



## Staff Report

July 29, 2025

**To:** Chair Nauman and BOZAR

**Prepared By:** Jessie Earley, Senior Planner, Kaitlyn Archambault, Planner I, Mel Yemma, AICP, Community Development Director, and Karl Hanlon, Town Attorney

**Subject:** **Zoning Code Update Kickoff – Development Review Processes Discussion**

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**Summary:** This work session will serve as the official kickoff of the zoning code and design standards update with BOZAR. Town staff previously provided an overview of the process and schedule at the June BOZAR meeting (which is attached at the end of this memo). During this session, staff will revisit the direction and goals identified through Compass Navigation, particularly from the Historic Preservation Plan and Community Plan, and highlight the importance of updating the Town's development review processes to better align with these goals.

A key focus of the session will be a collaborative discussion on Crested Butte's development review process, including a recap of BOZAR's evolution and role, and a facilitated conversation with the board about:

- What's working well with the Town's development review processes
- What's not working well with the Town's develop review processes
- What ideas the board has for improving the process to better support the Compass goals and recommendations

### **Background:**

**Compass Navigation Recap:** Over the past several years, the Town has undergone an intentional and proactive planning process, starting with the Community Compass (to identify Crested Butte's community values, strategic goals, and decision-making framework) and then Compass Navigation (a combination of the Transportation Mobility Plan, Historic Preservation Plan, Climate Action Plan, Community Plan, and the current Parks Recreation Open Space and Trails Plan). Each of these plans identified a vision, strategy, and recommendations for the Town to implement its strategic plan.

Together, these plans offer strategic direction and specific recommendations that now set the stage for updating the zoning code and design standards.

### ***Key Recommendations for the Zoning Code and Design Standards Update***

*From the Historic Preservation Plan:*

- Develop tailored design standards based on distinct eras of development:

- Mining Period of Significance (modified boundary to a buffer round the national historic core): Simplify and clarify standards through visual tools and improved clarity/conciseness.
- Early Recreation Period (Salt & Pepper District to be refined with a 2025 historic building survey): Create design standards that reflect the transition from mining to recreation town.
- Areas outside historic districts: Develop standards that maintain the traditional mass, scale and form and history of modesty of Crested Butte buildings while allowing greater design flexibility and architectural creativity.

*From the Community Plan:*

- Incentivize community-serving uses through zoning tools:
  - Town-wide: Right size residential parking minimums/maximums and improve implement payment-in-lieu options for commercial development to fund mobility projects and exempt community-serving needs.
  - Residential neighborhoods: Encourage more ADUs and micro-lots through a mix of regulations and incentives.
  - Bellevue Corridor: Allow extra story of building height, reduced setbacks, and open space in exchange for a percentage community-serving housing and/or spaces.
  - Sixth Street Corridor: Streamline the PUD process and clarify public benefits related to community-serving housing and spaces, increase density in the Slate River Annexation, and preserve multi-family housing in the Tourist and R4 zones.

Both plans additionally underscore the importance of streamlining development review to make it easier and more predictable for projects that meet community goals to move forward, especially for projects seeking to maintain affordability. Today, higher-end developments can absorb lengthy and complex review processes, while mission-driven or smaller projects often cannot.

Opportunities to delegate certain approvals to staff, rather than requiring full BOZAR or chair review, could help align process with policy. The code update will include both regulatory updates, as well as updated development review processes, and this work session will start by focusing on the latter.

**History and Evolution of BOZAR:** Crested Butte’s development review process is unusually comprehensive compared to other towns and cities. Unlike most municipalities, nearly all project approvals, regardless of scope or size, must go through BOZAR or its chair, rather than being handled administratively by staff.

BOZAR's scope is also broader than typical municipal boards, as it is responsible for architectural design review for all buildings in town, guided by the Town’s design standards. This structure emerged from Crested Butte’s designation as a National Historic District, with BOZAR established to help preserve the community’s historic character and identity.

