



Community Values

Authentic
Connected
Accountable
Bold

Town Council

5-year Goals:

- Approach community challenges through active collaboration and public engagement.
- Accommodate growth in a way that maintains our rural feel.
- Enable people who live and work here to thrive.
- Retain the unique character and traditions of Crested Butte.
- De-emphasize cars and focus on walking, biking, and transit.
- Continue to passionately care for our natural surroundings and forever protect Red Lady.
- Act on the urgency of climate change and prepare for the changes we expect from it.

Critical to our success is an engaged community and knowledgeable and experienced staff.

AGENDA
Town of Crested Butte
Regular Town Council Meeting
Town Council Chambers
507 Maroon Ave; Crested Butte, CO
Monday, August 18, 2025

Meeting information to connect remotely:
<https://us02web.zoom.us/j/87521367618>
Join via audio: +1 719 359 4580 US +1 669 444 9171 US +1 253 205 0468 US +1 646 931 3860 US +1 689 278 1000 US +1 305 224 1968 US +1 309 205 3325 US +1 360 209 5623 US +1 386 347 5053 US +1 507 473 4847 US +1 564 217 2000 US
Webinar ID: 875 2136 7618

Public comments may be submitted at any time to the entire Council via email at towncouncil@crestedbutte-co.gov.

The times are approximate. The meeting may move faster or slower than expected.

6:00 WORK SESSION

1) Budget Kick-Off – Community Compass Strategic Plan – 2026 Priorities.
Staff Contact: Interim Finance Director Rob Sweeney

7:00 REGULAR TOWN COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM

7:02 APPROVAL OF AGENDA

7:03 CONSENT AGENDA

- 1) August 5, 2025 Regular Town Council Meeting Minutes.
Staff Contact: Town Clerk Lynelle Stanford
- 2) Bridges of the Butte Townie Tour and the Adaptive Mountain Bike World Championships Special Event Application and Special Event Liquor Permit for Sunday, September 7, 2025, Closing Elk Avenue from 2nd Street to 5th Street and 3rd Street from Alley to Alley.
Staff Contact: Town Clerk Lynelle Stanford
- 3) Appointment of Board of Zoning Architectural Review Commissioner.
Staff Contact: Planner III Jessie Earley
- 4) Consultant Selection for Community Plan Implementation: Zoning Incentives Analysis, 5-Year Housing Strategy, and 5-Year Community Spaces Strategy.
Staff Contact: Community Development Director Mel Yemma
- The listing under Consent Agenda is a group of items to be acted on with a single motion. The Consent Agenda is designed to expedite Council business. Council members may request that an item be removed from Consent Agenda prior to the Council’s vote. Items removed from the Consent Agenda will be considered under New Business.*

7:05 PUBLIC COMMENT

The public has the opportunity to comment during the public comment period at the beginning of every regular Council meeting. At this time people may speak for up to five minutes on any topic that is not on the agenda. The Mayor may limit public comments to no more than three minutes if it appears there will be many comments on a similar topic. The public comment period is a time for the Council to listen to the people. Council generally should not engage in a two-way conversation at this time nor should the Council feel compelled to respond to the comments. If Council chooses to discuss or take action on a subject brought up during Public Comment that discussion should be held at the end of the Council meeting under “Other Business to Come Before the Council.”

7:10 STAFF UPDATES

7:15 LEGAL MATTERS

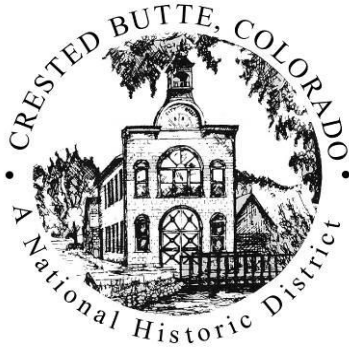
7:20 PUBLIC HEARING

- 1) (Second Reading) Ordinance No. 7, Series 2025 - An Ordinance of the Crested Butte Town Council Repealing and Replacing Chapter 13, Article 5 of the Crested Butte Municipal Code.
Staff Contact: Public Works Director Shea Earley
- 7:30** 2) (Second Reading) Ordinance No. 8, Series 2025 - An Ordinance of the Crested Butte Town Council Approving the Ground Lease of a Portion of the Property at 602 Elk Avenue to the Corporation of the Gunnison County Electric Association.

Staff Contact: Town Manager Dara MacDonald

- 7:40** 3) (Second Reading) Ordinance No. 9, Series 2025 - An Ordinance of the Crested Butte Town Council Repealing and Replacing Chapter 18 of the Crested Butte Municipal Code.

- Staff Contact: Community Development Director Mel Yemma* 2
- 8:10** 4) Consideration of Watershed Permit Application from Mount Emmons Mining Company (MEMC) for the Construction of an Open Channel Storm Water Diversion Structure Located on the Mount Emmons Mining Property, aka Keystone Mine, at 2131 County Rd 12.
Staff Contact: Public Works Director Shea Earley
- 8:20** **NEW BUSINESS**
- 1) (First Reading) Ordinance No. 10, Series 2025 - An Ordinance of the Crested Butte Town Council Requiring Energy Assessments for Unlimited Vacation Rental License Holders.
Staff Contact: Town Clerk Lynelle Stanford
- 8:30** 2) Resolution No. 21, Series 2025 - A Resolution of the Crested Butte Town Council Amending the Adopted Schedule of Certain Fees and Charges for the Fiscal Year 2025.
Staff Contact: Interim Finance Director Rob Sweeney
- 8:40** **COUNCIL REPORTS AND COMMITTEE UPDATES**
- 8:45** **OTHER BUSINESS TO COME BEFORE THE COUNCIL**
- 8:50** **DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**
- *Tuesday*, September 2, 2025 - 6:00PM Work Session - 7:00PM Regular Council
 - Monday, September 15, 2025 - 6:00PM Work Session - 7:00PM Regular Council
 - Monday, September 29, 2025 - 6:00PM Intergovernmental Meeting Hosted by the City of Gunnison
 - Monday, October 6, 2025 - 6:00PM Work Session - 7:00PM Regular Council
- 8:55** **ADJOURNMENT**



Memorandum

To: Town Council

From: Dara MacDonald, Town Manager
Mel Yemma, Community Development Director
Rob Sweeney, Interim Finance & Administrative Services Director

Subject: **Budget Kick-off** - Community Compass Strategic Plan – 2026 Priorities

Date: August 18, 2025

Summary:

The Crested Butte Community Compass Strategic Plan (Compass) is a guiding document which provides a framework for the Town to navigate the future in a way that is aligned with the values of the community. Staff annually identifies priorities for the upcoming fiscal year in support of our strategic goals and seeks direction from the Town Council in advance of preparing the annual budget.

Background:

The Town Council adopted the Compass on November 7, 2022. Staff develops the annual budget by identifying capital and operational expenditures in support of the Compass and in alignment with Council priorities.

Discussion:

Staff identified a list of draft priorities for fiscal year 2026 in alignment with the Compass (attached). Staff seeks Council's feedback and direction related the priorities to inform and shape our budget submission.

Staff will refine the draft Community Compass Strategic Plan - 2026 Priorities based upon direction provided by Council. The updated Plan will be brought back to Council during the 2026 Budget Work Session on September 15. The overall 2026 Budget schedule is as follows:

- September 15 Work Session: Discussion regarding Compass 2026 Priorities; 2025 Year-End Projections; 2026 Revenue/Expenditure Assumptions; 2026-2030 Capital Plan
- October 6: Presentation of Draft 2026 Budget
- October 20 Work Session: Refine Draft 2026 Budget; Fund Balance Review; Updated 2026 Revenue/Expenditure Assumptions; Impact to Mill Levy
- November 3: Adopt 2026 Budget, Mill Levies and Fee Schedule

Recommendation:

Staff seeks feedback and direction from Council regarding the draft Community Compass Strategic Plan - 2026 Priorities.

Attachment

Crested Butte Community Compass Strategic Plan – 2026 Priorities (Draft)

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Tuesday, August 5, 2025

Mayor Billick called the meeting to order at 7:10PM.

Council Members Present: Mayor Ian Billick, Kent Cowherd, John O'Neal, Anna Fenerty, Beth Goldstone, and Mallika Magner

Gabi Prochaska was present for the meeting through New Business item number one.

Staff Present: Town Attorney Karl Hanlon, Town Manager Dara MacDonald, Interim Finance Director Rob Sweeney, Town Clerk Lynelle Stanford, Public Works Director Shea Earley, and Community Development Director Mel Yemma

Building Official Astrid Matison, Parks, Recreation, Open Space and Trails Director Janna Hansen, and Housing Director Erin Ganser (via Zoom) (for part of the meeting)

APPROVAL OF AGENDA

Billick confirmed removal of the Executive Session from the agenda.

Fenerty moved and Prochaska seconded a motion to approve the agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

CONSENT AGENDA

1) July 21, 2025 Regular Town Council Meeting Minutes.

Staff Contact: Town Clerk Lynelle Stanford

2) (First Reading) Ordinance No. 8, Series 2025 - An Ordinance of the Crested Butte Town Council Approving the Ground Lease of a Portion of the Property at 602 Elk Avenue to the Corporation of the Gunnison County Electric Association.

Staff Contact: Town Manager Dara MacDonald

3) The People's Fair Special Event Application Closing Elk Avenue from 2nd Street to 4th Street and 3rd Street from Alley to Alley on Saturday, August 30, 2025, and Sunday, August 31, 2025.

