

ORDINANCE NO. 1434
Series of 2015

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TELLURIDE AMENDING THE TELLURIDE MUNICIPAL CODE AT CHAPTER 18, "LAND USE CODE" TO REPLACE REFERENCES IN THE TELLURIDE LAND USE CODE TO "*DESIGN GUIDELINES FOR BUILDING IN TELLURIDE*" WITH "*DESIGN GUIDELINES AND STANDARDS FOR BUILDING IN TELLURIDE*," REMOVE REFERENCES TO GENERAL STANDARDS, AND OTHER CONFORMING AND MINISTERIAL AMENDMENTS.

WHEREAS, the 2006 Telluride Master Plan charges the Town with updating the existing *Design Guidelines for Building in Telluride*; and

WHEREAS, the HARC and P & Z recommended adoption of the *Design Guidelines and Standards for Building in Telluride*, October 2015 edition at a special joint meeting on September 3, 2015; and

WHEREAS, the *Design Guidelines and Standards for Building in Telluride*, October 2015 edition consolidated the General Standards section of the *Design Guidelines for Building in Telluride* into individual treatment areas, and as such the existing references in the Land Use Code to General Standards are not applicable; and

WHEREAS, a companion Land Use Code amendment is necessary to update all references to the *Design Guidelines for Building in Telluride* to *Design Guidelines and Standards for Building in Telluride* and eliminate references to General Standards; and

WHEREAS, the Planning and Zoning Commission provided a recommendation to the Town Council as to these amendments on September 17, 2015 as required by the Telluride Land Use Code.

WHEREAS, The Town Council further finds that it serves the public interest to amend the Land Use Code to incorporate the recently adopted *Design Guidelines and Standards for Building in Telluride*.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TELLURIDE, COLORADO as follows:

Section 1.

The Telluride Land Use Code is amended to change the Definition of "Design Guidelines" at Section 2-311 to read:

"Design Guidelines" means design criteria used by H.A.R.C to judge the appropriateness of a project in a particular treatment area, as set forth in *Design Guidelines and Standards for Building in Telluride*, September 1997 edition-October 2015 edition, as such plan has been adopted and as may be amended and subsequently adopted from time to time.

Section 2.

The Telluride Land Use Code is amended to change the term “Design Guidelines” to the term “Design Guidelines and Standards” in the following Sections:

- A. 2-185
- B. 2-355
- C. 3-109.C.
- D. 3-502.A.
- E. 6-104.B.
- F. 6-313-B.7.e
- G. 7-105.A.

Section 3.

The Telluride Land Use Code is amended to delete Section 2-318, General Standards for Review, and all other sections shall be renumbered accordingly.

Section 4.

The Telluride Land Use Code is amended to delete Section 7-105.B, General Standards for Review, and all other sections shall be renumbered accordingly.

Section 5.

The Telluride Land Use Code is amended to delete reference to “General Standards for Review” in the following Sections:

- A. 7-105 (Table of Contents)
- B. 7-104.A.
- C. 7-105
- D. 7-106.B.
- E. 7-107.C.
- F. 9-206.D.

Section 6.

This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

Section 7. Severability

The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 8. Effective Date

This ordinance shall become effective on January 1, 2016.

Section 9. Public Hearing

A public hearing on the ordinance shall be held on the 27th day of October, 2015, in the Town Council Chambers, Rebekah Hall, 113 W. Columbia, Telluride, Colorado.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Telluride, Colorado on the 6th day of October, 2015.

TOWN OF TELLURIDE

ATTEST

By: 
Stuart Fraser, Mayor


Tiffany Kavanaugh,
Interim Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Telluride, Colorado this 27st day of October, 2015.

TOWN OF TELLURIDE

ATTEST

By: 
Stuart Fraser, Mayor


Tiffany Kavanaugh,
Interim Town Clerk

APPROVED AS TO FORM:


Kevin J. Geiger, Town Attorney

STATE OF COLORADO)
)
 COUNTY OF SAN MIGUEL) ss.
)
 TOWN OF TELLURIDE)

I, Tiffany Kavanaugh, the Interim Town Clerk of the Town of Telluride, Colorado (the "Town"), do hereby certify:

- The foregoing pages are a true and correct copy of an ordinance (the "Ordinance") passed and adopted by the Town Council (the "Council") of the Town at a regular meeting of the Council held on 27 day of October, 2015.
- The Ordinance was duly moved and seconded and the Ordinance was adopted at the Council meeting of 27 day of October, 2015 by an affirmative vote of the members of the Council as follows:

Name	"Yes"	"No"	Absent	Abstain
Stuart Fraser, Mayor	✓			
Ann Brady, Mayor Pro-Tem	✓			
Sean Murphy	✓			
Kristen Permakoff	✓			
Bob Saunders	✓			
Jenny Patterson	✓			
Todd Brown	✓			

- The Ordinance was approved and authenticated by the signature of the Mayor, sealed with the Town seal, attested by the Town Clerk and recorded in the minutes of the Council.

- There are no bylaws, rules or regulations of the Council that might prohibit the adoption of said Ordinance.

- The members of the Council were present at the meeting and voted on the passage of such Ordinance as set forth above.



Tiffany Kavanaugh
 Interim Town Clerk