During this session, staff will provide a brief history of BOZAR’s creation and evolution, followed by an open conversation with the board to reflect on its current role and explore opportunities to refine processes in ways that uphold Crested Butte’s values while supporting more efficient and equitable development outcomes.

- **1878:** The Town of Crested Butte was founded in 1878
- **1880:** Town incorporated.
- **1972:** The Town Council established a historic area designated for preservation as an “H” overlay district, which regulated the construction and preservation of structures and created a historic preservation and architectural control committee, and the approval/disproval ordinance.
- **1974:** The Town Council emended the 1972 preservation ordinance allowing removal of board members, outlined powers of the Architectural Control Committee, and created procedures for review for Certificates of Appropriateness.
- **1974:** Town awarded National Register of Historic Places designation.
- **1979-1980:** Michael Helland teamed up with two old timers (mining era residents) to identify historic buildings in Town. These men helped to pinpoint memories of each buildings heritage and the families who lived in them. This helped to create the Town’s first “Historic Building Map”. This map was included within the 1995 Design Guidelines.
- **1980’s:** The first “Design Guidelines for Architecture and Landscape Architecture in Crested Butte” was created through a grant from the National Endowment for the Arts and Colorado Historical Society.
- **1991:** Crested Butte and BOZAR were designated as a Certified Local Government by the State Historical Society, now History Colorado. This requires the Board to undergo quad-annual review for compliance with History Colorado, including that one out of three members be qualified.
- **1994-1995:** Crested Butte’s Design Guidelines were created, paid for through a CLG grant, written by John Hess. Nore Winter of Winter and Company were hired to conduct a public process. They also wrote other ski town Guidelines, such as Telluride, Breckenridge and Aspen. Amendments to these Guidelines took place through public processes in **2001, 2009 2017 and 2021.**
- **2000:** The Guidelines were identified as review mechanism in Chapter 16, Article 2 as review criteria.

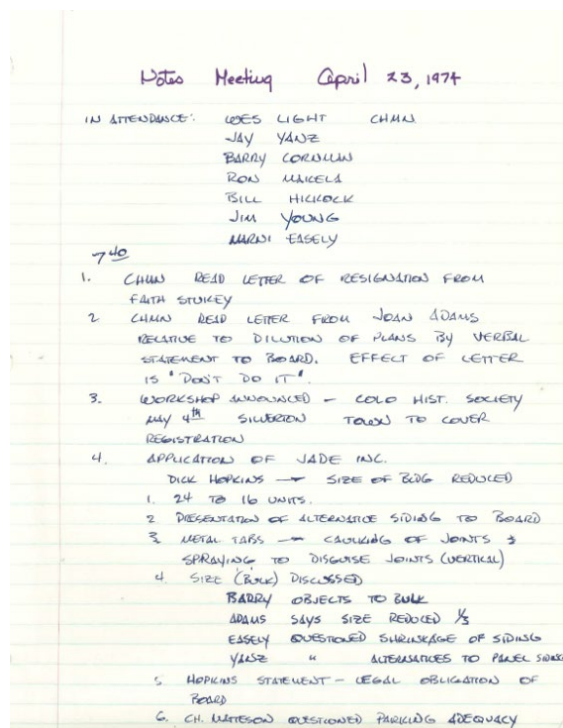
The original 1974 Architectural Control Committee consisted of Wes Light, Jay Yanz, Barry Cornman, Ron Makela, Bill Hickock, Jim Young, Marney Easely, Joan Adams and Georgia Matteson. Since that original Board, there have been 118 different community members that have served until present day. The terms are now three years and members over the years have served a number of different terms. The longest term served was by Bob Vandervoort at 16 years. The shortest term was served by Mel Yemma at one month, as she stepped down to accept a staff role at the Town.



*Bob Vandervoort's final meeting*

The 1972 ordinance established the “excessive similarity” and “excessive dissimilarity” language that although revised still remains in the code today.