Staff Contact: Town Clerk Lynelle Stanford

4) Lot 18 at Pristine Point Funding Agreement.

Staff Contact: Recreation, Open Space and Trails Supervisor Joey Carpenter

5) Resolution No. 20, Series 2025 - A Resolution of the Crested Butte Town Council, Approving the New National Opioids Settlement with Purdue and the Sackler Family.

Staff Contact: Town Manager Dara MacDonald

Prochaska moved and Goldstone seconded a motion to approve the Consent Agenda (with the caveat mentioned by Magner). A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

PUBLIC COMMENT

Rob Mahedy, who reported living at Cement Creek Ranch, and Penni Ervin, 513 Bellevue Avenue, commented.

STAFF UPDATES

MacDonald and Earley updated, and MacDonald answered questions.

LEGAL MATTERS

Hanlon updated.

PRESENTATION

1) 2024 Audited Financial Statements and Letter to Governing Board.

Staff Contact: Interim Finance Director Rob Sweeney

Lillian Marcione and Mike Dooley were present via Zoom on behalf of McMahan and Associates LLC.

Prochaska moved and O’Neal seconded a motion to accept the audit. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

PUBLIC HEARING

1) (Second Reading) Ordinance No. 6, Series 2025 - An Ordinance of the Crested Butte Town Council Approving the Lease of a Portion of the Property at 308 3rd Street to the Corporation of the Rocky Mountain Biological Laboratory at Gothic.

Staff Contact: Public Works Director Shea Earley

Billick confirmed proper public notice was given. Billick disclosed his relationship with the Rocky Mountain Biological Laboratory (RMBL).

Billick opened the public hearing for public comment. No one commented. The public hearing was closed.

Goldstone moved and Fenerty seconded a motion to approve Ordinance No. 6, Series 2025. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

2) Hearing to Show Cause, if any, why Crested Butte Market LLC’s (doing business as Clark’s Market) Fermented Malt Beverage and Wine License No. 04-00825 should not be suspended or revoked for having violated provisions of Colorado State Statute and the Town of Crested Butte Municipal Code related to their Liquor License Renewal Application.

Staff Contact: Town Attorney Karl Hanlon

Billick confirmed that proper public notice had been given. He stated that the Council would accept public feedback at the meeting but intended to continue the public hearing until September 2, 2025. Billick also acknowledged written comments submitted by Peter Cook and Aaron Tomcak.

Billick opened the meeting to public comments. Peter Cook commented.

Magner moved and Fenerty seconded a motion to continue the public hearing to the regular meeting on September 2, 2025. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

NEW BUSINESS

1) (First Reading) Ordinance No. 9, Series 2025 - An Ordinance of the Crested Butte Town Council Repealing and Replacing Chapter 18 of the Crested Butte Municipal Code.

Staff Contact: Community Development Director Mel Yemma

Matison reported on the ordinance. Council members asked questions and discussed.

Magner moved and Goldstone seconded a motion to set Ordinance No. 9, Series 2025 for public hearing on August 18, 2025. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

Prochaska left the meeting after the agenda item and did not vote on subsequent motions.

2) Resolution No. 19, Series 2025 - A Resolution of the Crested Butte Town Council Adopting the Fund Balance Reserve Policy, Effective August 5, 2025.

Staff Contact: Interim Finance Director Rob Sweeney

Sweeney reported on the agenda item. There was Council discussion.

Fenerty moved and Goldstone seconded a motion to approve Resolution No. 19, Series 2025. A roll call vote was taken with all voting, “Yes,” except Magner voted, “No,” and Prochaska was not present to vote. **Motion passed.**

3) (First Reading) Ordinance No. 7, Series 2025 - An Ordinance of the Crested Butte Town Council Repealing and Replacing Chapter 13, Article 5 of the Crested Butte Municipal Code.

Staff Contact: Public Works Director Shea Earley

Goldstone moved and Fenerty seconded a motion to set Ordinance No. 7, Series 2025 for public hearing on August 18, 2025. A roll call vote was taken with all voting, “Yes.”

Motion passed unanimously. Prochaska was not present to vote.

COUNCIL REPORTS AND COMMITTEE UPDATES

None

OTHER BUSINESS TO COME BEFORE THE COUNCIL

Academy Place, food trucks, and the healthcare situation were mentioned.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, August 18, 2025 - 6:00PM Work Session - 7:00PM Regular Council
- *Tuesday*, September 2, 2025 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, September 15, 2025 - 6:00PM Work Session - 7:00PM Regular Council

ADJOURNMENT

Mayor Billick adjourned the meeting at 9:46PM.

Ian Billick, Mayor

Lynelle Stanford, Town Clerk (SEAL)



Staff Report

August 18, 2025

To: Mayor and Town Council

Thru: Dara MacDonald, Town Manager

From: Lynelle Stanford, Town Clerk

Subject: Bridges of the Butte Townie Tour and the Adaptive Mountain Bike World Championships Special Event Application and Special Event Liquor Permit for Sunday, September 7, 2025, Closing Elk Avenue from 2nd Street to 5th Street and 3rd Street from Alley to Alley.

Date: August 7, 2025

Summary:

Gabriel Walker, on behalf of the Adaptive Sports Center of Crested Butte, Inc., has submitted a Special Event Application along with a request for a Special Event Liquor Permit for the upcoming Bridges of the Butte Townie Tour and the Adaptive Mountain Bike World Championships. The event is scheduled to take place on Sunday, September 7, 2025.

Event activities will begin with registration at 9:00 AM, followed by a town-wide ride scheduled from Noon to 4:00 PM. The event will conclude with an awards ceremony and after party at 6:00 PM.

To accommodate the event, the organizer has requested the closure of Elk Avenue from 2nd Street to 5th Street, beginning early in the morning on September 7 and continuing through 6:00 PM. Additionally, 3rd Street from alley to alley will be included in the closure. As part of the day's festivities, the Adaptive Sports Center is working with the Farmers Market to extend market booths along Elk Avenue from 2nd Street to 3rd Street, placing booths in between existing parklets to effectively expand the market footprint. 1st Street and 2nd Street will remain open for through travel, preserving access to and from the northwest section of Town.

The applicant has also requested a Special Event Liquor Permit for a designated licensed area located on Elk Avenue, extending from the 3rd Street intersection to mid-block. Alcohol will be served at the event's base camp during the awards ceremony and after party, which is expected to run from approximately 4:00 PM to 6:00 PM. Only attendees aged 21 and over will be permitted to consume alcohol, and they will be identified with colored wristbands issued at registration. Volunteers will be stationed at all designated exits to monitor and ensure that alcohol does not leave the licensed premises.

Recommendation:

To approve the Bridges of the Butte Townie Tour and the Adaptive Mountain Bike World Championships special event application and special event liquor permit as part of the Consent Agenda.



Staff Report

August 18, 2025

To: Mayor and Town Council

Prepared By: Jessie Earley, Planner III

Thru: Mel Yemma, Community Development Director and Dara MacDonald, Town Manager

Subject: Appointment of Board of Zoning Architectural Review Commissioner

Summary

Town Council is responsible for appointing the Board of Zoning and Architectural Review (BOZAR) Commissioners. The Board of Zoning and Architectural Review (BOZAR) has a vacancy on the seven-member board following the resignation of Josh Staab who served a portion of a term. Staff is recommending Town Council approval for the appointment of Anthony “Tony” Veit for a three-year term, expiring in August of 2028.

Background

The Town’s Municipal Code requires BOZAR members to be residents of the Town of Crested Butte for at least 12 months. Members are also encouraged to have interest, or experience, in historic preservation, construction, landscape design, architecture, or planning.

Discussion

Veit has lived in Crested Butte for five years and brings decades of experience as a contractor. For the past ten years, he has worked exclusively on projects within town. Throughout this time, he has collaborated closely with Andrew Hadley and other designers for each of these projects, developing a deep understanding of the BOZAR process and all facets of project execution.

Veit is a strong advocate for preserving the character of the Town of Crested Butte and is well aware of the development pressures it faces. With extensive experience in reading and interpreting plans, he brings valuable insight and expertise that would make him a strong asset to the Board.

Veit has expressed a strong interest in contributing to the Town’s efforts to update the zoning code and Design Standards and is eager to be involved in the process in a more substantial way.

Climate Impact

No known impact.

Financial Impact

A BOZAR member stipends are accounted for in the 2025 Budget adopted by the Council.

Legal Review

This action complies with the Town Charter and Municipal Code requirements.

Recommendation

Staff recommend that the Town Council appoint Tony Veit to a three-year term as a Board of Zoning and Architectural Review Board Member.

Proposed Motion

For a member of the Council, followed by a second, to move to approve the appointment Of Anthony “Tony” Veit to the Board of Zoning and Architectural Review for a three-year term, expiring August 18, 2028.



Staff Report

August 18, 2025

To: Mayor and Town Council

Prepared By: Mel Yemma, AICP, Community Development Director

Thru: Dara MacDonald, Town Manager

Subject: Consultant Selection for Community Plan Implementation: Zoning Incentives Analysis, 5-Year Housing Strategy, and 5-Year Community Spaces Strategy

Summary: The Town of Crested Butte issued a Request for Proposals (RFP) to secure qualified consulting services to assist with the implementation of the recently adopted Community Plan (CP). Staff is recommending entering into an agreement with Economic & Planning Systems, Inc. to support this effort.

Previous Council Action: The Town Council adopted the CP on July 7. This meeting additionally included a discussion on the scope and schedule for CP implementation.

