

**TOWN OF KEYSTONE
ORDINANCE NO. 2024-O-05**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
KEYSTONE, COLORADO, ADOPTING BY REFERENCE THE SUMMIT
COUNTY LAND USE AND DEVELOPMENT CODE PUBLISHED BY
SUMMIT COUNTY, COLORADO, AS SUCH CODE EXISTED ON MAY
1, 2024, SUBJECT TO REQUIREMENTS, REVISIONS, AND
AMENDMENTS AS PROVIDED BY THIS ORDINANCE, ESTABLISHING
A PENALTY, AND DECLARING AN EMERGENCY**

WHEREAS, the Town of Keystone ("Town") is a home rule municipal corporation created pursuant to Article XX of the Colorado Constitution; and

WHEREAS, Section 6.7 of the Keystone Home Rule Charter and Section 31-16-202, C.R.S., as amended, permits the adoption by reference of codes upon notice and hearing as provided in Section 31-16-203, C.R.S.; and

WHEREAS, the land that was eventually incorporated into the new Town of Keystone was located in and governed by Summit County, Colorado; and

WHEREAS, Summit County enacted and published the *Summit County Land Use and Development Code* which operated as the land development code for what would eventually become the Town of Keystone; and

WHEREAS, the Town Council for the Town of Keystone is obligated to adopt laws to plan for and regulate property within the Town and to provide for the orderly use of land and protection of the environment; and

WHEREAS, in order to best transition from the regulation of land development by Summit County to regulation by the Town of Keystone, the Town Council finds it is in the best interest of the Town to adopt by reference the *Summit County Land Use and Development Code*, subject to such amendments and revisions deemed necessary to properly and appropriately apply the adopted code to property within the Town of Keystone; and

WHEREAS, the Town Council held a public hearing, preceded by proper notice, to consider adoption by reference of the *Summit County Land Use and Development Code*; and

WHEREAS, the required copies of the *Summit County Land Use and Development Code* were made available during normal business hours at the Keystone Town Hall, 1628 Saints John Road, Keystone, Colorado, 80435, for review and inspection by the public upon request; and

WHEREAS, the Town Council determined, based on the evidence and testimony presented at the public hearing, that the *Summit County Land Use and Development Code*, as such code existed on May 1, 2024, and as amended by this Ordinance, will further the health, safety and welfare of the inhabitants of the Town and adoption as an emergency ordinance with regulations effective on May 9, 2024 is for the best interests of the immediate preservation of public peace, health and safety of the community and its citizens.

**THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
ORDAINS:**

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Council.

Section 2. Adoption by Reference. The *Summit County Land Use and Development Code*, as such code existed on May 1, 2024, (the "County Code") is hereby adopted by reference as the Town of Keystone Land Use Code, subject to the following requirements and amendments:

GENERAL AMENDMENTS TO COUNTY CODE:

- All references in the County Code to "Summit County" shall be amended to read "Town of Keystone."
- All references to the "Board of County Commissioners" or "BOCC," shall be amended to read "Town Council," or "Council."
- All references to "County Commission," or "County Commissioners," or other reference referring by the context as a reference to the Board of County Commissioners shall be amended to read in all instances as "Town Council," "Town Councilmembers."
- All references to the "Countywide Planning Commission" or "Basin Planning Commission" shall be amended to read "Planning Commission."
- All references to the "Summit County Land Use and Development Code" or other description or title referring to such code shall be amended to refer to the "Town of Keystone Land Use and Development Code."
- All references to the "Summit County Countywide Comprehensive Plan" shall be amended to read "Master Plan."
- All references to Summit County's "Planning Director" shall be amended to read and refer to the Town of Keystone's "Community Development Director."

- All references to Summit County's basin or subbasin master plans shall be amended to refer to the "Snake River Master Plan."
- All references to County Manager shall be amended to refer to the "Town Manager."
- All references to Colorado state law within the County Code shall be retained where such reference is applicable to Colorado home rule municipalities and, where the reference is limited in application to Colorado county government only, the reference is amended to reflect Colorado Constitutional or statutory law governing municipalities, to the extent such law exists.

