. Gable roofs are appropriate for commercial structures.
- b. Gable roofs should be symmetrical in design.
- c. Exotic roof forms are inappropriate. Examples are geodesic domes or A-frames that end near the ground.
- d. Gambrel and mansard roofs are inappropriate.
- e. Roof ridges must be parallel with floor planes.
- f. Hip roofs may be appropriate.

**4.20 Roofs should be similar in scale to those used historically on comparable buildings.**

- a. The length of a roof ridge should not exceed those seen historically on comparable buildings.

**4.21 Shed roofs are appropriate on secondary structures and on subordinate appendages to other buildings.**

- a. Clerestories are inappropriate.

**4.22 Flat roof may be considered on commercial structures.**

- a. Flat-roofed commercial structures should have a false front and tall side parapets. Front parapets of false fronts should be taller than side parapets. Construction of these types of roofs should be correlated with zoning districts.

**4.23 Metal and wood milled shingles in muted colors are appropriate for roofs. (Rev. 2020)**



*Note the modules minimize the scale of commercial infill. The flat roof does not overwhelm the historic buildings located on either side.*

## **DECKS AND BALCONIES (*Added 2020*)**

**4.24 In commercial zones, roof top decks shall not be adjacent to residential zones/uses due to noise pollution and impacts on adjacent property owners. Roof top decks are not appropriate on front facades and facades highly visible from the street.**

## CHAPTER 4B-DESIGN STANDARDS AND GUIDELINES FOR ALL NEW RESIDENTIAL CONSTRUCTION



The design principles outlined in this chapter apply to all new residential construction within the Town of Crested Butte. Primarily they address new structures, but the Standards and Guidelines also apply to additions and alterations to existing structures.

New Construction should be compatible with town's historic resources. New construction in the historic core zones and directly abutting the core zone needs to be very sympathetic to the historic resources and traditional design without exactly imitating the historic structures. Construction in the new construction zones should utilize the basic forms and elements of historic design and draw inspiration from the historic architecture. More variation is allowed in the new construction zones to provide a sense of evolution to the town's architecture. Street front facades and those elevations highly visible from the street are more sensitive than rear facades or those less visible, and a higher standard may be applied.

The Standards and Guidelines should be read carefully. Certain Standards and Guidelines will apply more specifically to the core residential zones or to the new development zones. The new development zones are R1, R1A, R1B, R1D, R1E, R2, R2A and R4 zones. The core residential zones are R1C and R2C, as well as parts of the R3C, B3 and B4 zones that contain historic residential structures. Those structures directly abutting the R1C and R2C zones, yet in the R1 and R2 zones, should also review Standards and Standards and Guidelines specific to the core zone and attempt to utilize those Standards and Guidelines as well in order to affect a sympathetic transition between the historic zones and the new construction zones.

The Standards and Guidelines reflect the dominant building patterns and materials used historically in Crested Butte. Variations exist historically and may be permitted on a case-by-case basis, given that some precedent is proven on more than one non-altered historic property or with historic pictorial evidence. The variations will not

be allowed in excess to the proportions that they occurred historically.

The Standards and Guidelines serve two purposes: The first is educational. It is not realistic to expect that those unfamiliar with Crested Butte architecture can readily discern those patterns and elements that make the architecture of Crested Butte unique. It is expected that the Standards and Guidelines will be reviewed and used as a learning tool to create designs sympathetic to historic Crested Butte. The second purpose is to act as a standard against which a proposal may be evaluated by the BOZAR.

**Those Standards and Guidelines which are starred (\*) are weighted more heavily than those which are not.** Different Standards and Guidelines may be weighted differently from project to project to achieve a successful product. The goal is to construct designs that blend and provide architectural continuity. It is always a challenge to achieve the balance between sympathetic coherent infill and architectural diversity.

## CONTEXT

**\*4.25 Structures should not be excessively similar to other structures in a neighborhood. It is in the interest of diversity to have structures vary somewhat in form, materials, color and detailing in an immediate neighborhood, as was the case historically in Town. Please see Code Section 16-2-30 (1). (Added 2001, Rev. 2020)**

- a. Whereas a proposed structure may meet all Guideline requirements, if a proposal appears excessively similar to structures within 400 feet or one block of the proposal, changes may be required.

**4.26 A structure should not be excessively dissimilar from other structures of like use in its neighborhood, zone or the Town. a. The Design Standards and Guidelines are to be used to aid in the design process to keep structures from becoming excessively dissimilar from the Town's historic context. Please see Code Section 16-2-30 (2). (Added 2001, Rev. 2020)**

## SITE PLAN

**\*4.27 Develop the site in a manner similar to that seen historically. (Added 2001)**

**4.28 The landscape plan should be similar to that seen traditionally in the Town. (Added 2001)**

- a. Use architectural and landscape features, such as fences or landscaping, to define property boundaries.
- b. The height and openness of a fence should be similar to that found traditionally in the neighborhood.
- c. The use of large deciduous trees, such as cottonwoods, situated as traditional "street trees" in the first ten feet of the front yard setback is required unless prohibited by site constraints. Two trees minimum per 50-foot street frontage are recommended.
- d. Landscaping, as opposed to tall fences, should be used to provide screening for less traditional features or for privacy.
- e. Consult the zoning code book for fence requirements Section 16-14-30. (Added 2009)



*The inclusion of low-level fencing, vegetation and tree placements complements the architectural design of the residence.*

**4.29 Parking should be accessed from the alley when feasible. (Added 2001)**

- a. If parking is accessed from the street or avenue, limit the access to 10 linear feet of the street or avenue. Perpendicular spaces should be utilized. In new development zones up to 20 feet of street frontage may be utilized when alley access is not practical or the stacking of parking spots is not feasible. Multi-unit buildings (more than 2 residential units per building) may utilize up to 50% of lot frontage on a street or avenue to access parking if approved by the BOZAR.
- b. Consider stacking parking, one car behind another, for each individual residential unit rather than utilizing side-by-side parking.
- c. When parking is provided from an alley, enough space should be provided to allow an adequate turning radius into the space, particularly off of a 16 foot alley. A minimum of an additional 5 feet of depth with an unobstructed turning radius can be required in these circumstances. The front of the parking space should be a minimum of 23 feet into the site in these circumstances.
- d. Screen parking from the street with landscaping if possible.
- e. Parking spaces should be well defined. (Added 2020)
- f. In the R2A zone, parallel parking within the residential lot may be considered on a case-by-case basis. (Added 2020)



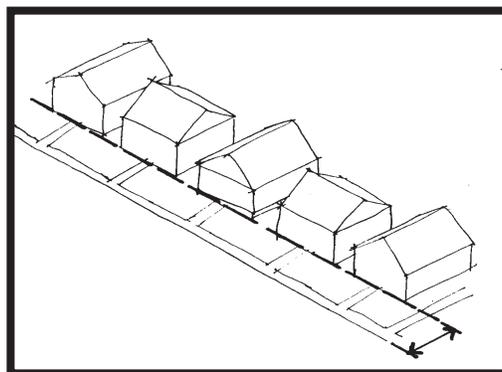
*This alleyway accommodates parking for the homes adjacent to Rainbow Park.*

**4.30 Consider how much snow is to be plowed, shed and stored on the property. Snow storage should be delineated on the site plan. See also GL 2.7. (Added 2001)**

- a. Allow unobstructed space for snow storage adjacent to plowed areas.
- b. Do not place vulnerable landscaping where it is likely to be damaged by snow shed off of roofs. Consider low-level shrubs in these areas.
- c. Generally, snow storage areas should be one third the size of all areas to be plowed. *(Added 2020)*
- d. Snow must not shed or be stored on adjacent properties. *(Added 2020)*

**4.31 Buildings should be oriented to the street and each other in a manner similar to historic structures. (Added 2001)**

- a. The largest building containing the primary use should be closest to the street.
- b. The front plane of a structure should be parallel to the street.
- c. Where uniform front setbacks are characteristic, maintain the traditional alignment, particularly in the core zones. Front yard setbacks in other neighborhoods should not vary more than 10 feet from each other.
- d. Maintain the typical spacing between buildings found on the block.
- e. Accessory structures should be placed to the rear of the site.



*Where uniform setbacks are characteristic, maintain the alignment of uniformly setback facades.*

## MASS, SCALE AND FORM

### **\*4.32 New construction should relate to the predominant scale and apparent scale of existing structures of similar use and like zoning on the streetscape and in the neighborhood. (Added 2001)**

- a. The apparent size and scale of a structure as viewed from the street is the most critical view. The street appearance should be kept as small as possible to relate to the historic scale of the Town. It should be noted that in the core zones the front street module would typically be the largest of the modules.
- b. Proposals for square footages greater than the matter of right square footage allowed in a zone need to pay particular attention to the neighborhood context and how the scale is perceived from the street. It is preferable to increase the length of the footprint to gain square footage rather than the height or width.



*Minimizing the scale of the street-side view of this home appears relational with historic homes.*

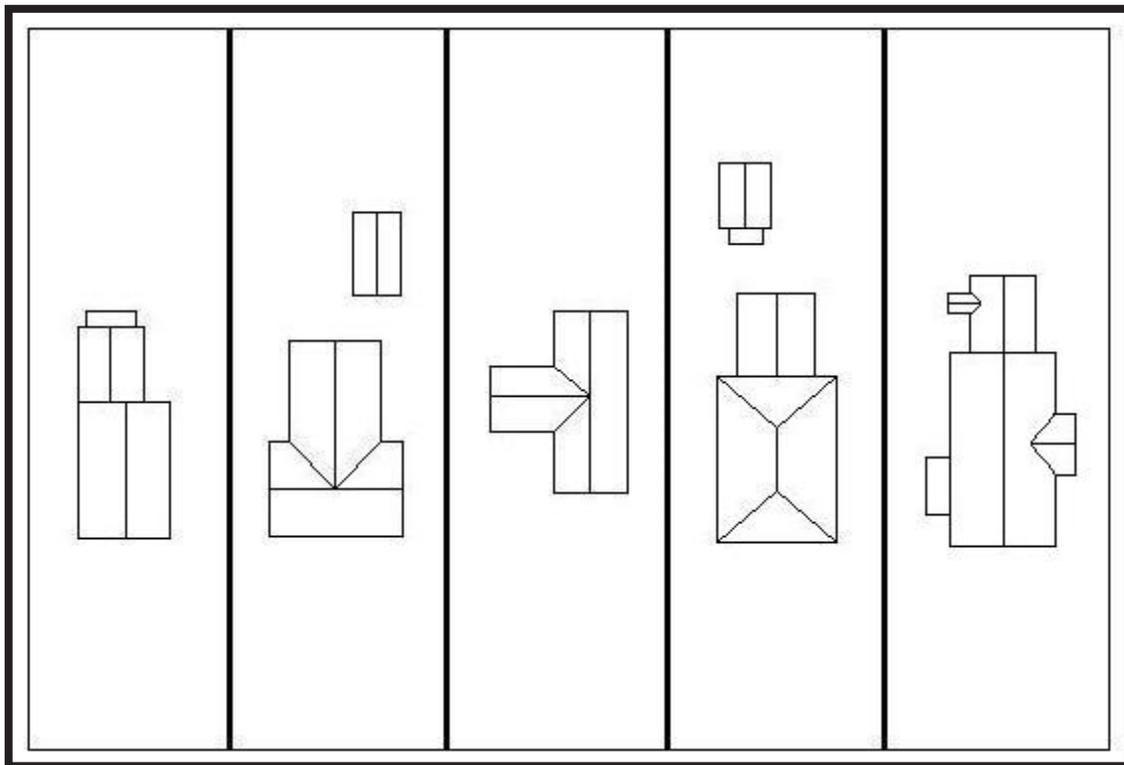
### **4.33 A diversity of form and size is encouraged in new development zones. Effort should be made to keep structures from becoming excessively similar. (Added 2001)**

### **\*4.34 New construction should be massed or have forms similar to historic structures of like use. Historic structures should be used for inspiration to keep new structures from becoming excessively dissimilar from the historic building patterns. (Added 2001)**

- a. The structure should be a series of rectangular modules.
- b. There should be a discernable primary module, preferably the module closest to the street. In

new development zones the module second closest to the street may also be considered to be the primary module. In core zones, there should be a discernable primary module, typically the largest enclosed module in terms of height and width, which is preferably the module closest to the street.

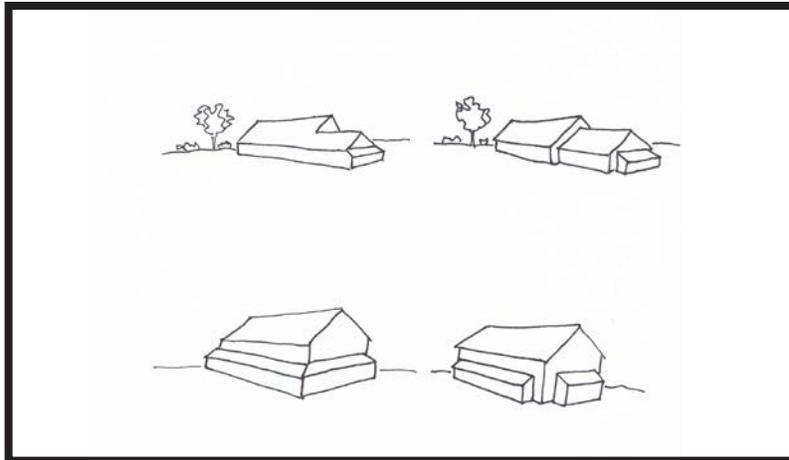
- c. The primary module is typically the largest enclosed module in terms of height and width.
- d. Subsequent rectangular modules should be smaller than the primary modules and step down toward the sides or preferably the rear.
- e. When subordinate modules are attached to other modules there should be an offset, preferably a smaller, narrower or shorter module, from the wall or roof planes of the larger module. If enclosed portions of buildings step down toward the lot boundaries, the step down should appear as an addition on the side of the structure and not occupy the entire elevation.
- f. Consider utilizing the mix of traditional residential building shapes found in Crested Butte.



*Rectangular    T-Shaped    L-Shaped    Hip-Roofed    Combo*

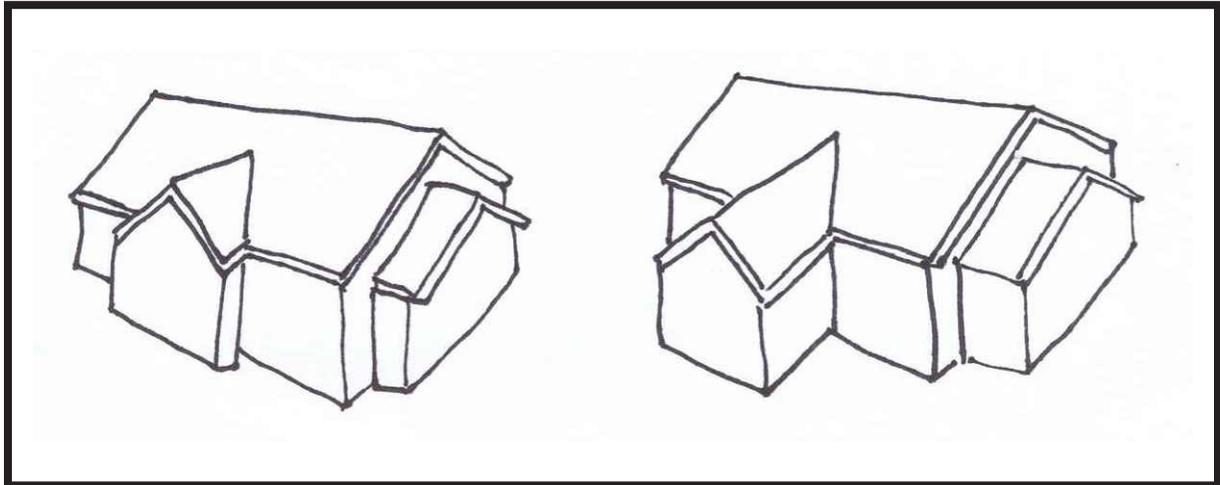


*Variations of rectangular roof forms provides effective diversity for the neighborhood.*



*Not preferred massing*

*Preferred Massing*



*Not Preferred*

*Preferred*



*Traditionally additions were made in room size components. In the historic core zones, with the exception of dormers and bay windows, modules should be three dimensional and large enough to appear as usable space.*

## DESIGN AND STYLE

**\*4.35 Interpretations of older historic styles are encouraged if they are distinguishable as new. (Added 2001)**

**4.36 The exact replication of older structures is not appropriate. New structures should utilize traditional forms and massing, yet incorporate subtle differences to make them distinguishable as contemporary. It is important to be able to distinguish historic structures from new structures so as to not dilute the historic residence. (Added 2001)**

**4.37 Contemporary interpretations of traditional details are encouraged. (Added 2001)**

- a. The simplification of historic details is encouraged.
- b. Consider a minor variation in the size of elements from the historic norm. More variation is allowed in the new development zones than in the historic core. For example, a typical historic fascia board would be 3.5 to 4 inches wide. Therefore, consider a fascia of 5.5 to 6 inches in the core zones. Smaller fascia is encouraged, but up to 9.5 inches in the new development zones may be allowed.

**4.38 The mixing of architectural styles on a structure is inappropriate. For example, a whole log supporting a porch roof on a clapboard sided Victorian style house is inappropriate. (Added 2001)**

**4.39 A new addition should be similar and compatible with the existing primary structure. (Added 2020)**

- a. Scale and form of the addition should complement the existing building. Otherwise, the addition is encouraged to be in the rear.
- b. Architectural details such as windows and trim should be consistent with the rest of the home.
- c. Materials of the new addition should be similar to and compatible with the existing building.

**4.40 Duplexes should be designed so as to appear to be single family houses. (Added 2001)**

- a. Side-by-side mirror image duplexes are discouraged.
- b. The street frontage should have one dominant entry door facing the street.
- c. In new development zones, multi-family structures are not held to as strict a standard with regard to the single family appearance. However, large structures are encouraged to emulate single family massing and details or be divided into more distinct modules.

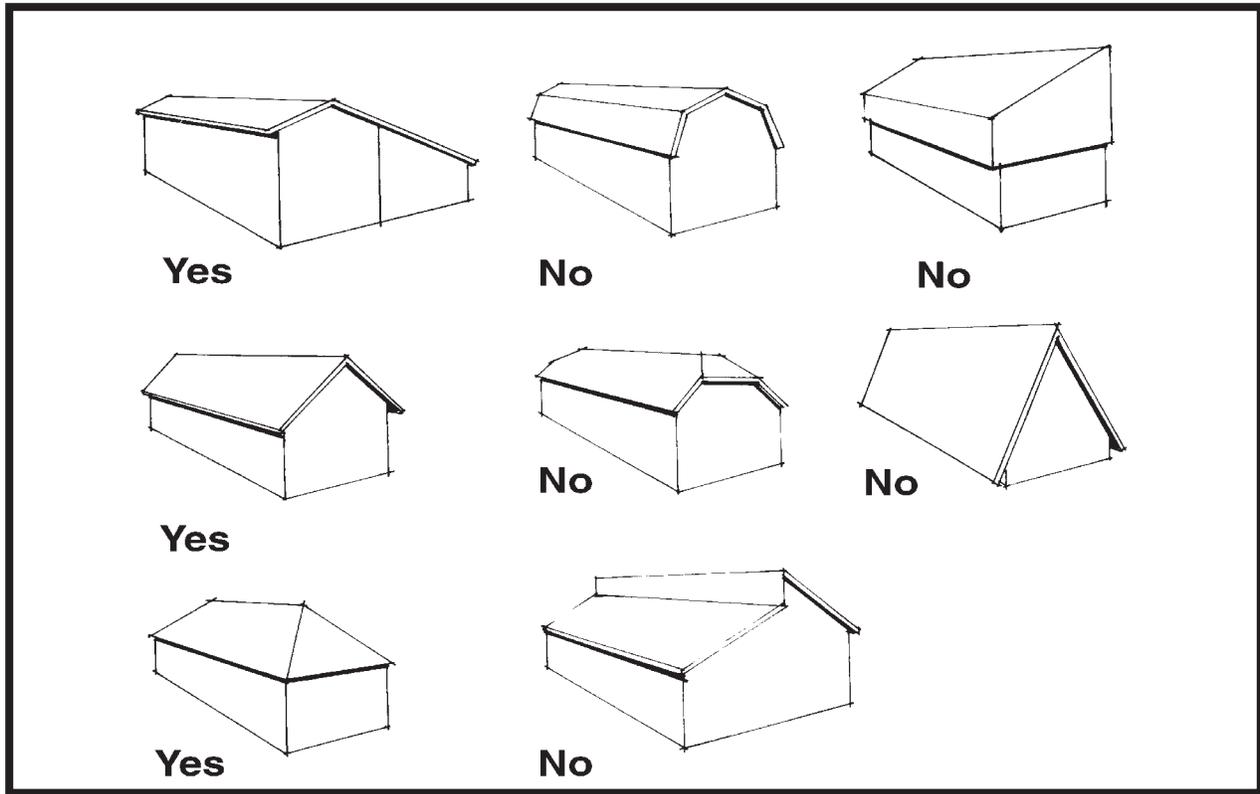


*One entry door faces the street on this duplex.*

## ROOFS

### **\*4.41 Roofs should be similar in form to those used historically. (Added 2001)**

- a. Gable roofs are appropriate for residential structures.
- b. Gable roofs should be symmetrical and balanced in design.
- c. Exotic roof forms are inappropriate. Examples are geodesic domes or A-frames that end near the ground.
- d. Flat and mansard roofs are not allowed.
- e. Roof ridges must be parallel with floor planes.
- f. Hip roofs and Dutch hips may be appropriate.
- g. Clerestories, roof structures where one roof element is higher than the adjacent one on a vertical plane near the peak of the structure, are not allowed.
- h. Cruciform roof forms which are not reflected in the footprint are discouraged in the core zones.



*The roof shape should be similar in form to those used historically.*

**4.42** Shed roofs are appropriate on smaller accessory buildings and on subordinate appendages to primary modules, but not as the dominant roof form on a primary structure. *(Added 2001)*

**4.43** It is appropriate to mix roof styles on different modules of one structure. For example, a shed roof covering a secondary module may be attached to a primary module with a gable roof. *(Added 2001)*

**4.44** Ridgelines should be similar in length to those used historically on comparable buildings. *(Added 2001, Rev. 2020)*

- a. The length of a roof ridge should not exceed 39'. *(Rev. 2020)*
- b. On longer structures, step the roof ridge down a minimum of 12 inches on at least the rear third of the structure to provide a more traditional look.
- c. Architectural features such as gable dormers may be used to break the length of the ridge. However, shed dormers and chimneys do not achieve this. *(Added 2020)*



*Note the length of the primary ridge length of this historic building. Additions drop down to the rear.*

**\*4.45 Roof pitches should be similar to those used historically on comparable buildings and elements. (Added 2020)**

- a. The desired pitch on a primary module of a residence is between 10:12 (40 degrees) and 12:12 (45 degrees) in the core zones. Roofs that are shallower or steeper, between 8:12 (34 degrees) and 14:12 (49 degrees) may be considered in new development zones.
- b. The pitch on secondary modules of a residence should be between a 4:12 (19 degrees) and 14:12 (49 degrees).
- c. Different roof pitches are allowed on separate modules or elements of the same structure. In the core zones, special attention should be given to blending with the primary module and the neighborhood context.



*Primary roof angles of 10:12 and 12:12 are shown with lower angles for the porch and secondary modules.*

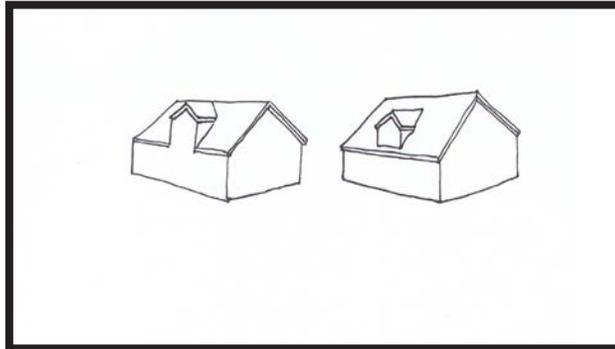
## DORMERS AND SKYLIGHTS

### 4.46 Dormers may be used on new construction. *(Added 2001)*

- a. Gable dormers are the traditional form.
- b. Shed and hip roofed dormers may be considered but should not become the dominant form in a neighborhood.
- c. Dormer types should not be mixed on a module in locations where the difference may be observed from one location on the street.

### 4.47 Dormers may not be the dominant roof feature. Dormers shall be a subordinate element on a roof. *(Added 2001)*

- a. Dormers, whether gable or shed, on any one side of a module should not occupy more than 30% of the roof.
- b. Dormers (gable and shed) should fit within the primary roof plane. Gable and shed dormers should be lower than the primary ridgeline in the core zones. The preferred dormer detail is to have a section of continuous roof beneath the dormer to make it appear as a more subordinate element. This is required for third story dormers and dormers in the core zones. This reduces the appearance of mass without appreciably affecting the livable space in the dormer.



*Not Preferred*      *Preferred*

- c. If a dormer is allowed in a roof module where the siding treatment below the dormer on the structure wall continues unbroken by a roof section onto the vertical dormer face, the 30% rule above still applies. The 30% is measured by assuming a continuous fascia or roof detail exists at the level it would normally appear and then measuring the vertical face above it for the dormer area.
- d. Typically, shed dormers that occur in the middle 70% of a roof form are encouraged.
- e. The vertical wall of shed dormers should not exceed 4 feet in height.



*The design of the dormer is a subordinate element on the plane of the roof.*

**4.48 The use of skylights is allowed in locations that are not highly visible from the street. This applies to both front and side facades. (Added 2001, Rev. 2020)**

- a. Skylights should be located on roofs that face the rear and side yards and not be visible from the street. (Rev. 2020)
- b. Skylights should be as flat to the roof plane as possible. Bubble skylights are not allowed.
- c. Skylights should be relatively small in size (2'x3', unless required for egress) and number (up to two per plane) and sit at least one foot below the ridgeline. In commercial buildings, no more than two per building. For buildings with larger roofs, the Board may give special consideration. In accessory buildings or dwellings, no more than one skylight per roof plane. (Rev. 2020)
- d. Skylights should be vertically oriented and not wider than they are tall.



*One skylight located on accessory buildings is acceptable. Note the small size.*

## PORCHES, DECKS AND BALCONIES

**\*4.49 Covered porches that shield the primary entrance door on the ground level are strongly encouraged in residential structures. They promote a pedestrian friendly façade, as seen historically. (Added 2001, Rev. 2020)**

- a. A sloping roof should cover primary entrance porches. Flat roofs are not appropriate.
- b. Gable, hipped and shed roofs are appropriate.



*Entry porches on the front facade are encouraged. It is important to ensure the depth is functional and at least four feet.*

**4.50 A mix of porch sizes is appropriate in a neighborhood. (Added 2001, Rev. 2020)**

- a. Most porches should be large enough to be functional for sitting.
- b. The depth of the porch must be at least four feet. (Added 2020)

**4.51 Roofed porches on the sides or rear of structures should be simpler than porches shielding the primary entrance. For example, a hipped roof porch on the front of a structure and a shed roof structure in the rear is acceptable. (Added 2001)**

- a. Small simple gable or shed roofs supported from the wall of the structure are acceptable on secondary entrances.
- b. In new zones, retractable awnings are allowed provided they are located on rear or side elevations and are not highly visible from the street. In core zones, awnings are not appropriate. Awnings should be small in scale, must be removable and must be mounted on a building without additional posts or structure. (Added 2020)

**4.52 Second and third story decks are prohibited on the front facades of homes. These decks are acceptable on the rear of structures and may be considered on the sides of structures if unobtrusive and not highly visible from the street. (Added 2001, Rev. 2020)**

- a. In all zones, second story decks should be screened by structure or substantial landscaping if approved on the sides of structures. (Rev. 2020)
- b. The area below second story decks may be hard surfaced at ground level without being considered as a covered porch. If the improved surface is above the adjacent grade level it will be counted as a covered porch for floor area ratio purposes.
- c. Decks must be rectilinear in shape. (Added 2020)
- d. Rear elevation decks and stairs should not extend past the width of the house. (Added 2020)
- e. Third story decks are only appropriate in commercial zones on a case-by-case basis. (Added 2020)

## WINDOWS

**4.53 The window to wall ratio should be similar to that seen on comparable historic buildings. (Added 2001)**

- a. On facades highly visible from the street in the historic core zones, there should be more glass on the first floor than on the second floor.
- b. In new development zones the primary street frontage should adhere to this policy.



*On facades that are highly visible from the public way, the window to wall ratio should in most cases, be similar to those seen on comparable historic buildings. The windows in this building are inappropriate. They cover too much of the façade surface and the shapes should be simpler.*

**\*4.54 Windows with vertical emphasis are encouraged. A general rule is that the height is twice the dimension of the width. Window operation, materials, divided light pattern and dimensions should be provided to insure compatibility with the Standards and Guidelines. (Added 2001, Rev. 2020)**

- a. Double-hung windows with traditional depth and trim are strongly encouraged. In new development zones casement windows may be approved if they have a traditional look. Casements should have divided lights or the appearance of double-hung and are more acceptable for egress. (Rev. 2020)
- b. Windows with significant relief should be used. Relief or reveal is the distance from the face of the window frame to the glass or glazing. Windows which appear flat with the wall plane or window frame shall not be used.
- c. A limited number of small square windows may be acceptable. Windows larger than 24 inches by 24 inches must have divided lights. (Rev. 2020)
- d. Horizontal windows and large fixed panes are not allowed. Where more glass is desired, divide the area into multiple windows.
- e. Smaller full length or  $\frac{3}{4}$  length flanker windows bracketing a larger window or door are inappropriate.



*Double hung windows are vertically oriented. Note the glazing is on the first floor is greater than the second floor.*

**\*4.55 Keep windows simple in shape. (Added 2001)**

- a. Triangle and trapezoids are not allowed.
- b. In new development zones, arched top windows and round windows may be considered on a limited basis in gable or accent windows. (Rev. 2020)
- c. Fan lights are not allowed. (Added 2020)
- d. If stained glass windows are used, the glass must be permanently affixed on the interior. (Added 2020)

**4.56 While wood windows are preferred, in the new development zones and infill development, metal-clad wood windows are acceptable. Fiberglass windows may be considered if they provide the reveal similar to a true divided from the exterior and divided light pattern, as seen historically (Added 2001, Rev. 2020)**

- a. Vinyl windows are not acceptable in any zone with exception of the Mobile Home Zone. (*Added 2020*)

**4.57 Fenestration patterns should be similar to historic window placement patterns. (*Added 2001, Rev. 2020*)**

- a. Windows shall not crowd the outside corners of structures. There shall be at least 12 inches between the corner of a structure and the outside of the window trim.
- b. On street-facing facades or those highly visible from the street, windows may not be placed so as to split floor levels. Windows should match sill or header heights on any given elevation. (*Rev. 2009, Rev. 2020*)

**4.58 Groupings of more than 2 windows in the core zones and 3 windows in the new development zones on a façade facing or highly visible from the street are not allowed. Individual windows within a grouping should be of historic proportions. (*Added 2001*)**

- a. In the core zones at least 3.5 inches must separate windows in a pair. In new development zones, two windows may be mullioned together: If three windows are grouped together there must be at least 3.5 inches between each unit.
- b. Sunspaces with greater glazing can be considered provided they are located in subordinate modules. They can deviate from the above fenestration rules on a limited basis. Window dimensions should adhere to conventional two to one (height to width ratios). Glazing patterns that appear relational with historic sunspaces are acceptable. (*Rev. 2020*)
- c. In new zones, a maximum of four window sizes on the front elevation and up to six window sizes on side elevations may be considered. (*Added 2020*)



*Triple windows should have 3.5 inches between each unit.*

**\*4.59 Windows and doors should be trimmed. This trim should have a dimension similar to that used historically. (*Added 2001*)**

**4.60 Divided lights should be formed from smaller muntins integral to the window. (Added 2001)**

**a. Pop-in muntins and muntins not on the exterior glass are unacceptable.**

**4.61 A limited number of transom windows may be used under the following provisions: (Added 2020)**

- a. The rough opening is no taller than 18". In R1B, R1D and R1E zones, where not highly visible from the street, transom windows may be up to 24".
- b. The transom is situated above a window or door with at least (2" minimum mullion) dividing trim.
- c. The use of trim that is continuous from window or door below is strongly encouraged.
- d. Half round windows may be considered as transom windows.
- e. Sensitivity to the window to wall ratio should be considered. See 4.53.



**4.62 The use of bay or bow windows should be confined to the ground floor. (Added 2009)**

- a. There should be sufficient structure beneath the glass of these windows to reach the ground or give the appearance of reaching the ground.

**4.63 The use of exterior window wells or exterior staircases to access below-grade doors may be considered if the following conditions are met. (Added 2009)**

- a. Window and door wells should not be placed on the front façade of a building unless concealed by a covered porch feature. If possible, locate window wells under a covered porch feature or small roofed area on all other elevations of the home, as required in the Building Code. (Rev. 2020)
- b. Window and door wells should not be larger than necessary to allow legal egress.
- c. When possible, window and door wells should be screened from public view by landscaping.
- d. Snow can heavily impact the function of window and door wells. Window wells required for

egress must be covered by a roof or other feature to assure year-round accessibility per the building code requirements. *(Rev. 2020)*

## DOORS

**4.64 The primary entrance door should face the street on the front of the primary residence on a site.** *(Added 2001)*



*Primary entry doors should be made out of wood.*

**4.65 The primary entrance door should be made of wood and be of a standard size. Doors made of materials indistinguishable from wood may be considered. The preferred form is a half-light door.** *(Added 2001, Rev. 2009)*

- a. A full light door may be considered if it has true divided lights.
- b. Doors with oval glass may be considered.
- c. Sliding glass doors are not appropriate.
- d. Fan light doors are not appropriate.
- e. In new development zones, unique styles and carved doors may be considered. *(Added 2020)*



*These historic homes address the street in a traditional manner with front stoops and consistent alignment on the street façade.*

**4.66 Secondary doors should be similar to those seen historically. (Added 2001)**

- a. Sliding glass doors are not appropriate.
- b. French doors may be considered if not on the primary street façade or highly visible from the street.
- c. On duplex, triplex or multi-family, entry doors for each unit may also look like a primary door and be more decorative or may be simple in design. (Added 2020)
- d. In core zones for infill development, one two-panel folding door may be considered when not highly visible from the street. The maximum opening is 6'. (Added 2020)
- e. In new development zones, when not highly visible from the street, a maximum of one, three-panel folding/accordion door may be considered per home. The maximum opening is 9'. (Added 2020)
- f. It may be possible for two, two panel folding/accordion/French doors that are separated by siding per façade to be considered. They must not be highly visible from the street. The maximum opening for each opening is 6'. (Added 2020)



*Locate French, folding or accordion doors in the rear or away from street-side views.*

**4.67 If the structure is a duplex the doors should be positioned so as to emulate a single-family dwelling door placement. (Added 2001)**

- a. Two or more primary entrance doors should be avoided on the main street elevation. Two doors facing the street on the main façade may be considered on multifamily dwellings as long as the placement is not excessively similar.



*One entry door faces the street in this duplex emulating a single family residence.*

**4.68 Garage doors should not face the primary street frontage when garages are integrated into the primary structure.** *(Added 2001)*

**4.69 Garage doors should be of wood exterior and emulate traditional accessory building hinged doors.** *(Added 2001)*

## DETAILS

**4.70 The incorporation of interpretations of historic elements and details is encouraged.** *(Added 2001)*

**4.71 Chimneys may be considered. Traditionally, chimneys were of brick, measured on average 2'x2' and most exited the structure near the ridge because heating appliances were centrally located in the house.** *(Added 2001, Rev. 2020)*

- a. In the new development zones, oversized masonry or rock chimneys that dominate the facade are discouraged. In core zones, oversized chimneys are not appropriate. *(Rev. 2020)*



*Chimneys were historically constructed of brick and were small in scale.*

**4.72 Houses should have eaves and overhangs in historic proportions and styles.** *(Added 2001)*

- a. Eaves, at the bottom roof pitches, should range from 6 to 18 inches. Overhangs on gable ends should range from 6 to 24 inches.

**4.73 Connectors may be considered. Connectors are small enclosed structures, which connected two larger modules on a site.**

- a. Connectors should be smaller (shorter and narrower) than either module they connect.
- b. Connectors are traditionally no more than one story in height.
- c. Connectors should be fully enclosed and may have windows.
- d. Connectors should connect modules from the front to the back of a site, not laterally across the small dimension of the lot.
- e. Connectors should connect a smaller rear module to a larger front module.