Background: This RFP is part of the Town's immediate efforts to implement the CP. While the Town is initiating a comprehensive update of its zoning code (led by Town Staff and the Town Attorney), the scope of work outlined in this RFP is designed to complement that process with technical analysis of zoning incentives and targeted strategies to help create housing and community spaces. The scope includes:

1. **Zoning Incentives and Feasibility Analysis:** Provide technical and financial analysis to inform zoning incentives for both community housing and community-serving spaces to ensure the proposed code requirements are both community-aligned and market feasible. The Town will be working in parallel on drafting the code update internally with the Town Attorney, along with associated community outreach, on a schedule that will align with the scope of this RFP.
2. **5-Year Community Housing Strategy:** Develop a tactical five-year strategy to advance the CP's housing goals, including an assessment of Crested Butte's current affordable housing programs and portfolio to identify key gaps and community needs, and prioritize implementation actions over the next five-year period with direction on projects, programs, and funding sources that complement the zoning code update.
3. **5-Year Community Spaces Strategy:** Develop an actionable strategic framework to advance the CP vision for community-serving spaces. This includes clearly defining what qualifies as a community-serving business or organization, assessing current gaps, threats, and challenges, and identifying success metrics and methods for ongoing evaluation. The

strategy will provide a foundational framework with baseline data, designed to be updated and refined as implementation progresses.

Discussion: Six proposals were received by the submission deadline. A Town staff team consisting of Mel Yemma (Community Development Director), Erin Ganser (Housing Director), Kaitlyn Archambault (Planner I), and Dara MacDonald (Town Manager) reviewed the proposals and interviewed two finalists. Economic & Planning Systems, Inc. stood out based on:

- Robust experience working with similar mountain and resort communities.
- A project approach that thoughtfully integrates the three scopes of work of zoning incentives, housing strategies, and community-serving commercial spaces.
- Deep expertise in economic data analysis, coupled with a strong emphasis on storytelling.
- Clear examples of not coming to the table with boiler plate solutions, but rather letting the process, data, and feedback guide the outcome.
- Partnership with Studio Seed as a subconsultant to provide robust modeling and thoughtful graphics to support the zoning code update

This combination of skills and approach will support the Town's multifaceted goals to implement the CP.

Climate Impact: Continuing implementation of the CP supports the CAP by providing more opportunities for people to live closer to where they work, shop, and access services.

Financial Impact: The consulting contract includes a not-to-exceed budget of \$150,000 and will be funded through the allocated budget for Community Plan implementation for the remainder of 2025 and will be requested to complete the project during the 2026 budget process. The Town received \$50,000 from the State to support the housing strategy portion of the project.

Legal Review: The Town Attorney has reviewed the RFP and contract template. Final contract terms will be reviewed upon consultant selection to ensure compliance with Town policies and procurement requirements.

Recommendation and Proposed Motion: For a council member to make a motion, followed by a second, to authorize the Town Manager to sign a professional services agreement with Economic & Planning Systems, Inc. for consulting services for Community Plan Implementation, as part of the consent agenda.

ATTACHMENT

1. Community Plan Implementation Proposal from Economic & Planning Systems. Inc.



Memorandum

To: Town Council

From: Dara MacDonald, Town Manager

Subject: Manager's Report

Date: August 18, 2025

Town Manager

- 1) Local IMPACT Accelerator grant application – The Town has submitted a Letter of Interest for the [Local IMPACT Accelerator](#) grant through the Colorado Energy Office. We have requested \$1,110,000 in collaboration with the City of Gunnison, Gunnison County and Mt. Crested Butte. We should hear by the end of September if we are invited to submit a full grant application. Following is a brief project summary. If invited to the next round we will continue to refine the scope.

“The application includes passing building efficiency and electrification expansion policies through votes by the respective elected bodies. We are asking for project funds to evaluate the effectiveness of existing rebate and incentive programs to inform updated policies around building efficiency and electrification and guide an incentive program expansion beyond deed-restricted units and to cover additional energy efficiency interventions. In order to pass the policies, we will analyze the past four years of the programs by assessing deliverables; constraints; cost-effectiveness; and energy reduction, emissions reduction, and affordability benefits. We intend to pass updated policies for our rebate and incentive programs which will exceed existing state and local resources and requirements by expanding support beyond solely deed-restricted homes and covering additional energy efficiency and GHG reduction measures beyond those included in standard building codes. The project work will support the building efficiency and electrification expansion policy by expanding community outreach to target all community members, providing pilot funding for building electrification and energy efficiency projects, and building up a local contractor workforce to address the current shortage.”

Sustainability

- 1) No updates.

Public Works

- 1) Town of Crested Butte was interviewed regarding the SRF Infrastructure loan that was used for the Wastewater 2021-2025 upgrade. Pg – 13-15. Take a look at the link here: [Rocky Mountain Water – Issue 4, 2025 by Kelman & Associates - Issuu](#)

Marshals

- 1) No updates.

Parks, Recreation, Open Space and Trails

- 1) **Baxter Trail & parking lot relocation update:** The parking lot is scheduled to reopen by 8/13. Trail access will be from the west side of the parking lot. The trail kiosks will be reinstalled after the solar garden fence is installed.



- 2) **Mineral Point Trail update:** Construction has been smooth and ahead of schedule for the Mineral Point Trail. The portion of the trail south of Pyramid Avenue will be completed first, followed by the pond section on the north side of Pyramid, and finishing with the CBFPD portion to the river.
- 3) **Trash update:**
 - a. How much spent on Big Bellies
 - i. \$202,520 in 2022
 - b. How have we changed practices to address issues in 2025?
 - i. Relocated Big Bellies from all parks except for Totem Pole and placed them on Elk Ave. replacing the parks units with regular bear proofs that are emptied by Parks staff.
 - ii. Added a unit to Totem Pole.
 - iii. Ordered parts from Big Belly to fix two units that were not placed this summer.
 - iv. Increased service from 2x/week to 3x/week last week of June – second week of August
 - c. Plan for improvements/changes for next year
 - i. Will increase service from 2x/week to 3x/week all of June and all of August
 - ii. Will evaluate all units prior to placement in the spring and will order parts well in advance to ensure all units are functioning prior to placement for the summer.

- iii. Will work with WM and the Chamber to develop a trash management plan for the 4th of July.

Community Development

- 1) **Red Lady Roundabout webpage:** Staff aims to have a landing page under “Town Projects” on the Town website about the roundabout project and process by the time of the Council meeting. Further information will be provided at the end of the month about engagement opportunities in September.
- 2) **Academy Place:** Council requested information on what was required for public amenity and the benefits that were provided to the Town in exchange for what concessions to the development. The PUD process will be updated through the zoning code update, which will include several BOZAR and Council discussions on what has worked well and what has not worked well for PUDs in the past.

BOZAR and Town Council approved the following waivers for the Academy Place PUD per Code Section 16-6-380 (a) (16) in exchange for four public amenities, described below:

- Increase in parcel size from 9,375 sf to 28,375sf
- Reduction of the North rear yard setback from fifteen feet to seven feet, six inches.
- Reduction of the parking calculation for the PUD from 29 spaces to 28 spaces to accommodate the ROAH unit.
- Reduction of the deed restricted owner-occupied and/or long-term rental unit from two parking spaces to one parking space.

Justification for approval of the PUD, included four public amenities:

1. Increased amount of open space
2. The building placement, massing and scale.
3. The provision of one resident occupied affordable housing unit (ROAH), as well as an additional long-term rental/owner occupied unit. The development provided an extra affordable housing unit that they would not have been required to otherwise.
4. Landscape plan that provides for public easement through the site that includes the dedicated easement to preserve four mature spruce trees and new patio in the southwest corner of the property and walkway through the center garden with access points from Fifth Street and Whiterock Avenue that is dedicated specifically for public use and maintained by Academy Place.
 - o Academy Place has well marked access to the public walkway and park at various locations on the property. There is clearly marked entry and access from the west end of the property, just to the south of the concierge/administrative building, as well as the marked access and park entry on the southwest corner of the property (photos 1 and 2).



- There is also marked access from Whiterock, to the east of Units 515 and 519 and west of Units 523, 527, 531 and 533 (photo 3). A paved walkway runs south to north here, into the alley between Whiterock and Sopris, with another marked public access point midway through this walkway (photo 4).



- The courtyard and benches are open to the public (photo 5 and 6).



- The signage includes maps, clearly outlining the public walkway (photo 7).



- The bike racks placed throughout the property in the parking areas and guest house entry points are for guests only and are located in front of gates with signage clearly marked for “AP Guests Only”. There is no public access from these points to the public courtyard.
- 3) **Drones:** Beginning in August, the Town of Crested Butte will periodically use drones to collect photos and data in support of a variety of public projects. Projects range from documenting street conditions to support streets planning, supporting roof inspections on Town facilities, collecting stock images of parks, recreation programs, open space properties, and trails, documenting and inventorying affordable housing projects, and more. Drone flights will take place over public rights-of-way and public spaces, including Town-owned streets and alleys, facilities, and parks and recreation areas.
- All flights will be conducted by a licensed FAA Part 107 Drone Pilot on Town staff and will be limited to rights-of-way and public spaces. The Town is committed to respecting personal privacy and will not operate drones over private property. [To read the Town’s drone policy, please click here.](#)
- 4) **Town Hall exterior work:** The work that is taking place through the State Historical Fund grant is proceeding on the Town Hall building. New windows have been installed on the north and south elevations. Windows are white, as the windows were historically. The masonry repointing and repairs

to parge coat are slated to be completed by mid-September. The crew will keep close watch as temperatures start to drop to manage their work flow and take necessary precautionary measures to avoid having mortar freeze.