CHAPTER 1. INTRODUCTORY PROCEDURES

- Section 1000 titled "Title" is deleted in its entirety and replaced with the following:

1000: - Title.

These regulations may be referred to as the "Town of Keystone Land Use Code," "Land Use Code," or "LUC." The Land Use Code shall be codified by reference as part of the Town of Keystone Municipal Code and may also be published as a stand-alone volume.
- Section 1050 titled "Authority" is deleted in its entirety and replaced with the following:

The authority supporting the laws, rules, regulations, and policies contained in the Town of Keystone Land Use and Development Code is provided by Article XX of the Colorado Constitution and by other provisions of the Colorado Revised Statutes which pertain to the subject matter of the laws, rules, regulations, and policies. Where a direct conflict exists between state law and any provision of this Land Use and Development Code concerning a matter of local interest or a matter of mixed state and local interest, this Land Use and Development Code shall govern to the extent permitted by law.
- Section 1151 titled "Lands" is deleted in its entirety and replaced with the following:

1151: - Applicability, Exemptions, and Limitations.

A. The Land Use Code is applicable to the following described property:

 1. Property located within the legal boundaries of the Town of Keystone regardless of ownership;

2. Property proposed for annexation to the Town of Keystone except to the extent specifically provided by any annexation agreement enacted by ordinance; and
 3. Property located outside of the legal boundaries of the Town of Keystone and described in a Town-approved intergovernmental agreement that requires application of this Land Use Code.
- B. Pursuant to the Town's home rule authority conferred by Article XX of the Colorado Constitution, C.R.S §§ 31-23-226, 31-23-309, and other applicable law, and notwithstanding any other provision of this Land Use Code to the contrary, the provisions of Article 23 of Title 31, C.R.S., shall not apply when such provisions conflict with any provision of this Land Use Code, the Town Charter, ordinances, resolutions, or other policy of the Town of Keystone. Without limiting the foregoing, the following provisions of Article 23 of Title 31, C.R.S., shall apply as indicated below:
1. C.R.S. § 31-23-106. Either the Mayor or Mayor pro tem may acknowledge a plat.
 2. C.R.S. §§ 31-23-203, 31-23-204, and 31-23-205 shall not apply within the Town of Keystone. All matters pertaining to any Town planning commission (including, but not limited to size, membership, residency, alternate membership, authority, duties, terms, removal of members, vacancies, meetings, selection of leadership and officials, staffing, financing, and travel) shall be determined by the Town Council.
 3. C.R.S. §§ 31-23-206, 31-23-207, and 31-23-208 may be used as a guide for the Town, but shall not constitute law, concerning the preparation and processing of a master plan.
 4. C.R.S. § 31-23-209 shall not apply to the Town of Keystone. Any processes or procedures commonly known as "location and extent" or which exempt owners (including school districts, special and metropolitan districts, and other statutorily recognized governmental or quasi-governmental agencies) from the application of the Town's local land use regulation and processes are not applicable to property within

the Town of Keystone.

5. C.R.S. § 31-23-214, concerning subdivision and subdivision regulations, may be used as a guide for the Town, but shall not constitute law, in the processing of subdivision plats and plans.
6. C.R.S. § 31-23-215 shall not apply to the Town of Keystone, provided that the Town may at its election provide notice of major activities.
7. C.R.S. § 31-23-305, concerning changes in zoning and the right of protest shall not apply to the Town of Keystone.
8. C.R.S. §§ 31-23-307 concerning a board of adjustment shall not apply within the Town of Keystone. The Town Council shall determine the need, composition, authority, duties, procedures, appeals, voting requirements, and other matters associated with a board of adjustment.

C. Exemption for Town Property Authorized. The Land Use Code or a particular provision of the Land Use Code shall not apply to a specific use or specific proposal for use of Town-owned or Town-leased property if a majority of the entire Town Council¹ grants an exemption *by resolution* based upon a finding that the public interest is best served, the efficient expenditure of taxpayer funds is advanced, or an emergency condition exists for which the application of this Chapter will impede the Town's ability to serve the Town's residents. The Board's consideration and approval of an exemption shall be an administrative decision and shall not require notice or public hearing prior to approval of the resolution granting an exemption.