## LIGHTING

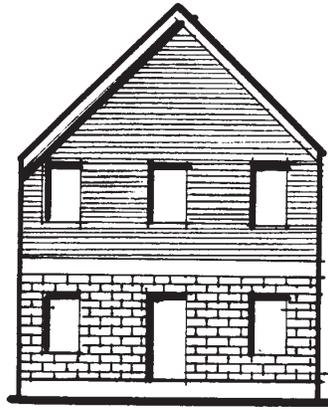
**4.74 Lighting should be unobtrusive. The Board, as part of the review process, may require lighting specifications. (Added 2001)**

- a. Lighting fixtures should be confined to areas adjacent to doors and walkways.
- b. All fixtures should be fully shielded down light fixtures. Floodlight fixtures are not allowed. (See the Town's lighting regulations, Chapter 16, Article 17)
- c. The light quality should be similar to incandescent lights. Sodium vapor, metal halide or mercury vapor fixtures are not allowed.
- d. Bared bulbs are inappropriate. Bulbs that hang below the shroud of a fixture are also not allowed. (Added 2020)
- e. Lumen range for LED is generally 2,000-4,000 K to ensure that the light is warm and not cool, bright light. (Added 2020)

## MATERIALS

**\*4.75 Exterior materials should be similar to those seen historically on the relative building type. (Added 2001)**

- a. Horizontal wood siding materials are preferred on primary structures. Traditional siding patterns are required in the core zones. These include bevel and drop lap patterns. Diagonal wood siding is inappropriate.
- b. Logs may be considered if they can meet efficiency standards but should have a whole log, hand-hewn appearance. Machine milled logs are inappropriate. Log looking veneers may be considered in the new development zones but not in the core zones and should not become a dominant look in a neighborhood.
- c. Vertical board and batten as well as board on board are appropriate materials, particularly on accessory buildings.
- d. The use of corrugated metal may be considered for accessory buildings.
- e. Dry stacked stone and corrugated metal are acceptable as a foundation material or foundation veneer. The maximum height from grade is 18". Rounded stone or river rock meeting the same requirements may be considered in the new development zones. (Rev. 2020)
- f. Rock, stone, brick, plywood, panelized composite materials including T1-11 and Masonite, aluminum and vinyl are not acceptable as primary exterior materials. Cementous board (Hardi-plank) and composite siding may be considered in the new development zones if they are applied in traditionally sized pieces. (Rev. 2020)
- g. Metal is not an acceptable material for fascia and other details in the core zones. In new zones metal details can be considered as an accent material (i.e. corbels, knee braces and brackets, etc.), as long as a wood element is incorporated. They must meet the criteria in Standards and Guidelines 4.72 to be considered elsewhere. (Rev. 2020)



*NO! Masonry is not appropriate as a primary material.*

**4.76 In new zones, plank and chink siding or barn wood/reclaimed lumber siding may be allowed in limited situations, as a primary material. The use of both materials on a building is inappropriate. (Added 2020)**

- a. The accompanying material with the plank and chink or reclaimed lumber/barn wood shall be painted or stained.
- b. In new zones, reclaimed lumber/barn wood may be considered as a primary material, but should not become the dominant look in the neighborhood. In new zones, no more than 20% of a block (up to four homes) within a 250' radius are allowed. In core zones, 10% of a block (up to two homes) within a 250' radius should be taken into account.
- c. In new zones, plank and chink may be considered as a primary material, but should not become the dominant look in the neighborhood. In new zones, 20% of a block (up to four homes) and 250' radius should be taken into account. In core zones, plank and chink is not allowed.



*Historically, residences were clad with wood clapboard and painted.  
Limit the presence of reclaimed wood or barnwood within the neighborhood.*

**4.77 New materials may be considered. The material, if approved, will be monitored for 12 months and then evaluated for use in other districts/applications. In order to be considered the materials must meet all the following criteria: (Added 2001, Rev. 2020)**

- a. They must appear similar, initially and over time, to traditional building materials found on historical buildings of like use. Shadow lines, reveals, texture, joints and joining of the materials, as well as the finished appearance of the product, may be considered when determining a material's acceptability.
- b. They must have a demonstrated durability in this climate and the ability to be repaired.
- c. They must demonstrate some advantage over traditional materials with regard to energy efficiency or resource conservation.



*Horizontal cementitious siding as seen on this residence is an appropriate new material.*

**4.78 Stucco or stucco appearance products may be considered under limited conditions. With limited exceptions, stucco in Crested Butte was historically a veneer treatment over frame structures where the original finish material was wood. Large expanses of stucco on residential structures should be minimized. Traditionally stucco homes were small, with an average size of 1,236 square feet. Projects that adhere to all of the following standards and guidelines may be considered. (Added 2001)**

- a. In the historic core zones, homes with stucco may not exceed 1,700 square feet of FAR. In new development zones, homes with stucco may be up to 2,100 square feet of FAR or the matter of right FAR for the property, whichever is smaller. Stucco homes should use traditional forms and massing to appear similar to those seen historically.
- b. In new development zones, there is more latitude for use of stucco, 20% of a block (up to four homes), which takes into account both sides of the street. In core zones, the use of stucco is 10% of a block (up to two homes). (Added 2020)
- c. Stucco tones that are generally darker are more acceptable. It is recommended that as the size of the structure increases the color of the stucco should become darker.
- d. While simple rectangular mass should be the primary form, varying planes on the outside walls is an effective way to break up the appearance of large masses of stucco. The larger the structure the more dramatic the plane changes should be. (Rev. 2009)

- e. Because of the increased potential for a non-traditional appearance with stucco, additional historic elements should be added to achieve a more compatible structure. True divided light windows, contrasting window trim, wooden doors, porches and other features are important elements that also help break up large masses of stucco and create a more historic appearance. *(Rev. 2020)*
- f. Windows should be recessed so that the plane of the stucco and the glass are different and shadows are introduced.
- g. Substantial wood trim on doors and windows in a color contrasting with the stucco color is required.
- h. Use other siding materials on subordinate modules if the primary module is stucco.
- i. Textured stucco is more desirable than smooth stucco. Panelized stucco with visible joints is not acceptable. *(Rev. 2009)*
- j. Corners should appear square rather than rounded.



*Substantial wood trim on doors and windows painted in a color contrasting with the stucco should be provided.*

**4.79 In the core zones, wood siding on primary street front modules of primary structures shall be painted or have a solid body stain treatment. This is highly recommended in the new development zones, although more variety is allowed. *(Added 2020)***

- a. A diversity of color treatment is desirable in a neighborhood and may be required. The neighborhood context should be considered.
- b. In the core zones it is encouraged that the trim be painted in a contrasting color.

**4.80 Materials should be applied in a similar manner as seen historically. It was common for siding to be applied within six inches of grade. *(Added 2001, Rev. 2020)***

- a. Foundation treatments (i.e. metal, dry stacked stone or concrete) on residential structures may be allowed provided that they do not exceed the height of 18 inches above finished grade. *(Rev. 2020)*



*Corrugated metal or stacked stone foundation treatments are acceptable provided the material at the top cap does not exceed 18" from grade.*

**4.81 Mixing primary materials on a structure may be considered. (Added 2001)**

- a. In the core zones, primary materials may not be mixed on any one module, but may change at vertical breaks between modules. In new development zones materials may change vertically between modules or a change may be considered horizontally at floor levels only.
- b. Traditionally, the more finished substantial materials occurred on the dominant street frontage module. This is recommended. For example, the primary module may have horizontal siding while a subordinate module may have vertical board and bat siding.
- c. Accent materials may be considered if used in a manner similar to their use on historic structures. For example, shingles or vertical wood may be used in gable treatments.

**4.82 Roofing materials should be similar to those used historically. (Added 2001)**

- a. Metal roofing is acceptable. In new development zones and infill within core zones, metal roofing in muted colors are acceptable. To minimize glare, metal roofs that are highly reflective are not allowed. (Rev. 2020)
- b. Sawn wood shingles are acceptable. Split shake shingles and asphalt shingles may be considered in the new development zones but not in the core zones.
- c. Galvanized corrugated metal is preferred, but standing seam may be considered. (Rev. 2020)



*Metal roofing to reduce glare or in muted colors is encouraged.*



*Corrugated metal is desired and standing seam metal roofing is acceptable.*

**4.83 Consider adding rails to porches. In all zones, front porch railings, balusters and posts must be wood.**  
*(Added 2001, Revised 2020)*

- a. In new zones, decks or balconies on the side or rear elevations, which are not highly visible from the street, materials may be metal, but should provide either wood posts or wood dimensional lumber top cap.
- b. In core zones, top rail shall be a proportionally appropriate dimensional lumber. Metal balusters are supported if they are on a deck or balcony not highly visible from the street.
- c. Composite materials may only be used as decking.
- d. In all zones, horizontal metal tubing or cables appears too contemporary and are not supported.



*Wood balusters and porch rails are consistent with historic materials and styles.  
 Deck railing should include wood materials visible to the eye.*

## ACCESSORY BUILDINGS AND ACCESSORY DWELLING UNITS

**4.84 Accessory buildings are encouraged. Accessory buildings are smaller than the primary building on the site. Historically accessory buildings were used for storage, livestock shelter, coal sheds, icehouses, smokehouses, outhouses and other non-primary uses. (Added 2001)**

**4.85 Accessory buildings and accessory dwellings should be located on the rear of the site. (Added 2001)**

**4.86 An attempt should be made to vary the appearance of accessory buildings and accessory dwellings within a neighborhood. (Added 2001)**

- a. Consider varying the size, footprint, height, materials and detailing.

**4.87 Accessory dwellings should appear similar in height and width to those seen historically. Dwellings are encouraged to not exceed a height to width ratio of 1 to 1 as measured on the street facing facade. (Added 2001)**

- a. Accessory dwellings should be of simple design and massing. (Added 2020)
- b. Accessory dwellings may include simple dormer designs provided that they comply with GL 4.44-4.45 for dormers. (Added 2020)
- c. Dormers on accessory dwellings may break the eave-line of the roof if the dwelling ridge height is 3 or more feet lower than the allowable height from natural grade.
- d. Gable-style dormers or intersecting ridge valleys on accessory dwellings do not allow for decreased set-backs below the standard requirements for accessory dwellings.



*This building achieves one-to-one height to width ratios.*

**4.88 Accessory dwellings should be simpler and less detailed than primary structures. (Added 2020)**

- a. Porches should be smaller and simpler in form. They should be less detailed than primary structures.
- b. Accessory dwellings should have a greater solid to void ratio than primary structures.
- c. Accessory dwellings should have one primary siding material for the main module. A secondary

- d. material may clad smaller modules in new zones. One material is required in the core zones. Accessory dwellings may have small second story decks. They should be located in the rear and/or not be highly visible from the street.
- e. Accessory dwellings can be painted or stained with two colors for the siding and trim details, or they may be left unpainted.
- f. In the core zones, accessory dwellings should have simpler finish materials than the primary structure on the site.
- g. In the new zones, metal siding that is relational to historic treatments may be considered, provided wood accents and trim are used to break up the expanse of the material. In the core zones, metal siding material is not allowed. *(Added 2020)*
- h. Exterior staircases are discouraged, unless they are well screened with structure or landscaping from primary street views.

**4.89 Accessory buildings should be simpler and less detailed than primary structures. *(Added 2001, updated 2020)***

- a. Accessory buildings may be left un-painted.
- b. Accessory buildings should have simpler detailing. For example, they may be constructed without soffit and fascia.
- c. Accessory buildings should be of simple design and massing.
- d. If used, porches should be small and unobtrusive.
- e. Accessory buildings should have fewer windows and a greater solid to void ratio than primary structures.
- f. Dormers on accessory buildings are not allowed.
- g. Accessory buildings should not have second story decks.
- h. In core zones, accessory buildings should have simpler finish materials than the primary structure on the site.
- i. In the new zones, metal siding that is relational to historic treatments may be considered, provided wood accents and trim are used to break up the expanse of the material. In the core zones, metal siding material is not allowed. *(Added 2020)*
- j. Exterior staircases from second floors should be screened with structure or landscaping from primary street views.
- k. There should be no more than one skylight per roof plane on accessory buildings. *(Added 2020)*

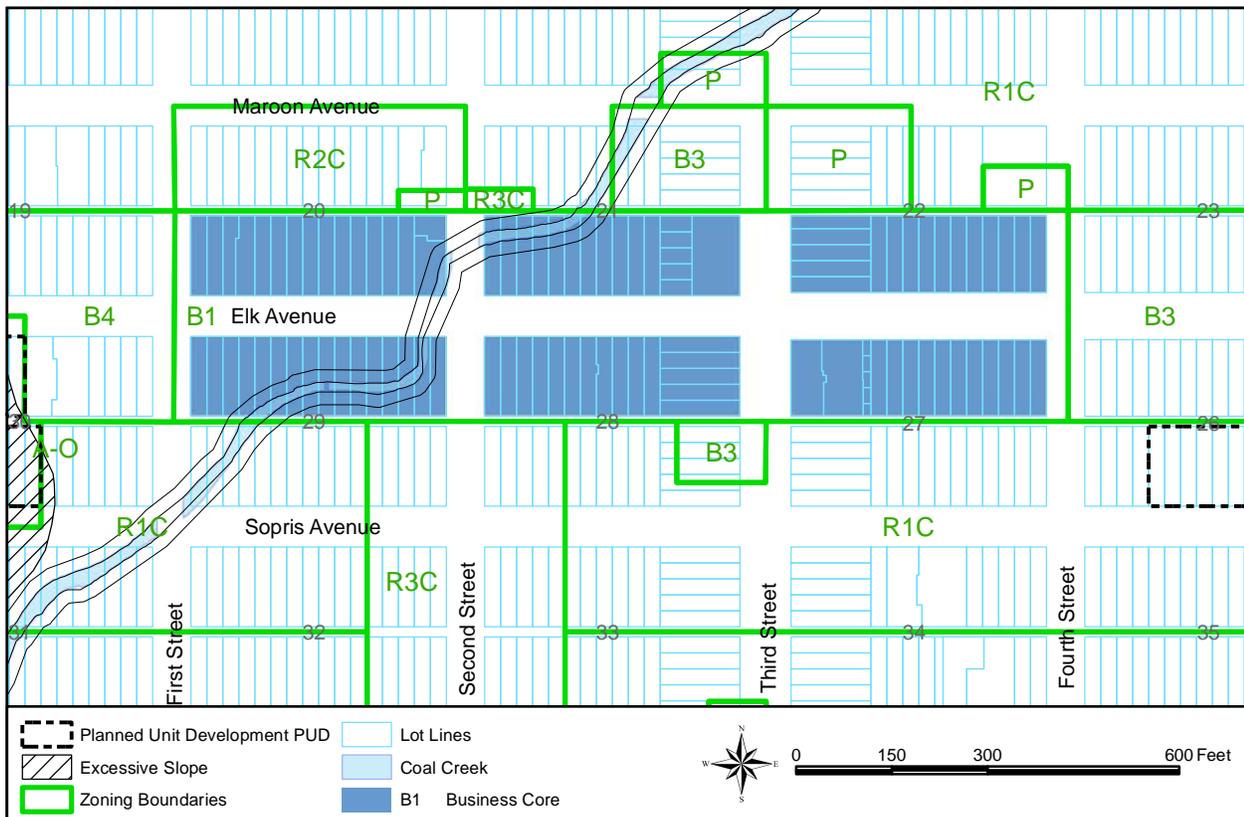


*Wood materials can be left unpainted on accessory buildings. A natural stain with UV protection should be applied to protect the wood.*

**4.90 When garages are incorporated within accessory building the appearance of garage doors should be minimized and have a wood exterior to emulate historic accessory building doors.**

# Chapter 5-Design Standards and Guidelines for the Neighborhoods of Crested Butte

The Guidelines that follow apply to individual zone districts, and should be used in addition to the relevant General Guidelines, Guidelines for Historic Properties and Guidelines for All New Construction.



**B1 ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO**

**Note that the Design Standards and Guidelines in the following chapters may also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 3 for Historic Properties p. 51**

**Section 3A Rehabilitation for all Projects p. 59**

**Section 3B Rehabilitation of Historic Residential Properties p. 76**

**Section 3C Rehabilitation of Historic Commercial Properties p. 88**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Chapter 4, Section 4B for All New Residential Construction p. 105**

**Of special concern are the following Standards and Guidelines:**

- 2.33 Respect the Town grid in all new development.
- 3.2 A historic primary structure shall remain on the lot on which it has been historically located.
- 3.5 Respect the historic design character of the building.
- 4.6 New construction should appear similar in scale to historic structures found traditionally in the neighborhood.
- 4.10 Materials should be used in a manner similar to those used traditionally.

## **B1 BUSINESS CORE DISTRICT**

This district was created to allow the use of land for retail, recreational and institutional purposes along the street, with customary accessory uses, in order to enhance the business and service character in the central core of town. Accommodations and residential uses are limited to accessory buildings, with the exception that service housing is encouraged as part of a business structure. Please reference Chapter 16, Article 5, Division 2 of the Town Code for additional information about this zone district.

### **Historic Character of the District**

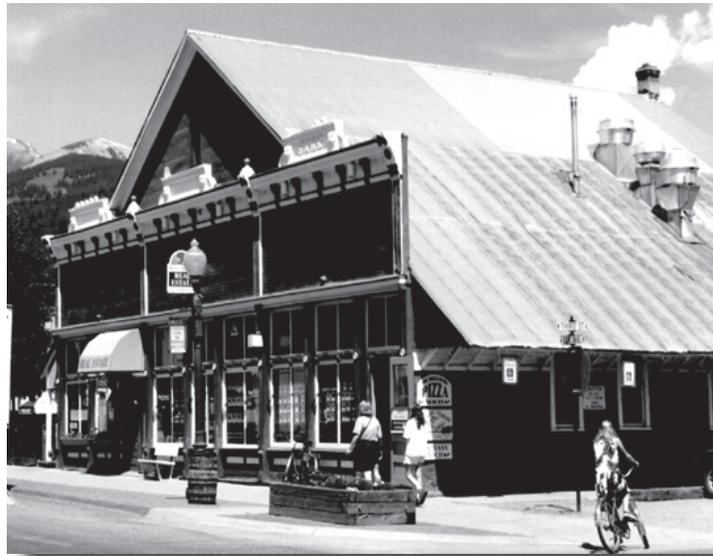
Historically, commercial buildings dominated this area. These were large, wood-frame structures with gable roofs. The roof ridges were oriented perpendicular to the street and often were concealed behind rectangular false fronts. Entrances were recessed, and display windows were typical at the street level. The B1 district contains a scattering of historic residential-type structures. New buildings adjacent to these resources should be sensitive to them in scale, materials and setback. Although commercial buildings are more typical in the B1 district, the historic variety in development must be respected.

### **Existing Character of the District**

The character of the B1 district is predominantly defined by business and service-related structures. In this area, a majority of the tourist-oriented eating and entertainment establishments are mixed with shops that serve both the tourist and local populations. A mix of historic and new buildings exists in the district. The historic buildings found there should establish the context with which to relate for new construction. New construction has been a combination of renovations, additions and infill on open lots. Several small, historic residential properties occur in the B1 zone and should utilize the B3 guidelines as a basis for design and review.



*Before: A goal for the B1 district is to protect its historic character.*



*After: This rehabilitation project has preserved the essential historic character of the building.*

## Development Trends

Buildings larger than those seen historically are appearing. It is important that these be designed in such a way that they appear to be similar in scale to those seen traditionally. Some of the larger commercial buildings are malls with businesses on upper and lower floors. Many front yards that were historically soft surfaces have been transformed into paved courtyards. Frequently, these adjoin false fronts, which are set back from the sidewalk.

## B1 District Design Goals

The Town's design goals for the B1 District are:

- To protect the historic character of the area.
- To maintain the traditional sense of scale on the street.
- To assure that new construction will very carefully fit with the historic context.
- To maintain the area as a pedestrian-oriented environment. Development of streets, sidewalks

and pathways should encourage walking, sitting and other pedestrian activities. Buildings should be visually interesting to invite exploration of the area by pedestrians. Existing pedestrian routes should be enhanced.

- To preserve views along rights of way that have become community assets.
- To provide lighting that complements the historic character of the street and reinforces the overall sense of continuity of the neighborhood. Lighting should not create glare that overpowers the valley scene at night.
- To continue the development of visual interest along the stream bank. Provide a variety of forms and materials that enhance the pedestrian orientation and mix with other established functions.

## B1 District Design Standards and Guidelines

### LANDSCAPING AND SITE FEATURES

#### 5.1 Outdoor amenities that will facilitate year-round pedestrian activity are encouraged.

- Landscaped areas, bicycle racks and benches are examples of such amenities.
- The amount of hard surface should not exceed the hard surfacing on the historic yards on the block.

#### 5.2 Preserve the views along Elk Avenue.

- Locate taller elements, such as upper stories, towers and tall trees where they will help frame the view, not block it.
- Locate taller elements to preserve views of historic landmarks.

#### \*5.3 Preserve existing mature landscaping.



*Protection of mature trees is important.*

## BUILDING ORIENTATION

### 5.4 Maintain the traditional spacing pattern created by upper-story windows.

- a. Avoid changing the dimensions of openings found on historic buildings. Maintaining established window patterns is especially important when renovating existing buildings.
- b. Align windows with others on the block when feasible.

### 5.5 Buildings should align in plan with others at the sidewalk edge.

- a. However, buildings may be set back to preserve existing trees or to relate to residential-type structures or adjacent historic buildings or view corridors.

### 5.6 The use of false fronts is encouraged.

- a. It is preferred that the roof form behind the false front be a peaked, sloped roof rather than a flat roof. This is in keeping with traditional roof forms.
- b. Flat roofs may be used. Parapets on the fronts of buildings should be taller and more ornate than side parapets.



*Draw inspiration from historic buildings to maintain typical alignments of horizontal features and upper story windows.*

### 5.7 Maintain the alignment of horizontal features on building fronts.

- a. Typical elements that align include upper-story window moldings, cornices, kick plates, transoms, and parapets at the tops of buildings.
- b. This requirement applies to both rehabilitation and new construction.
- c. In order to preserve the character of the neighborhood, be sensitive to traditional building elements and their alignment. This alignment occurs because many of the buildings are similar in height.

### \*5.8 Maintain the typical proportion of void to solid (window to wall) in walls seen traditionally on Elk Avenue.

- a. Traditionally, ground floors were more transparent than upper stories. *(Added 2009)*



*Maintain the typical proportions of solid to void in building walls. Traditionally, first floors were more transparent than upper levels.*

**5.9 Building entrances should appear similar to those used historically.**

- a. The entrance should be at grade level.

**\*5.10 Buildings should be oriented to Elk Avenue, with the long dimension perpendicular to the street.**



*These newer commercial buildings address Elk Ave. in the same manner as historic commercial buildings.*

**5.11 Along three-story rear façades, building forms that step down in scale to the alley are encouraged.**

- a. Consider stepping down the overall building mass as it approaches the alley to reduce the visual impact on adjacent residential zones. *(Rev. 2009)*
- b. Use projecting roofs over entrances, decks and separate utility structures in order to establish a pedestrian scale.

**5.12 Develop alley façades to create visual interest.**

- a. Use varied building setbacks and changes in materials to create interest.
- b. Balconies, courtyards and decks may be considered.
- c. Pedestrian-scaled entrances, porches or similar elements may be considered.
- d. Consider incorporating appropriate lighting sources that will facilitate pedestrian activity in alleys.
- e. Secondary public entries may be considered.
- f. Signs at rear entrances may be considered. *(Added 2009)*
- g. Be sensitive to adjacent residential areas.
- h. Provide functional areas for dumpsters, mobile trash, and/or recycle receptacles. *(Rev. 2020)*

## MASS AND SCALE

**\*5.13 Buildings should appear similar in scale to those seen traditionally in the neighborhood, especially smaller historic structures nearby.**

- a. Traditional standards in scale, proportion and materials should be met.



*Buildings should appear similar in height to those seen historically. The traditional height was one or two stories.*

**\*5.14 The traditional spacing pattern created by the repetition of uniform building widths along the street and the alley must be maintained.**

- a. If a larger building is divided into multiple modules, these should be expressed three-dimensionally throughout the entire building. These modules should be no more than 25 feet in width. They should have a variety of heights, with a maximum height of 35 feet.
- b. Where buildings are planned to exceed this width, use a change in design features to identify individual modules that suggest the traditional building widths. Changes in façade material, window design, façade height, and decorative details are examples of techniques that may be considered.



*Divide larger buildings into multiple modules, as seen in the building on the right.*

**\*5.15 Buildings should appear similar in height to those seen historically.**

- a. Façade heights of new buildings should fall within the established range of the block.
- b. In large projects, provide a variety of heights.

**5.16 Floor-to-floor heights should appear to be similar to those seen historically.**

- a. In commercial projects, the break in floors should be expressed on the exterior façade by the traditional configuration of spaces, using features such as display windows, belt courses and vertically-oriented second-story windows.
- b. Split levels or half basements should not be visible from the street.



*Floor to floor heights of the east addition appears relational with the historic building.*

## BUILDING DETAILS

**5.17 On the front façade, avoid introducing new architectural elements that were not used traditionally.**

**5.18 Rooftop decks may be considered, but must be located to the rear of the property and can only be associated with residential or hotel uses housed within the building. (Added 2020)**

**5.19 Canopies may be considered. (Rev. 2020)**

- a. Permanent canopies that are hung from the building are appropriate.
- b. Canopies supported on posts are discouraged.



*Canopies spanning the front facades of two historic buildings on Elk Avenue.*

**5.20 Building materials should appear similar to those used historically.**

- a. Clapboard is appropriate as a primary building material.
- b. Metal and stucco may be considered as accent materials on a building.

**5.21 Use lighting to integrate the building with other buildings on the block at night.**

- a. All light sources must be fully shielded to minimize glare into the street and onto adjacent properties.
- b. Lighting for parking and service areas should be especially shielded and designed to minimize glare into the street and adjacent properties.
- c. Window display lighting should also be designed to minimize glare.
- d. Light sources shall be of a low intensity. Lumen range for LED is generally 2,000-4,000 K to ensure that the light is warm and not cool, bright light. *(Rev. 2020)*

**5.22 The light for a sign shall be an indirect source.**

- a. Light shall be directed at the sign from an external, fully-shielded lamp. Internal illumination of a sign is prohibited.
- b. A warm light, similar to daylight, is appropriate. Energy-efficient compact-flourescent lights or LED may be used with kelvin ratings noted in GL 5.21 (d). Sodium vapor lamps are inappropriate. *(Rev. 2009, 2020)*



*Lighting of signage must be from an indirect source. Ensure the lamp is fully housed within the light fixture.*

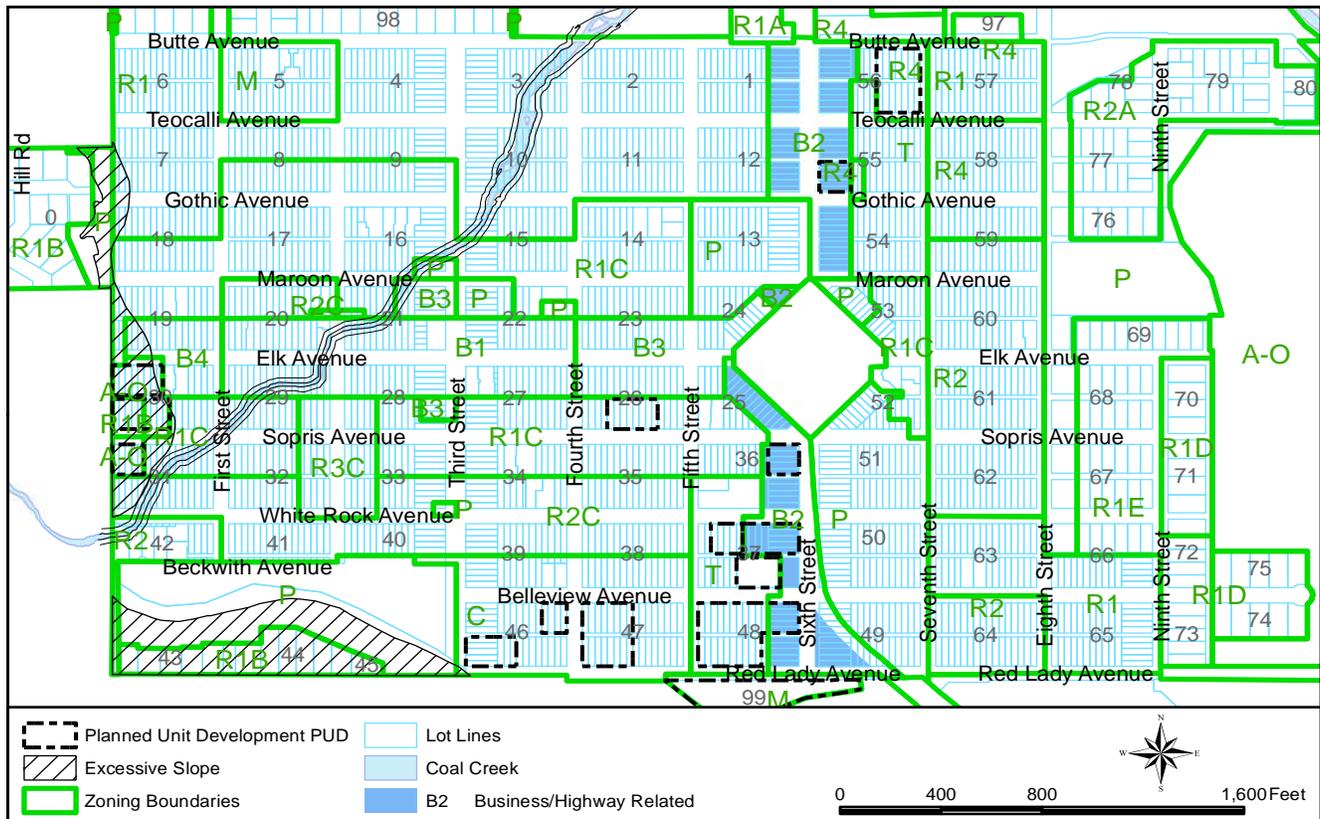
**5.23 Develop rooftop equipment and appurtenances as design elements that contribute to the overall composition of the site.**

- a. Consider enclosing mechanical equipment in structures that are similar in color and texture to other materials used in the building.



*Display windows, transoms and kick plates are traditional details of commercial buildings that are appropriate in new construction.*

## B2 BUSINESS / HIGHWAY-RELATED DISTRICT



B2 ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created to provide for orderly business development along Highway 135 and the ski-area road, and to do so in a way that is compatible with safe traffic flow and the aesthetics of the town. Please refer to Chapter 16, Article 5, Division 3 of the Town Code for additional information about this zone.

### Existing Character of the District

The existing character forms a transition between the auto-oriented approach of the ski area-road and Highway 135 to town, and the mixed pedestrian orientation along Elk Avenue. This area is home to larger service commercial businesses such as banks, grocery stores, office buildings, motels, and gas stations, which all contribute to heavy traffic flow.

### Development Trends

This area is experiencing larger projects, and planned unit developments that pose a challenge in breaking up the massing to reduce the perceived scale of the buildings. Larger projects inevitably yield greater parking requirements, resulting in more parking lots. The visual impacts of these elements should be minimized. As the Guidelines indicate, parking behind buildings or on the street is suggested to mitigate negative visual effects.

Current zoning requires that smaller buildings with side-yard setbacks in blocks not already substantially developed have parking lots to the rear of the property.



*This structure appears similar in form to traditional commercial buildings.*

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Chapter 5 for B1 Construction p. 136**

**Of special concern are the following Standard and Guidelines:**

2.15 Include substantial amounts of landscaping in all projects.

2.27 Minimize the visual impacts of parking.

2.34 Site buildings to maintain established views where feasible.

4.6 New construction should appear similar in scale to historic structures found traditionally in the neighborhood.

## **B2 District Design Goals**

The Town's design goals for the B2 District are:

- To establish a frame for Sixth Street, compatible with traffic flow to and from Elk Avenue and the ski area. This should be compatible with the historic character of town, while expressing the fact that this area has developed more recently.
- Efforts should be made to avoid buildings that contribute to the creation of a canyon effect.

- Spaces and corridors between structures should be maintained.
- Development should encourage pedestrian activity and therefore should relate to the street in a manner more similar to that of traditional commercial buildings.
- Landscaping is particularly important in this district and must be maintained.
- The context includes fewer large gable and hipped-roof structures, as well as flat roofs with various parapet styles, than in other areas. Therefore, flexibility is given in review to encourage a variety of building shapes and more contemporary interpretations of the Guidelines.
- The continuity of sidewalks is desired.



*A larger building should be divided into modules that express typical building sizes. This structure exceeds the traditional size of buildings and as a result is out of scale.*



*Divided into modules, this building is effective in minimizing the overall scale.*

## **B2 District Design Standards and Guidelines**

**\*5.24 Buildings should appear similar in form to industrial, commercial and residential buildings seen traditionally in Crested Butte.**

- a. Use the Standards and Guidelines for the B1 zone as a basis for design.



*Window placements appear relational with commercial buildings seen historically.*

**5.25 Maintain the typical proportion of void to solid (window to wall) seen traditionally in commercial buildings in Crested Butte.**

**\*5.26 Buildings should appear similar in width to those seen historically.**

- a. Larger buildings divided into multiple modules should be expressed three-dimensionally, throughout the entire building. Include walls on the interior that are perpendicular to the street and express the typical modules, as seen from the street.
- b. These modules should not exceed 25 feet in width.



*Divide larger buildings into modules reduces the scale and provides interest.*

**5.27 Buildings should appear similar in height to those seen historically in other commercial zones in Crested Butte and not exceed 35 feet in height. Modules should not exceed 30 feet in width. (Rev. 2020)**



*The height of this building is relational with historic commercial buildings.*

**5.28 Floor-to-floor heights should appear to be similar to those seen historically on commercial buildings in Town.**

**5.29 Canopies are encouraged.**

**5.30 Outdoor amenities that will facilitate year-round pedestrian activity are encouraged.**

**5.31 Building materials should appear similar to those used historically.**

- a. Preferred materials include wood clapboard siding and metal roofs.

**5.32 Building entrances should appear similar to those used historically.**

**5.33 Street-level, one-story buildings should appear similar in scale to those seen traditionally in the neighborhood.**

**5.34 Buildings should be oriented to the street.**

- a. In larger new buildings, a variety in façade setbacks is encouraged to break up the massing.
- b. Align the front at the sidewalk edge where feasible.
- c. Use front setbacks for courtyards and landscaping, not parking.
- d. A sidewalk shall be provided along the street edge.

**5.35 Minimize the visual impacts of parking.**

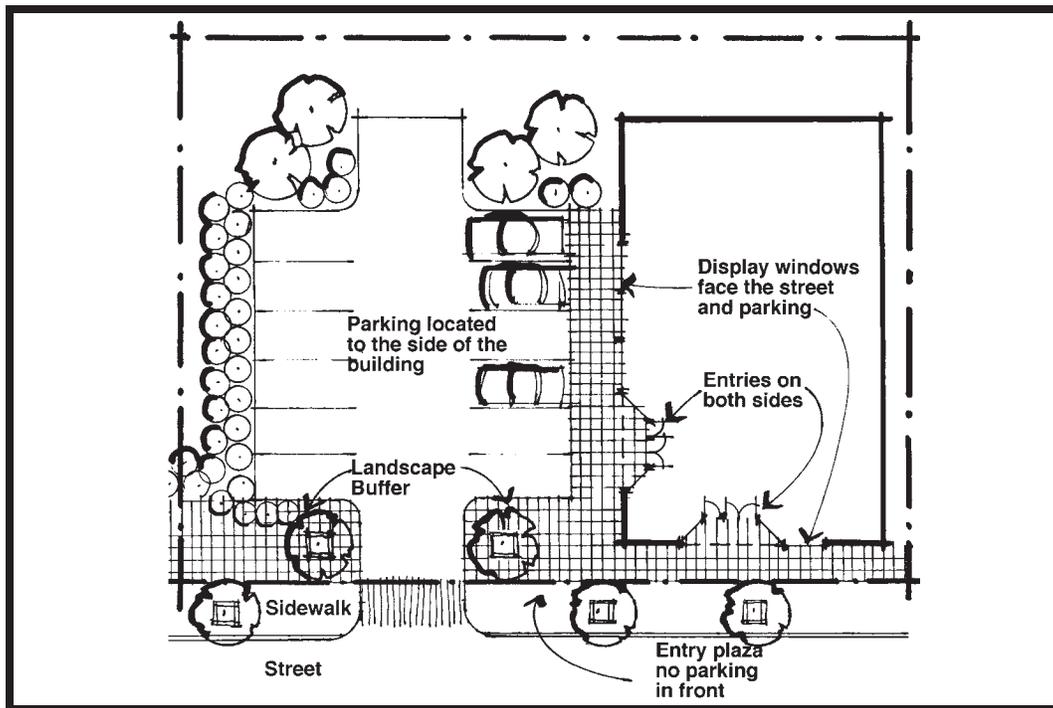
- a. Locate parking in the rear.
- b. Screen parking view from the public way.
- c. Access parking from the alley.