- 5) **Recreation Era Survey Grant:** In May 2025, we were notified that we had been awarded a \$25,000 Certified Local Government (CLG) grant to fund survey work for the new period of significance related to the early recreation/ski era. Shortly afterward, the State indicated that the award was held up at the federal level and was unlikely to move forward. Last week, Lindsey Flewelling with History Colorado let us know that federal funds are now available and the grant will proceed.
- 6) **Final Paradise Park Triplex:** Staff is working with GVRHA to determine whether they are willing to assist with the qualification of tenants on the last three units of Paradise Park. GVRHA has indicated that they are not willing to assist with the lottery. High Mountain Concepts anticipates achieving TCO in early December. Staff anticipates the application period would be late August into September with the lottery held in late September.

Town Clerk

- 1) Please be reminded of the deadline of Friday, August 29, 2025, at 5:00PM to submit completed petitions and documentation to be a candidate in the November 4, 2025, election.
- 2) Please join the Clerk's Department for an information session regarding the election on Wednesday, August 13, 2025, from 5:00PM to 6:00PM in the Council Chambers. Existing Council members are welcome and encouraged to share their first-hand experiences of serving on the Council.
- 3) The Art Market will continue Sundays in the Fall, operating through September 28, 2025, with the exception of September 21, 2025, to accommodate ARTumn. The Farmers Market will run through October 5, 2025.
- 4) Take down for parklets is scheduled for October 7, 2025.
- 5) The next special event the Council can likely expect on an agenda is Vinotok. At the time of the packet, an application had not yet been submitted.

Finance/HR/IT

- 1) Save as You Throw (SAYT): The August utility bill included a reminder message to choose a container size by the August 29 deadline. Staff continues to update Frequently Asked Questions (FAQs) on the Town's website to address residents' questions.
- 2) Business Licensing/Sales Tax System: The Town is working with its software vendor to migrate our business licensing and sales tax system to an updated platform. Staff and the vendor will perform testing to ensure all functionality is working properly. We anticipate the upgrade to occur in September.

Upcoming Meetings or Events Council may choose to attend

September 22 – Joint dinner with Mt. Crested Butte Town Council to discuss Mountain Express, location TBD

September 24 - Final Compass Navigation Committee wrap-up meeting, 8:30am – 1:00pm

September 29 – Quarterly Intergovernmental meeting, City of Gunnison hosting, location TBD

October 1 – Chamber of Commerce Business After Hours sponsored by the Town of Crested Butte. Details will be forthcoming.

Upcoming Agenda Items

See attached **draft** list of upcoming Council agenda topics

* As always, please let me know if you have any questions or concerns. You may also directly contact department directors with questions as well.



Staff Report

August 18, 2025

To: Mayor and Town Council

Prepared By: Shea D Earley

Thru: Dara MacDonald

Subject: Ordinance No 7, Series 2025 – An Ordinance of the Crested Butte Town Council Approving the Repeal and Replacement of Chapter 13 Article 5

Summary:

Ordinance No 7, Series 2025 would repeal and replace Chapter 13, Article 5 - Refuse and Sanitation System, of the Town Code. The primary purpose for this revision is to implement the Save As You Throw (SAYT) Program.

Previous Council Action:

January 6, 2025 – Initial discussion of SAYT Program and curb side composting.

April 21, 2025 – Council Work Session to discuss the proposed SAYT Program.

April 21, 2025 – Council adopted the 2030 Climate Action Plan which includes an implementation action to “adopt a Save-As-You-Throw (SAYT) waste ordinance.”

Background:

During the renewal process of the WM Municipal Refuse and Recycling Collection and Disposal Services Contract, Town Staff and WM saw an opportunity to more concertedly pursue the rollout of a “Save-as-You-Throw” (SAYT) waste program, which was noted in the previous contract but not seriously explored. Staff brought this concept forward to Town Council on January 6, 2025, to discuss whether Council had interest in rolling out a SAYT program and incorporating a stronger commitment to doing so in the contract with WM. At the April 21, 2025 Council Work session, Council reviewed more details about the program and affirmed their desire to implement a SAYT program.

The SAYT program, commonly referred to as “Pay as You Throw”, allows customers to choose a cart size based on the size of the household and the corresponding amount of trash produced. In addition, the SAYT program would continue to incorporate the existing recycling program. Pricing for the program varies with the size of the refuse container selected by a household, with pricing increasing significantly for the largest cart size. Coupled together, refuse and recycling programs facilitate waste diversion to the landfill and recycling centers, while incentivizing customers to choose a smaller cart by the introduction of a tiered rate system, based on cart size.

Discussion: Currently, all residential waste & recycling customers in Crested Butte pay a flat monthly rate of \$28.97 regardless of cart size. Along with trash service, customers also receive bi-weekly curbside recycling service. Currently, 74% of trash carts in Crested Butte are 96-gallon. Peer communities who have implemented similar programs have reported roughly a 50% shift away from the largest bin size.

The approval of Ordinance No 7 would codify the following changes to the Town's Refuse Collection and Sanitation System:

1. Under a SAYT program, customers would choose one of three bin sizes:
 - a. 32 gallon cart at \$24.62 (\$4.35 monthly reduction from current rates)
 - b. 64 gallon cart at \$27.23 (\$1.74 monthly reduction from current rates)
 - c. 96 gallon cart at \$40.56 (\$11.59 monthly increase from current rates)
2. Customers who purchase a 32 or 64 gallon cart will not be allowed to purchase an extra 96 gallon cart
3. Cart size can be chosen or changed on an annual basis in August, for a fee adopted by the Town Council (currently proposed at \$25).
4. Cart sizes can be changed if there is a change in account responsibility, at no charge.
5. Clarifying requirements to opt out of the Town's residential waste collection program to align with State statutes and refuse contract
 - a. Opt Out Requirments:
 - i. A single building consists of both residential and commercial uses and the entire building is owned by one (1) owner;
 - ii. A single or multiple building property consists of both residential and commercial uses owned by different owners within the same property in which the common elements, as such term is defined under the Colorado Common Interest Ownership Act, Section 38-33.3-101, et seq., C.R.S. (CCIOA), are owned and managed by a homeowners' or unit owners' association;
 - iii. Four (4) or more dwelling units within the same building are owned by the same owner;
 - iv. Four (4) or more dwelling units are owned by different owners within a single or multiple building property in which the common elements, as such term is defined under the CCIOA, are owned and managed by a homeowners' or unit owners' association.
 - b. Properties will maintain their current status, meaning properties that have opted out will continue to not receive trash service from the Town.
6. Removal of the reduced collection rate for income qualified individuals.
 - a. Currently, the reduced collection rate is only being applied to one account.
 - b. Already have a 50% discount on the base rate for water and sewer service.
7. Service charges shall be due on or before the 20th of each month which aligns with current practice.
8. Customers would continue to receive bi-weekly recycling pick up.

Climate Impact:

The development of the SAYT program stems from the 2019 Climate Action Plan (CAP) directive to “explore options with Waste Management (WM) for increased waste diversion from landfills” and the 2030 CAP’s recommended action to “Adopt a Save-as-you-Throw waste ordinance”. WM reported an 24% average recycling rate for 2024, and participation in the residential drop off program remains at about 50 participants, on average. A SAYT program paired with free recycling and possibly a compost program will motivate community members to increase recycling rates and compost program participation to divert organic waste away from the landfill, reducing methane. Waste emissions represent approximately 3% of the Town of Crested Butte’s total 2022 GHG emissions. Changes in recycling rates, organic diversion rates, and their emissions impacts, will be tracked over time as this program is implemented.

Financial Impact:

Proposed rate changes for weekly refuse collection:

Container	Price per month
96 gl (current)	\$28.97
32 gl (SAYT)	\$24.62
64 gl (SAYT)	\$27.23
96 gl (SAYT)	\$40.56

Monthly charges include bi-weekly curb side recycling pick up.

Resolution 21, Series 2025 proposes to amend the current fee schedule to reflect the implementation of the SAYT program.

Once enrollment for various cart sizes has been affirmed and financial impacts understood, staff may bring additional fee changes forward for Council consideration as part of the 2026 budget adoption. Otherwise, fees will be adjusted annually as part of the contract with WM according to CPI and other commodity factors.

Legal Review:

The Town Attorney has assisted staff with drafting and reviewing the proposed Ordinance.

Recommendation:

Staff recommends that Town Council approve Ordinance No 7, Series 2025 repealing and replacing Chapter 13, Article 5: Refuse and Sanitation Systems

Proposed Motion:

A Council member should make a “motion to approve Ordinance No 7, Series 2025 repealing and replacing Chapter 13, Article 5: Refuse and Sanitation Systems” followed by a second and roll call vote.

Attachments:

Ordinance No 7 Series 2025



Staff Report

August 18, 2025

To: Mayor and Town Council

Prepared By: Dara MacDonald, Town Manager

Subject: Ordinance 08, Series 2025 - An Ordinance of the Crested Butte Town Council approving the ground lease of a portion of the property at 602 Elk Ave to the Corporation of the Gunnison Count Electric Association

Summary: The current 10-year ground lease agreement with GCEA for the EV charging station at the tennis courts will expire in October. This ordinance would extend the lease for an additional 10 years under essentially the same terms.

Previous Council Action: No recent actions.