D. Limitations. The Land Use Code is not intended to modify, abrogate, amend or annul a vested property right lawfully established in accordance with federal or state law prior to the effective date of this Zoning Code subject to the terms and conditions of any agreement or approval pertaining to such vested right and subject to obligations to compensate owners as may be required by federal or state law.

- Section 1152 titled "Development" is deleted and replaced with the following:

¹ Required vote is a majority of all Board members in office at the time of the vote. For example, for a seven (7) member Board of Trustees, the required vote shall be four (4) votes. The required vote is not a majority of a quorum present as commonly applied to most actions of the Town Board.

1152: - Development

All development, as defined in Chapter 15, in the Town of Keystone shall proceed in accordance with this Code unless exempted, omitted, or otherwise provided herein.

- Section 1201 titled "Relationship to other laws" is deleted in its entirety.
- Section 1202 titled "Relationship to Covenants" is deleted in its entirety and replaced with the following:

1202: - Private Covenants.

The applicability and application of the Land Use Code shall not be affected or altered in any way by privately imposed covenants or private contracts to which the Town is not a party that seek to govern or control the use of property. Rights afforded to private parties by such private covenants and contracts shall remain private rights subject to enforcement by the parties to the covenants or contracts according to their terms. No private covenant or contract to which the Town is not a party may alter, amend, reduce, waive, or negate the application, applicability, and requirement of the Land Use Code and approvals of the Town except to the extent permitted by law.

Nevertheless, the Town may determine that a purpose, element, or an aspect of a private covenant will advance the interests of the Town. For example, a private covenant or an easement created by covenant which protects the floodplain and floodway may reasonably advance a Town goal or policy, may ensure that development meets the requirements of this Land Use Code, or may ensure that a development complies with a condition of development approval. For that reason, the Town may, through the provisions of the Land Use Code or through conditions of development approval, recognize, incorporate, or require compliance with one or more provisions of a covenant or easement.

- Section 1300 titled "Continuation and Repeals" is deleted in its entirety.
- Section 1350, 1351, and 1352, titled "Construction and Interpretation" are deleted and replaced with the following:

1350: - Interpretation.

In the interpretation and application of the provisions of the Land Use Code, the following rules shall govern in addition to any common rules of statutory construction recognized by Colorado courts:

- A. The interpretation and application of the provisions of this Land Use Code shall be regarded as minimum requirements for the protection of the health, safety, and welfare of the public.
- B. Whenever the requirements of the Land Use Code are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or other legislative actions by the Town Council, the more restrictive, or which impose higher standards or requirements, shall govern.
- C. Whenever restrictions imposed by the Land Use Code are either more or less restrictive than regulations adopted by any state or federal agency, the rules or regulations which are more restrictive, or which impose higher standards or requirements, shall govern.
- D. When a provision includes a list of specific items, that list is intended to be exclusive; the provision applies only to the listed items and not to others. But if the list starts with a phrase such as "at a minimum," "including," "such as," or "not limited to," the list illustrates the types of things the provision applies to and is not intended to be an exclusive list.
- E. The use of "may" or "should" means permissive, recommended, or advised but is not mandatory; the use of "shall," "must," or "will" means compliance is mandatory and not voluntary or permissive.
- F. If a term or phrase is subject to more than one reasonable interpretation, the more stringent or restrictive interpretation is intended.
- G. If two or more provisions of the Land Use Code or other applicable law conflict, the more stringent or restrictive provision shall govern or control.
- H. Words in the present tense include the future unless the context clearly indicates the future tense.

