

ORDINANCE NO. 11

SERIES 2013

**AN ORDINANCE AMENDING THE AFFORDABLE HOUSING
PART NUMBERS CONTAINED IN APPENDIX “N” OF THE
CRESTED BUTTE MUNICIPAL CODE**

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

WHEREAS, Appendix “N” of the Crested Butte Municipal Code (the “**Code**”) lists the Model Affordable Housing Guidelines for Major Subdivisions in Crested Butte;

WHEREAS, through the Code codification process and the amendment to certain of the model affordable housing guidelines, the numbering for some of the guidelines, and in some cases reference thereto in the body of the Code became incorrect;

WHEREAS, the Town staff has recommended correcting such numbering; and

WHEREAS, the Town Council has determined that correcting the numbering of the incorrectly numbered model affordable housing guidelines and any incorrect references thereto in the Code as proposed in the below amendments to the Code is in the best interest of the health, safety and general welfare of the residents and visitors of Crested Butte.

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

Section 1. **Amending Appendix “N”.** Appendix “N” of the Code is hereby amended to read and be ordered follows:

- Part I The Kapushion Annexation, Owner-Occupied Affordable Housing
- Part II Red Lady Estates Mobile Home Park Spaces
- Part III Red Lady Estates Condominiums
- Part IV Town Ranch House Occupancy Guidelines
- Part V Poverty Gulch Condominiums (formerly Butte Avenue and Seventh Street)
- Part VII Verzuh Annexation
- Part VIII Paradise Park Subdivision, Blocks 77 and 78
- Part VIII Guidelines, Rules and Requirements for ROAH
- Part IX Model Affordable Housing Guidelines for Major Subdivisions

Section 2. **Amending Section 16-21-20.** The definition of Guidelines contained in Section 16-21-20 of the Code is hereby deleted in its entirety and replaced with the following new definition that shall read as follows:

“Guidelines means the Affordable Housing Guidelines, Rules and Requirements Governing Resident-Occupied Affordable Housing in the Town of Crested Butte, as amended, which contain the rules and requirements for the sale, ownership and rental of resident-occupied affordable housing. Such Guidelines are attached as an Appendix to the Code.”

Section 3. Amending Section 17-12-10. Section 17-12-10 of the Code is hereby deleted in its entirety and replaced with the following section that shall read as follows:

“Section 17-12-10. Legislative Intent.

It is the purpose of this Section to promote owner-occupied and rental unit, deed-restricted, affordable housing in major subdivisions that will serve many segments of the community that need affordable housing. The target groups for this housing are people who desire, but cannot afford to purchase, tracts or units for long-term housing in the Town and who qualify for local housing and/or affordable housing in major subdivisions as described in this Section and in the Affordable Housing Guidelines for Major Subdivisions in Crested Butte, hereafter referred to as “Guidelines,” as amended at the time of final plat approval. Such Guidelines are attached as an Appendix to the Code.”

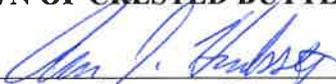
Section 4. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance 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 any ordinance previously adopted by the Town Council which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

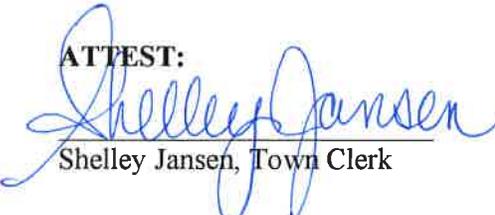
INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 15th DAY OF April, 2013.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 6th DAY OF May, 2013.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Aaron J. Huckstep, Mayor

ATTEST:


Shelley Jansen, Town Clerk

[SEAL]