The minutes have evolved over the years. This is a photo from one of the first meetings:



*1974 minutes*

These minutes consisted of mainly roll call votes. These changed to very detailed minutes and then have progressed to action minutes that the Board is familiar with today.

### **Development Review Processes – Legal Considerations:**

BOZAR sits as a quasi-judicial body rendering decisions on individual property rights. As such there are constraints regarding the decision-making process that requires it adhere to both

procedural and substantive due process. That is that the process whereby decisions are fair and consistent and that are based on evidence (both testimony and documentary) available to applicants, the public, and Board members on an equal and open and fair basis.

BOZAR has over the years developed several decision-making traditions and processes that vary from common industry practice for quasi-judicial bodies including empowering the Board Chair with final decision-making authority, utilizing an architectural review subcommittee and inquiring, commenting on, and making decisions on items not strictly within the Boards authority.

To ensure that the decisions of BOZAR remain defensible, legal is recommending a more formal decision-making structure where the decisions of the Board are rendered by the entire Board, not subcommittees or individuals.

Legal also recommends that the Board's scope of authority be expanded to include the role of Planning Commission, which is currently held by the Council. There are several advantages in folding the Planning Commission role into BOZAR including efficiency of process, ability to rely on the Boards expertise, and creating a clear appeals process for decisions of the Planning Commission.

**Discussion:** The goal of this initial BOZAR work session is to engage the board in an open and collaborative conversation about the Town's development review processes. Specifically, the discussion will focus on:

- What aspects of the current process are working well
- What challenges or inefficiencies board members have observed
- Initial ideas for refining the process to better align with the goals and recommendations of the Historic Preservation Plan and Community Plan

This session is intended to draw on each board member's experience to build a shared understanding of how the process functions in practice, and to begin identifying opportunities for improvement, especially in ways that support community-serving projects that follow the regulations and standards of the Town's zoning code and design standards.

**Next Steps:** Following this discussion, Town staff will begin to draft a series of potential process improvement scenarios, such as introducing administrative review for certain types of approvals. These alternatives will be presented at the August BOZAR meeting for further discussion and feedback.

At that same meeting, staff will also introduce a starting framework for the zoning code including a proposed consolidated zone district map and preliminary code structure, as well as a timeline/process introduction to the design standards update.

## **Attachment: Recap of Zoning Code Update Process**

### **Phase 1 (July–September): Code Structure & Development Review Process**

- Internal staff and attorney working group to review structure, address inconsistencies, integrate CP content, and draft code
- Monthly BOZAR work sessions to assess development review procedures and identify process improvements (e.g., administrative review, review authority)
- *By end of Phase 1: Initial redline draft of the code, including proposed processes, and identified focus areas for feedback.*

Phase 2 (October–January): Community Engagement & Technical/Market Analysis

- Final Compass Navigation committee meeting to mark the transition from planning to implementation
- BOZAR/Council joint work session to review phase one findings and discuss alignment
- Targeted community meetings with property owners by zone district
- Consultant-supported technical and market analysis to refine key zoning recommendations (e.g., Bellevue Avenue and ADU incentives, ROAH review, subdivision/micro-lot opportunities, payment-in-lieu of parking, and deed restrictions/covenants). *This will be the same consultant as the 5-year strategies to ensure tie into those processes.*
- Design Standards update will also begin during this time. Survey work through the summer/fall of the new Early Recreation Era period of significance (1961-1984) will help to inform these updates.
- *By end of Phase 2: Property owners and the community will have had an opportunity to learn about the proposed changes and provide feedback. A refined redline incorporating feedback and technical/market analysis will be complete.*

Phase 3 (February–May): Code Refinement & Adoption

- Continued refinement with BOZAR and Council, including another joint work session
- Final redline prepared and recommended for adoption by BOZAR and adopted by Council
- 5-Year Housing and Community Spaces Strategies will be in development and near completion
- Design Standards update will be underway
- *By the end of Phase 3: A new zoning code will be adopted, and the Community Development Department will be prepared for implementation.*