Background: The Town entered into a 10-year ground lease with GCEA in 2015 allowing for the placement and operation of a publicly accessible electric vehicle charging station in the parking lot adjacent to the tennis courts at the corner of 6th Street and Elk Ave. GCEA is responsible for installation and maintenance of the equipment and collects all usage fees. The arrangement has been working well for both parties.

Discussion: This ordinance would allow for an extension of an arrangement for public EV charging that appears to have been working well for the past decade.

Climate Impact: Publicly available EV charging stations support the Town's GHG emissions reductions goals by supporting the transition to electric vehicles.

Financial Impact: None.

Legal Review: The Town Attorney has reviewed the lease and ordinance. Some minor modifications were made to the insurance requirements of the tenant in the lease between 1st and 2nd reading.

Recommendation: Staff recommend the Council approve Ordinance 08, Series 2025 and enter into a new lease with GCEA for the EV charging station at the tennis courts.

Proposed Motion:

A Council member should make a “motion to approve Ordinance 08, Series 2025” followed by a second and roll call vote.



Staff Report

August 18, 2025

To: Mayor and Town Council

Prepared By: Astrid Matison, Chief Building Official and Josh Staab, Building Inspector

Thru: Mel Yemma, AICP, Community Development Director

Subject: Ordinance No.9, Series 2025: An Ordinance of the Crested Butte Town Council Repealing and Replacing Chapter 18 of the Crested Butte Municipal Code.

Summary:

This is the public hearing to adopt the 2024 International Code Council (ICC) building codes, aligning with the Town's regular three-year update cycle. The proposed updates follow the 2024 ICC changes, adjust amendments based on council feedback, and introduce a consideration to require energy assessments for certain types of remodels, with supporting information and discussion points for Council further described below. The updated code would take effect on January 1, 2026.

Previous Council Action:

- **July 7, 2025:** Held a work session reviewing and discussing proposed changes with the update to 2024 ICC codes.
- **August 5, 2025:** Discussed the code and held the first reading of Ordinance No. 9, Series 2025.

Background: Every three years (previously every six years), the Town adopts the ICC family of building codes to ensure public health, safety, and efficiency of construction practices within each jurisdiction.

The Town currently enforces the 2021 ICC family of building codes, with above code provisions to advance the Town's climate action goals. The Town's above code requirements (incorporating new requirements from the State's model electric and solar ready code) include:

Residential Construction	Commercial Construction
<p><i>New Construction</i></p> <ul style="list-style-type: none"> • Sprinklers: Required for all shared-wall units (duplexes, triplexes, multifamily). 	<p><i>New Construction</i></p> <ul style="list-style-type: none"> • International Green Construction Code (IgCC) Provisions: Requirements for water use, indoor air quality, site drainage, and onsite mixed-use recycling.

<ul style="list-style-type: none"> • Zero Energy Ready Home (ZERH) Certification: Required for all new residential units. • EV Charging Readiness: Must meet State EV infrastructure requirements. • All-Electric Requirement: Heating, hot water, and appliances must be electric. • Solid Fuel Devices: Require a HERS score of 30 or lower. <p>Remodels</p> <ul style="list-style-type: none"> • Energy Assessment: Optional for non-Level 3 remodels (subsidized by the Town). • Solid Fuel Devices: Require HERS score of 50 or lower. • Level 3 Remodels (exceeds 50% of work area): • <i>Historic Structures:</i> Must meet energy code while preserving historic structures. • Require an energy assessment. • Must meet EV readiness, electric-ready, and solar-ready standards. 	<ul style="list-style-type: none"> • Solar Installation: Required for buildings 5,000 sq. ft. and larger; smaller buildings must be solar-ready per State Model Code. • EV Charging Readiness: Must meet State EV infrastructure requirements. • All-Electric Requirement: Applies to all systems except commercial kitchens. <p>Remodels</p> <ul style="list-style-type: none"> • Level 3 Remodels (exceeds 50% of work area): • Must meet EV readiness, electric-ready, and solar-ready standards. • Major additions (exceeds 50% of the existing building area) must meet EV readiness, electric-ready, and solar ready provisions.
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Discussion:

At the August 5 Town Council meeting, Council requested amendments to the ordinance along with additional data and information on several discussion points. This ordinance is presented as a repeal-and-replace of the building code to provide a clean, updated version; however, several provisions that have not been proposed to Council for discussion are remaining consistent with the current code.

The revised Ordinance No. 9, Series 2025 exhibit reflects the following changes since the first reading:

- The work area definition in the Existing Building Code was refined to provide better clarity with what is included in the threshold for different levels of alterations
- Energy assessments for level 2 and 3 remodels are proposed to be required and level 1 remodels are encouraged to complete an assessment, with the cost subsidized by the Town, which is also further described below for Council discussion and direction
- The Fire Code section includes amendments requested by the Fire Protection District
- The amendment regarding a 18” lower roof setback for solar panels is removed. Staff requested the Fire District provide supporting information on this.
- The requirement for commercial buildings over 5,000 sq. ft. to provide solar panels has been removed. Instead, all new commercial buildings will be required to be solar-ready per the State of Colorado model code.
- The HERS requirement for solid fuel-burning devices has been removed, as discussed below.

- The sprinkler requirement remains limited to buildings with shared walls, consistent with the prior reading and current regulations, with additional analysis provided below for Council’s input.

Each of these changes is described in more detail below. Staff is specifically seeking Council direction on two key issues: energy assessments and sprinkler requirements.

Work Area Definition:

To clarify for remodel projects staff proposes a refined Work Area definition below. This improved definition helps architects and building officials accurately determine if a project meets the Level 3 threshold. Projects classified as Level 3 must comply with additional requirements, including the Colorado Model Electric Ready and Solar Ready Codes.

- **2024 IEBC definition of WORK AREA.** That portion or portions of a building consisting of all reconfigured spaces as indicated on the construction documents. Work area excludes other portions of the building where incidental work entailed by the intended work must be performed and portions of the building where work not initially intended by the owner is specifically required by this code.
- **Proposed definition of WORK AREA.** That portion or portions of the building consisting of reconfigured and altered spaces as indicated with an outline on the floorplans, as measured from the inside face of the building envelope. Exterior walls that have drywall removed shall be included in the work area calculation. Altered spaces that include replacement of finishes such as flooring, cabinets, or electrical or plumbing fixtures that do not require state plumbing or electric permit would not be included in the work area outline.

Energy Assessments for Remodels

The only additional above code provision staff recommends for this code update is to implement the 2025 Climate Action Plan recommendation to require residential remodel projects that require a building permit to undergo a home energy assessment to collect data on the existing building stock within the town and provide property owners with information on potential energy efficiency upgrades.

The 2030 Climate Action Plan’s “Improve Efficiency” strategy identifies Action 1. Under the category of “Understand Crested Butte’s Building Stock”. Action 1 is a recommendation to *“require energy assessments for all remodels to collect community-wide energy use data in residential and commercial properties.”*

Town Staff is not currently recommending to require or subsidize energy assessments for commercial buildings, due in part to limited infrastructure for referring owners to qualified commercial energy auditors. However, improving access to energy data for commercial buildings is a future priority, identified in the Climate Action Plan through a potential benchmarking program, as additionally shown below.

Recommendations from the Climate Action Plan under the “Improve Efficiency” Strategy.

<u>Actions</u>	<u>Description</u>	<u>Implementation Begins</u>
Understand Crested Butte's Building Stock		
Action 1. Require energy assessments for all remodels to collect community-wide energy use data in residential and commercial properties.	Updates Crested Butte's Building Code to require energy assessments for all residential alteration permits (Levels 1, 2, and 3, see Guide to Key Terms). It utilizes the permitting process as a touchpoint to gather baseline energy data for future retrofitting programs. Homeowners also gain valuable insights to improve and electrify their properties.	2025-2026
Action 2. Require energy assessments for short-term rentals to collect community-wide energy use data in residential and commercial properties	As of 2024, Crested Butte has 191 licensed vacation rentals. This action integrates energy assessments into the annual licensing process, helping the Town track energy use over time and providing owners with insights to improve efficiency and electrify their properties.	2025-2026
Action 3. Require energy use disclosure and benchmarking for commercial buildings.	Requires commercial buildings over a certain size to disclose energy use, enabling comparisons to drive energy reductions through awareness and efficiency improvements. A benchmarking program will help the Town track energy data and inform future efficiency incentives or requirements.	2027-2028

What's in an Energy Assessment?



This recommendation seeks to both gather baseline energy data for future retrofit programs, as well as support providing homeowners with insights to improve efficiency of their property. An example energy assessment report is attached as a reference. The report provides important data points such as different R-values of insulation of different parts of the home (which vary greatly depending on what year a home was built), HVAC and mechanical systems used, air exchange rates, and general life/safety information. The report both provides baseline data, as well as includes recommendations for the homeowner to consider implementing to address safety concerns and improve energy efficiency.


What are the different Alteration Levels?

A building permit is required for most remodel projects that go beyond basic cosmetic updates. Cosmetic work such as painting, replacing flooring, or swapping out cabinet doors does not require a permit. However, if your remodel includes any demolition, framing, electrical, plumbing, mechanical work, or changes to the exterior of a building such as insulation or windows, a permit is required. This is because the International Energy Conservation Code (IECC) applies to any repair, alteration, addition, or relocation that affects a building's systems or energy performance.

The IECC defines remodels in three levels of alteration.