*Minimize the visual impacts of parking. Areas such as these should be screened.*

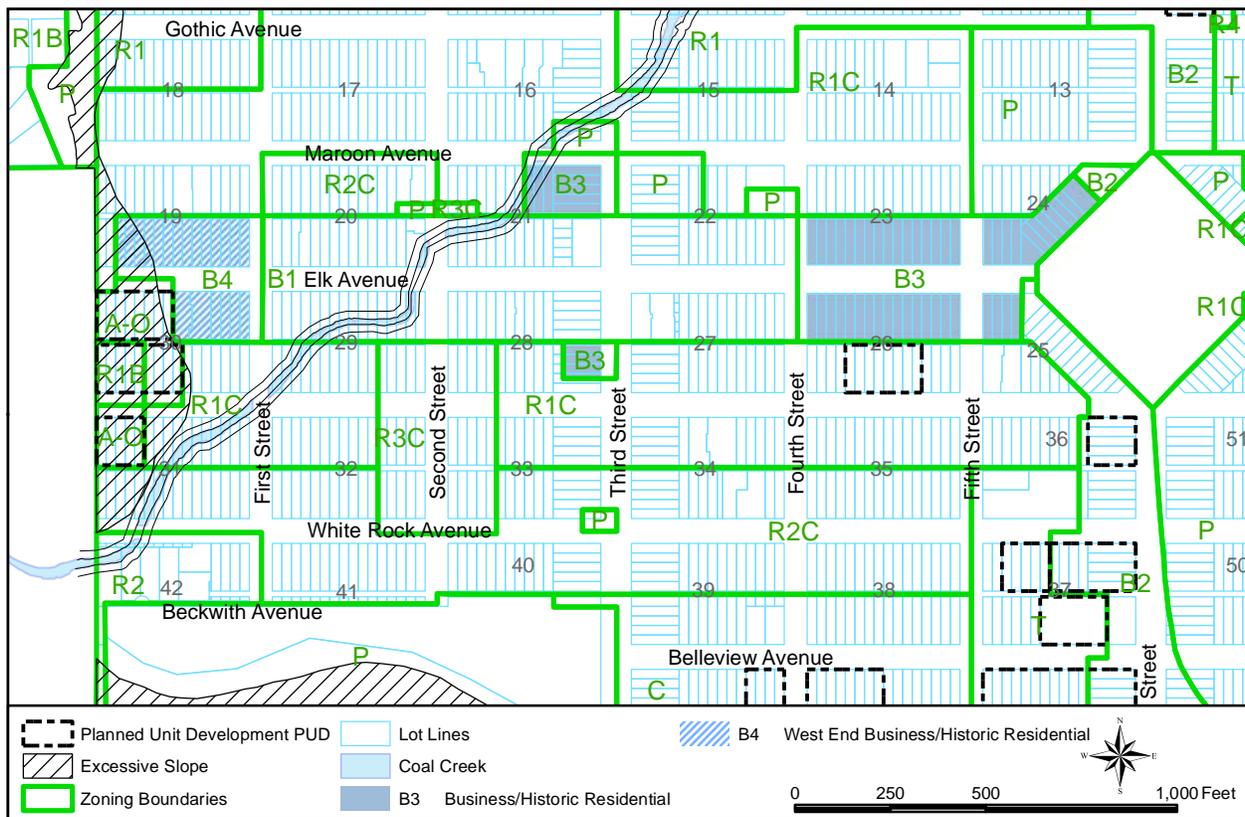


*Minimize the visual impact of parking with screening. This area is effectively screened with vegetation.*



*Minimize the visual impact of parking by locating it to the side or rear of the building.*

## B3 & B4 BUSINESS & HISTORIC RESIDENTIAL DISTRICTS



B3 & B4 ZONE DISTRICTS within the TOWN OF CRESTED BUTTE, COLORADO

These districts were created to encourage the preservation of the historic and architecturally interesting structures found here. Preservation is encouraged by allowing the structures to remain in residential use or by converting them to business uses as long as essentially the same structures are retained. Please refer to Chapter 16, Article 5, Division 4 (B3 zone) and Division 5 (B4 zone) of the Town Code for information about these zone districts.

### The Historic Character of the District

Historically, these areas were primarily residential in character. Structures were small residences with sloped roofs. The ridgelines in most single-family units were perpendicular to the street.

### Existing Character of the District

Today, increasing numbers of commercial uses are seen housed within the existing residential-type buildings.

### Development Trends

The increase in commercial uses has meant an increase in signage and paved surfaces, especially in front yards, and the accumulation of display merchandise. More commercial uses are anticipated.

### **B3& B4 District Design Goals**

The Town's design goals for the B3 & B4 districts are:

- To preserve the traditional residential character of the neighborhood while accommodating new uses.
- To maintain an overall residential scale.
- To maintain soft-surface yard space.

**Note that the Design Standards and Guidelines and Standards in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 3 for Historic Properties p. 51**

**Section 3A Rehabilitation for all Projects p. 59**

**Section 3B Rehabilitation of Historic Residential Properties p. 76**

**Section 3C Rehabilitation of Historic Commercial Properties p. 88**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Chapter 4, Section 4B for All New Residential Construction p. 105**

**Of special concern are the following Standards and Guidelines:**

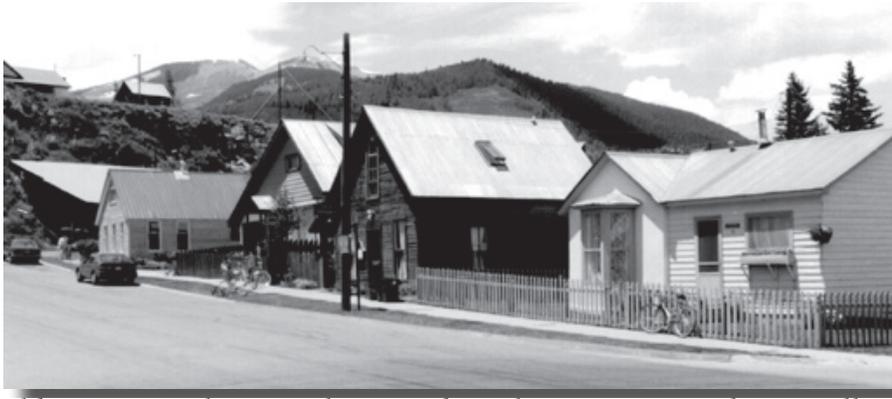
3.1 Protect natural features.

3.4 Seek uses that are compatible with the historic character of the building.

3.60 Preserve the original roof form of a historic residence.



*Today, increasing numbers of commercial uses are seen housed within existing residential-type buildings in the B-3 District.*



*Buildings should appear similar in scale to residential structures seen historically in the neighborhood.*

## **B3 & B4 Districts Design Standards and Guidelines**

### **ALIGNMENT AND SETBACKS**

**\*5.36 Maintain the spacing pattern of side-yard setbacks on the street.**

**5.37 Maintain front-yard setbacks.**

### **MASS AND SCALE**

The allowed Floor Area Ratio (FAR) is greater than that which developed historically. Wherever feasible, new development should be built to be more similar to the historic FAR.

**\*5.38 Buildings should appear similar in scale to residential structures seen historically in the neighborhood.**

**5.39 Buildings should appear similar in width to those seen historically in the neighborhood.**



*The width of this commercial building appears relational with the surrounding historic neighborhood.*

**5.40 Buildings should appear similar in height to those seen historically in the neighborhood.**

- a. False fronts are inappropriate in the B3 zone.



*The center building's appear similar in height with the historic buildings on either side.*

**5.41 Floor-to-floor heights should be similar to those seen historically.**



*The floor to floor heights of new infill on the left is relational with the historic building on the left.*

## BUILDING FORM

**5.42 Use forms similar to those seen on historic residential structures.**

- a. Historically, buildings in Crested Butte were designed as simple, rectangular forms, often with gable roofs. New buildings constructed in this district should reflect these traditional building forms.
- b. Flat roofs are discouraged.



*Use roof forms similar to those seen on historic residential structures.*

## WINDOW-TO-WALL (VOID-TO-SOLID) RATIO

**5.43 Maintain the typical proportion of void to solid seen traditionally on residential structures.**

## MATERIALS

**5.44 Building materials should appear similar to those used historically.**

- a. Wood clapboard is appropriate as a primary building material.



*Wood clapboard clads this historic building.*

## ARCHITECTURAL DETAILS

**5.45 Details related to residential structures are appropriate.**

- a. Large display windows are not appropriate.

**5.46 Outdoor amenities that facilitate year-round pedestrian activity are encouraged.**

**5.47 Building entrances should appear similar to those used historically.**

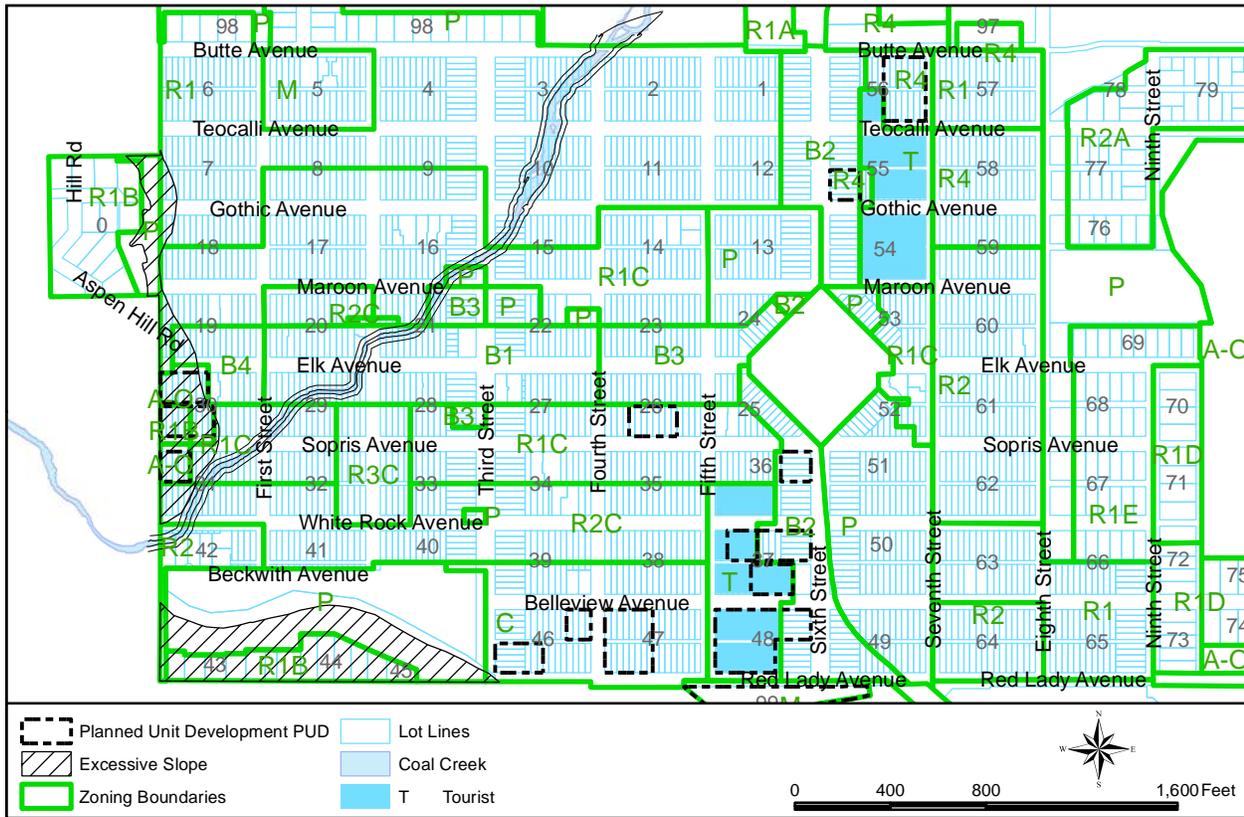
**5.48 Parking should only be located in the rear and accessed by an alley. (Rev. 2020)**

**5.49 Preserve outbuildings in this area when feasible.**



*The preservation of historic outbuildings provides useful dwellings, garages or storage spaces while also providing important historical context in the neighborhoods throughout town.*

## T TOURIST DISTRICT



T ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created to provide areas for the establishment of tourist-oriented lodging accommodations and accessory uses. Careful attention will be accorded the scale at which such facilities and uses are built. Please reference Chapter 16, Article 5, Division 1 of the Town Code for more information about this zone district.

### Historic Character of the Tourist District

Large residences with open space around the building.

### Existing Character of the Tourist District

Large accommodations facilities and commercial structures are found in this area. This is one of the primary view corridors through town. Parking is very visible in front of most structures, and there is little landscaping.

### Development Trends

This district includes more multi-unit residential structures, together with hotels, lodges and inns that serve the short-term rental market, as well as mixed-use facilities.

## **T District Design Goals**

The Town's design goals for the Tourist district are:

- To develop a larger-scale, residential character. To form a stronger sense of connection with the historic core.
- To have the area act as a transition from the B-2 to the residential zones.
- To accomplish a transition in scale from the core to the residential.
- To make pedestrian connections extend through projects to a larger circulation network.
- To provide parking on site.

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 3 for Historic Properties p. 51**

**Section 3A Rehabilitation for all Projects p. 59**

**Section 3B Rehabilitation of Historic Residential Properties p. 76**

**Section 3C Rehabilitation of Historic Commercial Properties p. 88**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Chapter 4, Section 4B for All New Residential Construction p. 105**

**Of special concern are the following Standards and Guidelines:**

2.15 Include substantial amounts of landscaping in all projects.

2.27 Minimize the visual impacts of parking.

2.34 Site buildings to maintain established views where feasible.

4.3 Develop the site for a new building in a manner similar to that used historically.

4.11 The exact replication of older historic styles is discouraged.

## **T District Design Standards and Guidelines**

### **ALIGNMENT AND SETBACKS**

**5.50 A variety of setbacks is appropriate.**

- a. Provide space for snow storage on site.

**5.51 Site buildings to maximize views through the site to the historic core of town.**



*Large projects should be broken into modules in order to break up the perceived scale.  
This development appears more massive than is desired.*

## MASS AND SCALE

There is a greater allowed floor area ratio (FAR) in this zone than most B2 zone properties. This makes the method of the transition to residential zones even more important.

### **\*5.52 Buildings should appear similar in scale to those seen historically in the neighborhood.**

- a. A variety in building scale is appropriate, similar to commercial, residential and industrial buildings seen historically in town. The immediate context should be considered when determining the appropriate mass and scale. *(Rev. 2009)*
- b. Large projects should be broken into modules in order to break up the perceived scale of the project.



*The scale of Anthracide Place affordable housing is minimized through three dimensional modulation and design.*

### **5.53 Buildings should appear similar in width to those seen historically.**

- a. If a larger building is divided into multiple modules, they should be expressed three-dimension

ally throughout the building.

**5.54 Buildings should appear similar in height to those seen historically.**

**5.55 Floor-to-floor heights should appear to be similar to those seen historically elsewhere in Crested Butte.**



*The residential style module is sensitive to the residential district located east (right) of the building.*

**\*5.56 Buildings should be very sensitive to smaller-scaled residential zones.**

- a. Buildings should step down in scale when adjacent to residential zones.

## BUILDING FORM

**5.57 Use forms similar to those seen on historic, residential, commercial, and industrial structures.**



*This new building uses traditional false-front and gable roof forms to reduce its overall mass.*

**5.58 Gable roofs are preferred. Flat roofs are discouraged.**

- a. A false front may be considered if a sloped roof is behind it.



*Gable roofs such as these are preferred.*

**WINDOW-TO-WALL (VOID-TO-SOLID) RATIO**

**5.59 Maintain the typical proportion of void to solid seen on historic residential, commercial and industrial structures.**

**MATERIALS**

**5.60 Building materials should appear similar to those used historically.**

**5.61 Wood clapboard is appropriate as a primary building material.**

- a. Stone and stucco may be used as secondary building materials.

## **PARKING**

**\*5.62 Parking will be provided on site.**

- a. Minimize the visual impacts of parking.
- b. Locate parking to the interior of the lot and screen it.
- c. Pull-in parking accessed directly off the street is inappropriate.
- d. Signage for ADA parking spaces is required. (Added 2009)



*Minimize the visual impact of parking. Rows of pull-in parking, such as this, are inappropriate.*

## **ARCHITECTURAL DETAILS**

**5.63 Outdoor amenities that will facilitate year-round pedestrian activity are encouraged.**

**5.64 Building entrances should appear similar to those used historically.**

- a. Orient the primary entrance toward the street.

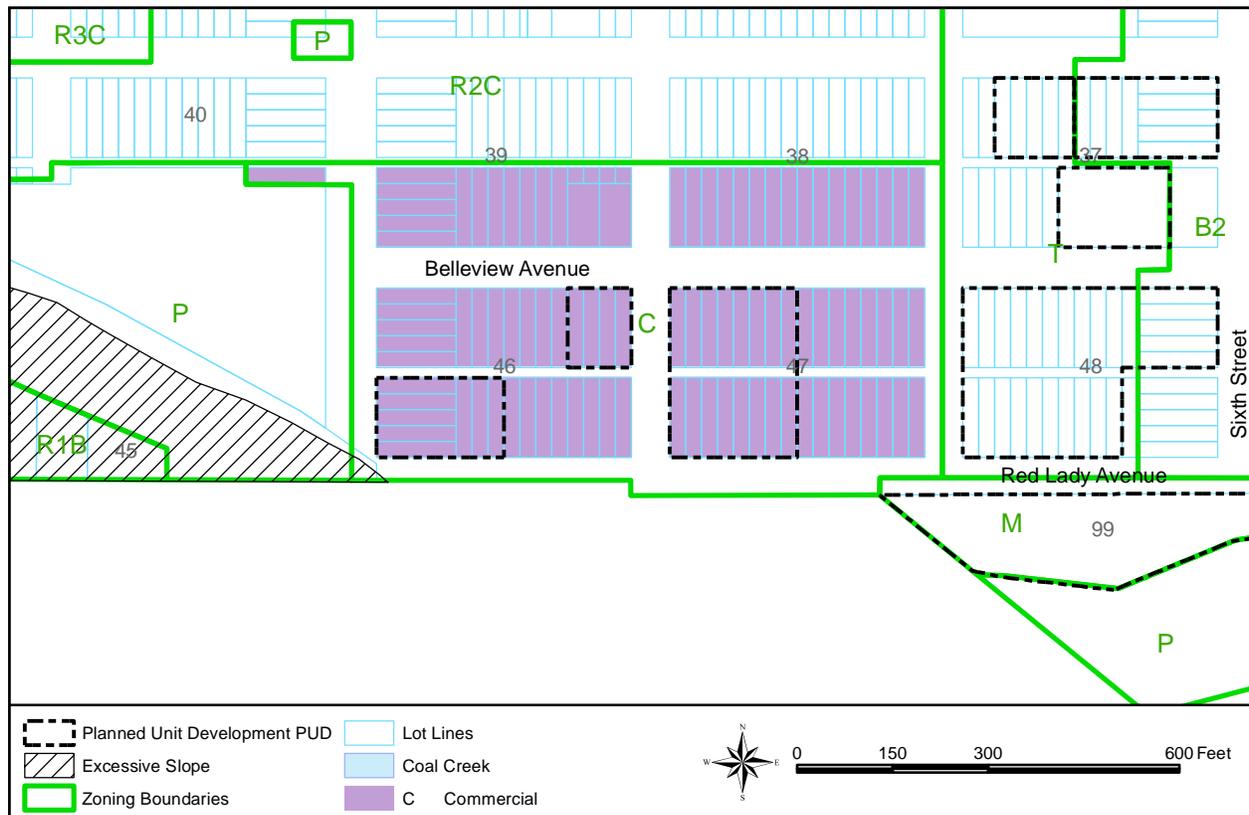
**5.65 Rooftop decks may be considered but must be located to the rear of the property and can only be associated with residential or hotel uses housed within the building. (Added 2020)**

## **LANDSCAPING**

**5.66 Projects in this zone shall provide substantial landscaping.**

- a. See the general standards for landscaping, page 13.

## C COMMERCIAL DISTRICT



### C ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created to allow the use of land for limited commercial purposes and limited industrial purposes with customary accessory and institutional uses. Employer or service housing is included as a conditional use in this district if it is incidental to the primary use. Please refer to Chapter 16, Article 5, Division 6 of the Town Code for additional information about this zone district.

#### Historic Character of the District

This area contained coke ovens and railroads. It was predominantly industrial.

#### Existing Character of the District

This area is outside the historic core and contains larger buildings and a mix of uses to accommodate semi-industrial service functions, some of which exist on two lot parcels. This is primarily an auto-access zone.

#### Development Trends

Existing service, commercial and industrial uses require larger, simple buildings, exterior storage and auto-related uses. This district need not be as sensitive to the historic context as some other districts. Some small residential, retail and office uses are appearing in the zone.

## **C District Design Goals**

The Town's design goals for the Commercial district are:

- To allow flexibility to accommodate the necessity of larger buildings, provided the designs fit into the overall sense of place of Crested Butte.
- To screen commercial buildings from adjacent residential structures through landscaping and building orientation.
- To ensure that the fronts of buildings on the street are more finished than the sides.
- To ensure that along the north side of Belleview Avenue the buildings step down in scale toward the back to make a transition to the adjacent residential scale of buildings along Whiterock Avenue.

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 3 for Historic Properties p. 51**

**Section 3A Rehabilitation for all Projects p. 59**

**Section 3B Rehabilitation of Historic Residential Properties p. 76**

**Section 3C Rehabilitation of Historic Commercial Properties p. 88**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Chapter 4, Section 4B for All New Residential Construction p. 105**

**Of special concern are the following standards and guidelines:**

4.22 Flat roofs may be considered on commercial structures.

## **C District Design Standards and Guidelines**

### **ALIGNMENT AND SETBACKS**

**5.67 A variety of setbacks is appropriate.**

**5.68 The front façade of a building should be oriented toward the street on which the main access point is located.**

### **MASS AND SCALE**

**\*5.69 Buildings should step down in scale along rear lot lines where they abut residential zones.**

- a. Because the C District has traditionally been an industrial area, buildings may be larger in mass. However, this mass should taper along the edges where residential zones begin. In addition, buildings of larger mass should be designed to relate to pedestrian activity.

- b. Flexibility in the interpretation of these building forms is appropriate in this area.

**5.70 When visible from the street, large wall surfaces should be broken up with some form of detailing.**

- a. Avoid large, continuous surfaces.

## BUILDING FORM

**5.71 Use forms similar to those seen on historic commercial and residential structures.**

- a. Simple, rectangular forms should be encouraged.
- b. False fronts are appropriate for this district.



*When visible from the street, large wall surfaces should be broken up with some form of detailing.*



*Use forms similar to those seen on historic commercial and residential structures. This new building reflects the traditional false-front character of early commercial edifices.*

## WINDOW-TO-WALL (VOID-TO-SOLID) RATIO

**5.72 Greater flexibility in the void-to-solid ratio is appropriate in this area, although in general ratios similar to those seen historically are encouraged.**



*Fenestration patterns on this building appear relational with historic buildings.*

## MATERIALS

**5.73 Building materials should appear similar to those used historically.**

- a. Wood clapboard siding is appropriate as a primary building material.
- b. Stucco and concrete block may be considered as building materials. Split-faced concrete block is recommended for the front façade. Cinderblocks are not appropriate for the front façade.
- c. Corrugated metal siding may be considered as a siding material. *(Added 2020)*

**5.74 Garage-door materials within the C zone should adhere to the following: *(Added 2020)***

- a. Metal-faced garage doors are not allowed in the C zone.
- b. Vinyl clad is not appropriate.
- c. Metal garage doors are encouraged.
- d. Full-glass garage doors are not appropriate.

**5.75 Building entrances should appear similar to those used historically on commercial structures.**

## LANDSCAPING

**5.76 Provide landscaping on all commercial sites.**

- a. This is especially important where properties abut residential districts.
- b. Planter boxes with trees or tall shrubs are appropriate on building fronts. *(Added 2009)*

**5.77 Screen storage and service areas.**

## ORIENTATION

**5.78 Orient the primary entrance to the street.**

**5.79 Provide sidewalks.**

## PARKING

**5.80 Provide on-site parking.**

- a. ADA parking is required to have signage. *(Added 2009)*



*The provision of ADA parking is required.*

**5.81 Encourage parking in the rear.**

**5.82 Avoid large areas of asphalt pavement.**

- a. Break up large areas of asphalt if asphalt is necessary.
- b. Use alternative materials that give a more natural appearance.

## ARCHITECTURAL DETAILS

**5.83 Outdoor amenities that will facilitate year-round pedestrian activity are encouraged.**

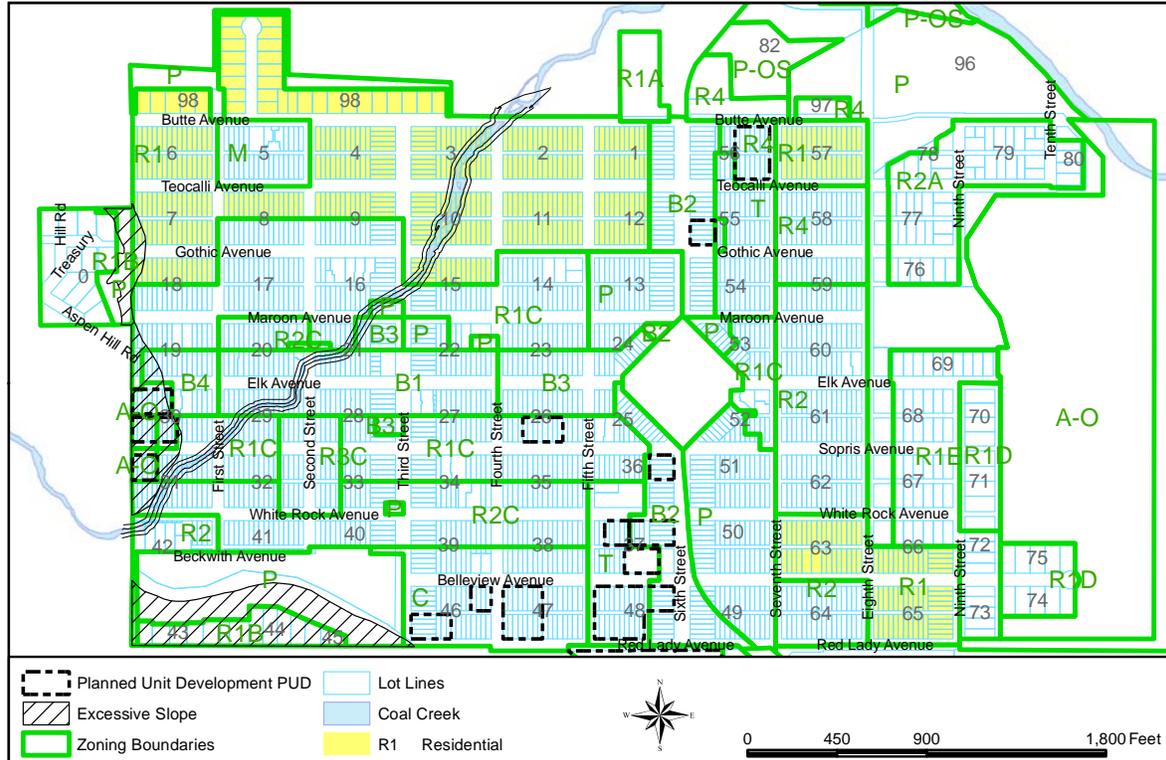
**5.84 Building entrances should appear similar to those used historically.**

**5.85 Rooftop decks may be considered but must be located to the rear of the property and can only be associated with residential or hotel uses housed within the building. (Added 2020)**



*The provision of sufficient parking for older buildings in the Bellevue Avenue commercial district is problematic.  
Ensure sufficient parking is provided for new construction.*

## R1 RESIDENTIAL DISTRICT



R1 ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created to provide areas for low-density residential development along with customary accessory uses. Recreational and institutional uses customarily found in proximity to such residential uses are included as conditional uses. No more than two units, designed or used for dwelling by a family, shall be allowed on a site. Please refer to Chapter 16, Article 4, Division 1 of the Town Code for additional information about this zone district.

### Historic Character of the District

The R1 zone was not built out prior to the 1970s. It was either vacant land or one block of company buildings that, for the most part, have been moved off site or destroyed over time.

### Existing Character of the District

Today this area is a mix of occasional historic structures and newer buildings. The district is primarily composed of more recent buildings. During the 1980's and early 1990's much of the new residential construction was in scale with buildings seen traditionally in the area. The scale of residences increased as the Kapushion and Verzuh subdivisions were annexed into Town in the mid-1990's and 2000's. Many of the historic structures have additions and other alterations. Coal Creek flows through this area, breaking the pattern of lots between Third and Fourth Streets. This provides a distinct identity to the development in this area.

## Development Trends

In many instances, there is a desire to create larger structures to accommodate a resort lifestyle. This requires more space than a typical residence. In many instances, there is a desire to create larger, more modern structures that accommodate a resort lifestyle. This oftentimes requires a larger footprint and more space than a typical single-family residence. In some areas, redevelopment of smaller, older homes has resulted in increases to the overall mass and scale of the existing neighborhood. Ordinance No. 34, Series of 2019 was adopted in response to these changing circumstances by establishing Code requirements related to demolition, relocation and replacement housing.

## R1 District Design Goals

The Town's design goals for this district are:

- To encourage appropriate infill and changes to existing structures that complement the character of the historic residential core areas.
- To maintain the size and scale of the R1 neighborhoods so they complement, rather than overwhelm or detract from, historic structures.
- To maintain and encourage pedestrian size, scale, uses, and orientation.
- To allow for greater flexibility in design compared with what is allowed in historic areas.

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 4 for All New Construction p. 98**

**Of special concern are the following Standards and Guidelines:**

4.6 New construction should appear similar in scale to historic structures found traditionally in the neighborhood.

4.13 Contemporary interpretations of traditional details are encouraged.



*Today the R1 District is a mix of occasional historic structures with new structures.*



*Buildings should appear similar in mass and scale to single-family houses seen historically.*

## R1 District Design Standards and Guidelines

### MASS AND SCALE

#### **\*5.86 Use simple roof forms.**

- a. These should be gable and oriented with the ridge either at a right angle or parallel to the street. *(Rev. 2009)*
- b. The roof pitch should be similar to that used historically; neither too shallow nor too steep, typically 8:12 to 12:12 pitch. *(Rev. 2009)*
- c. Steep pitches are preferred over shallow pitches, and flat roofs are not allowed.
- d. Buildings should be a composition of simple, rectangular forms.

#### **\*5.87 The building should appear similar in mass and scale to single-family houses seen historically.**

- a. Break up the mass of larger structures into groupings of modules, each of which expresses the mass and scale of buildings seen traditionally.
- b. See guideline 4.4 in “All New Construction”

#### **5.88 Buildings should appear similar in height to single-family houses seen in the neighborhood.**

#### **5.89 Buildings should appear similar in width to single-family houses seen historically in the neighborhood.**

## SETBACK AND ORIENTATION

**5.90 Setbacks should be similar to those seen historically in residential areas.**

**5.91 Each structure should have a primary entrance that is oriented to the street.**

- a. Defining the entrance with a porch is encouraged.

## LANDSCAPE

**5.92 Providing landscaped front yards is required.**

**5.93 Minimize the visual impact of off-street parking.**

- a. Parking in the front yard is discouraged.

**5.94 Minimize the visual impact of garages. Locate garages on the alley when feasible.**

- a. When garages are located as part of the primary structure, use single-car garage doors and paint or stain them the same color as the areas around them. Design the garage to be visually subordinate.
- b. Set garages in from the street further than the primary façade, or orient the garage doors at a right angle to the street. *(Added 2009)*



*Minimize the visual impact of garages on front façades as seen from public ways. A more appropriate design solution to this garage addition would have been to locate the garage in a secondary structure to the rear of the lot.*

## BUILDING FORM

### **\*5.95 Buildings should have a simple rectangular mass as the primary form.**

- a. Subordinate elements may be attached to the primary form.
- b. These attachments should be clearly smaller.



*Buildings should have a simple rectangular mass as the primary form.*

### **\*5.96 Windows should be similar in size and proportion to those used historically.**

- a. Half-round and quarter-round windows may be acceptable.
- b. Trapezoidal and round windows were not used historically and are discouraged.
- c. Double-hungs or windows that have the appearance of double-hungs with roughly a 2:1 height to width ratio are encouraged. *(Added 2009)*
- d. Large plate glass windows are not allowed. *(Added 2009)*
- e. Windows larger than 24" x 24" must have mullions. *(Added 2020)*



*Window styles and placement are proportional with historic residences.*

**5.97 Windows and doors should be trimmed with wood of a dimension seen historically.**

**\*5.98 Balconies and decks should appear subordinate to the main building.**

- a. Balconies and decks should be located on the alley side of a structure rather than the street side.



*Effective placement of second floor decks on the rear of this residence.*

**5.99 Clearly define entrances; use a porch to define the entry.**

- a. The porch should be the predominant element on the front of the structure.



*The entrance is on this residence is clearly defined.*

**5.100** If a building incorporates a stepdown module toward the side-yard lot line, the module should appear as an addition on the side of the structure but not occupy the entire length of the side.



*This new residential structure uses a porch to define the entrance. The garage is appropriately located to the rear.*

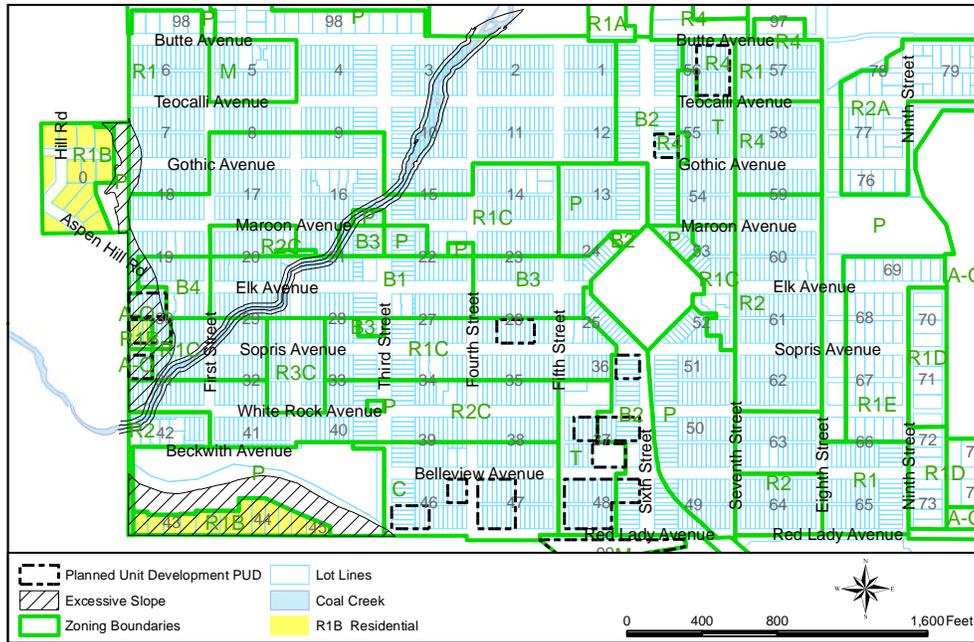


*As the building steps down to the side yard the stepdown module should appear as an addition on the side of the structure. It should not occupy the entire length of the side, as it does on this structure.*

## R1A RESIDENTIAL DISTRICT

This district is of limited size. It was designed to allow some existing development on the perimeter of town to be incorporated as a buffer to the surrounding open space. The Standards and Guidelines for new development in Chapter 4 should be used as the basis for design and review in this zone. Please refer to Chapter 16, Article 4, Division 4 of the Town Code for additional information about this zone district.

## R1B RESIDENTIAL DISTRICT



R1B ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created for unique properties situated at higher elevations where larger building sites accommodate fewer structures, serving as a transition between the town and larger residential lots outside of town limits. No more than two units, designed or used for dwelling by a family, are allowed on a site. Unlike traditional town lots, the impact of structures may be elevated by their appearance from town that may not be the street frontage. Please refer to Chapter 16, Article 4, Division 5 of the Town Code for additional information about this zone district.

### Historic Character of the District

The bench helps to define the edge of the valley. This ridge became the natural boundary to town on the south and west.

### Existing Character of the District

R1B is a residential area consisting of large newer homes with views into town and over town to the Crested Butte ski area.

## R1B District Design Goals

- To minimize the mass and scale of buildings as seen from below, buildings in this area should relate to those found traditionally in town.
- To encourage appropriate infill and changes to existing structures that complement the character of the historic core areas.
- To maintain the size and scale of the R1B neighborhoods and to place new structures so they complement, rather than overwhelm or detract from, historic structures.
- To maintain and encourage pedestrian size, scale, uses, and orientation.
- To allow for greater flexibility in design than what is allowed in historic areas.

Note that the Design Standards and Guidelines in the following chapters also apply:

Chapter 2 for All Projects p. 30

Chapter 4 for All New Construction p. 98

Of special concern are the following Standards and Guidelines:

2.29 The use of accessory structures is encouraged to reduce the overall mass on a site.

## R1B District Design Standards and Guidelines

### **\*5.101 Buildings should step down in scale as they approach the edge of the bench.**

- a. If possible, limit height to 1 ½ stories at the edge of the bench to minimize the mass as seen from town.

### **5.102 Minimize roof mass.**

- a. Orient gable ridgelines toward the core in order to minimize the apparent mass of structures as seen from the center of town.

### **5.103 Provide landscape buffers along the edge of the bench to screen the mass of buildings.**

### **\*5.104 Minimize large glass areas facing town.**

- a. Window-to-wall ratios should be no greater than those found in town.

### **5.105 Provide a variety of setbacks.**

- a. This is especially important for large structures.

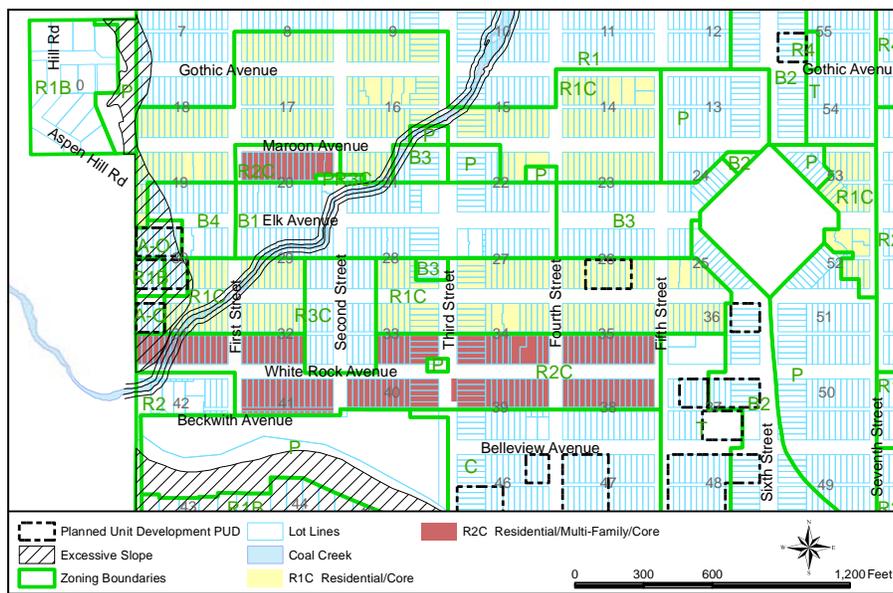
### **5.106 Locate structures away from the edge of the bench.**

- a. Minimize their appearance as seen from below.