- I. Words referencing a singular number include the plural and words referencing a plural number include the singular unless the context clearly indicates the contrary.
 - J. If any section, subsection, paragraph, clause, phrase, or provision of this Chapter shall be adjudged invalid or held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected in whole or in part, other than the provision adjudged to be invalid or unconstitutional.
- Section 1400 titled “Enactment,” and subsection 1401 titled “Effective Date,” and subsection 1402 titled “Location of Certified Copy” are deleted in their entirety.
 - Section 1450 titled “Code Amendments” and subsections 1401 through and including 1456 are deleted.
 - Section 1500 titled “Status of Previous Approvals” is deleted in its entirety.

CHAPTER 2. MASTER PLAN PROCEDURES

- Chapter 2, entitled “Master Plan Procedures” is deleted in its entirety and such chapter reserved for future use.

CHAPTER 3. ZONING REGULATIONS

- Section 3100 titled “Applicability” is deleted in its entirety and replaced with the following:

3100: - APPLICABILITY

The Town of Keystone’s Zoning Regulations apply to the use of all public and private lands situated within the incorporated boundaries of the Town.

- Section 3202(B)(4) is deleted in its entirety.
- Section 3202.05 titled “Wildfire Hazard Areas” is deleted in its entirety.
- The following sections or subsections are deleted in their entirety and all references contained within the Land Use Code to the following zoning districts are deleted:

3301.02 titled "CG (General Commercial)."

3301.03 titled "CN (Neighborhood Commercial)."

3301.04 titled "I-1 (Industrial)."

3301.05 titled "M-1 (Mining)."

3301.06 titled "MHP (Manufactured Home Park)."

3301.09 titled "RU (Rural Residential)."

3301.13 titled "R-3 (Single Family Residential)."

3301.14 titled "R-4 (Single Family Residential)."

3301.15 titled "R-6 (Single Family Residential)."

3301.16 titled "RC-40000 (Rural Community)."

3301.17 titled "BC (Backcountry)."

3302.02 titled "Wildlife Habitat Overlay District."

- Section 3501 (E) and (F) are deleted in their entirety.
- Section 3503 (D) and (J) are deleted in their entirety.
- Section 3504.02 is deleted in its entirety.
- Section 3505.08 is deleted in its entirety.
- Section 3505.12 is deleted in its entirety.
- Section 3507.02 titled "Wind Energy Systems" is deleted in its entirety.
- Section 3507.03 titled "Hydroelectric Energy Systems" is deleted in its entirety.
- Section 3509 titled "Public Use Areas" is deleted in its entirety.
- Section 3512.07 titled "Radioactivity" is deleted in its entirety.
- Section 3513 titled "Manufactured Home Park Development Standards" is deleted

in its entirety.

- Section 3514 titled “Backcountry Zoning District Standards” is deleted in its entirety.
- Section 3515 titled “B-3 Zoning District” is deleted in its entirety.
- Section 3516 titled “RME Residential Mountain Estates” is deleted in its entirety.
- Section 3519 titled “SU-1 Special Use” is deleted in its entirety.
- Section 3521 titled “RC-5000 Rural Communities” is deleted in its entirety.
- Table 3-2 titled “Allowed Plant Materials” is deleted in its entirety.
- Section 3803 titled “Bed and Breakfasts” is deleted in its entirety.
- Section 3804.02 (D)(1) is amended to change the reference of “50 feet of property” to “300 feet of property.”
- Section 3807 titled “Special Events” is deleted in its entirety.
- Section 3808 titled “Dude Ranches and Resorts” is deleted in its entirety.
- Section 3812 titled “Mining and Milling” is deleted in its entirety.
- Section 3815.05 titled “Outdoor Storage in M-1 Zoning District” is deleted in its entirety.
- Section 3818 titled “Sludge Disposal” is deleted in its entirety.
- Section 3819 titled “Recreational Vehicle Use in RC Zoning Districts” is deleted in its entirety.
- Section 3821.04 Delete all references to “Neighborhood Overlay Zone.”

CHAPTER 4. ZONING REGULATIONS/OVERLAY DISTRICTS

- Chapter 4, entitled “Zoning Regulations/Overlay Districts” is deleted in its entirety and such chapter reserved for future use.