Level	Definition	Example
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1	<p>IEBC Section 602 Alteration—level 1</p> <p>602.1 Scope.</p> <p>Level 1 alterations include the removal and replacement or the covering of existing materials, elements, equipment or fixtures using new materials, elements, equipment or fixtures that serve the same purpose.</p>	<p>Examples include replacing or covering existing materials, fixtures, or equipment with new versions that serve the same function, such as updating insulation, replacing existing windows, or replacing a water heater.</p> <p>Example from 214 Sopris Avenue: Re-siding and window replacements constitute a level 1 alteration. They additionally were just approved for a permit to begin re-roofing, which is also a level 1 alteration.</p> 
2	<p>IEBC Section 603 Alteration—level 2</p> <p>603.1 Scope.</p> <p>Level 2 alterations include the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment, and shall apply where the work area is equal to or less than 50 percent of the building area.</p> <p><i>Exception: The movement or addition of nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height shall not be considered a Level 2 alteration.</i></p>	<p>Examples include reconfiguring spaces, adding or removing doors and windows, extending systems like HVAC or lighting, or installing new equipment, as long as the work affects 50 percent or less of the building's area.</p> <p>Example from 5 Beckwith: This house constructed a dormer additional to the upstairs and had significant framing added to the existing roof structure. A bathroom was added upstairs, and the top floor was re-insulated, however, this work did not exceed 50% of the building area.</p> 

3	<p>IEBC Section 604 Alteration—level 3</p> <p>604.1 Scope.</p> <p>Level 3 alterations apply where the work area exceeds 50 percent of the building area.</p>	<p>Level 3 Alterations apply to larger remodels that affect more than 50 percent of the building. The more extensive the work, the more requirements you will need to meet for energy efficiency, ventilation, and safety.</p> <p>Example from 330 Whiterock: The original structure was unsheathed to the framing on exterior and the structure has been relocated and added on to. The total amount of work done to the building exceeded 50% of the building area.</p> 
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Discussion Considerations for Energy Assessments

The Town currently requires energy assessments for Level 3 alterations and encourages (with a \$550 subsidy) assessments for Levels 1 and 2. Based on Council feedback, the updated ordinance proposes requiring assessments for Levels 2 and 3 while continuing to encourage them for Level 1. Subsidies for Level 1, and possibly continuing subsidies for Level 2, can be considered in the 2026 budget.

As a discussion point, an exemption for buildings constructed to the 2015 IECC code (adopted by the Town in 2017) or later, which marked a significant efficiency improvement, could also be considered. This will be discussed further in the vacation rental licensing ordinance update but could be applied to the building code as well. Additionally, staff suggests exempting properties that have an assessment completed within the past 10 years, but to require sharing the report with the Town.

Staff requests Council direction on which levels should require assessments.

Fire Code and Lower Roof Setback on Solar

The Fire Code portion of the building code ordinance includes the following amendments requested by the Fire District.

- When a single property includes a main house and accessory building(s) interconnection of the smoke detector system between the main house and accessory building(s) is required.
- Location of electrical and PV meters and emergency disconnects to be located on a non-snow roof shed side of a structure such as gable end. Cricket, roof shelters, or enclosures do not substitute the requirement for protection of these meters and disconnects.

Staff requested that the Fire District provide a rationale for their requested 18-inch lower roof setback amendment in a letter to Council prior to the August 18 meeting. After further review, staff confirmed that neither Gunnison County nor Mt. Crested Butte include this setback requirement. Staff recommends removing the amendment and defaulting to the IRC, which already includes egress and setback requirements for rooftop solar safety. This removal is reflected in the updated ordinance.

Solar Ready for Commercial Buildings

The updated ordinance removes the requirement for new or Level 3 alteration commercial projects over 5,000 sq. ft. to provide solar panels. Instead, all new and Level 3 commercial alterations must be solar-ready per the Colorado Model Code. This change aligns with the Climate Action Plan's focus on increasing efficiency, electrification, and decarbonization. Specifically, the Plan emphasizes advocating for Tri-State's grid decarbonization and collaboration to achieve 100% renewable energy. While the Town will continue to streamline processes for individual solar installations, removing this solar provision supports the broader strategy to prioritize decarbonization at the grid level.

Solid Fuel Burning Devices

The updated ordinance removes the HERS requirement for solid fuel burning devices, reflecting the primary focus on reducing particulate emissions rather than improving energy efficiency. The Town's code continues to require solid fuel devices to meet EPA Phase 2 emissions standards, limiting particle pollution to 5.1 grams per kilogram of wood burned. This voluntary EPA program uses emissions per wood burned (g/kg) to better reflect typical fireplace use. Staff recommends removing the HERS provision, maintaining the EPA Phase 2 requirement, and monitoring any future impacts.

Sprinklers

The updated ordinance continues the Town's past approach of not requiring fire sprinklers in single-family homes and ADUs, but requiring them for buildings with shared walls. More information is provided for Council to discuss potentially changing this amendment. While national fire data overwhelmingly supports sprinklers for life safety, some communities have scaled back requirements due to cost and infrastructure concerns.

National Data on Sprinklers

The International Residential Code (IRC) has required sprinklers in one- and two-family homes since 2006. Sprinklers became more prevalent because modern homes burn 8x faster than older homes, reducing escape time from 29 minutes to 3–5 minutes. This is due in part to lightweight construction methods and the prevalence of synthetic materials, which ignite more easily, release more heat, and produce more toxic smoke than traditional wood and natural-fiber furnishings.

Case studies from [Prince George's County, MD](#) (1992–2007), [Scottsdale, AZ](#) (1986–2001), and [Bucks County, PA](#) (1988–2010) identified:

Location	Summary
Prince George's County, MD	<ul style="list-style-type: none"> • 13,494 single-family/townhouse fires; 245 in sprinklered homes • 89% of fire deaths in residential buildings • 101 deaths & 328 injuries in homes without sprinklers • 0 deaths in homes with sprinklers
Scottsdale, AZ	<ul style="list-style-type: none"> • 41,408 homes; 50% with sprinklers • 598 home fires; 49 in sprinklered homes • 13 deaths in homes without sprinklers • 0 deaths in homes with sprinklers
Bucks County, PA	<ul style="list-style-type: none"> • 88% of fire deaths in residential buildings • 90 deaths in homes without sprinklers • 0 deaths in homes with sprinklers

Cost Comparisons

National averages for sprinklers estimate they add \$1.35–\$1.61 per square foot, dropping to ~\$0.80 in established markets. However, local experience with Paradise Park indicated they added considerable cost. The table below compares the costs experienced with Paradise Park (this consolidates an average given different unit sizes/building types), with a comparison of a 2-hour fire wall that would be required in lieu of sprinklers:

Cost of Sprinkling Per Unit

Assume 1,100 SF, two story, two bed unit

\$	18,700	Internal sprinkler system (\$17/SF)
\$	15,000	2" service upsize -- assumes being able to access the line via ROW, not cutting into asphalt
\$	300	Curb Stop
\$	200	External service line
<hr/>		
\$	34,200	ADDED COSTS

Without Fire Suppression, add costs for 2-Hour firewall between units

\$	2,600	one unit cost
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To put these costs into perspective, the sprinkler system added approximately \$31.09 per square foot, accounting for 5.6% of the total construction costs. For reference, Phase 1 of Paradise Park averaged \$473 per square foot, while Phase 2 averaged \$512 per square foot. By comparison, the fire wall option would have cost \$2.36 per square foot, representing 0.5% of the total construction cost.

Some studies have shown that home fire sprinkler systems can lower homeowner insurance premiums, typically ranging from 5–15%. The amount varies by insurer, state, and other risk factors, with some companies offering additional discounts for combining sprinklers with other fire safety features. While not universal, these savings can help offset installation and maintenance costs over time.

What are other communities doing?

The following table shows what code and requirements for sprinklers similar communities require. Currently Steamboat Springs, Buena Vista, and Moffat County do not require sprinklers for duplexes:

JURISDICTION	CODE YEAR	UNDER THE IRC CODE	AMENDED OUT SFD'S	REQUIRED FOR CERTAIN SIZE SFD	AMENDED OUT SFD'S AND DUPLEXES	ADDED SPRINKLERS FOR EXISTING RESIDENTIAL BUILDINGS
City of Gunnison	2021		X			
Town of Mt. Crested Butte	2021			X		
Gunnison County	2021			X		
Avon	2021	X				
City of Aspen	2021	X				
Vail	2024	X				X
Steamboat Springs	2021				X	
City of Durango	2015	X				
Telluride	2018	X				X
Winter Park	2021	X				
Buena Vista	2021				X	
Breckenridge	2018			X		X
Pitkin County	2021			X		
Moffat County	2018				X	

Discussion Considerations for Sprinklers

In general, there is a movement to reconsider requiring sprinklers in single family homes and duplexes to reduce costs and improve affordability, however, it is challenging to weigh the pros/cons when it comes to life safety statistics and not having a consistent approach across similar communities. Some pros/cons of sprinklers for Council consideration include:

Pros	Cons
<ul style="list-style-type: none"> • Life safety: Drastically reduces the risk of civilian death (89% lower), civilian injury (31% lower), and firefighter injury (48% lower) in home fires, especially with faster-burning modern materials and furnishings. • Early suppression: Limits fire spread, reducing toxic smoke exposure and increasing survivability for residents and firefighters. • Potential property protection: May reduce structural damage and loss of belongings. • Insurance savings: Premium discounts possible in some markets. • Market variation: The Town's current amendmend of singel family homes is 	<ul style="list-style-type: none"> • Higher upfront costs: Local costs in Paradise Park were well above national averages and installation requires upsized water service. • Infrastructure impacts: Many sprinklered homes require 2-inch water service lines rather than the standard ¾- or 1-inch lines. This can significantly increase construction costs (thousands of dollars per connection), place additional demand on municipal water capacity, and may require street or main upgrades in some areas. • Maintenance and repair risks: If the system is not well or actively maintained, there is potential for freeze damage, leaks, or accidental discharge in cold climates.