### **\*5.107 Minimize lighting that is visible from the town below.**

- a. Locate light sources away from the edge of the bench.
- b. Light sources should be screened or directed to minimize visual impact on neighbors and the town below.

## R1C & R2C HISTORIC CORE RESIDENTIAL DISTRICTS



R1C & R2C ZONE DISTRICTS within the TOWN OF CRESTED BUTTE, COLORADO

The R1C District was created to provide for low-density residential development along with customary accessory uses in the older residential areas of the town, where particular attention to the characteristics, size and scale of existing historic buildings is required. Residential and institutional uses customarily found in proximity to such residential uses are included as conditional uses. No more than two units, designed or used for dwelling by a family, are allowed on a site. Please refer to Chapter 16, Article 4, Division 6 of the Town Code for additional information about this zone district.

The purpose of the R2C District is to provide areas for more intensive residential development than allowed in the R1 District, along with customary accessory uses. It is imperative to carefully monitor such development so that it blends into its neighborhood context and the scale and fabric of the town, paying particular attention to the characteristics, size and scale of existing historic buildings. Please refer to Chapter 16, Article 4, Division 7 of the Town Code for additional information about this zone district.

### Historic Character of the District

The R1C and R2C zones were the original residential areas of town. Houses were wood frame with sloping gable roofs. There were occasional larger structures that were originally boarding houses and lodging facilities. The R1C was primarily single-family, while the R2C included duplex residences as well.

### Existing Character of the District

Today this area is a mix of historic structures and new infill. Many of the historic structures have been added on to and rehabilitated. Some recent additions and restorations have modified non-historic changes. Some of these earlier changes have set a character of their own often described as Carpenter Gothic, and include unique features such as jigsaw bargeboards on the fascia.

## Development Trends

Many historic properties still remain for potential renovations and additions. In many instances there is a desire to create larger structures to accommodate the lifestyle of a resort setting. However, the intent is to promote development that is more in scale with the historic context.

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 3 for Historic Properties p. 51**

**Section 3A Rehabilitation for all Projects p. 59**

**Section 3B Rehabilitation of Historic Residential Properties p. 76**

**Section 3C Rehabilitation of Historic Commercial Properties p. 88**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Chapter 4, Section 4B for All New Residential Construction p. 105**

**Of special concern are the following Standards and Guidelines:**

2.16 Arrange landscape elements in a manner similar to that seen traditionally.

3.18 Additions should be compatible in size and scale with the main building.

3.23 When planning alterations to a historic building, minimize negative effects on existing character-defining features.

3.47 Preserve the original porch.

3.64 Preserve historic accessory buildings.

## R1C & R2C Districts Design Goals

- To encourage appropriate infill and changes to existing structures that preserve the historic residential character of the area.
- To place importance on the appropriate development of the entire property, not just individual structures.



*Today the RIC District is a mix of historic and new structures. Many of the historic structures have been added on to and rehabilitated for contemporary living. Note: streets not yet paved.*



*Buildings should appear similar in width to that of single-family houses seen historically in this area.*

## **R1C & R2C Districts Design Standards and Guidelines**

**\*5.108 Buildings should appear similar in width and height to single-family houses seen historically in this district.**

**5.109 Setbacks should be similar to those seen historically in residential areas.**

**5.110 Each structure should have a primary entrance oriented to the street. Define the entrance with a porch.**

**5.111 Provide landscaped front yards.**

*Landscaped front yards with fencing provides definition and interest.*



**5.112 Minimize the visual impact of off-street parking.**

- a. Parking areas and garages in front yards are discouraged.

**\*5.113 Minimize the visual impact of garages. When feasible, locate garages on the alley.**

- a. When garages are located as part of the primary structure, use single-car garage doors. Design and paint the garage to be visually subordinate.

**5.114 Buildings should have a simple rectangular mass as the primary form.**

- a. Other subordinate elements may be attached to this.
- b. These attachments should be clearly smaller.



*Simple rectangular forms are conveyed on this Ell shaped home.*

**5.115 Windows should be similar in size and proportion to those used historically.**

- a. If in scale, half-round and quarter-round windows may be acceptable in new construction.
- b. Triangular, trapezoidal and round windows were not used historically and are discouraged.



*Window styles and placements are relational with historic homes.*

**5.116 Windows and doors should be trimmed with wood of a dimension seen historically.**

**5.117 Balconies and decks should appear subordinate to the main building.**

- a. Balconies and decks should preferably be located on the alley side of a structure rather than the street sides.



*Locating balconies on the rear of the residence is encouraged.*

**5.118 Clearly define entrances. Use a porch to define the entry.**

- a. The porch should be the predominant element on the front of the building.

**\*5.119 Residences in the R1C District should be differentiated from those in the R1 District by being more pedestrian-oriented, smaller in scale and with garages or surface parking not facing the street.**

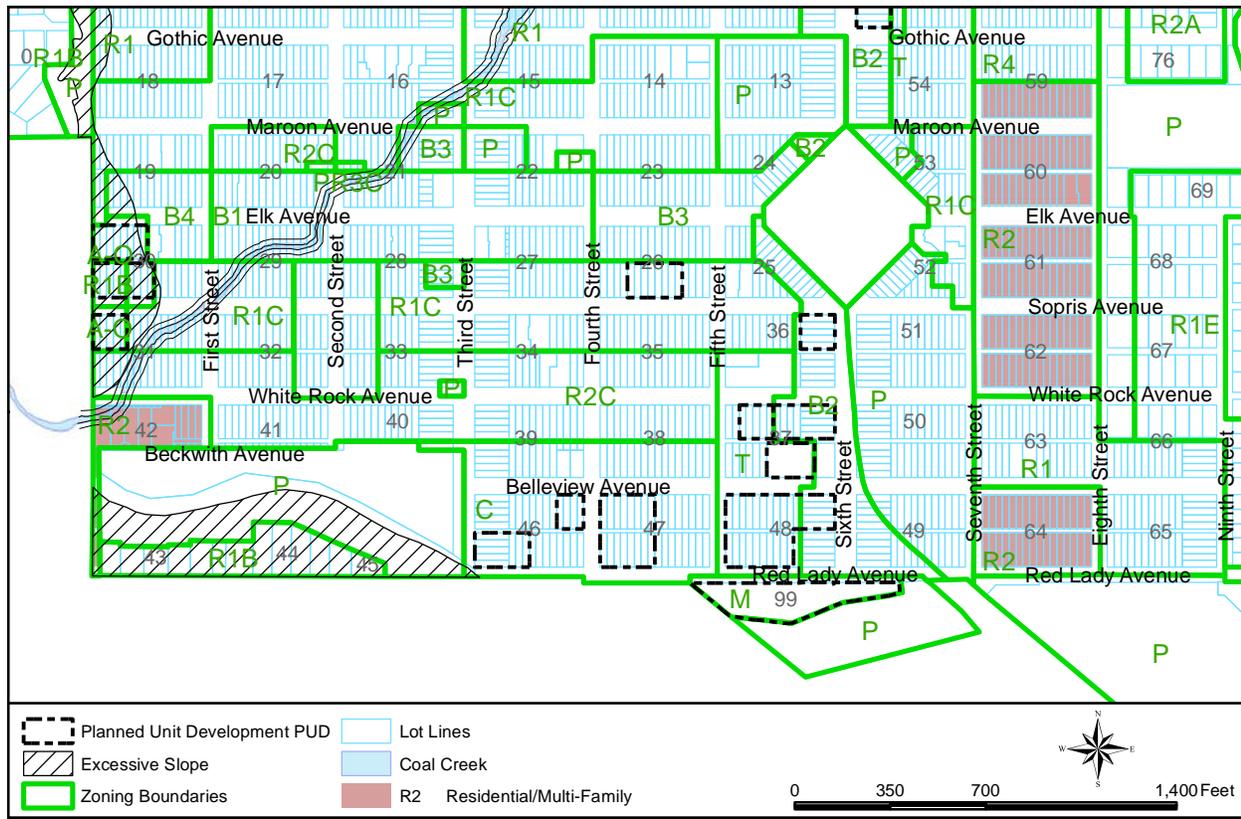


*Buildings should have a simple rectangular mass as the primary form.*



*Windows and doors should be trimmed with wood of a dimension seen historically.*

## R2 RESIDENTIAL & MULTI-FAMILY DISTRICT



R2 ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created to provide areas for more intensive residential development than allowed in the R1 District, along with customary accessory use, but to carefully monitor such development so that it blends into its neighborhood context and the scale and fabric of the town. Please refer to Chapter 16, Article 4, Division 9 of the Town Code for additional information about this zone district.

### Existing Character of the District

Today this area contains a mix of residential structures that vary in size. This variation ranges from small, single-family residences to larger, fourplex apartment and condominium buildings. Except for the Depot, all of the structures have been constructed within the past 50 years.

### Development Trends

Larger structures are appearing on smaller lots, with visible street parking that is not well screened. The massing of these structures is often out of character with the appropriate historic scale of Crested Butte. Due to the size of these new structures, side-yard setbacks are minimal, leaving little room for open space, landscaping or light to buildings.

## R2 District Design Goals

- To accommodate multiunit structures in a way that minimizes the scale on small lots and reduces the impact of parking as seen from the street.
- To locate structures in such a way that open space is maximized.



*Today the R2 District contains a mix of residential structures that vary in size. This variation ranges from small, single-family residences to larger, fourplex apartment and condominium buildings. Besides the Denver and Rio Grande Railroad Depot located at 716 Elk Avenue, the historic mine superintendent's house located at 721 Maroon Avenue, and large portions the historic mule barn located at 709 and 723 Maroon Avenue, all of the structures have been constructed within the past 50 years.*

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 3 for Historic Properties p. 51**

**Section 3A Rehabilitation for all Projects p. 59**

**Section 3B Rehabilitation of Historic Residential Properties p. 76**

**Section 3C Rehabilitation of Historic Commercial Properties p. 88**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Of special concern are the following Standards and Guidelines:**

2.22 Protect natural features.

2.27 Minimize the visual impacts of parking.

4.6 New construction should appear similar in scale to historic structures found traditionally in the neighborhood.

## R2 District Design Standards and Guidelines

### 5.120 Use simple building and roof forms.

- There should be a gable with the ridge oriented to the street.
- Buildings should be a composition of simple, rectangular forms.



*The use of simple roof forms relate with historic residential buildings.*

**\*5.121 The building should appear similar in mass and scale to single-family houses seen historically.**

- a. Break up the mass of larger structures into a grouping of modules, each of which expresses the mass and scale of buildings seen traditionally. See guideline 4.4.

**5.122 Buildings should appear similar in height to single-family houses seen historically in this neighborhood.**

**\*5.123 Buildings should appear similar in width to single-family houses seen historically in this neighborhood.**

**\*5.124 Setbacks should be similar to those seen historically in residential neighborhoods.**

**\*5.125 Each structure should have a primary entrance that is oriented to the street.**

- a. Define the entrance with a porch.



*Primary entrances oriented to the street enhance the pedestrian orientation seen historically.*

**5.126 Provide a landscaped front yard.**

- a. Minimize the visual impact of off-street parking.

**5.127 Minimize the visual impact of the garage.**

- a. See Guidelines 2.27 and 4.26 for more detail.

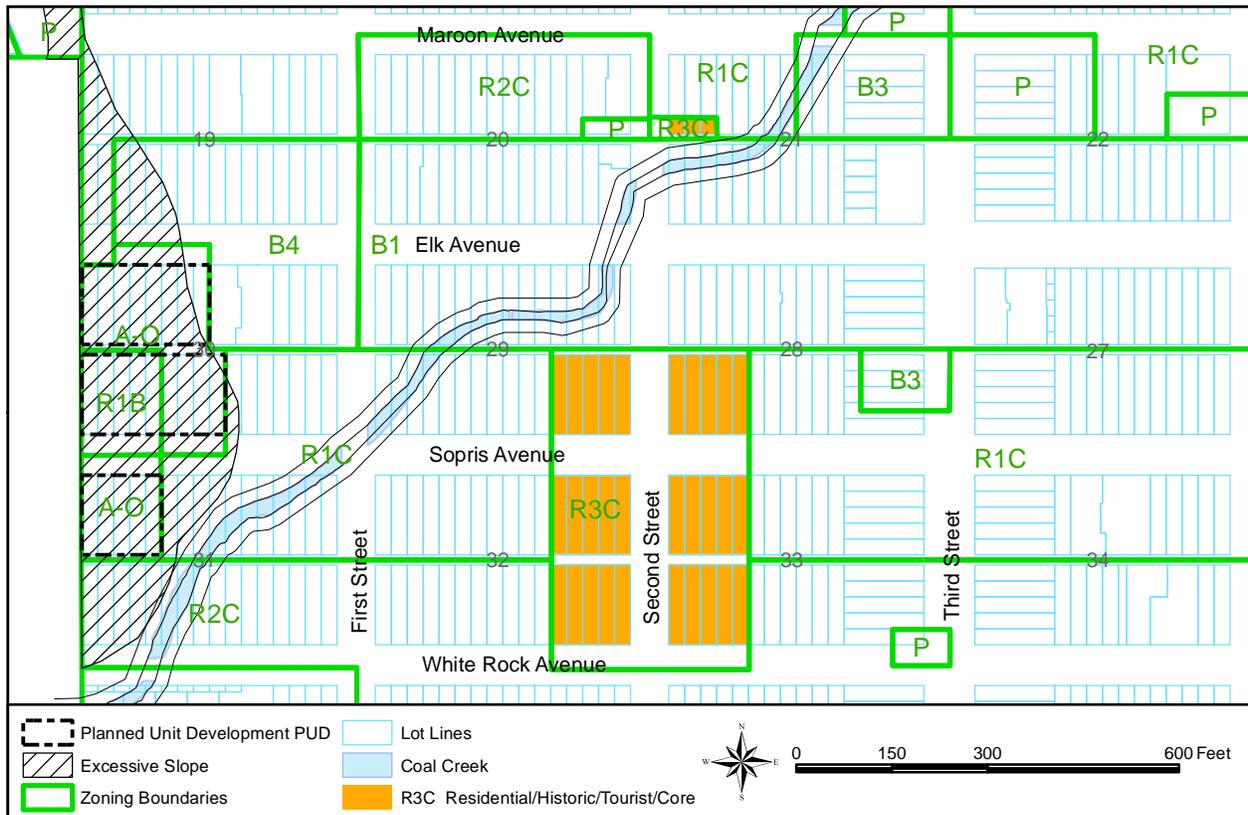


*Break up the mass of larger structures to reduce their perceived mass. The mass on this site is divided into two buildings. Please note that the clerestory windows are not appropriate.*



*Minimize the visual impact of garages.*

## R3C CORE RESIDENTIAL DISTRICT



### R3C ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created to allow greater flexibility in preserving significant historic buildings. Furthermore, this district was also created to allow for a business corridor and activity centers adjacent to the central business district of town, paying particular attention to the characteristics, size and scale of existing historic buildings. Please refer to Chapter 16, Article 4, Division 8 of the Town Code for more information about this zone district.

#### Historic Character of the District

The tippel for the mine, where coal was loaded onto train cars, was located at the southernmost edge of this district. Many mine workers made their way into town along Second Street at the end of the work day. To take advantage of this concentration of workers, a number of taverns were located along Second Street. Other commercial structures were also located along the street, mixed in with residential structures. Historically, the R3C District character was quite varied.

#### Existing Character of the District

The R3C District retains a mix of residential and commercial structures. The Old Croatian Meeting Hall located

at 512 Second Street is a notable landmark. Other historic commercial and residential structures have also been converted to new commercial uses.

## **Development Trends**

Commercial uses continue to do well in this district, creating pressure for remaining residential structures to be converted into commercial uses over time.

## **R3C District Design Goals**

- To accommodate changes in use within existing historic structures without losing the character of the original.
- To encourage compatible infill that supports the expansion of the business and activity uses adjacent to the central business district.
- To address traffic and parking problems in a congested area on the public transportation route.

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 3 for Historic Properties p. 51**

**Section 3A Rehabilitation for all Projects p. 59**

**Section 3B Rehabilitation of Historic Residential Properties p. 76**

**Section 3C Rehabilitation of Historic Commercial Properties p. 88**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Chapter 4, Section 4B for All New Residential Construction p. 105**

**Of special concern are the following Standards and Guidelines:**

2.27 Minimize the visual impacts of parking.

3.2 Orient the building containing the primary use toward the street.

3.4 Seek uses that are compatible with the historic character of the building.



*The R3C District retains a mix of residential and commercial structures. The old Croatian Meeting Hall is a notable landmark.*

## **R3C District Design Standards and Guidelines**

### **SCALE**

**\*5.128 Buildings should appear similar in scale to those seen historically in the R3C district.**

- a. If the overall floor area of a new structure would be greater than that of buildings seen traditionally, it should be divided into smaller, subordinate masses. It should appear to be an accretion of smaller masses instead of one uniform mass to reduce the perceived mass of larger structures.

### **BUILDING HEIGHT**

**5.129 Buildings should appear similar in height to those seen historically in the neighborhood.**

- a. Historically, buildings were one and two stories in height. New buildings should include some one-story portions.
- b. First-floor heights also should appear to be similar to those seen historically in the area.

### **BUILDING WIDTH**

**5.130 Buildings should appear similar in width to those seen historically in the neighborhood.**

- a. Traditionally, façade modules of commercial-type buildings ranged from 25 to 40 feet in width. Façade modules of residential-type buildings ranged from 15 to 25 feet in width. New buildings should be organized into modules that reflect these traditional widths.

**BUILDING FORM****\*5.131 Use forms similar to those seen on historic residential and commercial structures.**

- a. Simple rectangular forms are appropriate.
- b. A gable roof is appropriate for the primary mass of the building.

**ALIGNMENT****5.132 Variety in the setback of buildings is encouraged.**

- a. In general, it is appropriate that those buildings that relate to the traditional commercial store front building type should align at the sidewalk edge, while those that relate more to traditional residential structures in the neighborhood should be set back with a yard in front.

**MATERIALS****\*5.133 Building materials should appear similar to those used historically.**

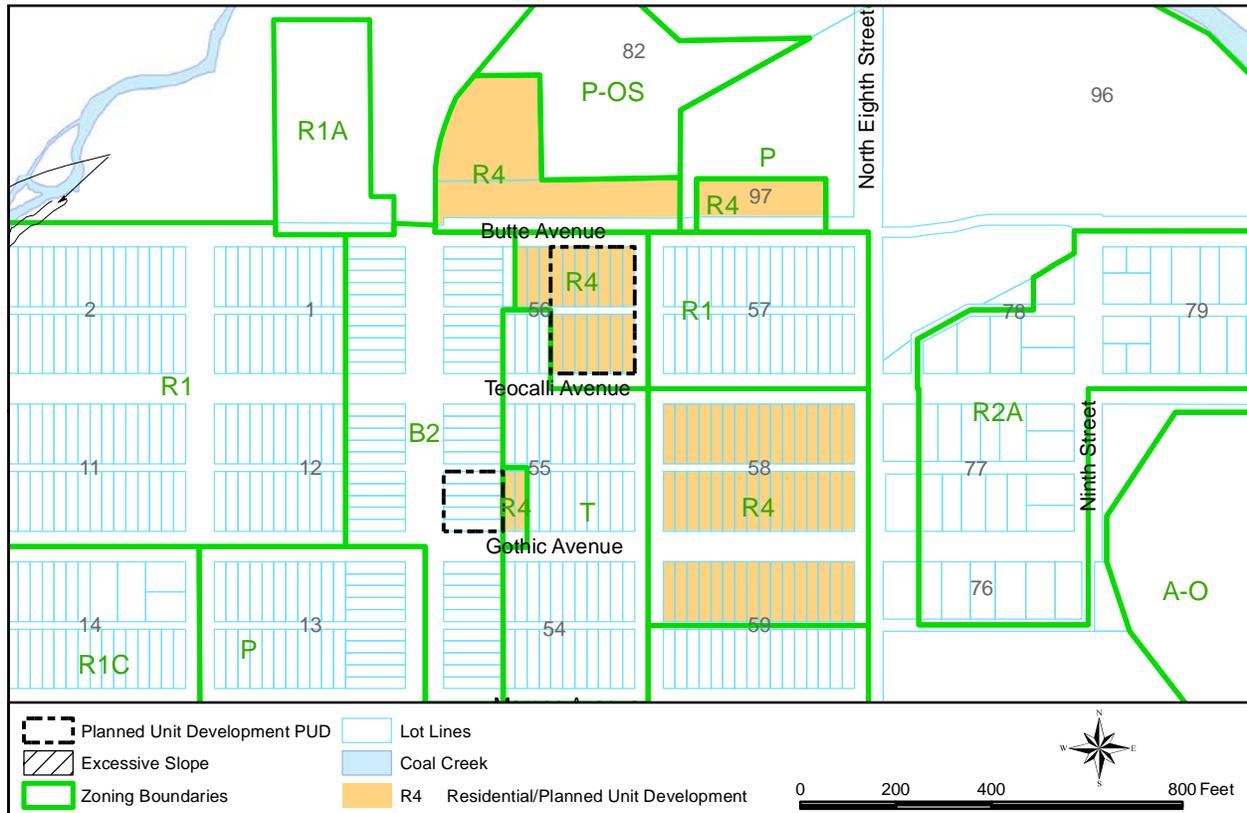
- a. Wood clapboard is appropriate as a primary building material.

**ENTRANCES****5.134 Orient the primary entrance of a building toward the street.**



*Secondary structures define the edge of the alley on the left in this photograph. These stand behind structures that are residential in character. The side of a commercial building forms the alley edge on the right. Such juxtapositions in character are found in the R3C district.*

## R4 RESIDENTIAL DISTRICT



### R4 ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created to provide areas for more intensive residential development than allowed in the R1 or R2 Districts, along with customary accessory use, but to carefully monitor such development so that it blends into its neighborhood context. Please refer to Chapter 16, Article 4, Division 11 of the Town Code for more information about this zone district.

#### Historic Character of the District

Historically, this neighborhood held a few single-family homes, each with a large lot. Many properties faced out onto undeveloped open space outside the town boundary. Overall, it was sparsely developed.

#### Existing Character of the District

Today, the R4 areas are fully built out with duplexes and several large, multifamily buildings. These include a variety of simple, rectangular, two-story buildings and a few others that are more complex in form. More recent structures appear as a set of subordinate masses, helping reduce the perceived mass of these structures.

## Development Trends

This area provides housing for residents, and its zoning provides greater flexibility in the development of residential uses, including condominiums and duplex residences.

## R4 District Design Goals

- To continue to accommodate the variety of housing types that are allowed in this zone.
- To allow greater design flexibility because no immediate historic context exists for new buildings, yet renovations and replacement buildings (or redevelopment) should have visual relationships with the historic core of town.
- In a broad sense, to have new development be visually related to the rest of town. At the edges of the R4 districts buildings should have a greater sensitivity to the lower-scale development found in adjacent zones.
- Special attention should be given to parking and snow storage on higher-density projects.

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 4 for All New Construction p. 98**

**Of special concern are the following Standards and Guidelines:**

2.33 Consider protecting views from public ways to the mountains and to historic landmarks when feasible.

4.4 New construction should appear similar in scale to historic structures found traditionally in the neighborhood.

## R4 District Design Standards and Guidelines

### ALIGNMENT AND SETBACKS

**5.135 A variety of setbacks is appropriate.**

- a. Provide space for snow storage on site. This may be located in the setbacks in many cases.



*Adequate snow storage areas were not provided for this four-plex. Storage areas should be provided to store snow between storm cycles that will be hauled away to ensure parking is accessible..*

#### **5.136 Site buildings to maximize views from the site to the historic core of town.**

### **MASS AND SCALE**

#### **\*5.137 Buildings should appear similar in scale to those seen historically in the neighborhood.**

- a. A variety in building scale is appropriate, similar to commercial, residential and industrial buildings seen historically in town.
- b. Large projects should be broken into modules to break up the perceived scale of the project.



*The mass and scale of these buildings are effectively minimized through design.*

#### **5.138 Buildings should appear similar in width to those seen historically in the neighborhood.**

#### **5.139 A new building should appear similar in height to those seen historically in the neighborhood.**

- a. Include some one- and two-story elements in the building.

**5.140 Buildings should be very sensitive to smaller-scaled residential zones that may abut the R4 district.**

- a. Buildings should step down in scale when adjacent to other residential districts.

## BUILDING FORM

**\*5.141 Use forms similar to those seen traditionally in residential areas of town.**

- a. A simple, rectangular form is appropriate for the primary mass of a building.

**5.142 Gable roofs are preferred.**

- a. A false front may be considered if a sloped roof is behind it.
- b. Flat roofs are discouraged.

## PARKING

**\*5.143 Parking is strongly encouraged on site.**

- a. Minimize the visual impacts of parking when feasible.
- b. Locate the majority of parking in the rear, and reserve the front yard for landscaping and two to three parking spaces.

## WINDOW-TO-WALL (VOID-TO-SOLID) RATIO

**5.144 Maintain the typical proportion of solid to void seen on historical residential, commercial and industrial structures.**

- a. Avoid locating large areas of glass, greater than those seen traditionally, on façades that face streets.



*Window openings and placements in this multi-family building appear realtional with historic buildings.*

## MATERIALS

**5.145 Wood clapboard is appropriate as a primary building material.**

- a. Stone may be used as a secondary building material.
- b. Use stucco only in limited amounts.
- c. See the Guidelines for All New Residential Construction.

## ARCHITECTURAL DETAILS

**5.146 Outdoor amenities that will facilitate year-round pedestrian activity are encouraged.**

**5.147 Building entrances should appear similar to those used historically.**

- a. Orient a primary entrance toward the street. The use of front porches is encouraged.
- b. See the Guidelines for New Residential Construction.

## LANDSCAPING

**5.148 Projects in this zone shall provide substantial landscaping.**

- a. See the Guidelines for All New Construction.

## **P PUBLIC DISTRICT**

This district was created to ensure adequate land for recreation and for governmental and quasi-governmental purposes. Please refer to Chapter 16, Article 6, Division 2 of the Town Code for more information about this zone.

### **Historic Character of the District**

Historically, this area was almost entirely open space.

### **Existing Character of the District**

A variety of community facilities are scattered around town. These include the Center for the Arts, the Crested Butte Community School, ball fields, parking lots, and playgrounds. Other areas, such as the parcel in the northeast corner of town, are primarily passive open space and may include wetlands. Each of these sites has a unique character. A large portion of the area across from Elk Avenue contains a public parking lot, a visitor's center and a transit shelter.

### **Development Trends**

These places continue to see an increase in activity, both for outdoor recreation and for indoor functions. Additional structures and site improvements may be anticipated in this district.

### **P District Design Goals**

- To maintain the open, park-like setting that many of these spaces convey when public facilities are developed in these areas.
- To accommodate active and passive recreational uses.
- To allow visibility to and identity of public buildings.
- In some cases, to provide a buffer between high-traffic areas and abutting residential zones.
- To allow flexibility in design. Because the buildings located in this district serve unique functions, they may vary from the character seen in many traditional structures in Crested Butte. In fact, institutional buildings, such as the Old Town Hall and the Old Rock School, were designed to be unique structures that served as landmarks. In this tradition, new structures in the P district may stand out from the context to be distinguished as important for their public function. At the same time, a general sense of relatedness to the scale and architecture of the town and to the town itself should continue to be expressed.

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 3 for Historic Properties p. 51**

**Section 3A Rehabilitation for all Projects p. 59**

**Section 3B Rehabilitation of Historic Residential Properties p. 76**

**Section 3C Rehabilitation of Historic Commercial Properties p. 88**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Chapter 4, Section 4B for All New Residential Construction p.105**

**Of special concern are the following Standards and Guidelines:**

2.19 The use of native plant materials is strongly encouraged.

**P District Design Standards and Guidelines**

**5.149 In active public areas, public and institutional buildings may stand out from the established context in order to denote their special functions, while also appearing related to the town as a whole.**

- a. The erection of a temporary structure for less than six months in any one calendar year may be permitted where such structure is found to be of unique function in serving the public benefit, in that it provides musical or cultural opportunities or other public amenities to town residents and visitors. Said structure should be of a neutral color, preferably of a traditional shape and made of traditional materials or fabric. The Board may allow some latitude in design for reasonable demonstrable practical considerations. (*Ord. 7, 2002*)



*The special function of this building is larger than the surrounding residential neighborhood.*



*Recreational buildings and structures convey relationships with historic forms.*

**5.150 In passive public areas the visual impacts of structures should be minimized.**

- a. Landscaping should reinforce the natural character of the area.



*Passive park area together with this playground and pavilion provide substantial landscaping.*



*Natural recreational area are important passive amenities.*

**\*5.151 Building materials should be compatible with the traditional character of the town.**

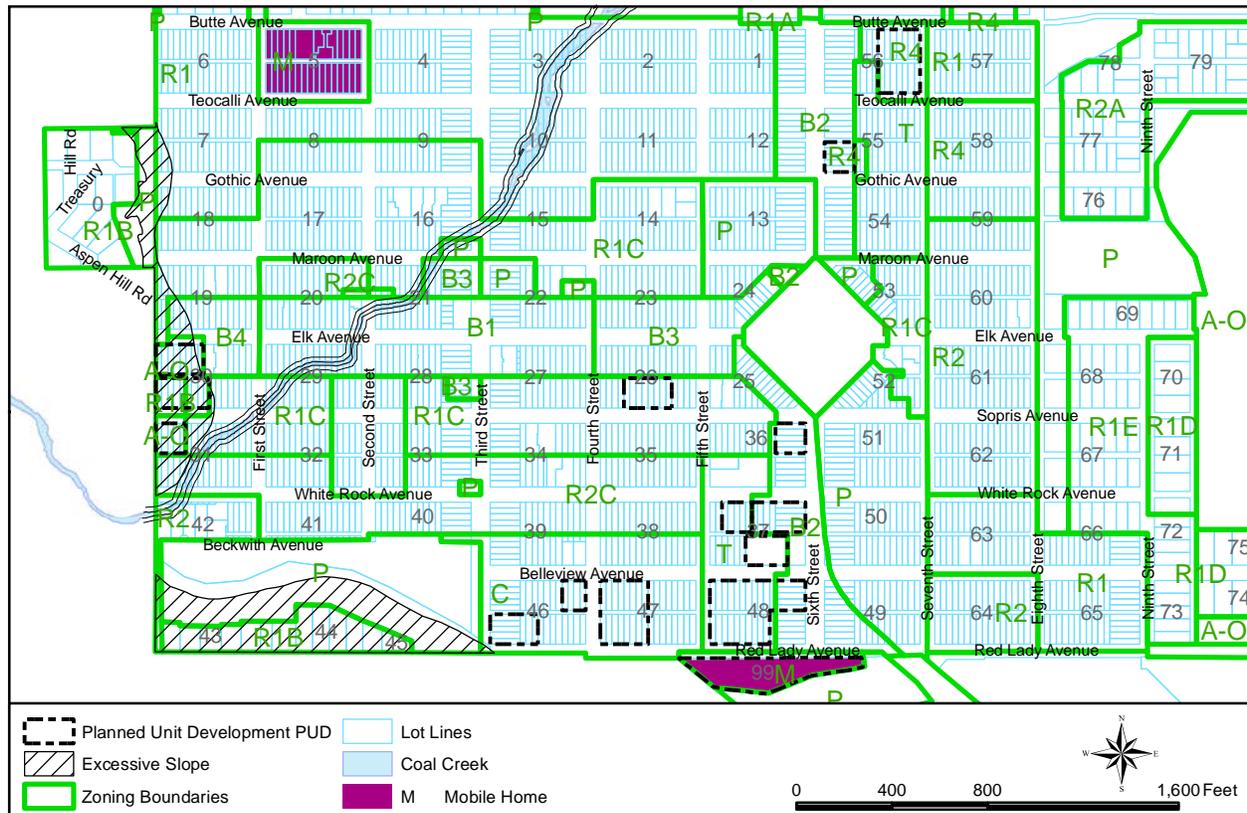
- a. See the Guidelines for All New Construction.

**5.152 Rooftop decks may be considered but must be located to the rear of the property and can only be associated with residential or hotel uses housed within the building. (Added 2020)**



*Building forms and styles relate with historic styles using conventional wood siding materials.*

## M MOBILE HOME DISTRICT



M ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO

This district was created to accommodate the continued availability of land within the town for the location of mobile homes, while at the same time encouraging the location, movement or realignment of mobile homes in ways that will maximize public safety and aesthetic considerations. Please refer to Chapter 16, Article 6, Division 1 of the Town Code for more information about this zone district.

### Historic Character of the District

The district in the northwest corner of Town once contained historic structures that were part of a mining-company housing development called New Town, but most of the buildings were moved to Gunnison and some were destroyed. A small sense of this historic context remains near the buildings on the north side of Gothic Avenue between First and Second Streets.

The district situated in southeast corner of Town was created for local housing.

### Existing Character of the District

Today the M district consists of a collection of mobile homes. Some of these have been modified with exterior treatments that customize their appearance.

### **M District Design Goals**

The goal of the M District is to accommodate this form of affordable housing while at the same time becoming more visually compatible with the traditional character of town

**Note that the Design Standards and Guidelines in the following chapters also apply:**

**Chapter 2 for All Projects p. 30**

**Chapter 4, Section 4A for All New Commercial Construction p. 98**

**Of special concern are the following Standards and Guidelines:**

2.15 Include substantial amounts of landscaping in all projects.

2.27 Minimize the visual impacts of parking.

4.1 Develop the site for a new mobile home in a manner similar to that used historically.



*Mobile homes should appear anchored to the ground. A skirt that screens the axle and tires and appears to be a foundation should be provided.*

### **M District Design Standards and Guidelines**

**5.153 Orient mobile homes in a manner similar to that of traditional homes.**

- a. The long dimension of the unit should be aligned perpendicular to the street.

**5.154 Mobile homes should appear anchored to the ground.**

- a. A skirt that screens the axle and tires and appears to be a foundation should be provided.

**\*5.155 Provide landscaping to minimize the apparent density of the neighborhood.**

- a. Use plant materials and other landscape elements to screen views through the area. Also, use landscaping to partially screen the edges of the site.
- b. Landscape the front yard area to maintain a sense of residential yard.

**5.156 Minimize the visual impacts of on-site parking.**

- a. While it is desirable for parking lots to be located behind mobile homes, it is not always feasible due to the building density and setbacks allowed in the zone. (Rev. 2020)

## **R1D, R1E, R1F AND R2A NEW RESIDENTIAL ZONES**

The purpose for these and subsequent districts is to accommodate the continued availability of land within the town and the changing dynamics of Crested Butte as it grows. R2A is designated primarily for local housing. The guidelines for new residential construction should be utilized when designing in these zones. Please refer to Chapter 16, Article 4, Division 2 (R1D zone), Division 3 (R1E zone), Division \_\_ (R1F zone) and Division 10 (R2A zone) for additional information about these zone districts.

### **Historic Character of the District**

This area was ranchland before it was annexed by the Town in 2002. It may have once contained historic structures. No sense of this historic context remains. However, historic buildings in nearby blocks are visible from this area.

### **Existing Character of the District**

These districts are new development zones. The character of the existing new zones is focused on single- and multifamily residential uses, while new zones created in the future will be dictated by the needs of the community.

### **New Residential Zones Design Goals**

The goal of the zone district is to accommodate the needs of our growing community while at the same time maintaining the architectural integrity and traditional character of town. New construction in these zones should appear compatible with the R1 zone massing, scale and styles.

- Those parcels in R1D and R2A that do not have alley access should take extra care avoid having garage doors face the street.
- Front yard setbacks in R2A are defined in a range so parking should be carefully considered if accessed off the street. In the R2A zone, parallel parking within the residential lot may be considered on a case-by-case basis.
- Those parcels in R2A that utilize snow-shed easements on adjacent properties should take special care in designing roof elements to minimize their snow-shed impacts on adjacent properties.