CHAPTER 6. GRADING AND EXCAVATION REGULATIONS

- Chapter 6, entitled “Grading and Excavation Regulations” is deleted in its entirety and replaced with the following:

CHAPTER 6 - GRADING AND EXCAVATION REGULATIONS

6001 – Grading and Excavation

A. Generally. The grading and excavation of land within the Town of Keystone is, by its nature, generally contrary to the goals and objective of the Town in preserving the health, safety, and welfare of the public and the natural environment. The Town recognizes that there is a reasonable need for grading and excavation associated with the development of land. However, the Town desires to balance and limit to the greatest degree practicable the extent of such grading and excavation to best preserve and protect the Town’s environmental quality and character.

B. Permit Required.

A grading and excavation permit must be obtained prior to any person commencing any earth-disturbing activity, including but not limited to grading, excavating, clearing of timber, vegetation, revegetation, or landscaping activity, if the area of the activity is:

- (a) More than four hundred (400) square feet of total surface area whether or not areas of disturbance are contiguous;
- (b) An excavation or placement of earth greater than three (3) feet in height or depth from original ground levels, including test holes for percolation tests for the design of septic systems or soils tests for foundation/ structure designs; or
- (b) Final vegetation or revegetation of the entire surface of a septic or leach field system approved by the Summit County Department of Environmental Health, whether or not four hundred (400) square feet in area.

No permit shall be required for emergency work, as shall be defined by the regulations, or for activity covered by a valid building permit. Work not requiring a permit shall nevertheless conform to the requirements of the regulations.

C. Permit Application.

1. Application for a grading and excavation permit shall be made in a form promulgated by the Planning Director and shall be accompanied by a plan and geotechnical report which reasonably details the extent and requirements for grading, excavation, reclamation, restoration, and revegetation. The Town Engineer may approve an application and issue a grading and excavation permit upon a finding that: (a) the application is complete; (b) all required financial guarantees are provided; (c) the plan, when completed, will reasonably restore the property described in the application in a manner that is compatible and consistent with the surrounding terrain and with adjacent properties, will reasonably prevent surface drainage to exceed historic surface flows (in terms of location, volume, quality, and duration), and will preserve the natural environment.
2. Plans and geotechnical reports shall be prepared by a Colorado licensed landscape architect and/or engineer unless the Town Engineer determines that such requirement is unreasonable given the nature and scope of the proposed disturbance. Applicants are encouraged to contact the Town Engineer in advance of application submittal to request a determination from the Town Engineer which items and requirements may be omitted from an application for a grading and excavation permit.

D. Financial Guarantee

1. Upon the Town Engineer's determination that unique site considerations exist, no permit application shall be approved unless the applicant shall have provided a financial guarantee of completion of grading and revegetation acceptable to the Town Engineer. Unique site considerations include: (a) hazardous conditions that are likely to occur as a result of incomplete or improper grading; (b) potential adverse effects on the surrounding environment, properties, or community as a result of incomplete or improper grading; (c) adverse geological or environmental impacts as a result of incomplete or improper grading; or (d) proximity (customarily 150 feet or

less) of the proposed site work to a lake, pond, river, stream, or permanent water body or historic drainageway.

2. The amount of the guarantee shall be calculated on the basis of one dollar and fifty cents (\$1.50) per square foot of disturbed area. Disturbed area means all adjacent and/or other associated areas of disturbance or uprooting of trees or vegetation resulting from the construction activity, including but not limited to new roads or parking areas; graded or run-over areas disturbed to provide materials, equipment or other storage needs; or any other, similar area determined by the Town Engineer to be disturbed.
3. In calculating the disturbed area, the Town Engineer shall exclude areas of completed construction, including but not limited to residences, garages, paved roads, sheds, patios, gazebos and decks. In the case of septic or leach field systems, the entire area of disturbance, including areas containing the installed system, shall be included.
4. The form of the financial guarantee shall be cash deposit or letter of credit issued by a bank licensed in the state of Colorado with an office in Summit County or the Denver metropolitan area. Letters of credit shall be in a form approved by the Town Attorney

E. Duration of Permit.

Any permit issued under this section 6001 shall expire twelve (12) months from the date of issue unless otherwise terminated by the Town. Permits may be extended for not greater than twelve (12) months upon a finding by the Town Engineer that the extension is warranted: (i) due to circumstances reasonably beyond the control of the permittee; and (ii) the permittee is diligently pursuing completion of all planned or required reclamation, final grading, and revegetation; and (iii) the financial guarantee required by this section shall remain effective and available to ensure completion of the plan.