<p>consistent with our neighboring jurisdictions. The majority of communities have amended and expanded requirements to increase residential sprinkler systems and encourage installation in existing buildings or required IRC standards as a bare minimum.</p> <p>•</p>	<ul style="list-style-type: none"> • Market variation: Some communities have repealed or relaxed requirements to reduce housing costs and encourage development.
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Climate Impact: Regulating Crested Butte’s building stock (both new construction and renovations) remains one of the Town’s most effective strategies to reduce building energy-related greenhouse gas (GHG) emissions, which account for approximately 93% of the Town’s total emissions. This building code update supports Crested Butte’s ongoing climate goals by reducing new and future building emissions through energy efficiency and electrification, and continuing to collect valuable data on the existing building stock through expanding the use of home energy assessments.

Financial Impact: There are no proposed changes to building permit fees at this time nor anticipated financial impacts to the Town. Later this year, the Town will evaluate its solar permitting fees as part of the fee schedule adoption, which was also a recommendation from the Climate Action Plan.

Legal Review: The Town Attorney has reviewed changes to align with the 2024 ICC codes and drafted the attached ordinance.

Recommendation: For a council member to make a motion, followed by a second, to adopt Ordinance 9, Series 2025, with the following amendments:

- Council decision on what level alterations to require energy assessments
- Council decision on potentially adjusting the sprinkler amendment
- Any additional Council direction on the ordinance

ATTACHMENTS

1. Ordinance No. 9, Series 2025: An Ordinance of the Crested Butte Town Council Repealing and Replacing Chapter 18 of the Crested Butte Municipal Code.
2. Exhibit A: Chapter 18 – Building Regulations
3. Example Energy Assessment
4. Letter from CBFPD (Solar setback letter will be sent separately)



Staff Report

August 18, 2025

To: Mayor and Town Council

Prepared By: Shea Earley, Public Works Director

Thru: Dara MacDonald, Town Manager

Subject: Consideration of a Watershed Permit Application from Mount Emmons Mining Company

Summary:

The Mt Emmons Mining Company (MEMC) is proposing to construct 1,550 feet of lined open channel ditch to convey snow melt/runoff away from existing faults and fractures on Mt Emmons. Pursuant to Chapter 14 of the Town Code and based on the nature of the work, the applicant is required to apply for a Watershed Protection Permit.

Previous Council Actions:

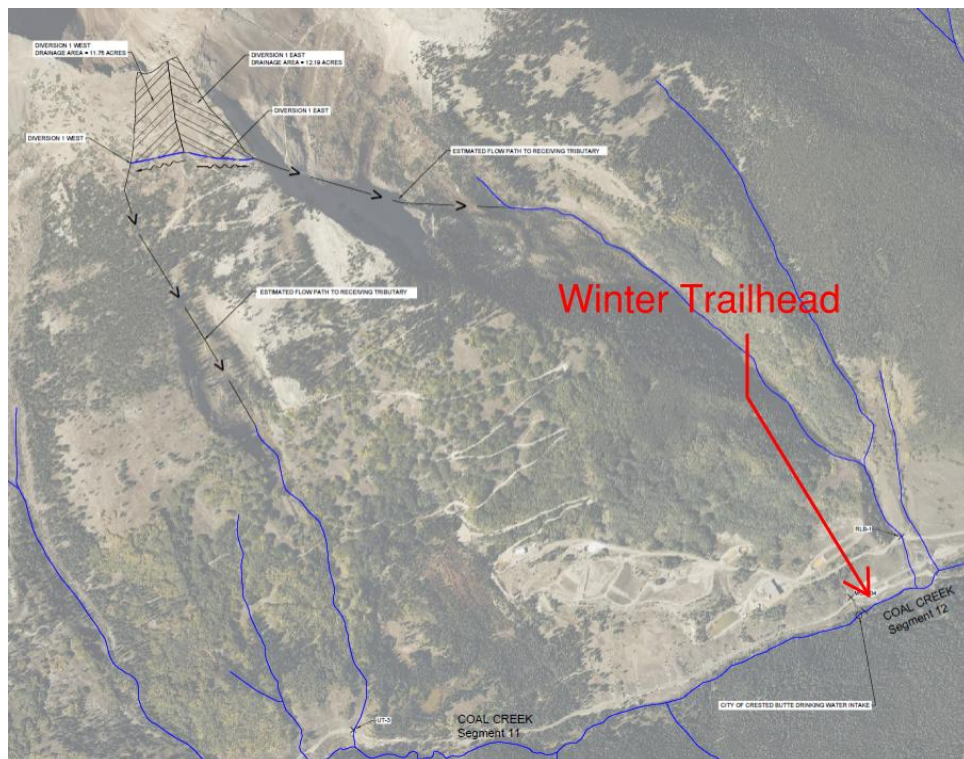
Ordinance No 5, Series 1980 – Watershed Protection District Establishment
 Ordinance No 1, Series 1996 – Revisions to Code
 Ordinance No 6, Series 2008 – Revisions to Code
 Ordinance No 4, Series 2013 – Revisions to Code
 Ordinance No 6, Series 2023 – Updates to Chapter 14: Watershed Protection District

Background:

The purpose of the Watershed Protection District is to protect “the Town waterworks from injury and the municipal water supply from pollution”. The Town typically sees between 2-5 applications a year with almost all of them being administratively permitted based on their designation as a residential development and the anticipated minimal disturbance to the watershed. Since MEMC is not considered a residential development, the applicant is required to obtain a watershed permit.

MEMC owns and operates the Keystone Mine site, located on the southern side of Mt Emmons. The property is located within the Coal Creek Watershed and within the Watershed Protection District boundaries.

Figure 1



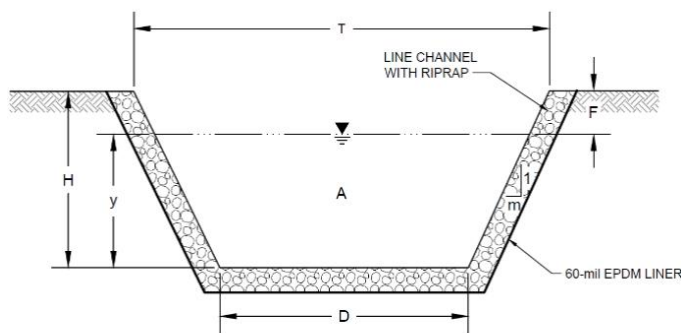
Historically, the property has been administratively managed by the United States Forest Service (USFS), since most of the property was located on federal land. In 2024, a land exchange occurred in which MEMC acquired this federal land, thereby privatizing the property associated with the Keystone Mine workings, tailings impoundments, and industrial water treatment plant. Due to the privatization of this property, the ongoing reclamation and remediation efforts now fall under the Town's Watershed Protection District.

Discussion:

MEMC took over management of the site from US Energy in 2016. Prior to the land exchange in 2024, MEMC constructed stormwater diversion structures 2-7, consisting of over 10,000 linear feet of stormwater diversion channels at elevations ranging from 9,980 ft to 11,882 ft. This work was performed in accordance with the Plan of Operations (PoO), which was approved and administered by the USFS. The objective of the stormwater diversion infrastructure is to reduce the infiltration of clean surface water (snow melt/runoff) into the mine workings, thereby avoiding the unnecessary contamination of clean surface water and the subsequent requirement to treat it. If approved, the watershed permit would authorize the remaining Diversion 1 work that was not constructed prior to the land exchange.

The work contemplated in 2025 focuses on the upper most diversion structure (Diversion 1) proposed on the site. See Figure 1. The improvements include approximately 1,550 linear feet of type 1, open channel with a rubber membrane liner and riprap (rock). See Figure 2.

Figure 2

**NOTES:**

1. ALL TYPE I DIVERSION CHANNELS SHOULD BE LINED, UNLESS SPECIFIED AS UNLINED ON DRAWINGS.

TYPE I DIVERSION CHANNEL TYPICAL CROSS SECTION

Figure 2: Typical Type 1 open channel cross section drawing

Based on site topography, it is anticipated that approximately 60% of the diverted water from Diversion 1 will flow east towards Red Lady Basin, which is downstream of the Town's drinking water intake. The remaining 40% of the diversion will carry diverted water west, towards an unnamed tributary, which enters Coal Creek upstream of the Town's drinking water intake. To ascertain what, if any, impacts to water quality would occur, MEMC provided available water quality data from Diversion 2 and the receiving tributaries. Due to "the high-altitude location and challenges with access during the periods of snow melt, water quality at Diversion 1 is not currently measured. However, based on the proximity (approximately 1,500 feet away) of Diversion 1 and Diversion 2, and similar soil characteristics in the area, existing water quality at Diversion 1 is assumed be similar to Diversion 2 water quality." In addition to the water quality data provided from Diversion 2, MEMC provided water quality data on the two receiving tributaries. Based on that data set, as well as the anticipated quantity of water diverted, water quality in Diversion 1 is not anticipated to degrade water quality in the watershed or impact the treatment works.