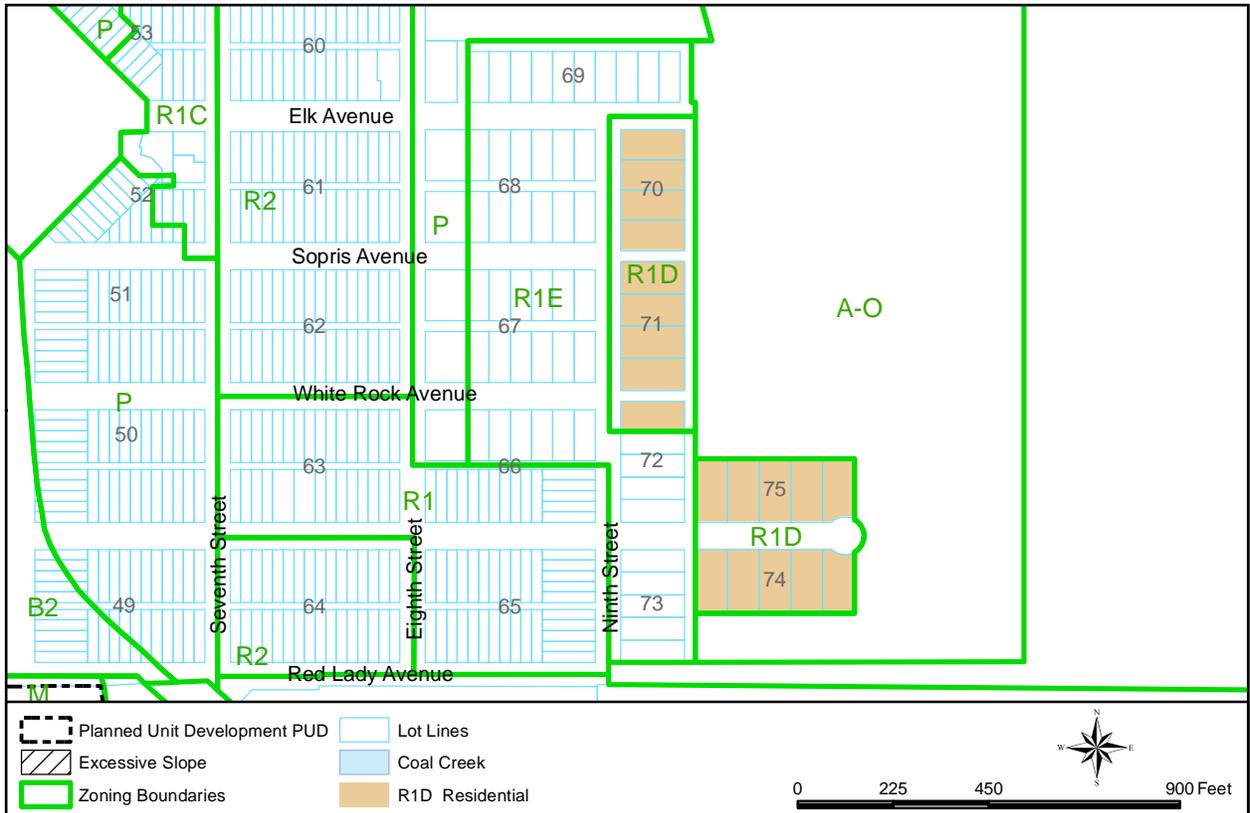
**Note that the Design Standards and Guidelines in the following chapters also apply:**

<b>Chapter 2 for All Projects</b>	<b>p. 30</b>
<b>Chapter 4, Section 4B for All New Residential Construction</b>	<b>p. 105</b>
<b>Chapter 5 for the R1 District</b>	<b>p. 171</b>

### **Of special concern are the following Standards and Guidelines:**

- 4.8 Wood should be painted or have pigmented stain.
- 4.10 Materials should be similar to those used historically.
- 4.11 The exact replication of historic structures is discouraged.

### **R1D**



### R1D ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO



*Larger parcels in the R1D zone provides for larger buildings. The scale can be minimized through modules that reduce the overall mass.*



*Provide substantial amounts of landscaping*

**R1E**



**R1E ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO**



*Homes in the R1E zone contain a variety of modules that reduce the overall mass and scale.*

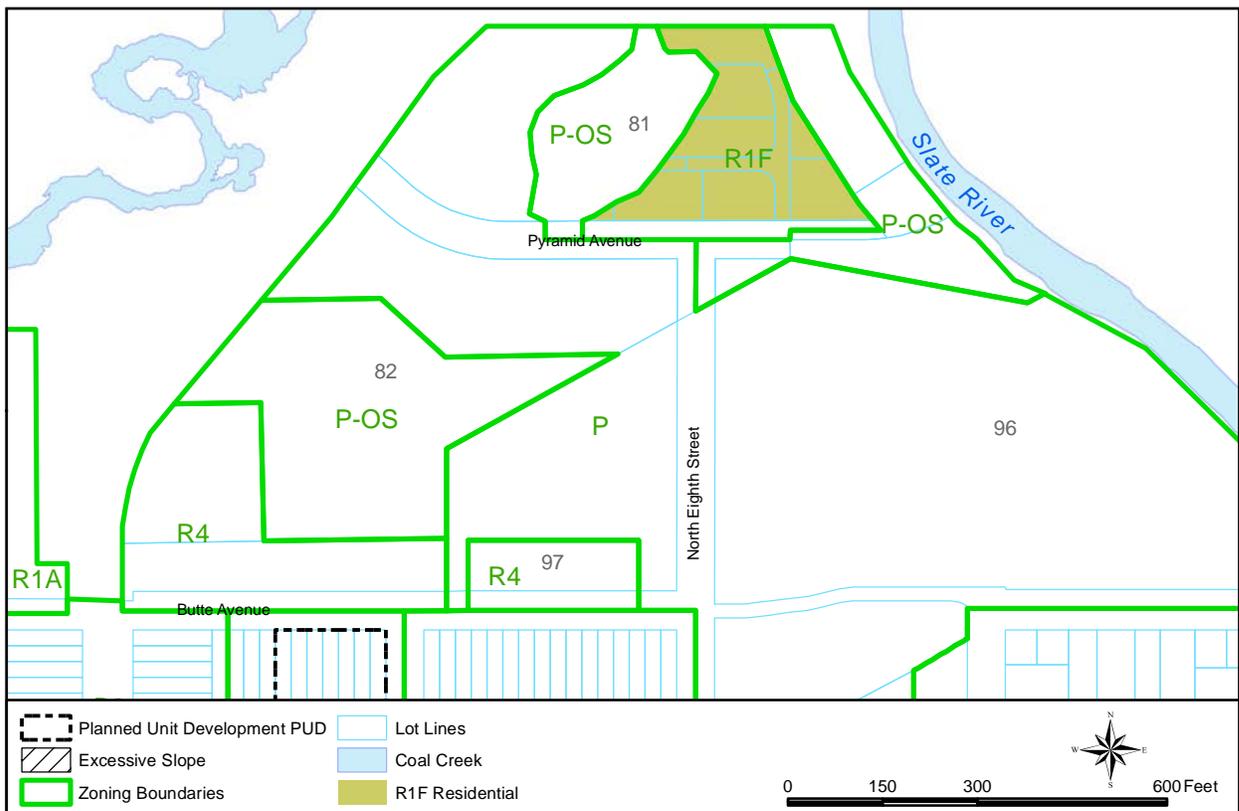


*Solar arrays are encouraged to reduce the energy usage of these residences.*



*This home employs effective modules on the side elevation that minimizes the scale on the corner parcel.*

### R2A



**R1F ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO**

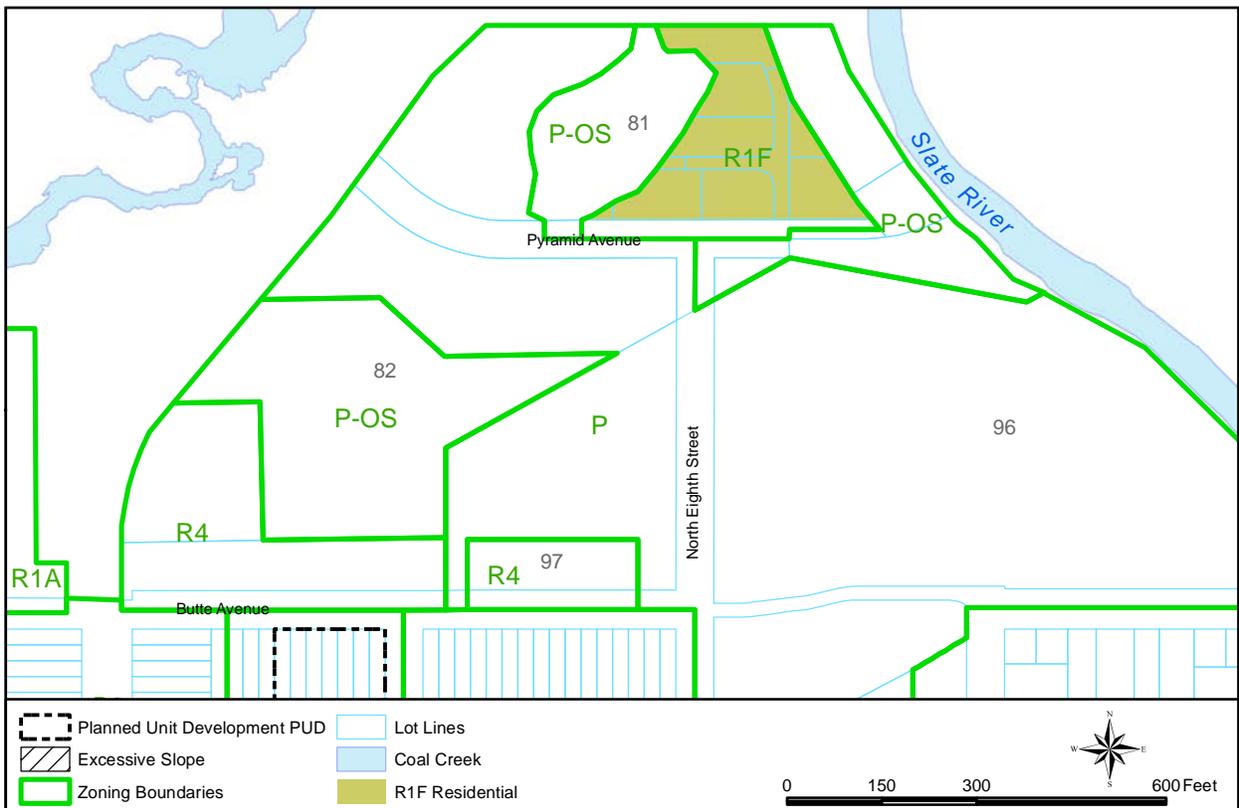


*The form and style of buildings in the R2A zone are relational with buildings seen historically.*





*Porch features are encouraged. The front entry on the duplex (right photo) appears as a single family residence. Note the painted horizontal siding materials with contrasting trim details are effective in creating character.*



**R1F ZONE DISTRICT within the TOWN OF CRESTED BUTTE, COLORADO**

## A-O Agricultural Open Space District

This zone is designed to maintain open space, primarily on the perimeter of town. Limited agricultural buildings may be allowed depending on restrictions and covenants placed on specific properties. If allowed, structures should emulate historic agricultural sheds and barns seen in the upper East River Valley. Please refer to Chapter 16, Article 6, Division 3 for additional information about this zone district.



*Part of the Verzuh Annexation, this open space adjacent to town provides high-quality wetlands, trails and a buffer between the town boundary to the west and county and federal lands to the north and east.*

## Chapter 6 Design Guidelines for Signs

The Design Guidelines that follow should be used in conjunction with the Town's sign component of the zoning ordinance (Code Section Chapter 16, Article 18). In cases where standards within the ordinance and these Guidelines are in conflict, the more restrictive will apply. The design of all signs, with a few exceptions, must be approved by the BOZAR.

Signs should be subordinate to the overall building composition. Historically, signs used in Crested Butte were relatively simple. They varied in size and location quite broadly, but most were simple painted panels with simple letter styles. The earliest signs had no lighting. In later years an indirect light source was typical. These relationships should be continued. To do so, the Board seeks to limit the size and number of signs so that no single sign dominates the setting. Please refer to the sign and lighting restrictions in the zoning code for more specific requirements.



*Mount signs to fit within existing architectural features. Signs should help reinforce the horizontal lines of moldings and transoms seen along the street.*

### SIGN CONTEXT

A sign typically serves two functions: to attract attention and to convey information. If the building front is well designed, it alone can serve the attention-getting function, allowing the sign to be focused on conveying

information in a well conceived manner. All new signs should be developed with the overall context of the building and of the district in mind.

**\*6.1 Consider the building front as part of the sign.**

- a. The overall façade composition, including ornamental details and signs, should be coordinated.
- b. Signs also should be in proportion to the building, so that they are not its predominant feature.
- c. A master sign plan should be developed for the entire building front.

**6.2 A sign should be subordinate to the overall building composition.**

- a. Locate a sign on a building so that it will emphasize design elements of the façade itself. They should not obscure architectural details or features.
- b. Mount signs to fit within existing architectural features. Signs should help reinforce the horizontal lines of moldings and transoms seen along the street.

**6.3 A sign should be in character with the materials, color and detail of the building.**

- a. Simple graphic designs are most appropriate.

## **PERMITTED TYPES OF SIGNS**

**6.4 Flush-mounted signs may be considered.**

- a. These are mounted flat to the wall, usually just above the display window.
- b. Flush-mounted signs should not be located above second-floor windows.
- c. Look to see if decorative moldings define a sign panel. Locate flush-mounted signs so that they fit within panels formed by moldings or transom panels on the façade.

**6.5 Projecting signs may be considered.**

- a. A projecting sign should be located near the business entrance just above or to the side of the door.

**6.6 A window sign may be considered.**

- a. It may be painted on or hung just inside a window.

**6.7 An awning sign may be considered.**

- a. An awning sign may be woven, sewn, or painted onto the fabric of an awning. A panel sign painted or mounted on the edge of a rigid canopy also shall be considered an awning sign.
- b. Lights may not illuminate awnings from inside.

**6.8 A directory sign may be considered.**

- a. Where several businesses share a building, coordinate the signs. Align several smaller signs, or group them into a single panel as a directory, to make them easier to locate. These signs must be located within the setbacks.
- b. Use similar forms or backgrounds for the signs to tie them together visually and make them easier to read.

**6.9 Freestanding signs may be considered.**

- a. These must be small in scale.
- b. These cannot be higher than the building and must be contained within the setbacks.
- c. Off-site signage is allowed in specific locations, as outlined in Section 16-18-20 (24). (Added 2009, Rev. 2020)

**6.10 Projecting signs may be considered.**

- a. Projecting signs may not be higher than the ridgeline or parapet of the building.
- b. If the sign projects over the pedestrian way the bottom must be at least 8 feet above it.

**6.11 When permitted in the sign code, signs placed on the rear of a building should be simple in design and style, as they serve a function for delivery identification. (Added 2009)****INAPPROPRIATE SIGN TYPES****\*6.12 Signs that are out of character with those seen historically, and that would alter the historic character of the building or street, are inappropriate.**

- a. Animated signs are prohibited.
- b. Sandwich boards that stand on public property are not permitted.
- c. Any sign that visually overpowers the building or obscures significant architectural features is inappropriate.
- d. Internally lit signs are not allowed.
- e. Neon signs are not allowed.
- f. Signs painted on roofs are not allowed.
- g. See also the sign code portion of the town's zoning ordinance, Chapter 16, Article 18.

**SIGN MATERIALS****6.13 Sign materials shall be compatible with those of the building façade.**

- a. Painted wood and metal are appropriate materials for signs. Their use is encouraged. Metal signs should have a wood border or have a wood element. (Rev. 2020)
- b. Plastic may be used only in limited amounts on signs. Plastic may not be the predominant material on any sign.
- c. Highly reflective materials that will be difficult to read or are distracting to passing motorists are inappropriate.

**SIGN CONTENT****6.14 Symbol signs are encouraged.**

- a. Symbols add interest to the street, are quickly read, and are remembered better than written

words.

**6.15 Use colors for the sign that are compatible with those of the building front.**

- a. Day-glow or fluorescent colors are not allowed.

**6.16 Simple sign designs are preferred.**

- a. Fonts that are in keeping with those seen in the area historically are encouraged. Avoid sign types that appear too contemporary.
- b. Limit the number of colors used on a sign. In general, no more than three colors should be used.

**6.17 Select letter styles and sizes that will be compatible with the building front.**

- a. Avoid hard-to-read or overly intricate typeface styles.
- b. Letters should not exceed an average of 14 inches in height. The tallest letters on a sign may not exceed 18 inches in height. In most cases smaller letters are more in scale with the average building façade. Up-lighting that causes light pollution is prohibited.

## SIGN LIGHTING

**6.18 The light for a sign shall be an indirect source.**

- a. Light shall be directed at the sign from an external, shielded lamp. Internal illumination of a sign is not permitted. The preferred method to light a sign is to down light the sign from above. (Rev. 2009)
- b. A warm light, similar to daylight, is appropriate. The blue cast of fluorescent light or the orange cast of sodium vapor causes a shift in the colors of the street as seen historically and are therefore prohibited as light sources. However, energy-efficient compact florescent lights may be allowed. (Rev. 2009)
- c. Lamps that project an image for the purposes of advertising are not allowed. (Added 2009)
- d. Full cut-off shielded fixtures should be used for all outdoor lighting applications. (Added 2009)

## WALL ART/GRAPHICS

**6.19 Wall art is not permitted.**

## Appendix 1 Design Hints

### Heat Loss

Crested Butte sits at an elevation of 8855 feet in a high alpine valley. The town experiences a relatively sunny cold climate with low humidity. The average January temperature is 11.8 degrees F. The number of heating degree days is roughly 11,000. This is a reflection of the number of degrees over the course of a year that the temperature needs to be raised to reach 65 degrees F. As a basis for comparison, the number of degree days for Denver is around 6000. Heating and cooling needs should be designed into new or remodeled buildings. The rigorous climate dictates that special attention should be given to energy efficiency when designing structures.

The severe winters in Crested Butte make heating a major expense, but this cost can be sharply reduced with proper building design. The Town has established and adopted insulation standards that must be met by all new construction in town, but further measures can reduce heating costs even more. Caulking and weather-stripping around openings can help, as well as careful placement of windows. A north-facing window will lose significant amounts of heat, while a south-facing window can collect solar energy. Cold drafts can be reduced by installing insulated shutters on the inside of windows in a properly ventilated home or building. Outside shutters can protect window glass from cracking due to falling ice or the force of snow build up.

### Interior Layout

The interior layout of a building can also affect its energy efficiency. The floor plan should allow air to circulate naturally throughout the areas of high use. Plans with spaces that flow together work better than those with many small rooms. Hot air rises, and the higher areas should be the rooms of most active use. Second floor living is also comfortable because of the snow accumulation over windows on the first floor.

### Wood Stoves

Fewer woodstoves are being installed. Some people want a woodstove for back up heat, if a boiler fails.

Only one wood stove per building is allowed. An EPA certified solid fuel burning device is required or providing the manufacturer tested emission requirements noted below. Only approved solid fuel burning devices may be installed. Approved stoves emit no more than 4.5 grams of particulate per hour for non-catalytic stoves and 2.5 for catalytic stoves. Use the manufacturer's installation and owner's manual to ensure the most efficient operation. A building permit is required prior to installation.

### Cold Roof

An alternative roof design is a "cold roof," that is insulated from the interior of the building. This can be accomplished by creating a cold air space between the roof insulation and the roof sheathing. Depending upon the roof pitch, snow can build up on a cold roof, providing further insulation for the building. Consideration of shedding angles is also important. Make way for snow. Snow cannot get through tight spaces easily passed by water. Roof designs should allow wide paths for snow movement. Avoid tight dormer spacing, tight valleys, and other roof configurations that would restrict snow movement. Consider roof orientation and exposure when designing a roof. Snow will generally melt sooner on a roof exposed to sunlight than on a more shaded roof.

## Flat Roof

A flat roof shall be designed by a structural engineer. At times it will also be necessary to shovel the snow off the roof. Therefore, structures with flat roofs should be sited in such a manner that there is adequate space allowed within property boundaries for snow storage.

The flow of water caused by melting snow is a very important consideration in designing a flat roof. The roof shall be designed so that water drains off without freezing. One solution for drainage is to pitch the roof slightly to the drains. These drains shall be kept warm enough so that ice does not build up and block them.

## Site Planning

### Site Analysis

Living in a town like Crested Butte makes one very conscious of the natural environment and a great deal can be learned and adapted from applying the principles of geomancy to site planning. The 510 Elk Avenue building is an example of a structure whose form reflects the shape of the mountains which serve as its backdrop. It does not offend the landscape; it blends into the landscape.

A site analysis should include the following:

1. Survey which notes:
  - boundary / property lines/town rights-of-way
  - (true) north arrow
  - easements, rights of way
  - location of existing trees, retaining walls, ditches and fences location and direction of all existing sanitary and storm sewers, and utility poles
2. Views (to and from) planned structure
3. Existing vegetation
4. Solar access diagram / shadow diagram
5. Prevailing winds and breezes
6. Micro-climatic analysis of the area
7. Analysis of the soil
8. Any unusual features (i.e. avalanche hazards)
9. Existence of subsurface fill, water conditions, unstable soils
10. Streets, highways, alleys and large areas of parking as they function as traffic generators, barriers, entrances and exits.

Extra care at the site planning stage can make an enormous difference in cost savings and aesthetics.

Views are important and it is generally agreed that the best views are toward the mountains. However, in an area such as Crested Butte, which has significant snowfall, it makes good sense to site most of the windows on the

south and southeast sides of the structures. This does not mean that there should not be any windows on the north side, but rather carefully selected windows should be located there.

## **Gardens and Open Space**

Site planning includes the structure and the garden. It is important to analyze how the outdoor space will be used. Is it for adults, children, or both? Will there be a patio area for barbeques where guests will want to sit in the sun, or a grassy area which will require some shade? Evergreen and deciduous trees, like all plant materials, have differing requirements in terms of soil and the amount of sun / shade they need to survive. It is much easier at the site planning stage to think about these requirements than to later be disappointed when the structure is complete and one finds there is no sunny spot to grow vegetables.

Sun and shadow diagrams are also especially important for commercial buildings which provide site amenities such as decks, benches, or any outdoor seating areas. See the suggestion in Passive Solar Site Planning section.

## **Solar Energy Applications**

There is excellent potential for the use of solar energy in Crested Butte. The valley experiences a significant amount of sunshine which can be utilized to enhance the indoor living quality and save money on heating expanses, while reducing the effects that most heating systems have on air quality and the environment. There are two main types of solar energy utilization: active and passive. The Town encourages the use of passive solar energy designs. Their use need not conflict with building types that are compatible with the Town's historic precedents. The use of active solar collectors generally is more difficult to fit into the historic character of the Town than passive measures, but BOZAR may consider them as a desirable energy conservation measure if the design is integrated in a compatible way.

### **Passive Solar Systems**

Passive solar design can fit into the historic context of Crested Butte and be effective. A passive solar energy system is one that uses natural and architectural components to collect and store solar energy. A building incorporates passive solar features if it is designed to receive and retain heat from the sun. Passive systems generally require little or no mechanical systems other than to perhaps redistribute hot air throughout a structure. A passive system allows the sun to penetrate the building envelope. The sun strikes a material capable of storing the heat, then releases heat over night. For example, a massive element such as, brick, tile, concrete, gypcrete (below finish flooring material) or even phase change materials especially designed for thermal storage.

### **Active Solar Systems**

Active solar systems are defined as those systems which require mechanical assistance. The typical system utilizes panels to collect the sun's energy and convert the energy into either electricity or to heated water. Some, active systems can require more maintenance and technical expertise to operate efficiently over time than passive systems. The technology in this field is rapidly gaining ground and may soon address past perceived shortcomings with the systems. The primary consideration of active systems is to orient the panels correctly.

From a design standpoint, it is important to site the panels so as to fit into a roof's design so it is compatible

within the district. They should not be placed so as to be obtrusive or appear to be an independent element of the structure. Panels may be hidden by other elements such as parapets on flat roofed buildings.

If collectors are placed on the roof, they must be able to survive large amounts of snow falling onto and sliding off of them. The location of the solar panels shall meet the International Residential Building Code or International Building Code and the International Fire Code. Freestanding collectors placed in the yard will be buried in deep snow in the winter, if not mounted high enough above grade and/or properly maintained.

## **The Sun**

The typical method for letting the sun's energy enter a structure is through windows. There are various types of glazing and glass used in multi-pane windows to improve their efficiency. Glass is the least thermally efficient aspect of a structure's exterior. Not only does glass let light in, but when in the shade it also transmits heat out. Insulating drapes or curtains are highly recommended to be used on the windows when the sun is not heating the interior space in properly ventilated homes and buildings.

Windows used for solar gain should be oriented due south, which is consistent with the Town plat. Large glass roof panels or slanted glass can collect too much sun in the summer when it is not desired and over heat the interior spaces.

Glass should be set vertically. Vertical placement of glass is consistent with the historical building and window configurations of the town.

The amount of glass required is not as much as sometimes thought. A simple rule is that not more than 7% of the floor area needs to be reflected in south glass if there is little or no mass. Not more than 12% is needed if there is mass present. Too much south glass can render a living space unbearably hot. East and west glass should be limited to less than 4% of the floor area. North glass will lose more heat than it collects and should be used to frame views rather than provide panoramas. To identify the proper amount of southern glazing and mass located within the building a detailed energy model prepared by a design professional may be required.

## **Storage or Thermal Mass**

Mass is the wall or floor material which the sun strikes and heats up. After the sunsets, the mass slowly releases its stored heat back into the space. Generally speaking, the higher the density of the material the more efficient it is at storing solar energy. Typical materials used are brick, masonry, concrete, tile and water. The mass should not be covered with a less dense material such as carpet, drywall or wood.

In general, floor systems make for an excellent place to locate mass within a sunny area because the floor is most likely to be directly exposed to sunlight, and then distribute that heat evenly during times of low sun. Vertical mass elements can also be effective if they do not obstruct sun from penetrating into the space and are not exposed to the exterior elements.

## **Distribution**

It is important to distribute heat from the point of collection to other parts of the structure. Heat in a slab or mass will diffuse and assume the same temperature throughout the mass with time. This can be used to move heat from

areas of direct sun to areas without sun exposure. An open floor plan can also be useful in allowing air to move throughout the structure. Mechanical means, such as ducts and fans, are also sometimes useful for moving heated air from one space to another.

## **Insulation**

Crested Butte adopted Energy codes that require certain components of new structures meet specific R values and U values.

Insulation is required in stud or rafter bays and on the exterior as continuous insulation. The latest town codes should be referenced for the most current energy conservation requirements.

It is sometimes difficult to meet these requirements in older buildings: however, energy conservation should be a goal just adding insulation in an old building can make a significant difference. Specific insulation plans shall be approved by the building department.

It is recommended that insulation be added to the interior of old structures so as to maintain the historic exterior characteristics such as fascia widths, window reveals and wall dimensions.

## **Passive Solar Site Planning**

In Crested Butte consider the following general guidelines for energy conservation when designing and building structures:

1. Orient the structure to the south.
2. Orient active living spaces to the south to take advantage of solar gains and utility spaces on the north.
3. Create protected exterior sun pockets.
4. Use more glass on the south side than the north based on energy calculations.
5. Site north-facing windows to provide a “framed” view rather than a panorama.
6. Design an airlock entry, when possible.
7. Use paved surfaces, rock, or masonry on south side for increased absorption of radiation.
8. In new construction and infill construction, design sunspaces with roof awnings on the south side for collection of solar heat.
9. Utilize exterior walls and fences to capture the winter sun and reflect warmth into living spaces.
10. Utilize darker colors on collection areas to absorb more radiation.
11. Locate storage masses of rock or water in the direct sunlight.
12. Reduce air leakage by sealing all avenues of potential leakage. These include around doors, windows and plumbing, underneath and around drywall seams and holes and behind electrical outlets. Other sources of infiltration include exterior vents, which should be fitted with back draft dampers.
13. With the reduction of inadvertent air infiltration, indoor air quality becomes a more critical consideration and should be taken into account. Paints, stains, glues, particle and wafer boards, as well as other building products may all contain materials that are detrimental to air quality and health. Safer alternatives may be available. Whole House Heat Recovery Ventilation

systems are required for new construction and extensively remodeled structures. Appliances such as fireplaces and boilers shall be sealed combustion direct vent and air intake units. Range hoods that exhaust more than 400 cfm shall have make up air provided to the room that the hood is located.

## **Landscaping**

Trees and shrubs can be used to reduce solar heat gains in the summer. Deciduous trees (trees which shed their leaves at the end of each growing season) provide shade in summer months and allow sun light to pass through in the winter. Various trees provide different degrees of shade, depending on the leave size and density. Many trees allow diffuse light to penetrate permitting natural lighting levels to be maintained, while others are practically opaque.

Deciduous trees, though effective for providing shade, are not as valuable as windbreaks. Therefore, on the north or northwest side of a building (depending on the prevailing cold winter winds) coniferous trees should be used. Their use and type depend on the density of the branch structure, how close to the ground they grow and their height at maturity. Their effectiveness as wind breakers is governed by the proximity of individual trees. The goal is to direct the air flow over trees instead of around them. The dead air space behind trees can act as insulation space. With coniferous trees on the north and west and deciduous trees on the south and east side of a building, maximum protection from cold winds in the winter and maximum shading from the sun in the summer can be realized.

While trees assist in the insulation of a building against both heat gain and heat loss, they can also help purify the air. Trees native to the area should be used.

Also placement and type of trees should be considered for a fire defensible space.

## **Earth**

Earth can be used to minimize the amount of exposed surface area of a building. Mounds of earth (berms) on the north side can considerably reduce the heat loss in the area. Prevailing winter winds (which usually come from the north or northwest) will carry away heat faster from an exposed north wall than from any other exposed wall surface area on the west and north sides.

Earth is effective as an insulator below frost line. A mixture of mulch and soil can decrease the depth of the frost line because it is an insulator.

Berms can be useful in directing noise and snow away from a structure. Sound cannot penetrate the mass of a berm and is either absorbed or reflected by it. The proper positioning and forming of berms will direct winds, causing snowdrifts to form away from buildings and entrances. Earth Berms should not be created which detracts from the historical or visual integrity of a structure.

## **BOZAR PLANT LIST STANDARDS/GUIDELINE NATIVE TO THE GUNNISON BASIN**

Botanical Name / Abbreviation \_\_\_\_\_ Common Name

### Trees:

*Prunus Virginiana* (*Padus Virginiana*) / PRVI \_\_\_\_\_ Black Common Chokecherry  
 ssp. *Melanocarpa* var. "Canada Red"  
*Picea Pungens* / PIPU \_\_\_\_\_ Blue Spruce

### Shrubs:

*Arctostaphylos Uva-Ursi* ssp. *Adenotrica* / ARAD \_\_\_\_\_ Bearberry / Kinnikinnik  
*Artemisia Tridentata* / ARTR \_\_\_\_\_ Mountain Big Sagebrush  
*Holodiscus Dumosus* / HODU \_\_\_\_\_ Bush Rockspirea  
*Juniperus Communis* ssp. *Alpina* / JUCO2 \_\_\_\_\_ Common Juniper  
*Lonicera Involucrata* / LOIN \_\_\_\_\_ Bearberry Honeysuckle  
*Mahonia Repens* / MARE \_\_\_\_\_ Creeping Mahonia / Oregon Grape  
*Pentaphylloides Floribunda* (*Potentilla Fruticosa*) / PEFL \_\_\_\_ Shrubby Cinquefoil  
*Ribes Alpinum* / RIAL \_\_\_\_\_ Alpine Currant  
*R. Aureum* / RIAU \_\_\_\_\_ Golden Currant  
*R. Cereum* / RICE \_\_\_\_\_ Wax Currant  
*R. Coloradense* / RICO \_\_\_\_\_ Colorado Currant  
*R. Inerme* / RIIN \_\_\_\_\_ Whitestem Gooseberry  
*R. Montigenum* / RIMO \_\_\_\_\_ Gooseberry Currant  
*R. Nigrum* / RINI \_\_\_\_\_ Black Currant  
*Rosa Acicularis* / ROAC \_\_\_\_\_ Prickly Rose  
*Rosa Woodsii* / ROWO \_\_\_\_\_ Woods Rose  
*Rubus Ideaus* ssp. *Sachalinensis* / RUID \_\_\_\_\_ Red Raspberry  
*Salix Monticola* / SAMO \_\_\_\_\_ Mountain Willow (wet site)  
*S. Scouleriana* / SASC \_\_\_\_\_ Scouler Willow (dry site)  
*Sambucus Racemosa* ssp. *Pubens* / SARA \_\_\_\_\_ Redberried Elder  
*Shepherdia Canadensis* / SHCA \_\_\_\_\_ Buffaloberry  
*Swida Sericea* / SWSE \_\_\_\_\_ Red Osier Dogwood

### Grasses:

*Calamagrostis Canadensis* / CACA1 \_\_\_\_\_ Bluejoint Reedgrass  
*Festuca Thurberi* / FETH \_\_\_\_\_ Thurber Fescue  
*Koeleria Macrantha* / KOMA \_\_\_\_\_ Prairie Junegrass  
*Poa Fendleriana* / POFE \_\_\_\_\_ Mutton Grass  
*Poa Pratensis* / POPR1 \_\_\_\_\_ Kentucky Bluegrass

### Forbs / Cacti:

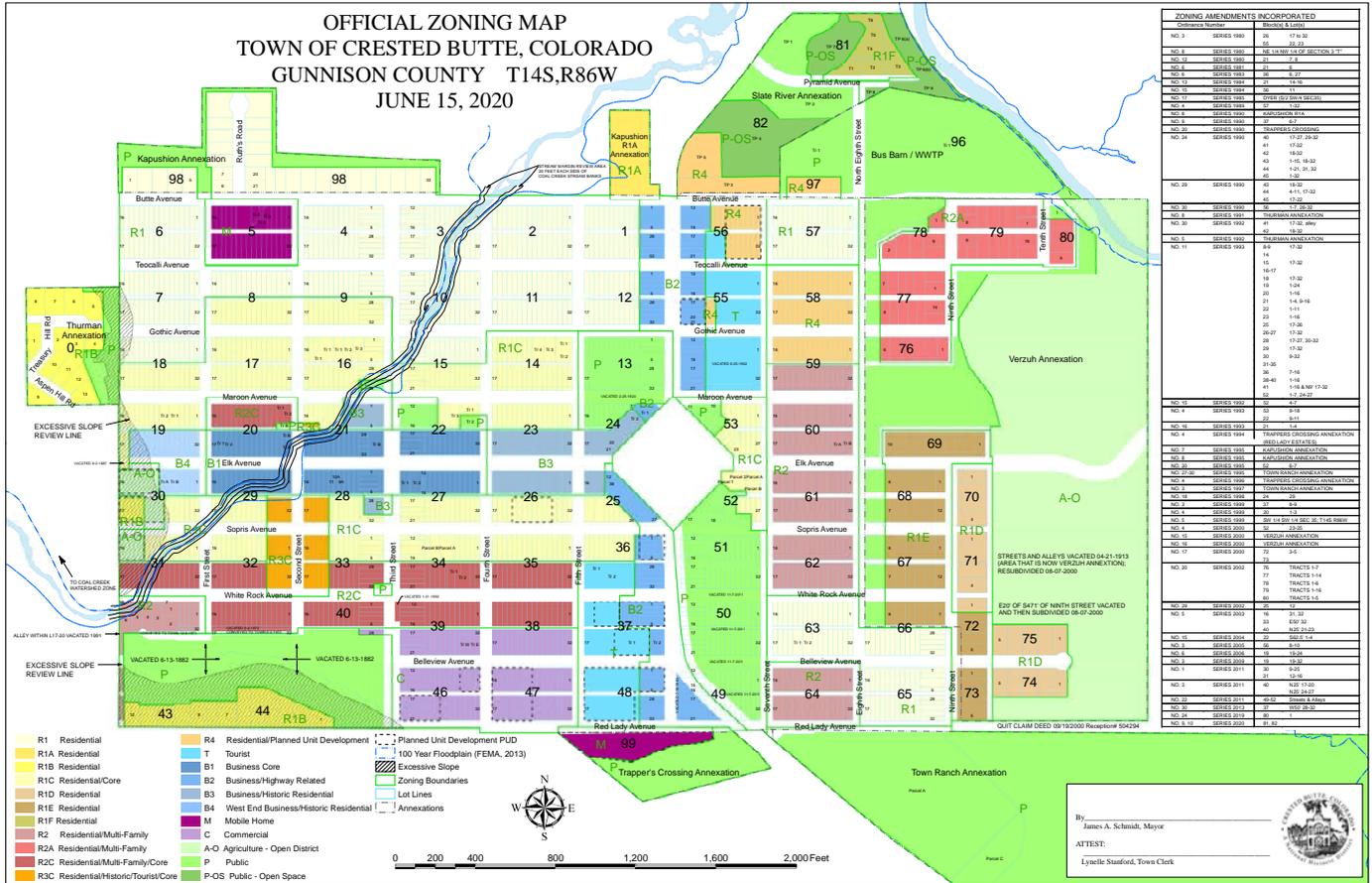
*Anaphalis Margaritacea* / ANMA \_\_\_\_\_ Pearly Everlasting  
*Aquilegia Caerulea* / AQCA \_\_\_\_\_ Colorado Columbine  
*Calochortus Gunnisonii* / CAGU \_\_\_\_\_ Gunnison Mariposa

Coryphantha Vivipara / COVI _____	Pincushion Cactus
Echinocereus Viridiflorus /ECVI _____	Hedgehog Cactus
Eriogonum Umbellatum / ERUM _____	Sulphur Buckwheat
Fragaria Virginiana /FRVI _____	Virginia Strawberry
Gaillardia Aristata / GAAR _____	Perennial Gaillardia (Blanket Flower)
Geranium Caespitosum / GECA _____	Fremont Geranium
G. Richardsonii / GERII _____	Richardson Geranium
Pediocactus Simpsonii / PESI _____	Mountain Ball Cactus
Polemonium Pulcherrimum _____	Skunkleaf Polemonium (Jacob's Ladder)
Potentilla Diversifolia / PODI _____	Varileaf Cinquefoil
P. Gracilis / POGR _____	Northwest Cinquefoil
P. Hippiana / POHI _____	Horse Cinquefoil
Sedum Lanceloatum / SELA _____	Wormleaf Stonecrop
Thermopsis Montana ssp. Divaricarpa / THDI _____	Golden Banner
Trifolium Dasyphyllum / TRDA _____	Whiproot Clover
T. Parryi / TRPA1 _____	Parry Clover
Trifolium* Pratense / TRPR _____	White Dutch Clover
T. Repens / TRRE _____	White Clover

Prepared by Les Choy 6 January 2020

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## Town of Crested Butte Zoning Map

### KEY

R1	RESIDENTIAL
R1A	RESIDENTIAL
R1B	RESIDENTIAL
R1C	RESIDENTIAL / CORE
R1D	RESIDENTIAL
R1E	RESIDENTIAL
R1F	RESIDENTIAL
R2	RESIDENTIAL / MULTI-FAMILY
R2A	RESIDENTIAL / MULTI-FAMILY AFFORDABLE
R2C	RESIDENTIAL / MULTI-FAMILY / CORE
R3C	RESIDENTIAL / HISTORIC / TOURIST / CORE
R4	RESIDENTIAL / PLANNED UNIT DEVELOPMENT
B1	BUSINESS CORE
B2	BUSINESS / HIGHWAY RELATED
B3	BUSINESS / HISTORIC RESIDENTIAL
B4	BUSINESS / HISTORIC RESIDENTIAL
C	COMMERCIAL
M	MOBILE HOME
P	PUBLIC
A-O	AGRICULTURAL OPEN SPACE
T	TOURIST
PUD	PLANNED UNIT DEVELOPMENT

## Appendix 2 Glossary

**Accent Materials:** Materials used to focus on specific elements such as gable decorations, decorative porch brackets for a residence or cornice details on a residential or commercial building.

