

ORDINANCE NO. 8

SERIES 2012

AN ORDINANCE AMENDING THE TOWN'S SIGN REGULATIONS CONTAINED IN CHAPTER 16, ARTICLE 18 OF THE CRESTED BUTTE MUNICIPAL CODE TO CLARIFY THE LIMITATIONS ON PROJECTING SIGNS AND TO MAKE OTHER TECHNICAL REVISIONS TO SUCH REGULATIONS

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

WHEREAS, the Crested Butte Municipal Code (the "**Code**") contains regulations relative to the placement of signage;

WHEREAS, such sign regulations limit the placement of projecting signs to one (1) such projecting sign location per building;

WHEREAS, such sign regulations also limit the number of allowable signs per business, and in connection therewith, do not exclude historical marker signs, the same not being specifically defined;

WHEREAS, the Board of Zoning and Architectural Review (the "**Board**"), upon recommendation from Town staff, found at its May 14, 2012 meeting that for purposes of the location of projecting signs on a building, a building should be identified as an architecturally distinct street facade having the appearance of a separate building where other conditions are met;

WHEREAS, the Board also found, at its June 26, 2012 meeting, upon recommendation from Town staff, that historical marker signs should be specifically defined in the sign regulations and not considered a sign subject to the limitation on the allowable number of signs per business;

WHEREAS, the Town staff has recommended that the Town Council make certain amendments to the Code in order to accomplish the findings of the Board described hereinabove;

WHEREAS, the Town Council finds that the below amendments to the Code will better serve the Town, property owners and business patrons in addressing the location of projecting signs on a building and the placement of historical marker signs, and such sign location and placement, when regulated properly, will not adversely impact the character of the Town; and

WHEREAS, the Town Council finds that amending the Code as set forth below, 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 Section 16-18-40(c). Subsection (c) of Section 16-18-40 of the Code is hereby deleted in its entirety and replaced with a new Subsection (c) which shall read as follows:

“(c) Except as provided in Subsection (d) below, projecting signs shall be limited to one (1) sign location per building. For purposes of this Subsection (c), a building shall be identified as an architecturally distinct street façade having the appearance of a separate building in which case additional projecting signs may be approved if they do not adversely shield the visibility of already existing projecting signs. In addition, projecting signs shall not be higher than the ridge line or parapet wall of the building to which it is attached, but in any event no higher than twelve (12) feet above grade; and shall be a minimum of eight (8) feet above grade when located adjacent to or projecting over a pedestrian way. It shall not extend more than four (4) feet from a building wall or the plane of the building wall. No sign shall project into any portion of a street or alley used for vehicular traffic, nor shall any overhead sign project from any building beyond the dividing line of the sidewalk and the vehicular portion of the street. Projecting signs may contain the same information on both sides, and both sides shall be counted toward the allowable sign area.”

Section 2. Amending Section 16-18-10(b). Subsection (b) of Section 16-18-10 of the Code is hereby deleted in its entirety and replaced with a new Subsection (b) which shall read as follows:

“(b) Signs designating or explaining historic structures, historical markers in the form of historic signs placed on historic buildings for at least forty (40) consecutive years as of July 31, 2012 and that convey only the historic use of the building, residential identification signs, signs advertising the sale or rental of real property, signs advertising the construction or remodeling of a building, institutional identification signs and signs advertising the sale of goods, merchandise, food or services by transient merchants shall not require a permit, nor shall such signs be considered as one of the allowable signs described in Section 16-18-20(c), provided that such signs otherwise comply with the provisions of this Article.”

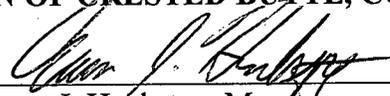
Section 3. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions 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 3rd DAY OF JULY, 2012.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 16th DAY OF JULY, 2012.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Aaron J. Huckstep, Mayor

ATTEST:


Eileen Hughes, Town Clerk

[SEAL]

