

ORDINANCE NO. 5

SERIES 2012

AN ORDINANCE AMENDING THE TOWN'S SIGN REGULATIONS CONTAINED IN CHAPTER 16, ARTICLE 18 OF THE CRESTED BUTTE MUNICIPAL CODE TO ALLOW FOR THE PLACEMENT OF OFF-SITE SIGNAGE IN THE B-1, B-3 AND B-4 BUSINESS ZONE DISTRICTS WHERE CERTAIN CONDITIONS ARE MET

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

WHEREAS, the Crested Butte Municipal Code (the "**Code**") contains requirements for the placement of signage;

WHEREAS, the Code does not provide for the permitted placement of signage off of the private property of the business that the signage relates;

WHEREAS, the Town staff has recommended that signage located off of the property of the business that the signage relates be permitted in the "B-1," "B-3" and "B-4" Business Zone Districts since such signage could serve to assist such businesses in gaining additional customer traffic, and, if regulated properly, will not adversely impact the character of the subject zone districts;

WHEREAS, the Town Council has found that permitting signage located off of the property of the business that the signage relates in the "B-1," "B-3" and "B-4" Business Zone Districts could serve to assist such businesses in gaining additional customer traffic and, when regulated properly, such signage will not adversely impact the character of the subject zone districts; and

WHEREAS, the Town Council finds that amending the Code to allow signage located off of the property of the business that the signage relates in the "B-1," "B-3" and "B-4" Business Zone Districts for the reasons stated above, is in the best interest of the health, safety and general welfare of the residents and visitors of the Town.

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

Section 1. Amending Chapter 16, Article 18 to Add a New Subsection 16-18-20(24) Thereto. A new subsection (24) is added to 16-18-20 of the Code that shall read as follows:

"(24) Subject to the requirements of this Section where not otherwise in conflict with this subsection, signs located off of the property of the business that the sign relates shall be permitted

only where such signs comply with the requirements of this subsection. For purposes hereof, a sign located off of the property of the business that the sign relates shall be referred to as an "off-site sign."

(a) Off-site signs shall only be permitted adjacent to Elk Avenue in Blocks 19-23 and 26-30 of the "B-1," "B-3" and "B-4" Business Zone Districts.

(b) Off-site signs may be located only on private property and may only reference businesses that do not have Elk Avenue frontage and that are no further than 266 linear feet to the north, or 266 linear feet to the south, off of the Elk Avenue public right of way.

(c) A business' placement of an off-site sign in accordance with this subsection shall be permitted only where the business desiring to place such off-site sign delivers to the Town an instrument acceptable to the Town, given by the owner of the property that will be the location of placement of the subject off-site sign, evidencing the real property or personal right of such business to locate its off-site sign on the subject property.

(d) Off-site signs shall only be permitted for restaurant, personal services establishments and retail commercial uses.

(e) For purposes of Section 16-18-20(2)c., an off-site sign shall be considered a sign as respects the property where the business that the off-site sign is advertising is located and not the property where the off-site sign is physically located.

(f) For purposes of Section 16-18-50, the square footage of an off-site sign shall be applied to the property where the business that the off-site sign is advertising is located and not the property where the off-site sign is physically located.

(g) Off-site signs may be wall-mounted, projecting or hanging. Projecting and hanging off-site signs may not be placed less than eight (8) feet above pedestrian and traffic ways.

(h) All off-site signs shall be of a uniform dimensions as follows: (i) wall-mounted, projecting or hanging off-site signs shall be eight (8) inches tall and twenty-four (24) inches long; and (ii) free-standing directory off-site signs shall be six (6) inches tall and twenty-four (24) inches long."

Section 2. Amending Chapter 16, Article 18 to Add a New Subsection 16-18-20(25) Thereto. A new subsection (25) is added to 16-18-20 of the Code that shall read as follows:

"(25) Signs for governmental services shall be allowed on public property. All signs for governmental services shall meet the requirements of the Manual on Uniform Traffic Control Devices (MUTCD), 2009 Edition, as may be amended and replaced from time to time."

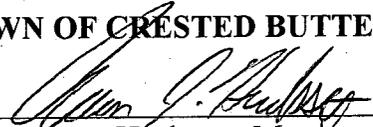
Section 3. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 4. 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.

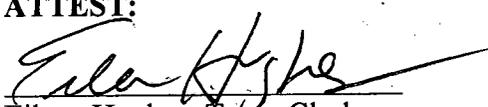
INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 19th DAY OF MARCH, 2012.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 7th DAY OF MAY, 2012.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Aaron J. Huckstep, Mayor

ATTEST:


Eileen Hughes, Town Clerk

[SEAL]