**Accessory building:** A detached subordinate building, the use of which is incidental to that of the principal building or primary dwelling on the same building site. In each of the residential districts located within the town, the accessory building must remain in common ownership at all times with the primary dwelling or principal building on the same building site. In the event the creation of condominiums or townhouses on the building site results in more than one primary dwelling or principal building, the accessory building must remain in common ownership with at least one primary dwelling or principal building located on the same building site. Building sites within all zone districts, except R1A and R1B districts, may have more than one accessory building. Accessory buildings are categorized as one of the following:

- a. Accessory building, nonresidential use, not heated or plumbed;
- b. Accessory building, nonresidential use, heated and/or plumbed; or
- c. Accessory dwelling.

**Accessory dwelling:** A detached subordinate structure or portion thereof subordinate to an existing or planned and approved residential structure on the same building site. In each of the residential districts located within the town, the accessory dwelling must remain in common ownership at all times with the primary dwelling or principal building on the same building site. In the event the creation of condominiums or townhouses on the building site results in more than one primary dwelling or principal building, the accessory dwelling must remain in common ownership with at least one primary dwelling or principal building located on the same building site. Either the accessory dwelling, the primary dwelling, or both, shall be used exclusively as a long-term rental. If more than one accessory dwelling has been approved for a site, then two out of the three dwelling units on the site shall be used exclusively as long-term rentals. The structure designated as the long-term rental must remain in common ownership with another residential use on the same building site, except in the B3 Business District, where the primary structure may be nonresidential in character. To obtain the conditional use of an accessory dwelling, the applicant shall comply with the terms of Crested Butte Town Code Section 16-9-70 regarding the recordation of discretionary approvals.

**Alignment:** The arrangement of objects along a straight line.

**Arch:** A structure built to support the weight above an opening. A true arch is curved. It consists of wedge-shaped stones or bricks called voussoirs (vu-swar), put together to make a curved bridge that spans the opening.

**Architectural Character:** The combination of building form, scale, details, ornament, and other visual aspects that establish a building's identity.

**Awning:** A roof-like cover of canvas or other lightweight material extending in front of a doorway or window, or over a deck, providing protection from the rain, sun and wind.

**Awning Window:** A window consisting of one or more top-hinged horizontal sashes one above the other, the bottom edges of which swing outward; operated by one control device.

**Balcony:** A platform projecting from the wall of an upper story, enclosed by a railing or balustrade, with an entrance from the building and supported by brackets, columns, or cantilevered out.

**Baluster:** A short, upright column or urn-shaped support of a railing.

**Balustrade:** A row of balusters and the railing connecting them. Used as a stair rail and also above the cornice on the outside of a building.

**Bargeboard:** A projecting board, often decorated, that acts as trim to cover the ends of the structure where a pitched roof overhangs a gable.

**Bay Window:** A window that protrudes from a wall that can be canted or square-sided in plan; one story in height, occasionally corbeled out from the face of the wall.

**Board:** A committee of persons legally organized to exercise responsibilities of management, direction or superintendence or to control specified matter, or to discharge certain functions that constitute a public office.

Board of Zoning & Architectural Review (BOZAR) is established pursuant to Section 8.1b of the Home Rule Charter, and consists of one Chair and six regular members that are appointed by the Town Council as contained in Section 16, Article 2. The “Board” has responsibilities that include review and determination on the appropriateness, both architecturally and historically, of any building permit pertaining to the erection, demolition, moving, reconstruction, restoration, improvement or alteration of any structure in the Town. The Board powers includes zoning applications related to variances, conditional use permits, planned unit developments “PUDs”, special development permits, and conditional waivers.

**Bracket:** Any overhanging member projecting from a wall or other body to support a weight (such as cornice) acting outside the wall.

**Canopy:** A roofed structure constructed of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows and other openings, supported by the building and supports extended to the ground directly under the canopy or cantilevered from the building.

**Cantilever:** A structural member or any other element projecting beyond its supporting wall or column and weighted at one end to carry a proportionate weight on the projecting end.

**Casement Window:** A window ventilating sash, fixed at the sides of the opening into which it is fitted, which swings open on hinges along its entire length.

**Character-Defining Features:** The features that distinguish a building as the product of a particular style, time or place.

**Clerestory:** An upper story or row of windows rising above the adjoining parts of the building, designed as a means of admitting increased light into the inner space of the building.

Colorado Register of Historic Properties - The statewide register of historic places for Colorado administered through History Colorado.

**Column:** A slender upright structure, classically consisting of a cylindrical shaft, a base and a capital; a pillar. It is usually a supporting or ornamental member in a building.

**Commercial Building:** A building whose primary use is business-related. In a historic downtown, it is often defined by a first-floor storefront.

**Conditional Use:** A use that may locate in certain zoning districts provided it will not be detrimental to the public health, safety and welfare and will not impair the integrity and character of the zoned use. The applied-for use must be stated in the zoning ordinance with or without stated conditions. The deciding body being “the Board” can either approve, approve subject to conditions, or deny such uses. Each application is considered under criteria established in the Town Code. Examples could include restaurants, accessory buildings, dwellings, hotels, and auto-related uses. The duty of the approving body is to condition the use so that it will be suitable to the surrounding area or the community at large.

**Conditional Waiver:** Conditional waivers of a non-conforming aspect contained in Code Section 16 Article 19 provides development opportunities for certain parcels where constraints of the lot size, building setback, or building dimensions would otherwise limit the development of the property under the Municipal Code. The Board, in its discretion and based on the following criteria, may override Sections 16-19-30, 16-19-40, 16-19-50, and 16-19-60 of Article 19. Conditional waivers mitigate the following constraints:

1. Additions in the setback;
2. Additions on nonconforming parcels that are too small, too large, too narrow, or too wide;
3. Additions to structures that are too high or too wide and that will add more structure that is too high or too wide.

**Collar Tie:** In wood construction, a timber that unites two opposing rafters at a point below the ridge, usually in the upper third of the rafter length.

**Contributing Structure:** A building within a historic district that contributes to the historic character of the District as a whole. A contributing structure may or may not be individually listed on a register of historic places, but it is significant when considered as part of the group of buildings within the historic district.

**Corbel:** A heavy bracket, often decorated, that is set into a wall to act as a bearing surface to support a roof beam.

**Corner Board:** A board that is used as trim on the external corner of a wood frame structure and against which the ends of siding are fitted.

**Corrugated Metal:** Sheet metal that has been drawn or rolled into parallel ridges and furrows to provide additional mechanical strength; aluminum and galvanized sheet metal are the most widely used.

**Cricket:** A small element with two slopes, in the form of a miniature gable roof that can be placed above an entry or behind a chimney.

**Decking:** Thick floorboards or planks used as structural flooring, usually for long spans between joists.

**Dentil Molding:** A molding with a series of small blocks that look like teeth, often seen as part of a cornice.

**Door, Accordion:** A hinged door consisting of a system of panels hung from an overhead track, folding back like the bellows of an accordion; when open, the panels close flat; when closed, the panels interlock with each other.

**Door, Bifold:** A folding door that divides into two parts, the inner leaf of each part being hung from an overhead track, and the outer leaf hinged at the jamb.

**Door, Center-Hung:** A door that is supported by and swings on a pivot that is recessed in the floor at a point located on the center line of the door's thickness; may be either single-swing or double-acting.

**Door, Folding:** One of two or more doors that are hinged together so that they can open and fold in a confined space.

**Door, French:** A door having a top rail, bottom rail and stiles that has glass panes throughout its entire length; often used in pairs.

**Door, Overhead:** A door of either the swing-up or the roll-up type constructed of one or several leaves; when open, it assumes a horizontal position above the door opening.

**Door, Sliding Glass:** A door that is mounted on a track that slides in a horizontal direction parallel to the wall on which it is mounted.

**Dormer:** A structure projecting from a sloping roof, usually housing a vertical window that is placed in a small gable.

**Dormer, Eyebrow:** A low dormer constructed on the slope of a roof without sides or legs.

**Dormer, Shed:** A dormer whose eave line is parallel to the main eave line of the roof, and whose flat roof plane slopes downward in a direction away from the ridge line of the main roof.

**Dormer Cheeks:** The vertical sides of a dormer.

**Double-Hung Window:** A window having two vertically sliding sashes, each closing a different part of the

window; the weight of each sash is counterbalanced for ease of opening and closing.

**Drip Edge:** Installed metal lip that keeps roofing material up off the deck at edges and extends roofing material out over eaves and gutters to prevent water from wicking up and under the roofing material.

**Dry Well:** Underground chamber or structure bedded with porous materials that captures, then slowly releases storm-water runoff so that it can be absorbed by the soil.

**Eave:** The projecting overhang at the lower edge of a roof that sheds rainwater.

**Elevation:** A drawing at the appropriate scale that represents the principal façade, side or rear elevation of a structure. Any measurement on an elevation will be in a fixed proportion, or scale, to the corresponding measurement on the real building.

**Excessive Dissimilarity:** Also inappropriateness. If the proposed new construction, demolition, addition, or alteration to an existing structure would be detrimental to the desirability, property values or development of the surrounding area and/or to the town, so as to involve one of the harmful effects set forth in Section 16-2-10 above, or otherwise fail to enhance the town's historic, aesthetic or cultural heritage, by reason of excessive dissimilarity or other inappropriateness to the town's historic design, the Board shall deny approval of a building permit for the structure. Excessive dissimilarity or other inappropriateness shall be determined by reviewing the duly adopted Design Guidelines - Town, as well as by a comparison of all structures of like use, existing or approved, and of any other structure included in the same permit application, within the same zoning classification, to determine if one or more of the following features of exterior design and appearance exist:

- a. Dissimilarity or inappropriateness as to cubical content or gross floor area;
- b. Dissimilarity or inappropriateness as to height of building or height of roof;
- c. Dissimilarity or inappropriateness as to historic architectural design; or
- d. Dissimilarity or inappropriateness as to other significant design features such as material, quality or architectural design.

**Excessive Similarity:** If the proposed new construction, demolition, addition, or alteration to an existing structure would be detrimental to the desirability, property values or development of the surrounding area and/or to the town, so as to involve one or more of the harmful effects set forth in Section 16-2-10 above or otherwise fail to enhance the town's historic, aesthetic or cultural heritage, by reason of excessive similarity to another structure, the Board shall deny approval of a building permit for the structure. Excessive similarity shall be determined by a review of all structures of like use, existing or approved, and of any other structure included in the same permit application, within the same zoning classification and within 250 feet of the proposed site. The review shall be accomplished to prevent similarity to one or more of the following features of exterior design and appearance:

- a. Apparently identical facade;
- b. Substantially identical size and arrangement of doors, windows, porticos, or other openings or breaks in the façade facing the street, including reverse arrangements;
- c. Substantially identical massing of patterns, scale, building footprint, or materials, as seen from the street; or
- d. Other significant identical features of design.

**Façade:** Any side of a building that faces a street is known as the principal façade. The sides and rear of a structure that do not face a street are considered secondary elevations.

**False Front:** A front wall that extends beyond the sidewalls of a building to create a more imposing façade.

**Fanlight:** A semicircular window, usually over a door with radiating bars suggesting an open fan.

**Fascia:** A flat board with a vertical face that forms the trim along the edge of a flat roof, or along the horizontal, or eave, sides of a pitched roof.

**Fenestration:** The arrangement and design of windows and doors in a building.

**Fenestration Pattern:** The arrangement of windows across the façade of a building.

**Finial:** An ornament which terminates the point of a gabled roof form.

**Firepit:** A pit dug into the ground or encased in a surrounding structure (as of masonry or steel) in which a fire is kept burning for cooking, warmth, etc.

**Fireplace:** A framed opening made in a chimney to hold an open fire.

**Flashing:** A thin impervious material placed in construction to prevent water penetration or provide water drainage between a roof and vertical walls and over exterior doors and windows.

**Foundation Cover/Treatment:** A material (i.e., wood, metal, concrete, dry-stacked stone) used to cover the foundation at no more than 18 inches in height from finished grade.

**Frieze:** An elevated, horizontal, continuous band or panel that is usually located below the cornice, often decorated with sculpture in the low relief.

**Gable:** A vertical surface commonly situated at the end of a building, usually adjoining a pitched roof; its shape depends on the type of roof and parapet, although most often it is triangular; it often extends from the level of the cornice up to the ridge of the roof.

**Glazing:** Transparent or translucent layer of window or door that transmits light. High-performance glazing may include multiple layers of glass, plastics or acrylics, low emissivity coatings, and low-conductivity gas fill.

**Hand-Hewn:** Wood beams that have been trimmed with hand tools, such as an adze; typical of early barn timbers.

**Historic District:** Town of Crested Butte, denotes the Local Historic District established in 1974.

**Historic Significance:** The importance of an element, building or site owing to its involvement with a significant event, person or time period, or because it is an important example of a past architectural style.

**Integrity:** The quality of a building or site that has retained the features that marks it as historic.

**Infill:** New buildings constructed within the historic district.

**Jamb:** One of the vertical members at each side of an opening such as a doorframe, window frame or fireplace.

**Joist:** One of the horizontal wood beams that support the floors or ceilings of a house. They are set parallel to one another usually from 1'-0" to 2'-0" apart and span between supporting walls or larger wood beams.

**King Post:** A vertical member extending from the apex of the inclined rafters to the tie beam between the rafters at the lower end of a truss, as well as in a roof.

**Knee Brace:** A diagonal corner member for bracing the angle between two joined members; being joined to each other partway along its path serves to stiffen and strengthen the joint.

**Lap Siding:** See siding - clapboards.

**Lintel:** A heavy horizontal beam of wood or stone over an opening of a door or window to support the weight above it.

**Molding:** A decorative band or strip of material with a constant profile or section designed to cast interesting shadows. It is generally used in cornices and as trim around window and door openings.

**Monolithic Pour/Slab:** A pour of concrete, all at one time. Generally referred to as a foundation system that consists of a concrete slab with thickened portions of the slab under load bearing walls and all perimeter edges that take the place of footers.

**Mullion:** A mullion is a bar or post that separates two window units. In fact, it also has a verb sense, as the act of having two windows attached to each other - the windows are mullied together.

**Muntin:** A muntin is a small bar that separates two pieces of glass, aka "glazing bar" or "sash bar."

**Newel Post:** A tall post at the head or foot of a stair supporting the handrail, often ornamental.

**Noncontributing Structure:** A building located within a historic district that does not contribute to the character of the district due to its post period of significance construction, or alterations that impacted the historic integrity of the building. Nevertheless, the building is protected from demolition, and may be subject to Chapter 3 Standards and Guidelines depending upon the degree that the scale and forms have been altered as determined by the Board.

**Parapet:** A low protective wall or railing along the edge of a raised platform, terrace, bridge, roof, or balcony and

above cornices.

**Period of Significance (POS):** The date or range of dates that is most significant in the history of the building. For most buildings, this is the year of construction.

**Pier:** The part of a wall between windows or other openings. The term is also used sometimes to refer to a reinforcing part built out from the surface of a wall; a buttress.

**Pilaster:** A support or pier treated architecturally as a column, with a base, shaft and capital that is attached to a wall surface.

**Pitch:** Angle of a roof, or the proportion between the height and span of the roof.

**Plank House:** A type of timber construction consisting of sawn planks laid horizontally and notched at the corners.

**Plate Glass:** A high-quality glass sheet having both its flat sides plane and parallel so that it is free of distortions and flaws; has much greater mechanical strength than ordinary window glass; usually formed by a rolling process, then ground and polished, but can also be formed by the float-glass process.

**Pony Walls:** Low walls, between 24" to 36" high that are used to enclose porches or balconies. Also known as wing walls.

**Porch:** A roofed entrance, either incorporated into a building or applied to the exterior.

**Post:** A piece of wood, metal, or other material, usually long and square or cylindrical, set upright to support a building, sign, gate, etc.; pillar; pole.

**Preservation:** Preservation means stabilizing and maintaining a structure in its existing form by preventing further change or deterioration. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

**Primary Material:** The predominant material used in a given application, such as siding.

**Pro-Panel:** A low-profile roofing panel that can be applied over open framing or a solid substrate.

**Protection:** The act or process of applying measures designed to affect the physical condition of a property by defending or guarding it from deterioration, loss or attack, or to cover or shield the property from danger of injury. In the case of buildings and structures, such treatment is generally of a temporary nature and anticipates future historic preservation treatment.

**Purlin (Purline/Perling):** A piece of timber laid horizontally on the principal rafters on a roof to support the common rafters on which the roof covering is laid.

**Rafter:** Any of the beams that slope from the ridge of a roof to the eaves and serve to support the roof.

**Rafter Tail:** Portion of a rafter that projects beyond the exterior wall to support the eaves.

**Railing:** Any open construction or rail used as a barrier, composed of one or a series of horizontal rails supported by spaced upright balusters.

**Reclaimed Material:** Material that has been previously used in a building or project that is then used in another project. The material might be altered, resized, refinished, or adapted, but is not reprocessed in any way and remains in its original form.

**Reconstruction:** Refer to the Rehabilitation Standards for more detail.

The act or process of reproducing by new construction the exact form and detail of a vanished building, structure or object, or part thereof, as it appeared at a specific period of time.

**Rehabilitation:** The act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural and cultural value.

**Renovation:** The act or process of returning a property to a state of utility through repair or alteration that makes possible a contemporary use.

**Residential Building:** A building whose primary function is as a living space. Residential buildings include singlefamily homes, duplexes, multifamily, townhouses and apartment buildings.

**Restoration:** Restoration means putting back as nearly as possible into the form the building held at a particular date in time. Restoration often requires the removal of architectural features that are not of the period. The value of a restoration is measured by its authenticity.

**Ridge Beam:** A horizontal beam at the upper edge of the rafters, below the ridge of the roof.

**Ridge Cap:** Any covering such as metal, wood or shingles used to cover the ridge of a roof.

**Roof:** The top covering of a building. Common types are:

\*Gable roof has a pitched roof with ridge and vertical ends;

\*Hip roof has sloped ends instead of vertical ends;

\*Shed roof (lean-to) has one slope only and is sometimes built against a higher wall;

\*Jerkin-head (clipped gable or hipped gable) is similar to gable but with the end clipped back;

\*Gambrel roof is a variation of a gable roof, each side of which has another, shallower slope above a steeper one, often referred to as a barn roof; and

\*Mansard roof is a roof with a double slope; the lower slope is steeper and longer than the upper; the upper pitch is typically shallow or flat.

**Rough-Sawn:** Wood that has been sawn to shape without planing or sanding; typically with saw marks on the surface; usually a preliminary step to being surfaced on all four sides.

**Sash:** Any framework of a window, which may be movable or fixed, may slide in a vertical plane, or may be pivoted. See definition for window parts.

**Scale:** The relationship of one part of an object to an outside measure, such as a human body or some standard reference; a system of representing or reproducing objects in a different size proportionately in every part.

**Scissor Truss:** A type of truss used to support a pitched roof; the ties cross each other and are connected to the opposite rafters at an intermediate point along their length.

**Secretary of the Interior's Standards:** Guidelines for the treatment of historic properties provided by the U.S. Secretary of the Interior. These standards are often used as the basis for local guidelines and are appropriate for use at all levels of significance, including federal, state and local.

**Shape:** The general outline of a building or its façade.

**Shall:** Used to express a command or exhortation, mandatory.

**Sheathing:** Material, usually plywood or oriented strand board (OSB), but sometimes wooden boards, installed on the exterior of wall studs, rafters or roof trusses; siding or roofing installed on the sheathing, sometimes over strapping to create a rainscreen.

**Should:** Used in auxiliary function to express what is probable or expected.

**Shutter:** One of a pair of movable panels used at window openings to provide privacy and protection from the elements when closed.

**Sidelight:** A framed area of fixed glass, usually comprising a number of small panes; commonly one of a pair of such lights, set vertically on each side of a door.

**Siding:** The narrow horizontal or vertical wood boards that form the outer face of the walls in a traditional wood frame house. Horizontal wood siding is also referred to as clapboard. The term siding is also more loosely used to describe any material that can be applied to the outside of a building as a finish:

\***Bevel:** Tapered boards used as siding, installed with the thinner part at the top.

\***Board and Batten:** Exterior covering consists of closely spaced boards set vertically, with narrow wood strips covering the joints between the boards.

\***Butt Joint:** A plain square joint between two members, when the contact surfaces are cut at right angles to the faces of the pieces; the two are filled squarely against each other rather than lapped.

**\*Clapboards (also known as clabbered):** Narrow, horizontal, overlapping wooden boards, usually thicker along the bottom edge, that form the outer skin of the walls of many wood frame houses. The horizontal lines of the overlaps generally are from 4 to 6 inches apart in older houses.

**\*Rabbet:** A long groove or channel that is cut into the edge or face of a board to receive another board that is fitted into the groove at a right angle to it.

**\*Shiplap:** Wood sheathing whose edges are rabbeted to make an overlapping joint.

**\*Tongue and Groove:** A joint formed by the insertion of the tongue of one member into the corresponding groove of another.

**Sill:** The lowest horizontal member in a frame or opening for a window or door. Also, the lowest horizontal member in a framed wall or partition.

**Sill Plate:** A heavy timber plate at the bottom of the frame of a wood structure resting directly on the foundation.

**Single-Hung Window:** A window with two sashes, only one of which opens.

**Sister:** When the face of one structural member is attached to the face of another in order to help transfer structural loading.

**Size:** The dimensions in height and width of a building's components or façade.

**Skylight:** An opening in a roof that is glazed with a transparent or translucent material to admit natural or diffused light to the space below.

**Slab-on-grade:** Concrete floor that is supported directly on the earth or fill.

**Snow Guard/Fence:** A board or other device that prevents snow from sliding off the roof.

**Soffit:** The exposed undersurface of any overhead component of a building such as an arch, balcony, beam, cornice, lintel, or vault.

**Stabilization:** The fact or process of applying measures designed to reestablish a weather-resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

**Standing Seam:** In metal roofing, a type of seam between adjacent sheets of material, made by turning up the edges of two adjacent sheets and then folding them over.

**Stile:** A vertical piece in a panel or frame, as of a door or window.

**Storefront:** The street level façade of a commercial building, usually having display windows.

**Stud:** One of a series of upright posts or vertical structural members that act as the supporting elements in a wall

or partition.

**Swale:** Low area of ground used for drainage and often the infiltration of storm water.

**Transom:** A window located above a door or large window.

**Trim:** The visible woodwork on moldings, such as baseboards, cornices and casings around doors and windows; any visible element that covers and protects joints, edges or ends of another material.

**Truss:** A composite structural system composed of straight members transmitting only axial tension or compression stresses along each member, joined to form a triangular arrangement.

**Valley:** The lower trough or gutter formed by the intersection of two inclined planes of a roof.

**Vernacular:** In architecture, vernacular buildings reflect the traditional architecture of the region originally developed in response to the climate, land conditions, social and cultural preferences, scenery, and locally available resources and materials. The forms are native or peculiar to a particular country or locality. It represents a form of building that is based on regional forms and materials, primarily associated with ordinary domestic and functional buildings rather than commercial structures.

**Visual Continuity:** A sense of unity or belonging together that elements of the built environment exhibit because of similarities among them.

**Wainscot:** A decorative or protective facing, such as wood paneling, that is applied to the lower portion of an interior partition or wall.

**Wall Washing:** A lighting technique that produces a relatively smooth, even level of illumination on a wall that minimizes the apparent texture of the surface. This technique is most often used in outdoor landscape lighting.

**Window Parts:** The moving units of a window are known as sashes and move within the fixed frame. The sash may consist of one large pane of glass or may be subdivided into smaller panes by thin members called muntins or glazing bars. Sometimes in nineteenth-century houses, windows are arranged side by side and divided by heavy vertical wood members called mullions.

Also see Town Code Sec. 16-1-20, Definitions: for a detailed list of terms and definition used in the Town Code.



**Installing Solar Panels and Meeting the Secretary of the Interior's Standards**

Solar panels installed on a historic property in a location that cannot be seen from the ground will generally meet the Secretary of the Interior's Standards for Rehabilitation. Conversely, an installation that negatively impacts the historic character of a property will not meet the Standards. But what about the gray area between out-of-sight and obviously obtrusive installations?



This installation negatively impacts the character of this mid-twentieth century house and does not meet the Standards.

Although every project is different and must be evaluated on its own merit, the National Park Service has developed this information on how to apply the Standards to the installation of solar panels.



This "invisible" installation of solar panels on a historic industrial building—hidden behind a low parapet—meets the Standards for Rehabilitation.

**First Example**



Primary view of the brewery after rehabilitation.

**Gund Brewery, Wisconsin**

Solar panels were installed on a new addition as part of the rehabilitation of this historic brewery. Although visible from a parking area on the site, the panels are appropriately located on top of a compatible new addition at the back of the historic property. The installation of these panels is consistent with the historic industrial character of the site, and the project meets the Standards.



View from the parking lot of the solar panels on the new addition with the historic building in the foreground.



Site map showing the new addition constructed behind the historic brewery. Image from Google Maps 2010.



New rear addition with rooftop solar panels.

**Next Example**



Left, solar panels create a new sawtooth feature on the roof of a historic hotel. Right, after lowering the angle of the panels, they are no longer visible from this vantage point.

**Old Hilton Hotel, New Mexico**

In this project, solar panels were installed on the rooftop of a historic hotel building that is a large and prominent landmark in the community. Initially, the panels were set at an angle that created a new sawtooth feature that detracted from the roofline and distinctive cornice detail. Because this building can be seen from many vantage points and from some distance, the addition of the panels had a significant impact on the building. As a result, the angle of the panels was changed to reduce their prominence. Though still visible from some locations, the sawtooth effect has been eliminated and the decorative cornice remains the dominant feature of the roofline.



The original angle of the solar panels (left) was lowered (right) to maintain the prominence of the roofline and cornice. Only the very top of the panels can still be seen.

**Next Example**



Front view of the railway barn after it was rehabilitated for office use.

**Richmond & Chesapeake Railway Barn, Virginia**

Two pole-mounted arrays of solar panels were installed at the rear of this historic railway barn. Because the site is industrial in character and the panels are located at the end of the barn away from primary viewpoints, this installation meets the Standards.



This site map shows the location of the pole-mounted solar panels. Image from Google Maps 2010.



Pole-mounted solar arrays can be appropriate alternatives to rooftop installations such as on this industrial site.

**Next Example**

### Vermont Residence

The gable end of this historic apartment building faces the street. Low-profile solar collectors for a water heating system were flush-mounted on the sloped roof on the south side of the gable. Though visible, these few panels have relatively little impact on the historic character of the property. However, if the roof had been a more prominent feature of the property, this installation may not have been appropriate.



Low-profile solar collectors located on the south side of the gable roof are minimally visible.



From this angle, the panels are more noticeable, yet the historic character of the building is not significantly diminished.

### Next Example



The visual prominence of the two solar collectors installed on this project is further minimized by the complexity of this side elevation.

### King's Daughters Home, North Carolina

It is often easier to accommodate solar hot water systems than photovoltaic systems on historic properties because fewer panels are necessary. Solar hot water can often operate utilizing only a few panels, while photovoltaic systems often require multiple arrays to produce enough electricity to be worth the investment.

Several specific circumstances made it possible to install solar collectors on a street-facing slope of this gable roof. The panels were flush-mounted on a low-pitch roof, and only two were required. They were installed on a portion of the roof that is set back from the face of the building behind a prominent pediment. Thus, the solar collectors are visible but not conspicuous, and this installation meets the Standards in the context of the overall project.



The front of the King's Daughters Home. The solar panels are installed on the facade that faces the street at the right edge of this photograph.

### Next Example





Staff Report  
July 6, 2020

**To:** Mayor and Town Council

**From:** Molly Minneman, Design Review and Historic Preservation Coordinator

**Thru:** Troy Russ, Community Development Director

**Subject:** PUD Study Session and First Reading of Ordinance No. 18, Series 2020 Amendment to the Zoning Code in Chapter 16 for Revisions to Planned Unit Developments in Article 6, Division 4

### Proposal:

The provision for Planned Unit Developments (PUD) is located in Article 6, Division 4 in Section 16-6-310 through 16-6-400 of the Town's Municipal Code. Several issues have come to light recently regarding the Town's currently adopted PUD language that are inconsistent with the Colorado Revised Statutes and therefore need to be revised. The Board of Zoning and Architectural Review ("BOZAR" or "Board") reviewed the proposed changes outlined below and provided a recommendation that the Town Council approve the necessary changes to the PUD zoning at their regular meeting held on June 23, 2020.

This item will be first discussed in a study session and then considered at first reading, both on July 6<sup>th</sup>.

### Background:

A PUD is an overlay zone district that when approved by Town Council enables opportunities for more efficient design, development flexibility, and public benefits than the existing underlining zone districts allow. Properties eligible to apply for the PUD overlay zone district are commercially zoned parcels exceeding three (3) lots in size, or with certain larger contiguous lot configurations in Town. Anthracite Place located at 513 Belleview Avenue, located on a seven (7) lot parcel, is an example of a PUD overlay zone district.

### Discussion:

The proposed Ordinance amends the Town's Municipal Code's PUD overlay zone district requirements and procedures in several sections. Proposed changes are relatively easy to follow and can be referred to with the descriptions outlined below.

- 1) **16-3-320. Applicability.** The subsection refers to the zone districts or parcel conditions eligible for a PUD overlay zone. Three items within the subsection were inadvertently removed during a PUD amendment in 2017. They include the following: (1) applicable parcels within certain zone districts, (2) parcels with sixteen (16) or more contiguous lots, and (3) 18,750 square foot lots in

the Mobile Home (M) zone when used for affordable housing. The applicable zone districts and parcel conditions are reinstated as contained in the code revision for applicability of the PUD overlay.

- 2) **16-6-350. Overview of P.U.D. overlay procedure.** The overlay procedure needs to change to be consistent with Colorado Revised Statutes. A formal application process for the PUD overlay zone district will require three (3) applications instead of two (2). The first application will be General Plan Review that will expand the scope of review as contained in 16-6-380 (a) and (b), below. The second application will require a *zone* amendment as contained in 16-6-380 (c) that will involve review by the Town Council, and the third application currently termed, as Building Permit Review will be repurposed as Architectural Review as contained in 16-6-390.

The initial work session for a PUD, termed Concept Plan Review, will not change.

- 3) **16-6-380 (a) and (b). General Plan.** The submittal requirements are included and expands Board review to include all site plan considerations, the building uses, floor plans, cross-sections, building forms and massing that enables the FAR calculations to make a determination of the overall bulk and scale of buildings. The PUD review criteria contained in 16-6-400 (see discussion below) will be associated with the *general plan* review. In essence, most of the conventional components of ‘architectural review’ will now occur in the *general plan* application.

Following a review of the general plan, the BOZAR will provide a recommendation to the Town Council for approval, or denial of the *zone amendment* application.

- 4) **16-6-380(c) Zone Amendment.** Colorado Revised Statutes considers any PUD overlay as zone district. This will require that PUD overlays be added to the official zoning map of the Town. To achieve the requirement, new language is proposed to require an application for *zone amendment* contained in Article 23 Amendments. Three subsections will be applied and include the *application* (16-23-30), *public hearing* (16-23-60) and *standards for rezoning* (16-23-90).
- 5) **16-6-390 Architectural Reviews.** Provided the Council approves the PUD overlay zoning amendment, the third application for architectural review can be submitted for Board review. The application includes architectural details, a plan for traffic and parking plan. Note: The *general plan* includes initial review of the required parking areas, snow storage areas, and service areas.

Should the Town Council determine that the zone overlay is deficient, they will remand the application back to the BOZAR for reconsideration of the applicant’s proposed mitigations to the deficiencies.

- 6) **16-6-400 Criteria for Board Decisions.** Two (2) review criterion associated with the existing PUD overlay are now included in the Criteria for Board Decisions. Language specific for the review of building uses classified within underlying zone district (B-2, C, T, etc.) through the application of the conditional use criteria in Section 16-8-30 will be included in the Criteria for Board Decisions and applied during the *general plan review*. The building uses become part of the review.

The language in the PUD criteria also includes the provision for approval of the *general plan* by the Board, and that shall constitute a recommendation to the Town Council to approve the PUD overlay rezoning application.

**Recommendation:** Town Council make a motion to set Ordinance No. 18 Series 2020, Amendment to the Zoning Code in Chapter 16 for Revisions to Planned Unit Developments in Article 6, Division 4 for a public hearing at the July 20, 2020 meeting.

**Attachments:**

- Ordinance No. 18, Series 2020 Amendment to the Zoning Code in Chapter 16 for Revisions to Planned Unit Developments in Article 6, Division 4

**ORDINANCE NO. 18  
SERIES 2020**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING THE  
CRESTED BUTTE MUNICIPAL CODE CHAPTER 16, ARTICLE 6, DIVISION 4,  
PLANNED UNIT DEVELOPMENTS.**

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

**WHEREAS**, pursuant to Article XX of the Colorado Constitution, as implemented through the Town of Crested Butte Charter; and Title 31, Article 23, and Title 20, Article 29, C.R.S.; the Town has the authority to enact and enforce land use regulations; and

**WHEREAS**, the Chapter 16, Article 6, Division 4, of the Crested Butte Municipal Code (the "Code"), regulates Planned Unit Developments (PUDs); and

**WHEREAS**, several issues have come to light recently regarding the Town's currently adopted PUD provisions which are inconsistent with other sections of the Town Code and cause confusion when viewed in the light of the Colorado Revised Statutes; and

**WHEREAS**, revisions to the Town's PUD provisions contemplated by this ordinance will eliminate inconsistencies and confusion; and

**WHEREAS**, the staff submitted a draft ordinance to the Board of Zoning and Architectural Review (the "Board") and the Town Council, pursuant to the requirements of Chapter 16, Article 23, of the Code;

**WHEREAS**, on June 23, 2020, the Board considered the draft ordinance and staff analysis, and recommended that the Town Council adopt the proposed changes to the PUD provisions; and

**WHEREAS**, the Town Council finds that the below amendments to Chapter 16, Article 6, Division 4 of the Code are in the best interests of the health, safety and general welfare of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT CHAPTER 16, ARTICLE 6, DIVISION 4 OF THE CODE IS AMENDED AS FOLLOWS:**

**Section 1. Amending Chapter 16 Article 6 Title 310 – Intent**

**Sec. 16-6-310. Intent.**

The Planned Unit Development is an overlay district that allows the development of a unified project which may involve a related group of uses and variances from the strict adherence to the area, setback, bulk and other requirements of the underlying zone district

regulations not related to use. Specific purposes for a Planned Unit Development (hereafter "P.U.D.") include:

- (1) Promoting flexibility in the type, design and siting of structures to preserve and take advantage of the site's unique or natural features.
- (2) Encouraging more efficient use of land, streets, alleys, utilities and governmental services.
- (3) Preserving open space for the benefit of residents and users of developments, as well as the Town in general.
- (4) Achieving a compatible land use relationship with surrounding areas.
- (5) Promoting greater variety, within the context of existing architecture and neighborhood context and size, in the type, design and siting of buildings and thereby improving the character and quality of new development.
- (6) Allowing the development of larger parcels incorporating many Town lots in a fashion which promotes more variety and diversity than would be possible in the individual development of each Town lot.
- (7) Ensuring that the flexibility in the type, design and siting of structures and variations from Town zoning district requirements result in public benefits to the community that go beyond those required by the Town zoning district requirements and other development standards in the Town Code.

## **Section 2. Amending Chapter 16 Article 6 Title 320 – Location of P.U.D.**

### **Sec. 16-6-320. Applicability.**

A request for a P.U.D. overlay may be submitted for any of the following types of development:

- (1) Any four (4) or more contiguous town lots, under the ownership of one (1) person, located in the "C" Commercial District; any five (5) or more contiguous town lots, under the ownership of one (1) person, in both the "T" Tourist District and the "B2" Business District; any six (6) or more contiguous town lots, under the ownership of one (1) person, in the "B3" Business District, the "B4" Business District and the "R4" Residential District; and any five (5) or more contiguous town lots, under the ownership of one (1) person or entity, located in the "B2" District. Any P.U.D. overlay in the "B2" District shall provide for a mix of building shapes relative to others existing in the entire "B2" District.
- (2) Any sixteen (16) or more contiguous lots, whether or not divided by any alley and/or street under the ownership of any one (1) person or entity, located anywhere within the Town.