CHAPTER 7. WATER QUALITY CONTROL REGULATIONS

- Chapter 7, entitled "Water Quality Control Regulations" is deleted in its entirety and replaced with the following:

Chapter 7 - WATER QUALITY CONTROL REGULATIONS.

7002 - Wetland Protection.

- (a) The Town incorporates into the Land Use Code the delineation of wetlands recognized and established by state and federal law. Although the mapping which delineates state or federal protected wetlands is readily available to the public, the Town shall use its best efforts to make available to the public information to assist in identification of protected wetlands.
- (b) The area of any land which is located within a delineated wetland shall be prohibited from development or improvement unless the proposed development or improvement is expressly authorized and permitted by the state or federal regulatory agency with jurisdiction over such wetland area. The Town shall only accept as evidence of state or federal authorization or permission a written declaration issued by the appropriate federal or state agency which identifies both the specific development or improvement proposed by the Owner or Applicant and which demonstrates a clear understanding of the extent and nature of such development or improvement.
- (c) Owners and applicants seeking development approval from the Town are encouraged to consult with the Town prior to the planning of any development or improvement in order to identify the extent of protected wetlands.

7003 - Floodway and Floodplain Protection.

- (a) The Town incorporates into the Land Use Code the delineation of floodway and floodplain recognized and established by state and federal law. Although the mapping which delineates state or federal protected floodway and floodplain is readily available to the public, the Town shall use its best efforts to make available to the public information to assist in identification of protected floodway and floodplain.
- (b) The area of any lot which is located within a delineated floodway or floodplain shall be prohibited from development or improvement unless the proposed development or improvement is expressly authorized and permitted by the

state or federal regulatory agency with jurisdiction over such area. The Town shall only accept as evidence of state or federal authorization or permission a written declaration issued by the appropriate federal or state agency which identifies both the specific development or improvement proposed by the Owner or Applicant and which demonstrates a clear understanding of the extent and nature of such development or improvement.

- (c) Owners and applicants seeking development approval from the Town are encouraged to consult with the Town prior to the planning of any development or improvement in order to identify the extent of protected floodway or floodplain.

CHAPTER 8. SUBDIVISION REGULATIONS

- Section 8001.02 (G) is deleted in its entirety.
- Section 8002.01 (A)(1)(f) is deleted in its entirety.
- All references to “lot split on wells” shall be deleted.
- All references to “rural land use subdivisions” shall be deleted.
- Section 8101 (D) titled “Fuel Reduction/Forest Management Plans” is deleted in its entirety.
- Section 8109 titled “Subdivision Improvements Agreements” is deleted in its entirety.
- All references to Planning Director or Planning Department shall be “Review Authority.”
- Section 8401.03 titled “Lot Splits on Wells” is deleted in its entirety.
- Section 8402.01 (C) titled “Lot Splits on Wells” is deleted in its entirety.
- Section 8402.02 (A) titled “lot Splits on Wells Subdivision Exemption” is deleted in its entirety.
- Section 8420 through and including 8429.01 (pertaining to Rural Land Use) is deleted in its entirety.

- Table 8-1 titled "Required Certifications for Subdivision Plats" is deleted in its entirety.
- Section 8704 is deleted and replaced with the following:

8704: - Required Plat Certification Language

The following wording shall be used in plat certificates unless otherwise approved by the Planning Director.