MEMC has proposed a monitoring schedule that utilizes the Plan To Resolve Uncertainty (PTRU) which supports the Temporary Modifications currently approved by the Water Quality Control Commission. Based on our understanding, the Temporary Modifications may be removed in the coming years due to the fact that MEMC no longer has demonstrated or predicted compliance problem for cadmium. With the uncertainty around the duration of the Temporary Modifications and associated PTRU, Staff recommends sampling and monitoring of Diversion 1 (if possible), Diversion 2, UT-3, and RLB-1 be required as a condition of the permit for at least 5 years after final reclamation of the improvements.

A preapplication conference was held on June 10th, 2025, with representatives from both Town Staff and MEMC present. Subsequently, MEMC provided a Watershed Permit Application on June 27, 2025 and a revised application on August 6, 2025. The Town contracted with Alpine Environmental Consultants to assist in the review of the application.

Financial Impact:

A cost reimbursement agreement has been executed with MEMC to cover all cost associated with the review of this application.

Legal Review:

The Town Attorney has assisted staff with the review of this application.

Recommendation:

Town staff recommend that the permit be approved with conditions. The recommended conditions of approval are as follows:

- 1) The applicant shall monitor water quality and flow in UT-3 and RLB-1 according to the existing Plan To Resolve Uncertainty for the duration of the temporary modification applied to Coal Creek or five years after final reclamation of all disturbed areas associated with Diversion 1, whichever is longer. The laboratory and field measurements included in the Plan to Resolve Uncertainty are the key indicators for this project.
- 2) The applicant shall attempt to monitor water quality and flow in Diversion 1 and Diversion 2 on both the east and west outlets at least once per year during spring runoff or other conditions conducive to generating flow in the uppermost diversion ditches. Water quality monitoring and flow measurement shall occur according to the existing Plan To Resolve Uncertainty for the duration of the temporary modification applied to Coal Creek or five years after final reclamation of all disturbed areas associated with Diversion 1, whichever is longer. The laboratory and field measurements included in the Plan to Resolve Uncertainty are the key indicators for this project.
- 3) The applicant shall provide annual reports to the Town Manager. The annual reports shall identify when MEMC attempted to sample Diversion 1 and Diversion 2, include the raw laboratory and field data, a summary of water quality conditions relative to baseline conditions, and an assessment of whether significant water quality degradation occurred during the monitoring period and potential causes for such degradation for all locations identified in Conditions 1 and 2. During the term of the temporary modifications, the annual report for the Plan To Resolve Uncertainty can be used to satisfy this requirement.

The recommended conditions of approval are necessary to ensure that the Watershed Protection Standards are likely to be satisfied. Specifically, these conditions help ensure that Diversion 1 is not likely cause significant degradation of surface water quality.

Proposed Motion:

A Council member should make a “motion to approve with conditions MEMC’s Watershed Protection District Permit with the three conditions provided in the staff report” followed by a second and roll call vote.

Attachments:

Exhibit A: Watershed Permit Application

Exhibit B: AEC Completeness Assessment



Staff Report

August 18, 2025

To: Mayor and Town Council

Thru: Dara MacDonald, Town Manager

From: Lynelle Stanford, Town Clerk

Subject: Ordinance No. 10, Series 2025 - An Ordinance of the Crested Butte Town Council Requiring Energy Assessments for Unlimited Vacation Rental License Holders.

Date: August 8, 2025

Background:

On April 21, 2025, the Town Council formally adopted the Climate Action Plan (CAP), reinforcing the Town's strategic commitment to addressing the urgency of climate change. The CAP outlines specific goals and actionable strategies aimed at reducing greenhouse gas (GHG) emissions by 2030. One of the plan's key focus areas is the buildings sector, recognizing the significant role buildings play in local energy use and emissions.

A primary strategy identified in the CAP is to empower and incentivize the community to take active steps toward reducing energy consumption, electrifying buildings, and promoting efficient land use. These actions are essential to prepare for and maximize the benefits of a future powered by a renewable energy grid. To support this strategy, the CAP proposes a new requirement for energy assessments on unlimited license holders of vacation rental properties. These assessments will help the Town collect valuable data on residential energy use, which can inform broader climate and energy policies moving forward.

To provide context for these efforts, it is important to consider the evolution of building energy codes. The International Energy Conservation Code (IECC) introduced in 2012 marked a significant improvement in energy efficiency standards for new homes. The Town of Crested Butte did not adopt the 2012 IECC. Instead the Town transitioned directly from the 2009 IECC to the 2015 version, effective in January 2017. Homes built under or exceeding the 2015 IECC, especially those verified by programs such as the Home Energy Rating System (HERS) or Energy Star, are generally considered the first wave of modern, energy-efficient construction. More recently, homes constructed to meet the 2021 IECC are regarded as high-performance buildings, offering superior energy performance and long-term environmental benefits.

The Town of Crested Butte adopted the 2015 IECC in 2017, meaning that all residential properties built from that year forward have been subject to the improved energy efficiency standards introduced in the 2015 code. Ordinance No. 10, Series 2025 is in alignment with these standards.

This ordinance would exempt unlimited vacation rental properties from the CAP's energy assessment requirement only if they were constructed under the governance of the 2015 code or later. The rationale for this exemption is that homes built to the 2015 IECC standard, effective in 2017, already meet a baseline of modern energy efficiency, reducing the need for additional assessment.

This policy approach allows the Town to focus energy assessment efforts on older housing stock and properties more likely to benefit from efficiency upgrades, while recognizing the relative performance of newer homes already built to updated standards. Through the licensing requirement for vacation rentals, Town can require these properties to obtain an energy assessment. Some owners may choose to act on this information immediately and take steps to improve the efficiency of their homes. At a minimum, the information will help the Town better understand the efficiency upgrade needs in the community and inform incentive programs going forward. Ultimately, this supports the Town's broader goals of emissions reduction, data-informed planning, and community resilience in the face of climate change.

Summary:

Ordinance No. 10, Series 2025 establishes a new requirement for unlimited vacation rental license holders to have an energy assessment completed and to submit a copy of the assessment report by the open enrollment deadline in October 2026, for the 2027 license year.

Primary vacation rental license holders are exempt from this requirement to avoid placing an undue burden on these property owners. This exemption also acknowledges that primary rentals are limited to a maximum of ninety nights per year, making their overall environmental impact comparatively lower.

The purpose of this energy assessment requirement is to enable the Town to collect data on residential energy use across residential properties, supporting community-wide efforts to monitor and potentially reduce energy consumption.

Recommendation:

To set Ordinance No. 10, Series 2025 for public hearing during the September 2nd, 2025, Council meeting.

Recommended Motion:

Motion to set Ordinance No. 10, Series 2025 for public hearing during the September 2nd, 2025, Council meeting.



Staff Report

August 18, 2025

To: Mayor and Town Council

From: Rob Sweeney, Interim Finance and Administrative Services Director

Thru: Dara MacDonald, Town Manager

Subject: Resolution No. 21, Series 2025 – A Resolution of the Crested Butte Town Council Amending the Fiscal Year 2025 Fee Schedule

Summary:

Staff annually reviews the various fees charged by the Town as part of the budget cycle. The Fiscal Year 2025 Fee Schedule was adopted by the Town Council via Resolution 27, Series 2024 on December 16, 2024. The 2025 Fee Schedule requires amendment to reflect Council's desire to implement the Save As You Throw (SAYT) Program for residential refuse and recycling collection services.

Discussion:

Should the Town Council approve Ordinance 7, Series 2025 to repeal and replace Chapter 13, Article 5 – Refuse and Sanitation System, of the Town Code, applicable changes to the Town's 2025 Fee Schedule are necessary to codify the SAYT Program.

The existing \$28.97 fee for refuse and recycling collection is defined as the *Compulsory Refuse Collection Fee* in the 2025 Fee Schedule. Staff seeks to amend this section of the 2025 Fee Schedule to align with the SAYT Program, effective September 22, 2025, as follows:

Residential Refuse/Recycling Fees (billed by the Town):

- 32 Gallon Refuse/96 Gallon Recycling: \$24.62 (monthly)
- 64 Gallon Refuse/96 Gallon Recycling: \$27.23 (monthly)
- 96 Gallon Refuse/96 Gallon Recycling: \$40.56 (monthly)

The following fees have not previously been included in the Town's Fee Schedule despite being established in the service agreement with our contractor, Waste Management. Staff recommend incorporating them into the Fee Schedule going forward even though they are collected by the contractor.

Residential Refuse/Recycling Fees (billed by Town-contracted service provider)

- Refuse Container Size Change: \$25 (post-SAYT implementation; annually in August)
- Lost/Stolen/Damaged Container Replacement: \$250
- Container Content Overage: \$30.05
- Container Content Contamination: \$5.96

- *Bulky Pick-up: \$50.00*
- *Extra Bags: \$6.00 (per bag)*
- *Additional 96 Gallon Refuse Container: \$21.38 (monthly)*
- *Additional 96 Gallon Recycling Container: \$9.00 (monthly)*

If adopted, the new fee schedule will be implemented with the October 2025 utility billing, which covers the period September 22 to October 21, 2025.

Financial Impact:

Once enrollment for various bin sizes has been affirmed and financial impacts understood, staff may bring additional fee changes forward for Council consideration as part of the 2026 budget adoption. Otherwise, fees will be adjusted annually as part of the contract with Waste Management related to consumer price index (CPI) and other commodity factors.

Legal Review:

The Town Attorney reviewed the draft Resolution and approved it as to form.

Recommendation:

Staff recommends approval of Resolution No. 21, Series 2025 amending the Fiscal Year 2025 Fee Schedule.

Attachments:

Resolution 21, Series 2025
2025 Town of Crested Butte Fee Schedule