(3) Any parcel at least eighteen thousand seven hundred fifty (18,750) square feet in size, which is located in the "M" District and utilized exclusively for affordable or low-income housing.

(4) Between four (4) and eight (8) contiguous Town lots, whether or not divided by an alley, in the "R I C" District which will be used primarily as public playgrounds and public recreation areas churches and church-related facilities including only reception halls, class rooms, child care areas and required parking; nonprofit libraries and museums; and public and private schools.

### **Section 3. Amending Chapter 16 Article 6 Title 340 – Calculation of floor area ratio**

#### **Sec. 16-6-340. Calculation of floor area ratio.**

The floor area ratio for a P.U.D. overlay will be governed by the ratio allowed, considering use and/or lot size, in the zone district comprising the largest part of the P.U.D. The total site size, not the maximum lot size in the applicable zone district, will constitute the denominator in the floor area ratio calculation.

### **Section 4. Amending Chapter 16 Article 6 Title 350 – Overview of P.U.D. Application procedure.**

#### **Sec. 16-6-350. Overview of P.U.D. overlay procedure.**

(1) General plan application, public hearing, and Board decision pursuant to Sec. 16-6-360 through 16-6-380.

(2) Upon the Board's approval of the general plan, the applicant applies for a zoning amendment to be decided in a public hearing by Town Council decision pursuant to Sec. 16-23-30, 16-23-60 and 16-23-90.

(3) Upon the Town Council's approval of the P.U.D. overlay zoning amendment, the applicant may proceed with Architectural Review by the Board pursuant to Section 16-6-390.

(4) Following approval by the Board under Sec. 16-6-390, applicant will obtain all applicable permits and approvals prior to commencing development.

### **Section 5. Amending Chapter 16 Article 6 Title 370 – Concept Plan.**

#### **Sec. 16-6-370. Concept plan.**

Any applicant for a P.U.D overlay may submit a concept plan of the proposed P.U.D., in whatever detail the applicant deems appropriate, to the Building Inspector. The Building Inspector shall review the plan and make such informal recommendations to the potential applicant as he or she deems relevant. Thereafter, the concept plan shall be referred to the Board for its review and comment at a regularly scheduled public meeting. The submission and

review of a concept plan shall be for informational purposes only, and no binding decision or representations shall be made or allowed. It is the intent of this concept plan stage to allow general conceptual review of a proposed P.U.D. by the Board in order to give the applicant information regarding feasibility and potential problems that should be addressed in any general plan application.

**Section 6. Amending Chapter 16 Article 6 Title 380 – General Plan.**

**Sec. 16-6-380. General plan**

(a) Application. Following the Board's review and discussion of the concept plan, an applicant for a P.U.D. overlay may submit a general plan application to the Building Inspector. This general plan application shall include:

- (1) A legal description of the lots or parcel subject to the P.U.D.
- (2) A deed for the property establishing title
- (3) The signature of the owner of the property or some other person with the written legal authority of the owner, if that person has the written legal authority to make such application
- (4) The existing topographic character of the land at a contour interval of two feet if the slope is less than ten percent (spot elevations may be required if land is too flat for contours), and five feet where the slope is greater than ten percent
- (5) A site plan of the P.U.D. parcel, drawn to a scale of not less than one inch equals 20 feet, indicating:
  - The dimensions of the parcel
  - The location and size of all proposed buildings, structures, utilities, easements, and other improvements;
  - All walls and fences with their location and heights;
  - The off-street parking areas, snow storage areas, service areas including trash areas, loading areas and provision for bicycle trails and bicycle storage;
  - Notation as to any mature landscaping proposed to be removed or relocated
  - The areas to be dedicated to the Town or reserved as common areas
  - The 100-year floodplain and floodway, if applicable;
- (6) Project narrative describing the proposed land uses along with a tabular summary of the proposed project
  - Development Program of Project by use, unit, square feet of development, and density
  - Development Program of building(s) by use, unit, square feet of development, and building heights
  - Areas dedicated to the Town
- (7) At least two (2) three-dimensional perspective, drawn to scale, showing the relationship

of the proposed building or project to nearby buildings, if requested by the Chair of the Board or the Building Inspector

- (8) Plans showing the heights and four elevations of the building(s) or structure(s), and the exterior walls and roof thereof, with a general schematic drawing of the exterior design of the building drawn to one-quarter-inch or one-eighth-inch to the foot scale
- (9) A front elevation, drawn to scale, showing the width and height of the street elevation (alley elevation in the case of an alley structure) of the proposed building, any other buildings on the proposed building site and the buildings on the parcels abutting the proposed building site, all on one (1) drawing
- (10) A cross-section of each building section which varies in floor-to-ceiling height from any other section in the building
- (11) If the natural grade of a building site varies more than two (2) vertical feet between any two (2) points on the site or one (1) vertical foot within the building footprint, the natural contour of the site shall be graphically depicted on the site plan with no greater than one-foot contour lines and depicted on the submitted elevations of the proposed structure. If the finish grade of the site is proposed to be different from the natural grade of the site by more than one (1) vertical foot, both finish and natural grade shall be clearly depicted and labeled as such on the site plan and on the submitted elevations of the structure.
- (12) A general landscape plan at the time of submission to be followed by a detailed landscaping plan once the plan has been approved showing the spacing, sizes and specific types of landscaping material, including parking areas
  - Include notation as to any mature landscaping proposed to be removed or relocated on the site
- (13) A development schedule setting forth timing for construction of the development
- (14) Copies of any special agreements, conveyances, restrictions, or covenants which will govern the use, maintenance and continued protection of the planned unit and any of its common park areas must accompany the final development plan
- (15) The applicant may submit any other information or exhibits he deems pertinent in evaluating his proposed planned unit development, and the Board may request additional information which it deems necessary for adequate review and evaluation
- (16) A statement setting forth the required variances from normal zoning requirements and any required conditional uses, together with the justification for such variances and conditional uses
- (17) A plot plan of the P.U.D. parcel, drawn to a scale of one-eighth (1/8) inch to one (1) foot or to a scale appropriate to the project as determined by the Building Inspector, showing the dimensions of the parcel and the size and location of the buildings or structures to be erected thereon, together with all other buildings or

structures on the parcel, as well as parking and landscaping features.

- (18) The signature of the owner or a person with the written legal authority of the owner. A statement setting forth the required variances from normal zoning requirements and any required conditional uses, together with the justification for such variances and conditional uses.
- (19) At least two (2) three-dimensional perspectives, drawn to scale, showing the relationship of the project to nearby buildings and uses.
- (20) A statement setting forth the impact of the project on the neighborhood, together with the applicant's plans to incorporate features designed to mitigate adverse impacts related to parking, visual impacts, access, noise and provision of services.
- (21) Any other plans or representations required by the Building Inspector or Board.

(b) Notice and Board hearing. Upon receipt of the general plan and following proper notice of at least 10 days, the Board will review the general plan in a public hearing for compliance with the criteria set forth in section 16-6-400. The Board may approve the general plan application if the evidence on the record demonstrates that the proposed general plan satisfies the criteria in Sec. 16-6-400. If the Board finds that the proposal does not satisfy the criteria in Sec 16-6-400, the Board shall approve the proposal with conditions that ensure compliance with all such criteria, or deny the proposal.

(c) Zoning Amendment application. Following the Board's approval of the general plan, the applicant shall seek approval by Town Council of a zoning amendment for the P.U.D. overlay pursuant to the zoning amendment procedures in Article 23. Approval by the Board of the general plan shall constitute the formal recommendation to Town Council for the P.U.D. overlay zoning amendment under Sec. 16-23-40, and no application for such P.U.D. overlay zoning amendment shall be scheduled with Town Council unless or until the Board approves the general plan.

(1) In addition to the application materials required in Sec. 16-23-30, the P.U.D. zoning amendment application shall include the general plan approved by the Board.

(2) Following the Town Council's public hearing on the zoning amendment pursuant to Sec. 16-23-60, the Council shall approve the zoning amendment application for the P.U.D. overlay if the application satisfies the standards of Sec.16-23-400. If Council determines that the application does not satisfy such standards, Council shall deny the application and remand the application to the Board with written findings as to why the application was denied.

## **Section 6. Amending Chapter 16 Article 6 Title 390 – Building Permit Review.**

### **Sec. 16-6-390. Architectural review.**

(a) Review procedure. Upon Council's approval of the P.U.D. overlay zoning amendment, the applicant ~~may submit~~ ~~submit such~~ detailed plans as are required Chapter 18 of this Code for the consideration of a building permit and architectural appropriateness. These detailed plans shall also include:

- (1) A statement regarding the completion and maintenance of common elements and/or common open space.
- (2) A landscape plan.
- (3) The development and/or construction schedule.
- (4) A plan for traffic and parking.

(b) Review by Board. The Board shall review the building permit plans and representations for architectural appropriateness as set forth in Article 2 of this Chapter and shall review the plans for common elements, landscaping and development schedule under the criteria set forth in Section 16-6-400, below.

### **Section 7. Amending Chapter 16 Article 6 Title 400 – Criteria for Board decision.**

#### **Sec. 16-6-400. Criteria for Board decisions.**

The Board shall not approve the general plan unless the Board finds that the general plan complies with all of the criteria set forth in this Section 16-6-400. If the general plan does not comply with all of the criteria, the proposal shall be approved with conditions that ensure compliance with all such criteria, continued to a date certain, or it shall be denied by motion of the Board. If a continued request is not rescheduled by the proponent for discussion to occur on or before the date to which the request is continued, the request is deemed to be denied without further action by the Board. Approval of the general plan by the Board shall constitute a recommendation to the Town Council to approve the P.U.D. overlay rezoning application. The general plan criteria are:

- (a) The general plan is consistent with the objectives and purposes of this Chapter and the underlying zoning district.
- (b) The general plan is compatible with neighborhood context and size, and will provide positive benefits to the Town beyond the minimum required by the Town Code. In making this determination the Board shall consider:
  - (1) Scale of proposed structures
  - (2) Density of proposed structures
  - (3) Amount of open space that may be provided in excess of requirements of the underlying zoning district

- (4) Protection of view corridors
  - (5) Landscaping improvements in excess of standards of the underlying zoning district.
  - (6) Adequacy and location of parking
  - (7) Relationship to adjacent land uses.
  - (8) Impact to the availability of housing units for long term occupancy
  - (9) Public benefits beyond the requirements of the Town Code
- (c) The general plan shall not cause nuisances including without limitation:
- (1) Congestion, automotive or pedestrian safety problems, or traffic hazards
  - (2) Significant noise, dust, vapor, fumes, odor, smoke, vibration, glare, trash or waste disposal issues, or other impacts that interfere with the use and enjoyment of neighboring property.
- (d) The general plan shall avoid adverse impacts on adjacent property or public facilities, rights-of-way or utilities by providing adequate:
- (1) Snow storage
  - (2) Protection from snow shedding
  - (3) Snow removal
  - (4) Solar access
  - (5) Fire access
- (e) The general plan shall include:
- (1) An on-site, open and unoccupied area at least twelve (12) feet by twelve (12) feet in size, which is accessible at all times for an appropriate trash storage/Dumpster location for each use or group of related uses within the P.U.D., as determined by the Board.
  - (2) In addition to the required off-street parking, an area equal in size to at least thirty- three percent (33%) of the off-street parking area (including the driving area within any parking lot and driveways), pedestrian access, trash removal or open space amenities shall be dedicated to snow storage. In lieu of providing said snow storage area, a snow melt system complying with the Town's Energy Code may be utilized in the areas where snow is removed

therefrom, or the snow may be removed therefrom and stored on private property so long as an easement, license or ownership in perpetuity is demonstrated, unless there is public land available which is dedicated for such snow storage.

(3) Required number of properly sized handicapped accessible parking spaces for nonresidential buildings as determined by the Town.

(4) Adequate off-street parking. If a P.U.D. general plan is located in a "T" District, payment in lieu of the required off-street parking is not allowed.

**Section 8. 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 9. 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 the Code that is in conflict with this ordinance is hereby repealed as of the effective date hereof.

**INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS \_\_\_ DAY OF \_\_\_\_\_, 2020**

**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS \_\_\_ DAY OF \_\_\_\_\_, 2020**

TOWN OF CRESTED BUTTE, COLORADO

By: \_\_\_\_\_  
James A. Schmidt, Mayor

ATTEST:

\_\_\_\_\_  
Lynelle Stanford, Town Clerk



Staff Report  
July 6, 2020

**To:** Mayor and Town Council

**From:** Molly Minneman, Design Review and Historic Preservation Coordinator

**Thru:** Troy Russ, Community Development Director

**Subject:** Ordinance 19, Series 2020 amending the Crested Butte Municipal Code to Define and allow a Veterinary Clinic or Hospital as a conditional use within the Town's Commercial (C) District.

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**Proposal:**

Amend the Crested Butte Municipal Code (Code) to add the definition of veterinary clinic or hospital and allow the land use conditionally in the Commercial (C) zone district. The Board of Zoning and Architectural Review (BOZAR) reviewed the proposed ordinance and provided a recommendation to Town Council to amend the Code at their regularly scheduled meeting held on June 23, 2020.

**Background:**

A veterinary hospital has operated in the Belleview Avenue commercial zone district since 1997. Records indicate the use was approved by BOZAR under a conditional use permit (CUP) in broad use category considered consistent with the light industrial uses of the zone district. The CUP allowed the use to operate under the condition that the boarding of animals would not occur.

**Discussion:**

The addition of veterinary clinic or hospital is overdue as a housekeeping measure. Defining the land use provides clarity for the medical care and grooming of small, non-hoofed domestic animals, occasional emergency care of injured wild animals, and legitimize the use of the existing hospital within the Code. This amendment also provides the pathway should new clinics or an expansion of the existing hospital to successfully engage the BOZAR process.

Veterinary clinic or hospital should require a CUP contained in Section 16, Article 8. The process takes into consideration the business operation of clinic or hospital while providing thoughtful consideration of potential impacts to adjacent property owners such as noise, odors, traffic, or parking.

**Recommendation:**

Town Council make a motion to set Ordinance No. 19 Series 2020 amending the Crested Butte Municipal Code to define and allow a Veterinary Clinic or Hospital as a conditional use within the Town's Commercial (C) District for a public hearing at the July 20, 2020 meeting.

**Attachments:**

- Draft Ordinance No. 19, Series 2020

**ORDINANCE NO. 19  
SERIES 2020**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING THE CRESTED BUTTE MUNICIPAL CODE, SECTIONS 16-1-10 AND 16-5-530 TO DEFINE AND ALLOW A VETERINARY CLINIC OR HOSPITAL AS A CONDITIONAL USE WITHIN THE TOWN'S COMMERCIAL (C) ZONE DISTRICT**

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

**WHEREAS**, pursuant to Article XX of the Colorado Constitution, as implemented through the Town of Crested Butte Charter, and Title 31, Article 23, and Title 20, Article 29, C.R.S., the Town has the authority to enact and enforce land use regulations;

**WHEREAS**, the Town's Zoning Ordinance, Chapter 16, Article 6, Division 4, of the Crested Butte Municipal Code (the "Code"), regulates Planned Unit Developments (PUDs);

**WHEREAS**, several issues have come to light recently regarding the Town's currently adopted PUD language that are inconsistent with the Colorado Revised Statutes and therefore need to be revised;

**WHEREAS**, the draft ordinance was submitted to the Board of Zoning and Architectural Review (the "Board") and the Town Council, pursuant to the requirements of Chapter 16, Article 23, of the Code;

**WHEREAS**, on June 23, 2020, pursuant to Chapter 16, Article 23 of the Code, the Board considered the staff analysis and recommends the Town Council adopt changes proposed to Chapter 16, Article 6, Division 4 of the Code.

**WHEREAS**, the Town Council finds that the below amendments are in the best interests of the health, safety and general welfare of the Town.

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

**Section 1. Amending Chapter 16 Article 6 Title 20 – Intent**

**Sec. 16-1-20 Definitions**

**Section 16-1-20** shall be amended to add a new definition to read as follows:

*Veterinary Clinic or Hospital* means a veterinary establishment that provides routine on-site veterinary services, grooming facilities, surgeries, and necessary hospitalization for small, non-hoofed domestic animals including: treatment rooms, surgical rooms, and indoor kennels for overnight boarding of patients recovering from surgery, serious illnesses, or wound treatment. Boarding of animals is not allowed when not associated with veterinary care requirements for patient recovery.

**Section 2. Amending Chapter 16 Article 5 Title 530 – Conditional uses.**

**Sec. 16-5-530 Conational Uses**

**Section 16-5-530** shall be amended to add a twenty first (21) conditional use to read as follows:

(21) Veterinary Clinic or Hospital.

**INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS \_\_\_ DAY OF \_\_\_\_\_, 2020**

**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS \_\_\_ DAY OF \_\_\_\_\_, 2020**

TOWN OF CRESTED BUTTE, COLORADO

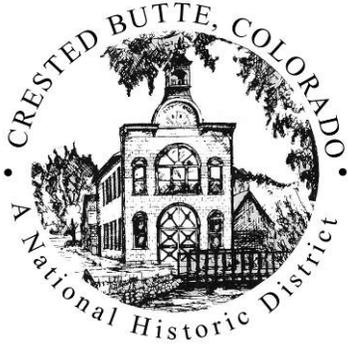
By: \_\_\_\_\_

James A. Schmidt, Town Mayor

ATTEST:

\_\_\_\_\_

Lynelle Stanford, Town Clerk



## Staff Report

July 6, 2020

**To:** Mayor and Town Council

**Prepared By:** Shea D Earley, Director of Public Works

**Thru:** Dara MacDonald, Town Manager

**Subject:** **Ordinance No. 20, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Town to Grant of a Right of Way Easement for Underground Electric Transmission and Distribution Lines for an Electric Car Charging Station on the Town-Owned Public Parking Lot Located at Block 22, Lots 9-11.**

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### Summary:

The Town of Crested Butte (Town) is granting a Right of Way Easement to Gunnison County Electric Association (GCEA) for the purpose of installing and maintaining an electric transmission line and associated infrastructure, which will service on Electric Car Charging Station located at the Fire Hall Parking Lot (Block 22, Lots 9-11).

**Background:** The Town's Climate Action Plan identifies a transportation sector goal of increasing electric vehicle (EV) adoption through education, charging stations, and prioritized parking. The Town already has several level II charging stations, indicating that we are an EV-friendly community. However, this new charging station will be the Town's first DC Fast Charging Station, which charges vehicle much faster than level II charging stations. GCEA received funding from the Colorado Energy Office's *Charge Ahead Colorado* program to install the station, and the Town is supporting the project with a \$30,000 match. Overall, this collaboration between the Town and GCEA is helping the Town work towards implementing our Climate Action Plan, as well as the State of Colorado's Electric Vehicle Plan.

### Discussion:

Per the Town's Charter, Section 14.4, the sale, exchange, or disposal of real property may only be performed by ordinance.

### Recommendation:

Staff recommends to grant a Right of Way easement to GCEA for the purposes of installing and maintaining an electric transmission line for the Electric Car Charging Station located in the Fire Hall parking lot.

**Proposed Motion:**

**Motion and a second to set Ordinance No 20, Series 2020 – An Ordinance of the Crested Butte Town Council Authorizing the Town to Grant of a Right of Way Easement for Underground Electric Transmission and Distribution Lines for an Electric Car Charging Station on the Town-Owned Public Parking Lot Located at Block 22, Lots 9-11, for public hearing at the July 20<sup>th</sup>, 2020 Council Meeting.**

**ORDINANCE NO. 20**

**SERIES 2020**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AUTHORIZING THE TOWN TO GRANT OF A RIGHT OF WAY EASEMENT FOR UNDERGROUND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES FOR AN ELECTRIC CAR CHARGING STATION ON THE TOWN-OWNED PUBLIC PARKING LOT LOCATED AT BLOCK 22, LOTS 9-11.**

**WHEREAS**, the Town of Crested Butte, Colorado (the “**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 Council is authorized pursuant to § 14.4 of the Town Charter to sell and convey Town-owned property;

**WHEREAS**, the Town Director of Public Works and Town staff have recommended to the Town Council that the Town grant a right of way easement to Gunnison County Electric Association (“GCEA”) under and upon the Town owned parking lot located at Block 22, Lots 9-11, for purposes of installing and maintaining electrical transmission and distribution lines and related equipment for an electric car charging station to be located on this Town owned parking lot; and

**WHEREAS**, the Town Council hereby finds that it is necessary and suitable, and in the best interest of the Town and the health, safety and welfare of the residents and visitors of Crested Butte, that the Town grant to GCEA the right of way easement described in the Underground Right of Way Easement attached hereto as Exhibit A as set forth below.

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

**Section 1.**     **Authorization to Grant Easement Upon Town-Owned Property.** The Town Council, pursuant to the Crested Butte Town Charter and the laws of the State of Colorado, hereby authorizes the granting of an easement by the Town to GCEA, in the form attached hereto as Exhibit A, for the purposes of installing and maintaining underground electrical transmission and distribution lines and related equipment for an electric car charging station located on the Town-owned parking lot at Block 22, Lots 9-11, and authorizes and directs the Town Manager and Town Clerk to appropriately execute any and all documents necessary and appropriate to consummate said conveyance of this easement to GCEA following approval thereof by the Town Attorney.

**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 \_\_ DAY OF \_\_\_\_\_, 2020.**

**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS \_\_ DAY OF \_\_\_\_\_, 2020.**

**TOWN OF CRESTED BUTTE, COLORADO**

**By: \_\_\_\_\_  
James A. Schmidt, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Lynelle Stanford, Town Clerk**

**[SEAL]**

**UNDERGROUND**  
**RIGHT-OF-WAY EASEMENT**

**1. GRANT OF EASEMENT.**

The undersigned real property owner(s), Town of Crested Butte (“Grantor”), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grant(s) to **GUNNISON COUNTY ELECTRIC ASSOCIATION, INC., a Colorado cooperative electric association**, and to its agents, successors and assigns (“Grantee”) (Grantor and Grantee collectively the “Parties”), the following:

A perpetual easement and right-of-way (the “Easement”), running with the land, for the erection, construction, reconstruction, replacement, modification, uprating, upgrading, removal, maintenance, reasonable expansion and operation of underground electric transmission and distribution lines and any other underground communication or utility facilities, and other equipment and fixtures (collectively the “Lines”), with the right to alter, repair, maintain, upgrade and remove the same, in whole or in part, at any time, which Easement and right-of-way shall extend **4** feet on each side of the center of the line over, across, and under the real property described on the attached Exhibit A (the “Real Property”), situated in **Gunnison** County, Colorado, and, if available, as more particularly depicted on the plat or drawing attached as Exhibit A, both Exhibits being incorporated by reference. The Easement is subject to the additional provisions set forth below.

**2. TERMS OF EASEMENT.**

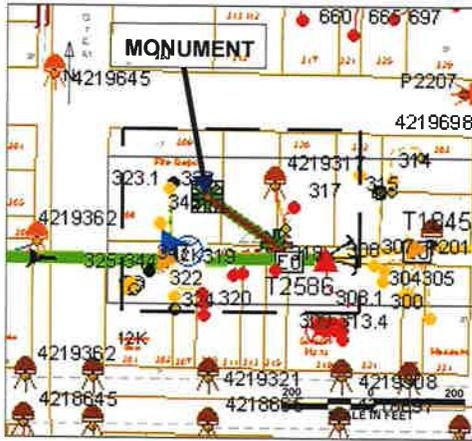
- A. Grantee shall have the right of ingress and egress across the Real Property for any purpose necessary in connection with the erection, construction, reconstruction, replacement, upgrade, removal, maintenance and operation of the Lines and facilities and that such right of ingress and egress shall be considered a covenant which runs with the land. Such ingress and egress shall be exercised in a reasonable manner.
- B. Grantor further grants and conveys to Grantee, its agents, successors and assigns, a non-exclusive easement to use all roads or trails existing on the Real Property, for ingress and egress across Grantor’s property, including the right to maintain and repair as necessary in connection with the erection, construction, reconstruction, replacement, removal, upgrade, maintenance and operation of the Lines.
- C. Grantee shall also have the right at any time to cut, remove, clear away, trim and control, by any reasonable means, including machinery or otherwise, any and all trees, brush and shrubbery whether within the Easement or adjacent thereto, which now or hereafter, in the sole and exclusive opinion of Grantee, may interfere with the safe construction, operation and maintenance of the Lines and related equipment used in connection therewith.
- D. Grantee shall also have the right to install, maintain and use gates in all fences which now or might hereafter cross or be adjacent to the Easement.
- E. Grantee shall at all times exercise due care and diligence to avoid damage to the fences, crops, livestock and other personal property on the Real Property.
- F. Grantor, his or her successors, heirs or assigns, shall not allow any building or other structures, hay or haystack, trees or other combustible material or property to remain or to be placed above, under or near the Lines in such a manner as to interfere with the safe operation or maintenance of the Lines or in any such manner as in the opinion of Grantee might result in damage to the property of either party from fire or other cause. Upon receipt of written notice from Grantee identifying material, structures or property deemed by Grantee to interfere with the safe operation or maintenance of the Lines, Grantor, its



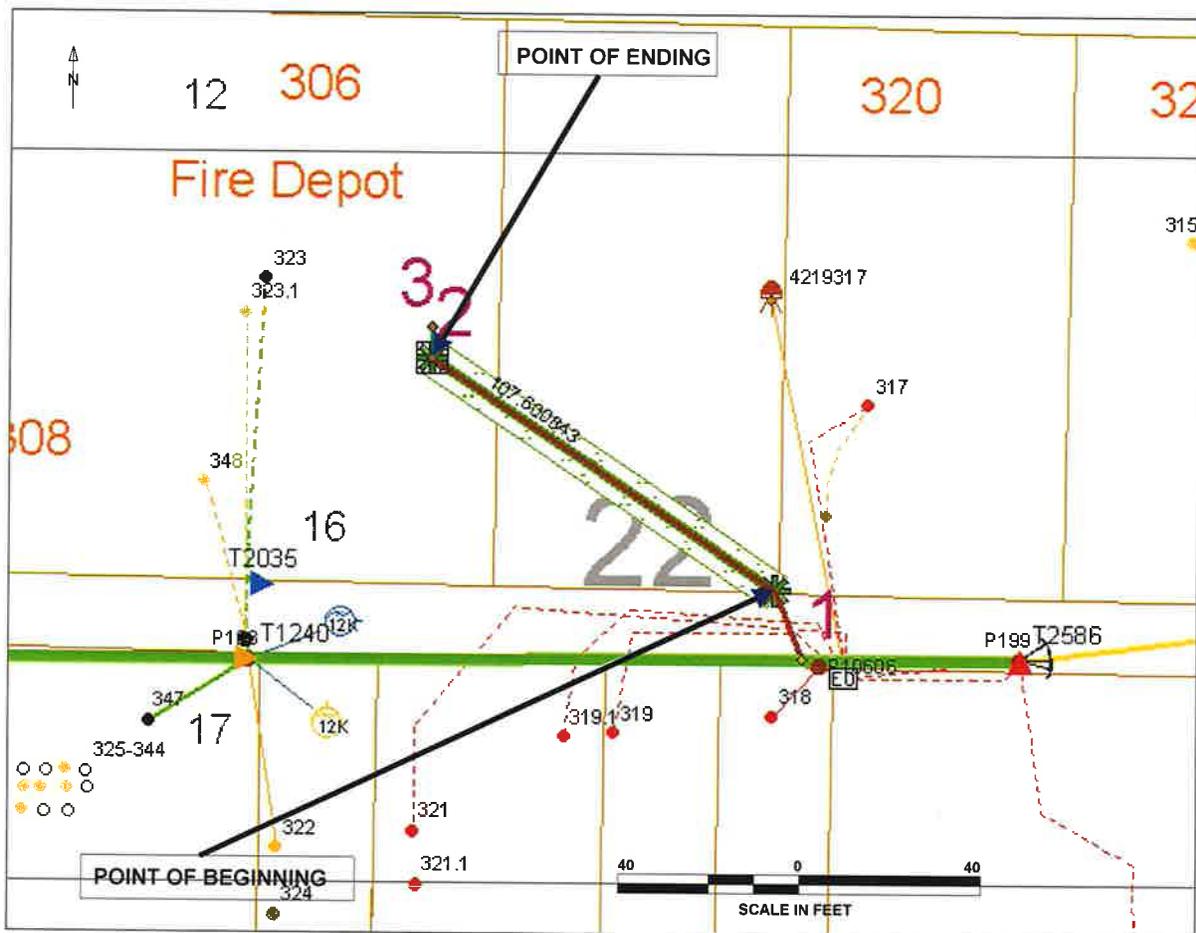
# Town of Crested Butte Town of Crested Butte

T14S, R86W, GUNNISON COUNTY County, Section 003: Northeast

Bearing and distances are approximated based  
on GPS data gathered and projected into  
NAD\_1983\_StatePlane\_Colorado\_Central\_FIPS\_0502\_Feet



A strip of land 4.00 Feet on  
either side of a line with a POINT OF  
BEGINNING in the Northeast Quarter  
of Section 003, Township T14, Range  
R86 which lies S56°0'7.116"E a distance  
of 92 Feet from end monument located  
at 38°52'13.344"N, 106°59'7.110"W in  
the Northeast Quarter of Section 003,  
Township T14, Range R86;  
thence N56°0'7.116"W a distance of 92  
Feet to the POINT OF TERMINATION  
located in the Northeast Quarter of  
Section 003, Township T14, Range R86.





## Staff Report

July 6, 2020

**To:** Mayor and Town Council

**Prepared By:** Shea D Earley, Director of Public Works

**Thru:** Dara MacDonald, Town Manager

**Subject:** **Ordinance No. 21, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Town to Grant of a Right of Way Easement for Underground Electric Transmission and Distribution Lines for the Center for the Arts Located at 606 6th Street.**

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### Summary:

The Town of Crested Butte (Town) is granting a Right of Way Easement to Gunnison County Electric Association (GCEA) for the purpose of installing and maintaining an electric transmission line and associated infrastructure, which services the Center for the Arts building located at 606 6<sup>th</sup> Street.

### Discussion:

Per the Town's Charter, Section 14.4, the sale, exchange, or disposal of real property may only be performed by ordinance.

### Recommendation:

Staff recommends to grant a Right of Way easement to GCEA for the purposes of installing and maintaining an electric transmission line for the Center for the Arts located at 606 6<sup>th</sup> Street.

### Proposed Motion:

**Motion and a second to set Ordinance No 21, Series 2020 – An Ordinance of the Crested Butte Town Council Authorizing the Town to Grant of a Right of Way Easement for Underground Electric Transmission and Distribution Lines for the Center for the Arts Located at 606 6<sup>th</sup> Street for public hearing at the July 20<sup>th</sup>, 2020 Council Meeting.**

**ORDINANCE NO. 21**

**SERIES 2020**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AUTHORIZING THE TOWN TO GRANT AN ELECTRICAL UTILITY EASEMENT FOR THE UNDERGROUND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES FOR AN ELECTRICAL TRANSFORMER ON THE TOWN-OWNED PROPERTY AT 606 6<sup>TH</sup> STREET, CRESTED BUTTE, COLORADO 81224**

**WHEREAS**, the Town of Crested Butte, Colorado (the “**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 Council is authorized pursuant to § 14.4 of the Town Charter to sell and convey Town-owned property;

**WHEREAS**, the Town Director of Public Works and Town staff have recommended to the Town Council that the Town grant an electrical utility easement to Gunnison County Electric Association (“GCEA”) under and upon a portion of the Town-owned property where the Center for the Arts is located at 606 6<sup>th</sup> Street, Crested Butte, Colorado 81224, for purposes of installing and maintaining electrical transmission and distribution lines and related equipment for an electrical transformer located on this Town-owned property; and

**WHEREAS**, the Town Council hereby finds that it is necessary and suitable, and in the best interest of the Town and the health, safety and welfare of the residents and visitors of Crested Butte, that the Town grant to GCEA the electrical utility easement described in the Underground Right of Way Easement attached hereto as Exhibit A as set forth below.

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

**Section 1.**     **Authorization to Grant Easement Upon Town-Owned Property.** The Town Council, pursuant to the Crested Butte Town Charter and the laws of the State of Colorado, hereby authorizes the granting of an electrical utility easement to Gunnison County Electric Association (“GCEA”) under and upon a portion of the Town-owned property where the Center for the Arts is located at 606 6<sup>th</sup> Street, Crested Butte, Colorado 81224, for purposes of installing and maintaining electrical transmission and distribution lines and related equipment for an electrical transformer located on this Town-owned property, and authorizes and directs the Town Manager and Town Clerk to appropriately execute any and all documents necessary and appropriate to consummate said conveyance of this easement to GCEA following approval thereof by the Town Attorney.

**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 \_\_ DAY OF \_\_\_\_\_, 2020.**

**ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS \_\_ DAY OF \_\_\_\_\_, 2020.**

**TOWN OF CRESTED BUTTE, COLORADO**

**By: \_\_\_\_\_  
James A. Schmidt, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Lynelle Stanford, Town Clerk**

**[SEAL]**

**UNDERGROUND**  
**RIGHT-OF-WAY EASEMENT**

**1. GRANT OF EASEMENT.**

The undersigned real property owner(s), Town of Crested Butte (“Grantor”), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grant(s) to **GUNNISON COUNTY ELECTRIC ASSOCIATION, INC., a Colorado cooperative electric association**, and to its agents, successors and assigns (“Grantee”) (Grantor and Grantee collectively the “Parties”), the following:

A perpetual easement and right-of-way (the “Easement”), running with the land, for the erection, construction, reconstruction, replacement, modification, uprating, upgrading, removal, maintenance, reasonable expansion and operation of underground electric transmission and distribution lines and any other underground communication or utility facilities, and other equipment and fixtures (collectively the “Lines”), with the right to alter, repair, maintain, upgrade and remove the same, in whole or in part, at any time, which Easement and right-of-way shall extend **4** feet on each side of the center of the line over, across, and under the real property described on the attached **Exhibit A** (the “Real Property”), situated in Gunnison County, Colorado, and, if available, as more particularly depicted on the plat or drawing attached as **Exhibit B**, both Exhibits being incorporated by reference. The Easement is subject to the additional provisions set forth below.

**2. TERMS OF EASEMENT.**

- A. Grantee shall have the right of ingress and egress across the Real Property for any purpose necessary in connection with the erection, construction, reconstruction, replacement, upgrade, removal, maintenance and operation of the Lines and facilities and that such right of ingress and egress shall be considered a covenant which runs with the land. Such ingress and egress shall be exercised in a reasonable manner.
- B. Grantor further grants and conveys to Grantee, its agents, successors and assigns, a non-exclusive easement to use all roads or trails existing on the Real Property, for ingress and egress across Grantor’s property, including the right to maintain and repair as necessary in connection with the erection, construction, reconstruction, replacement, removal, upgrade, maintenance and operation of the Lines.
- C. Grantee shall also have the right at any time to cut, remove, clear away, trim and control, by any reasonable means, including machinery or otherwise, any and all trees, brush and shrubbery whether within the Easement or adjacent thereto, which now or hereafter, in the sole and exclusive opinion of Grantee, may interfere with the safe construction, operation and maintenance of the Lines and related equipment used in connection therewith.
- D. Grantee shall also have the right to install, maintain and use gates in all fences which now or might hereafter cross or be adjacent to the Easement.
- E. Grantee shall at all times exercise due care and diligence to avoid damage to the fences, crops, livestock and other personal property on the Real Property.
- F. Grantor, his or her successors, heirs or assigns, shall not allow any building or other structures, hay or haystack, trees or other combustible material or property to remain or to be placed above, under or near the Lines in such a manner as to interfere with the safe operation or maintenance of the Lines or in any such manner as in the opinion of Grantee might result in damage to the property of either party from fire or other cause. Upon receipt of written notice from Grantee identifying material, structures or property deemed by Grantee to interfere with the safe operation or maintenance of the Lines, Grantor, its





## EXHIBIT A – LAND DESCRIPTION – UTILITY EASEMENT

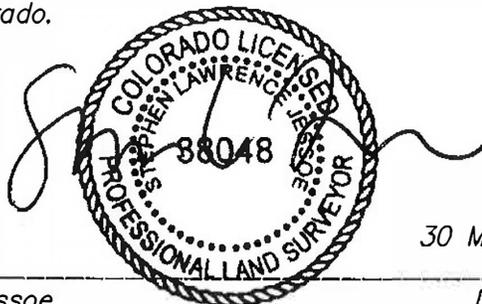
An 8-foot wide Utility Easement situated within Whiterock Avenue and Lots 20 through 21, Block 51, Plat of Town of Crested Butte, recorded September 25, 1964 at Reception No. 260766 of the records of Gunnison County, Colorado, and adjoining the easterly right-of-way line of Sixth Street (a.k.a. Colorado State Highway No. 135) as described and modified by Right of Way Deed recorded July 28, 1952 at Book 291 page 47 (as to Block 51) and Warranty Deed recorded December 13, 1984 at Book 613 page 198 (as to Block 50), with the centerline of said 8-foot wide Utility Easement being more particularly described as follows:

Commencing at the southeasterly boundary corner of "Tract 1" per said Book 291 page 47, also being a point along the easterly right-of-way line of said Sixth Street, and also being a point on the southerly boundary line of said Block 51; thence along said easterly right-of-way line  $S03^{\circ}51'31''E$  a distance of 46.21' to the true point of beginning; thence the following two (2) courses:

- 1) East a distance of 16.54'; thence
- 2)  $N20^{\circ}00'15''E$  a distance of 95.96' to an existing electrical transformer, the point of termination.