A. Dedication

"Know all persons by these presents: That (printed name of owner), being the owner(s) of the land described as follows: (insert legal description of land being subdivided and include area in acres to two (2) decimal places) in the Town of Keystone, Colorado, under the name and style of (complete name of subdivision in capital letters) have laid out, platted, and subdivided same as shown on this plat, and by these presents does (do) hereby dedicate to the Town of Keystone, State of Colorado, the streets, roads, and other public areas as shown hereon, including but not limited to trails and open space, for use as such and hereby dedicate those portions of land labeled as utility easements to the Town of Keystone for use by the Town and by utility companies or other providers of utilities in the installation and maintenance of utility lines and facilities. It is understood that dedication of public rights-of-way for streets and roads does not necessarily result in acceptance of roads constructed therein for maintenance by the Town of Keystone.

In witness whereof, the said owner (printed name of owner) had caused his or her name to hereunto be subscribed this ___ day of _____, 20__."

B. Form of Notarial Certificate

"State of Colorado
County of Summit

The foregoing owner's certificate was acknowledged before me this ___ day of _____, 20__, by (name as follows):

- a. if by natural persons - insert name
- b. if by person acting in a representative official capacity, then insert the name of said person and said capacity
- c. if by officers of a corporation, then insert names of said officers, title of offices, and name of corporation

Witness my hand and official seal:
(Signature) (seal)
(printed name of notary)
Notary Public

My commission expires _____, 20____ (insert date of expiration)"

C. Surveyor's Certificate

"I (printed name of land surveyor), being a licensed land surveyor in the State of Colorado, do hereby certify that this plat and survey of (name of subdivision in capital letters) was made by me and under my supervision and that both are accurate to the best of my knowledge.

Dated this ___ day of _____, 20____.

Signature _____ (Seal)

Colorado Registration # _____ "

D. Recorder's Acceptance

"This plat was accepted for filing in the office of the Summit County Clerk and Recorder on this ___ day of _____, 20____ and filed for record at _____ under reception number _____.

Signature _____ (Seal)

Summit County Clerk and Recorder"

E. Title Company Certificate

"_____ Title Company does hereby certify that it has examined the title to all lands as shown hereon and title to such lands is in the dedicator free and clear of all liens, taxes, and encumbrances, except as follows:

Dated this _____ day of _____, 20____.

Agent"

F. Keystone Town Council Approval for Plats Approved at a Town Council Meeting

"The Town Council of the Town of Keystone, Colorado, does hereby approve this [plat, condominium map, townhouse plat, subdivision exemption plat] at a meeting held on this ___ day of ___, 20____, and hereby accepts dedication of public rights-of-way, utility easements, and other public areas as shown hereon. Acceptance of public rights-of-way for streets or roads does not constitute acceptance for maintenance of roads constructed therein. The procedure for acceptance of roads for maintenance purposes shall be as stated in the Road & Bridge Design and Construction Standards or such regulations as shall be adopted in lieu of the Road & Bridge Design and Construction Standards.

Mayor or Mayor pro tem "

G. Keystone Town Council Approval for Plats Approved via the Class 2 Administrative Review Process

"The Town Council of the Town of Keystone, Colorado, does hereby approve this [plat, condominium map, townhouse plat, duplex plat] and hereby accepts dedication of public rights-of-way, utility easements, and other public areas as shown hereon. Acceptance of public rights-of-way for streets or roads does not constitute acceptance from maintenance of roads constructed therein. The procedure for acceptance of roads for maintenance purposes shall be as stated in the Road & Bridge Design and Construction Standards or such regulations as shall be adopted in lieu of the Road & Bridge Design and construction Standards.

Mayor or Mayor pro tem

Date"

H. Treasurer's Certificate

"I the undersigned do hereby certify that the entire amount of taxes and assessments due and payable as of _____, ___ upon all parcels of real estate described on this plat are paid in full.

Dated this _____ day of _____, 20__.

Treasurer"

CHAPTER 9. SIGN REGULATIONS

- Section 9006 (B) and (D) are deleted.
- Delete reference in 9101 (A): "except for signage in the B-3 Zoning District, which has the sign regulations contained within the text of the B-3 Zoning District"

CHAPTER 10. AREAS AND ACTIVITIES OF STATE INTEREST

- Chapter 10, entitled "Areas and Activities of State Interest" is deleted in its entirety and reserved for the Town's future use for local regulation of areas and activities of state interest (a/k/a 1041 Regulations).