The sidelines of said Easement shall be lengthened or shortened to commence and terminate on, and conform to the easterly right-of-way line of said Sixth Street. Said Easement contains 900 square feet, more or less. Basis of Bearing is based on a record bearing of  $N89^{\circ}58'18''E$  between a yellow plastic cap monument stamped "LS 9476" found at the southwesterly boundary corner of Block 52 and an aluminum cap monument stamped "LS 23502" found at the southeasterly boundary corner of Block 52;

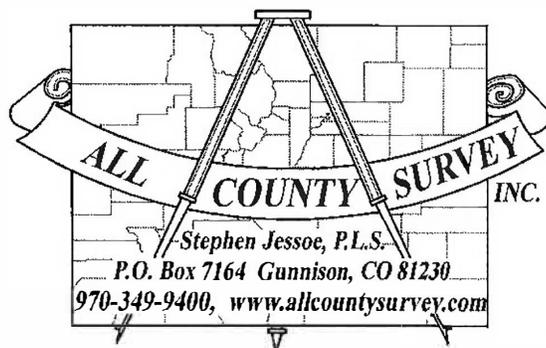
Town of Crested Butte,  
County of Gunnison,  
State of Colorado.



30 May 2020

Stephen L. Jessoe  
Colorado Licensed Professional Land Surveyor No. 38048  
For and on behalf of All County Survey, Inc.

Date



According to Colorado Law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any legal action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

**LAND DESCRIPTION - CRESTED BUTTE CENTER FOR THE ARTS**

**Parcel A:**  
All of Block 50, according to the plat of the Town of Crested Butte, except those portions of Lots 12 through 21, inclusive, of Block 50 lying within the right of way of Colorado State Highway No. 135, and more particularly described as follows: Parcel No. 1: Beginning at the northwest corner of Block 50; thence along the east line of Lots 12 through 16 of Block 50 a distance of 125 feet to the southwest corner of Lot 16; thence easterly along the southern boundary of Lot 16, Block 50, a distance of 32.6 feet; thence North 4°01' West a distance of 125.3 feet to the north line of Block 50; thence along the north line of Block 50 a distance of 25.00 feet, more or less to the point of beginning.

**Parcel No. 2:** Beginning at the southwest corner of Block 50; thence easterly along the south line of said Block 50 a distance of 56.3 feet; thence along the arc of a curve to the right with a radius of 427.5 feet a distance of 109.2 feet, the chord of which arc bears North 11°20'30" West a distance of 109.0 feet; thence North 4°01' West a distance of 18.2 feet to the North line of Lot 17, Block 50; thence westerly along the north line of said Lot 17 a distance of 33.7 feet to the northeast corner of Lot 17; thence southerly along the east line of Lots 17 through 21 of Block 50 a distance of 125 feet, more or less, to the point of beginning.

**Parcel B:**  
Lots 17 through 32, inclusive, Block 51, (less and except highway right-of-way reserved in Book 291 Page 47 of the records of Gunnison County).

TOWN OF CRESTED BUTTE,  
COUNTY OF GUNNISON,  
STATE OF COLORADO.

**SURVEY NOTES**

- 1) Basis of Bearing is based on a record bearing of N89°58'18"E between a yellow plastic cap monument stamped "LS 9476" found at the southwesterly boundary corner of Block 52 and an aluminum cap monument stamped "LS 23502" found at the southeasterly boundary corner of Block 52.
- 2) Boundary lines are based on the Plat of the Town of Crested Butte, recorded Sept. 28, 1964 at Reception No. 260776 of the records of the Gunnison County Clerk and Recorder.
- 3) Land descriptions, easements, encumbrances and/or restrictions (where capable of being shown hereon) are based on Stewart Title Guaranty Company's Title File No. 01330-57539 dated April 29, 2015. Additional easements may exist.
- 4) Measurements and dimensions are in U.S. Survey Feet.
- 5) Utility locations are shown in approximate locations. Underground electric lines and underground gas line(s) are based on painted utility locates. Adjacent underground sewer, water and ditch lines are based on GIS mapping provided by the Town of Crested Butte. Water valves, hydrants, manholes, and new utility lines constructed for this project were located in the field.
- 6) Dimensions shown for the newly constructed Center For the Arts are concrete foundation dimensions.

**SURVEYOR'S STATEMENT**

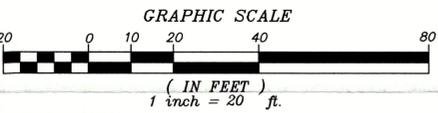
I, STEPHEN L. JESSOE, for and on behalf of All County Survey, Inc., being a Licensed Professional Land Surveyor in the State of Colorado, do hereby state that this As-Built Survey was prepared by me and under my responsible charge & supervision, and a) is accurate to the best of my knowledge, information and belief, b) is in accordance with applicable standards of practice, and c) is not a guarantee or warranty either expressed or implied.



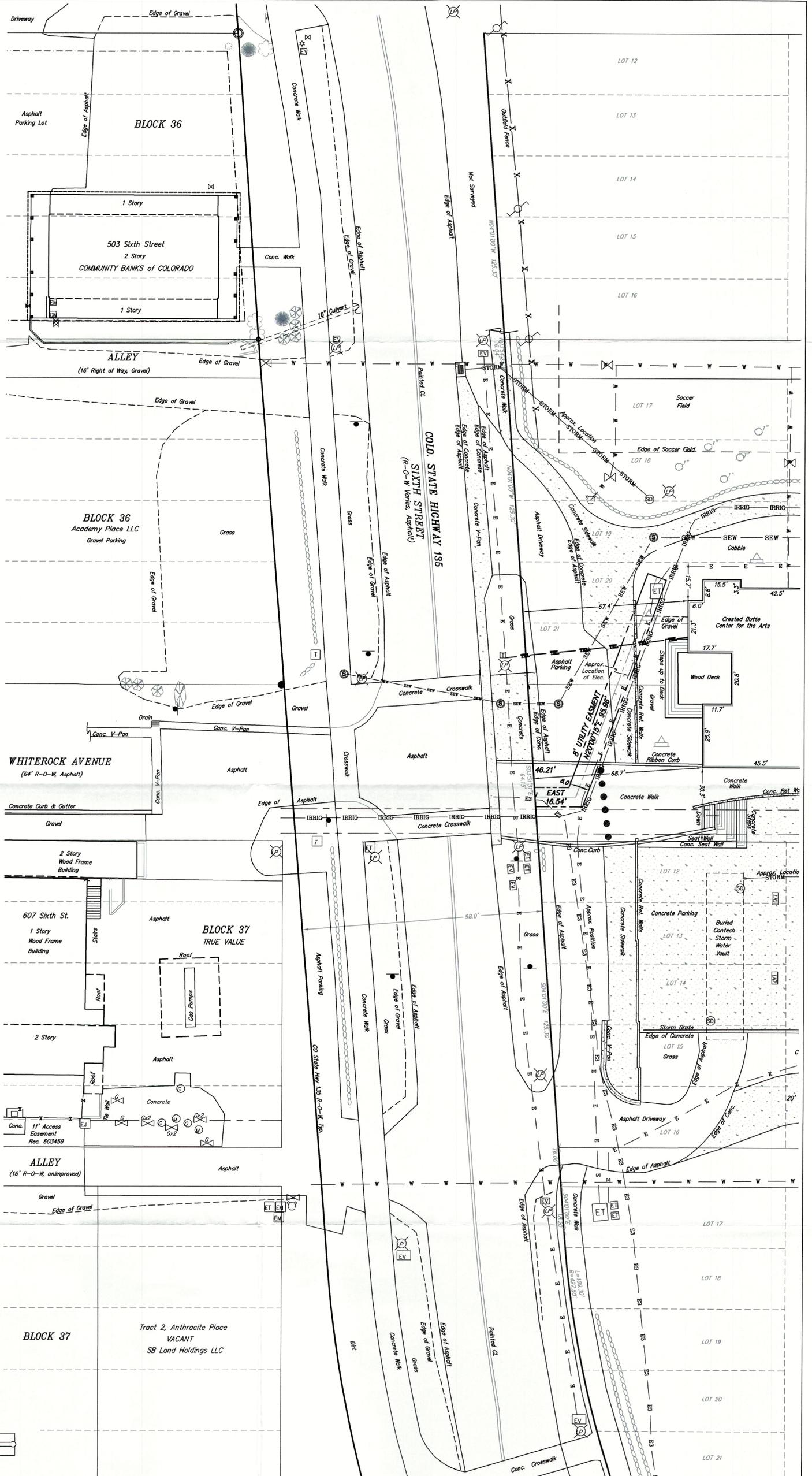
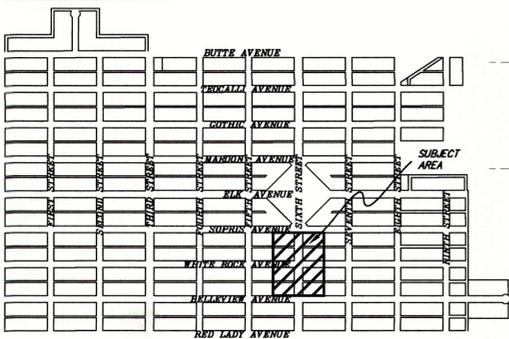
Stephen L. Jessoe  
Colorado Licensed Professional Land Surveyor No. 38048  
For and on behalf of All County Survey, Inc.

**LEGEND**

- Found Aluminum Cap, "LS 23502"
- Found Yellow Plastic Cap, "LS 9476"
- Found Yellow Plastic Cap, "LS 38048"
- Found Yellow Plastic Cap, "LS 30105"
- Found Nail & Washer, "LS 33647"
- Found No. 4 Rebar
- Boulder
- Willows
- Aspen Tree, Trunk Size Noted
- Spruce Tree, Trunk Size Noted
- Sculpture
- Electric Line, Buried
- Utility Line, Overhead
- Gas Line
- Halazon Ditch, Buried
- Sewer Line
- Water Line
- Fence, Chain Link or Wire
- Fence, Rope
- Boulder Retaining Wall
- Boundary Line of Block
- Boundary Line CDOT Right-of-Way
- Concrete Bollard
- Electric Transformer
- Electric Meter
- Electric Vault
- Light Pole on 24" conc. base
- Utility Pole in Use
- Utility Pole not Used
- Guy Wire
- Gas Meter
- Irrigation Valve Box
- Sewer Manhole
- Sewer Clean Out
- Storm Drain
- Foundation Drain
- Sign Post
- Traffic Sign
- Cable TV Pedestal
- Telephone Pedestal
- Fire Hydrant
- Yard Hydrant
- Curb Stop
- Water Valve
- Gas Tank Fill Valve
- Gas Tank Manhole
- Monitoring Well



**VICINITY MAP (NOT TO SCALE):**



SCALE: 1" = 20'	DATE: 27 Jan, 30 May 2020
PAGE: 1 OF 1	DRAWN BY: SLJ / ADJ
	REVIEWED BY: SLJ
REVISIONS:	

**AS-BUILT SURVEY - 6th STREET RIGHT-OF-WAY**  
**CRESTED BUTTE CENTER for the ARTS**  
**BLOCKS 50 AND 51**  
**EXCEPTING HIGHWAY 135 PER B613 P198 & B291 P47**  
**LOCATED IN NE1/4 SEC. 3, T14S, R86W, 6th P.M.**  
**TOWN of CRESTED BUTTE, GUNNISON COUNTY, COLORADO**

Stephen Jessoe, P.L.S.  
P.O. Box 7164, Gunnison, CO 81230  
970-349-9400 www.allcountysurvey.com

**Agenda**  
**Design Review Committee**  
**Monday**  
**June 15, 2020**

- 3:00     Insubstantial determination requested by **Karandavasana LLC** to revise the railing materials on the front porch located at 426 Elk Avenue, Block 26, 86' of the west 2' of Lot 2, Lot 3 (except the North 34' of the East 2'), and all of Lot 4 in the B3 zone. (Jefferies)  
- **An insubstantial determination is requested.**

Topic: DRC - June 15th  
Time: Jun 15, 2020 03:00 PM Mountain Time (US and Canada)

Join Meeting  
<https://us02web.zoom.us/j/82421043086?pwd=Wml4S1FSS1graGZmQlqV290UIJsZz09>

Meeting ID: 824 2104 3086  
Password: 509381  
One tap mobile  
+13462487799,,82421043086#,,1#,509381# US (Houston)  
+16699006833,,82421043086#,,1#,509381# US (San Jose)

Dial by your location  
+1 346 248 7799 US (Houston)  
+1 669 900 6833 US (San Jose)  
+1 253 215 8782 US (Tacoma)  
+1 312 626 6799 US (Chicago)  
+1 929 205 6099 US (New York)  
+1 301 715 8592 US (Germantown)

Meeting ID: 824 2104 3086  
Password: 509381  
Find your local number: <https://us02web.zoom.us/j/kwxNxnhpK>

*The above times are only tentative. The meeting may move more quickly or slowly than scheduled*

**Agenda**  
**BOARD OF ZONING and ARCHITECTURAL REVIEW**  
**Tuesday**  
**June 23, 2020**

- 6:00 Call to Order.
- 6:02 Review and approve the minutes from the **May 26, 2020** BOZAR meeting.
- 6:04 Review and approve the minutes from the **May 28, 2020** BOZAR meeting.
- 6:06 Recommendation to the Town Council regarding the addition to the zoning code (Chapter 16) to add veterinary clinic/ hospital as a conditional use in the C zone. (Minneman/Ramos)  
**- A recommendation to the Town Council is required.**
- 6:34 Recommendation to the Town Council regarding the addition to the zoning code (Chapter 16) for revisions to the PUD section (Article 6, Division 4). (Minneman/Russ)  
**- A recommendation to the Town Council is required.**
- 7:30 An update on the status of the Standards and Guidelines and a recommendation for any addendums to the original version (2/25/2020) to the Town Council for the revisions to the Town of Crested Butte's Standards and Guidelines.  
**- A recommendation for any addendums to the Town Council is required.**
- 8:00 Consideration of the application of **Owen Whiterock LLC** to make changes to the previously approved plan adding a partial basement and window changes to the duplex, and change the proposed accessory dwelling unit to an accessory building to be located at 319-321 Whiterock Avenue, Tract 1 of the Owen Subdivision in the R2C zone. (Owen)  
**- Architectural approval is required.**  
**- A conditional use permit for a non-residential heated and/or plumbed accessory building in the R2C zone is required.**
- 8:30 BREAK**
- 8:40 Consideration of the application of **Patrick Hoffman** to add a dormer on the South elevation for egress for the existing single family residence located at 207 Third Street, Block 16, Lots 4-5 AKA S50' Lots 1-5 in the R1 zone. (White)  
**- Architectural approval is required.**
- 9:10 Insubstantial determination requested by **Karandavasana LLC** to revise the railing materials on the front porch located at 426 Elk Avenue, Block 26, 86' of the west 2' of Lot 2, Lot 3 (except the North 34' of the East 2'), and all of Lot 4 in the B3 zone.  
**- An insubstantial determination is requested.**
- 9:30 Consideration of the application of **Edwin R. Schmidt and Mary K. Schmidt** to construct an addition to the existing historic residence located at 320 Whiterock Avenue, Block 39, Lots 6-7 and the East 19 feet of Lot 8 in the R2C zone. (Schmidt)  
**- Architectural approval is required.**  
**- Permission to demolish a portion of a historic structure is requested.**
- 10:30 Miscellaneous:  
  - o DRC for July 13 and 20 Ellis and Davol (BOZAR is July 28<sup>th</sup>)
  - o DRC for August 10 and 17 \_\_\_\_\_ (BOZAR is August 26<sup>th</sup>)
  - o Insubstantial determinations:
    - o Allen (910 Butte Avenue): Revisions to parking and landscaping plan.
    - o Center (for the arts) Mural at the lower parking lot
- 10:45 Adjourn

When: Jun 23, 2020 06:00 PM Mountain Time (US and Canada)  
Topic: BOZAR - June 23rd

Please click the link below to join the webinar:  
<https://us02web.zoom.us/j/87131527933>

Or iPhone one-tap :

US: +16699006833,,87131527933# or +12532158782,,87131527933#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 871 3152 7933

International numbers available: <https://us02web.zoom.us/j/87131527933>

***The above times are only tentative. The meeting may move more quickly or slowly than scheduled***



## AGENDA

### Regular Town Council Meeting

6:00 PM - Tuesday, July 7, 2020

Council Chambers

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PUBLIC COMMENT**

Citizens may make comments on items NOT scheduled on the agenda. Per Colorado Open Meetings Law, no Council discussion or action will take place until a later date, if necessary. You must sign in with the Town Clerk before speaking. Comments are limited to three minutes.

**4. APPROVAL OF MINUTES**

4.1. Approval of the June 16, 2020 Regular Town Council Meeting Minutes

**5. REPORTS**

**5.1. Town Manager's Report**

**5.2. Town Council Reports**

**5.3. Other Reports**

5.3.1. Crested Butte Nordic Center Winter 2019/2020 Admissions Tax Report  
– Laura Puckett Daniels

5.3.2. Travel Crested Butte Winter 2019/2020 Admissions Tax Report – Josh Futterman

**6. CORRESPONDENCE**

**7. OLD BUSINESS**

7.1. Discussion and Possible Consideration of Appointing One (1) Member to Downtown Development Authority– Terms Expire June 2024 – Tiffany O’Connell

7.2. Discussion and Possible Consideration of Ordinance No. 3 Series 2020 – An Ordinance of the Town Council of the Town of Mt. Crested Butte, Colorado, Amending Provisions in Chapter 6 Buildings and Building Regulations, Relating to Building Fees, International Residential Code Definitions and Automatic Fire Sprinkler Systems – Second Reading – Carlos Velado

7.3. Discussion and Possible Consideration of Ordinance No. 3 Series 2020 – An Ordinance of the Town Council of the Town of Mt. Crested Butte, Colorado, Amending Provisions in Chapter 6 Buildings and Building Regulations, Relating to Building Fees, International Residential Code Definitions and Automatic Fire Sprinkler Systems – Second Reading – Carlos Velado

**8. NEW BUSINESS**

8.1. Discussion and Possible Consideration on a Planning Commission

Recommendation of a Conditional Use Permit Application Submitted by Moltz Construction Inc. for the Installation of 2 Temporary Tents for the Storage of Construction Materials During the Construction of the Mt. Crested Butte Water and Sanitation District's Water Treatment Plant and the Construction of Prospect Homestead's Remaining 22 Townhomes. The Tents are Proposed to be Located on Approximately 3.5 Acres of The 166 Acre Parcel Situated Within The 1/4 Ne 1/4 NW, Of Township 13 South, Range 86 West, Town Of Mt. Crested Butte, Gunnison County, Co (Base Of Gold Link Lift Area). The Property is Zoned PUD (Leah Desposato).

- 8.2. Discussion and Possible Consideration of a Planning Commission Recommendation on a Variance Application on a Conditional Use Permit For a Temporary Tent Submitted By Moltz Construction Inc. For A Duration Longer Than The 180 Days Allowed By Town Code. The Requested Extension Is Not To Exceed 18 Months (545 Days) From The Date Of Potential Approval Of The Variance And Conditional Use Applications. The Temporary Tent Is Proposed To Be Located On Approximately 3.5 Acres Of The 166 Acre Parcel Situated Within The 1/4 Ne 1/4 NW, Of Township 13 South, Range 86 West, Town Of Mt. Crested Butte, Gunnison County, Co (Base Of Gold Link Lift Area). The Property Is Zoned PUD (Leah Desposato).

**9. OTHER BUSINESS**

**10. ADJOURNMENT**

If you require any special accommodations in order to attend this meeting, please call the Town Hall at 970-349-6632 at least 48 hours in advance of the meeting.

**GUNNISON COUNCIL AGENDA**  
**MEETING IS HELD AT CITY HALL, 201 WEST VIRGINIA AVENUE**  
**GUNNISON, COLORADO; IN THE 2<sup>ND</sup> FLOOR**  
**COUNCIL CHAMBERS**  
**REMOTE ACCESS MEETING**  
 Approximate meeting time: 4 hours

**TUESDAY**

**JUNE 23, 2020**

**REGULAR SESSION**

**5:30 P.M.**

*Due to the international outbreak of novel coronavirus (COVID-19), the City of Gunnison is holding Gunnison City Council online. The public may attend Public Hearings and Regular and Special Sessions remotely. The City is holding remote meeting to follow social distancing and event guidelines. Click [Gunnison City Council Regular Session](#) to register and access the meeting.*

**I. Presiding Officer Call Regular Session to Order: (silent roll call by City Clerk):**

**II. Public Hearing**

*Please see the e-packet for the public hearing format. The City of Gunnison is asking concerned citizens to submit their comments in writing for the scheduled Public Hearing by 4:00 pm on Tuesday, June 23, 2020 or to attend the public hearing virtually. Written comments will be read into the record during the hearings.*

**A. Public Hearing for Gunnison Rising PUD Development Standards**

Background: This public hearing is a continuation of the June 12, public hearing for the purpose of this public hearing is to receive input on the merits of a Major Change to a PUD application, ZA 20-1, to revise zoning designations and amend the Gunnison Rising PUD Development Standards. Staff has no additional content or information to discuss at this time. Staff requests that the public hearing be continued to a time and date certain. Staff suggests continuing the meeting to a certain time on Monday, July 6 or Tuesday, July 7 to be determined by Council. Due to the large size of the Gunnison Rising PUD file, it is available online: [Gunnison Rising Application Materials](#)

Staff contact: Community Development Director Anton Sinkewich  
 Estimated Time: 10 minutes

**III. Citizen Input: (estimated time 3 minutes)**

*At this agenda time, non-agenda scheduled citizens may present issues of City concern to Council on topics on are not to be considered later in the meeting. Per Colorado Open Meetings Law, no Council discussion or action will take place until a later date; unless an emergency situation is deemed to exist by the City Attorney. Each speaker has a time limit of 3 minutes to facilitate efficiency in the conduct of the meeting and to allow an equal opportunity for everyone wishing to speak.*

**IV. Council Action Items:**

- A. Consent Agenda:** *The consent agenda allows City Council to approve, by a single motion, second and vote, matters that have already been discussed by the entire Council or matters that are considered routine or non-controversial. The agenda items will not be separately discussed unless a councilor, City staff, or a citizen requests and item be removed and discussed separately. Items removed from the consent agenda will then be considered after consideration of the consent agenda.*
- **Approval of the June 1, 2020, Public Hearing meeting minutes**  
 Background: Per City Charter, the City Clerk produces minutes of the Council actions for

all regular and special session meetings. Minutes are approved or amended at the following regular session meetings and become permanent city record. If a city councilor was not present at the meeting, they must abstain in the vote and action on approval of the minutes.

- **Approval of the June 9, 2020, Regular Session meeting minutes**

Background: See above.

**Action Requested of Council:** A motion, second and vote to approve the Consent Agenda as presented with the following items:

Public Hearing meeting minutes of the June 1, 2020 and

Regular Session meeting minutes of the June 9, 2020.

Staff contact: City Clerk Erica Boucher

Estimated time: 2 minutes

- B. Appointment of Senior Center Advisory Committee Member**

Background: City Council adopted Resolution No. 15, Series 2019, during their Regular Session meeting, which established the Senior Center Advisory Committee. The Committee shall consist of seven (7) members appointed by City Council. All residents of the City of Gunnison and the Gunnison County Metropolitan Recreation District are eligible to serve. No more than two Committee members may reside outside the City limits. Council appointments should ensure the Committee represents diverse backgrounds and experiences. A committee has an opening for a city resident member due to a resignation. After advertising the opening, the Clerk's Office received one letter of interest. The letter of interest is from Karen Spence.

Staff contact: City Clerk Erica Boucher

**Action Requested of Council:** To consider the appointment of a City-resident candidate to the Senior Center Advisory Committee.

Estimated time: 5 minutes

- C. Sundays at Six Multi-day Permit**

Background: Sundays at 6 is a yearly multi-day city activity held at Legion Park that is organized by the Gunnison Arts Center. All multi-day city permits must be approved by the City Council.

Staff contact: City Clerk Erica Boucher

**Action Requested of Council:** To approve the Multi-Day City Permit for Sundays at 6 provisionally, contingent on the approval of a COVID Operations Plan by Gunnison County Health and Human Services.

Estimated time: 10 minutes

- D. Update on Lazy K Housing Project**

Background: Staff is providing Council with an update on the Lazy K Project and is seeking direction as numerous aspects of the project have shifted since the last Council discussion on January 9, 2020.

Staff contact: City Manager Russ Forrest and Willa Williford

**Action Requested of Council:** To provide staff with feedback and direction on the Lazy K Housing Project.

Estimated time: 20 minutes

- E. July 4<sup>th</sup> Celebration Discussion**

Background: The City of Gunnison is preparing for the 69<sup>th</sup> Annual Independence Day Celebration. In order to have a Gunnison Independence Day Celebration during COVID-19, staff is suggesting modifications to the fireworks and activities that meet

current Public Health Orders.

Staff contact: Jorgensen Facility/Events Manager Andy Eflin

**Action Required of Council:** To approve the 2020 Fireworks Show and provide staff with any direction they may have for the day.

Estimated Time: 15 minutes

- F. Ordinance No. 5 Series 2020; First Reading:** *An Ordinance of the City Council of the City of Gunnison, Colorado, Amending Chapter 5.10 General Offenses of the Gunnison Municipal Code by the Addition of Section 5.10.071 Camping Prohibited*  
 Background: As discussed in the Council Meeting on June 9, 2020, use of the rights of way in the city has been a source of concern for some time. Council directed staff to focus on uses in the rights of way directed at camping or storage of camping type vehicles that affect movement of other traffic and pedestrians.  
 Staff contact: Police Chief Keith Robinson  
**Action Requested of Council:** Introduce, read by title only by the City Attorney, motion, second, and vote to pass and order to publish Ordinance No. 5, Series 2020 on first reading.  
 Estimated time: 10 minutes
- G. Downtown Parklet Discussion and Resolution No. 11, Series 2020:** *A Resolution of the City Council of the City of Gunnison, Colorado Regulating the Use of Public Rights-of-Way and Certain Park Areas within the City of Gunnison to Encourage and Permit Outdoor Dining to Assist Local Businesses in Response to the City's Local Disaster Emergency Regarding COVID-19*  
 Background: With the intention of being quickly responsive and supportive of downtown community businesses, staff would like to move forward with the design layout of park spaces in parking areas and travel lanes in the right of way. South Main Street and East Virginia Avenue in downtown Gunnison will be reconfigured to provide outdoor public seating areas.  
 Staff contact: Community Development Director Anton Sinkewich  
**Action Requested of Council:** Introduce, read by title only by the City Attorney, motion, and vote to adopt Resolution No. 11, Series 2020.  
 Estimated time: 20 minutes
- H. Resolution No. 12, Series 2020:** *A Resolution of the City Council of the City of Gunnison, Colorado Implementing the Provision of State of Colorado Executive Order D 2020 093 Allowing Local Suspension of Laws Prohibiting Public Consumption of Alcoholic Beverages Within Limited Area of the City of Gunnison and Only as to Takeout Alcoholic Beverages*  
 Background: To expand outdoor dining options within the City of Gunnison during the COVID-19 pandemic, Resolution No. 12, Series 2020, temporarily suspends the prohibition of public consumption of take-out alcoholic beverages in designated outdoor areas created by Resolution No. 11, Series 2020.  
 Staff contact: City Clerk Erica Boucher  
**Action Requested of Council:** Introduce, read by title only by the City Attorney, motion, and vote to adopt Resolution No. 12, Series 2020.  
 Estimated time: 10 minutes
- I. CARES Act Funding Collaboration Agreement**  
 Background: This collaborative agreement establishes how \$1,498,014.00 in CARES Act Funding will be distributed to Gunnison County, Crested Butte, Gunnison, Marble, Mt. Crested Butte and Pitkin.

Staff contact: City Manager Russ Forrest and Finance Director Ben Cowan

**Action Requested of Council:** To give authorization to the City Manager to sign the Cooperative Letter Agreement.

Estimated time: 10 minutes

**V. Reports:**

City Attorney Report

City Clerk Schedule Update

City Manager Strategic Projects Update and Report

City Councilors with City-related meeting reports; discussion items for future Council meetings

**VI. Meeting Adjournment:**

The City Council Meetings agenda is subject to change. The City Manager and City Attorney reports may include administrative items not listed. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are posted at City Hall and on the City website at [www.gunnisonco.gov](http://www.gunnisonco.gov). Discussion Sessions are recorded; however, minutes are not produced. For further information, contact the City Clerk's office at 970.641.8140. **TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL NEEDS ARE REQUESTED TO CONTACT THE CITY CLERK 24 HOURS BEFORE ALL MEETINGS AT 970.641.8140.**

**GUNNISON COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING AGENDA**

395

**DATE:** Tuesday, June 16, 2020

**Page 1 of 2**

**PLACE:** Board of County Commissioners' Meeting Room at the Gunnison County Courthouse

- 8:30 am
- Call to Order
  - Agenda Review
  - Minutes Approval:
    1. 4/21/20 Regular Meeting
    2. 4/28/20 Special Meeting
    3. 5/5/20 Regular Meeting
    4. 5/12/20 Special Meeting
    5. 5/14/20 Special Meeting
    6. 5/19/20 Regular Meeting
    7. 5/26/20 Special Meeting
  - Consent Agenda: These items will not be discussed unless requested by a Commissioner or citizen. Items removed from consent agenda for discussion may be rescheduled later in this meeting, or at a future meeting.
    1. Intergovernmental Agreement; Noxious Weed Management
    2. Ratification of County Manager's Signature; Apple Agreement
    3. Acknowledgment of County Manager's Approval to Submit Grant Application; Colorado Health Foundation; Gunnison / Hinsdale Early Childhood Council
    4. Contract; City of Gunnison; Large Generation Project
    5. Extension of Lease Agreement; Ohio City Fire Department
    6. Memorandum of Agreement; Gunnison Conservation District
    7. Memorandum of Understanding; Summer Experience
    8. OCAF Rent Increase; Mountain View Apartments
    9. Ratification of BOCC Signatures; Letter of Support; 2<sup>nd</sup> Variance – Colorado Department of Public Health & Environment
    10. Grant Agreement; CARES Act – Gunnison-Crested Butte Regional Airport
    11. Agreement Re: Assignment of Ground Lease Agreement; McGuire & Smith
    12. Business Associate Agreement, GPA Inc.
    13. Gunnison County Flexible Spending Plan; Plan Sponsor Certification
    14. Services Agreement; Flex Benefit Plan, GPA Inc.
    15. Grant Award; Gunnison County Metropolitan Recreation District; Shady Island River Park; \$45,000
    16. Funding Agreement; Gunnison County Metropolitan Recreation District; GCSAPP; Choice Pass Scholarships
    17. Contract Amendment No. 2; Colorado Department of Public Health & Environment
    18. Memorandum of Agreement; Gunnison Country Food Pantry
  - Scheduling
- 8:40
- County Manager's Report
    1. Local CARES Act Funds Distribution Allocation
    2. Gunnison County COVID-19 Relief Fund Request for Health and Human Services Programs
- 8:55
- Deputy County Manager's Report
    1. Temporary Road Use Agreement; County Road #49; July 4, 2020 – July 5, 2020
- 9:05
- Gunnison County Land Use Resolution Amendments
- 9:35
- STOR Corps Proposal
- 9:50
- Lot Cluster; Whetstone Industrial Park

*NOTE: This agenda is subject to change, including the addition of items up to 24 hours in advance or the deletion of items at any time. All times are approximate. The County Manager and Deputy County Manager's reports may include administrative items not listed. Regular Meetings, Public Hearings, and Special Meetings are recorded and **ACTION MAY BE TAKEN ON ANY ITEM**. Work Sessions are not recorded and formal action cannot be taken. For further information, contact the County Administration office at 641-0248. If special accommodations are necessary per ADA, contact 641-0248 or TTY 641-3061 prior to the meeting.*

**GUNNISON COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING AGENDA**

396

**DATE:** Tuesday, June 16, 2020

**Page 2 of 2**

**PLACE:** Board of County Commissioners' Meeting Room at the Gunnison County Courthouse

- 9:55
- Commissioner Items: Commissioners will discuss among themselves activities that they have recently participated in that they believe other Commissioners and/or members of the public may be interested in hearing about.
  - Unscheduled Citizens: Limit to 5 minutes per item. No formal action can be taken at this meeting.
  - Adjourn

**Zoom Meeting:**

**Time: Jun 16, 2020 08:30 AM Mountain Time (US and Canada)**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/85606323460?pwd=amRKZ0sxazVOZ1d3R3VVN0owbnprdz09>

**Meeting ID: 856 0632 3460**

**Password: 544977**

**One tap mobile**

**+12532158782,,85606323460#,,1#,544977# US (Tacoma)**

**+13462487799,,85606323460#,,1#,544977# US (Houston)**

**GUNNISON COUNTY BOARD OF COMMISSIONERS  
SPECIAL MEETING & WORK SESSION AGENDA**

397

**DATE:** Tuesday, June 23, 2020

Page 1 of 2

**PLACE:** Board of County Commissioners' Meeting Room at the Gunnison County Courthouse  
(REMOTE)

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS SPECIAL MEETING:**

- 8:30 am
  - Call to Order
  - Minutes Approval:
    - 1. 6/02/20 Regular Meeting
  - Consent Agenda: These items will not be discussed unless requested by a Commissioner or citizen. Items removed from consent agenda for discussion may be rescheduled later in this meeting, or at a future meeting.
    - 1. Service Quote; Brown's Medical Imaging; Gunnison County Detention Center
    - 2. Contract Amendment No. 4; Colorado Department of Public Health & Environment; LPHA
    - 3. Purchase of Service Agreement; Regional Core Services – Substance Abuse and Additional Family Services; The Center for Mental Health
    - 4. Provider Agreement; Gunnison County Juvenile Services & RE1J School District
    - 5. Amended Application for Federal Assistance SF-424; Gunnison-Crested Butte Regional Airport
- 8:35
  - House Bill 20-1421; Concerning Delinquent Interest Payments for Property Tax Payments
- 8:50
  - Certification of Delinquent Taxes & Authorization for County Treasurer Debbie Dunbar to Collect Those Taxes Pursuant to C.R.S. 30-20-420; Dos Rios, Antelope Hills, Somerset and North Gunnison Divisions of the Gunnison County Sewer & Water District
- 8:55
  - Vouchers & Transfers
  - Sales Tax & Local Marketing District Reports
  - Treasurer's Report
  - Adjourn

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS WORK SESSION:**

- 9:00
  - Gunnison Valley Hospital Board of Trustees Quarterly Update
- 10:30
  - USFS Gunnison Ranger District Update
  - Adjourn

**Zoom Meeting:**

**Time: Jun 23, 2020 08:30 AM Mountain Time (US and Canada)**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/89644125266?pwd=b09yTUNldUdUZmcxMm5qQU84Z2pnQT09>

**Meeting ID: 896 4412 5266**

**Password: 384834**

**One tap mobile**

**+14086380968,,89644125266#,,,0#,,384834# US (San Jose)**

**+16699006833,,89644125266#,,,0#,,384834# US (San Jose)**

*NOTE: This agenda is subject to change, including the addition of items up to 24 hours in advance or the deletion of items at any time. All times are approximate. The County Manager and Deputy County Manager's reports may include administrative items not listed. Regular Meetings, Public Hearings, and Special Meetings are recorded and **ACTION MAY BE TAKEN ON ANY ITEM**. Work Sessions are not recorded and formal action cannot be taken. For further information, contact the County Administration office at 641-0248. If special accommodations are necessary per ADA, contact 641-0248 or TTY 641-3061 prior to the meeting.*

**GUNNISON COUNTY BOARD OF COMMISSIONERS**  
**SPECIAL MEETING & WORK SESSION AGENDA**

398

**DATE:** Tuesday, June 23, 2020 **Page 2 of 2**  
**PLACE:** Board of County Commissioners' Meeting Room at the Gunnison County Courthouse  
(REMOTE)

Please Note: Packet materials for the above discussions will be available on the Gunnison County website at <http://www.gunnisoncounty.org/meetings> no later than 6:00 pm on the Friday prior to the meeting.

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**July 20, 2020****Work Session**

Joint Work Session with BOZAR Regarding Design Guidelines

**Consent Agenda**

BOZAR Appointment

IGA with CBFDP – TP1

Intergovernmental Agreement between Gunnison County Clerk and Recorder and Town of Crested Butte Regarding the Placement of a 24-hour Mail Primary and General Election Ballot Drop Box.

CC4CA Policy Statement

**Old Business**

Updated Financial Forecast and Discussion

**New Business**

Hockey Changing Rooms Bid

Ordinance - Verizon Tower Lease

**Future Items**

- Work Session - Climate Action Plan Update - Town Facilities Energy Audit Findings, Other Actions from the Plan, Recommendations for Next Steps
- SOAR Affordable Housing Project
- Formation of Committee(s) to Review Options for Affordable Housing and Climate Action
- Quarterly Financial Reports
- Briefing of the Legal Implications of Vested Rights
- Cemetery Committee Presentation
- Big Mine Hockey Changing Rooms Bid Award
- Utility Extension Policy
- Update on Zinc Situation at WWTP