CHAPTER 12. DEVELOPMENT REVIEW PROCEDURES

- Section 12005(A) is deleted in its entirety and replaced with the following:
 - A. The Town Council shall adopt by resolution a "Fee Schedule" for review of development applications and issuance of development permits. The Fee Schedule resolution shall address the standard fees for the processing of all

common types of Land Use Development applications under this Code. In addition to application fees, an applicant shall pay one hundred percent (100%) of the costs of review incurred by the Town's consultants that are directly related to the review, inspection, drafting of documents, and consideration of the application. Consultants retained by the Town may include engineering, legal, water, environmental, and other land use professionals. The Town Council may, but is not required to, identify the hourly rates for the consultant reviews on the Fee Schedule.

Procedure for Payment of Consultant Review Fees. At the time an application is first submitted to the Town, and prior to any review by the Town staff, the Applicant shall pay to the Town both the application fee required by subsection (a) of this section and an initial deposit ("Initial Deposit") to be applied to the Town's consultant review fees in an amount set by the Planning Department based on the Planning Department's estimate of the consultant resources likely required for review of the application. As consultant review fees are incurred and billed to the Town, the Town shall draw upon the Initial Deposit for payments to the appropriate consultants. At such time that the fees charged against the Initial Deposit exceed seventy-five (75) percent or more of the Initial Deposit, and within ten (10) days of the Applicant's receipt of notice by the Town, the Applicant shall supplement the Initial Deposit by making an additional deposit with the Town of an amount equal to at least fifty (50) percent of the amount of the Initial Deposit.

CHAPTER 14. ADMINISTRATION AND ENFORCEMENT

- Section 14003 titled "Board of Adjustment" is deleted in its entirety.
- Section 14004.02 titled "Planning Commission Bylaws" is deleted in its entirety.
- Section 14101.02(F), (G), related to "merger" are deleted in their entirety.
- Section 14103.06 titled "Exceptions for Structures in the Backcountry Zoning District" is deleted in its entirety.
- Section 14300(A) is deleted in its entirety and replaced with the following:

A. Violation of Code: It is unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of the regulations contained in this Code. If any building or structure is or is proposed to be erected, constructed, reconstructed, altered, maintained or used or any land is proposed to be used in violation of the regulations contained in this Code, the Town may, in addition to other remedies provided by law, institute an injunction, mandamus, abatement or other appropriate legal remedy so as to prevent, enjoin,

abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use. Any violation of this Code is subject to a civil penalty of not more than two thousand six hundred fifty dollars (\$2,650.00), plus costs. Each calendar day of a violation shall be counted as a separate violation of this Code.

CHAPTER 15. DEFINITIONS

- Acronyms and Abbreviations, delete all references to:

B1	Business
BOCC	Board of County Commissioners
CG	General Commercial
CN	Neighborhood Commercial
I1	Industrial
M1	Mining
R-4	Single Family Residential
R-6	Single Family/Duplex Residential
RME	Residential Mountain Estates
RU	Rural Residential

- Table of Contents and Definitions, delete all references to:
 - Adult Arcade
 - Adult Bookstore, Adult Novelty Store or Adult Video Store
 - Adult Cabaret
 - Adult Motel
 - Adult Motion Picture Theater
 - Agricultural Operations
 - Agriculture
 - Air Contaminant
 - Airport
 - Amusement Facilities
 - Animal Feedlot
 - Animal Salesyard
 - Asphalt Plant
 - Automobile Body Work, Painting or Restoration
 - B-3
 - Barn
 - Basin Planning Commission
 - BOCC
 - Board of County Commissioners
 - Boarding/Rooming House
 - Breeding Farm
 - Bunkhouse or Hired Hand Quarters

Cattle
Cemetery
CG
CN
Concrete Batch Plant
Crematorium
Dredge Spoils
Dude Ranch
Extraction, Gravel, and Sand
Extraction, Mineral
Fairgrounds
Farm
Fraternal or Service Club
Fur Farm
Goat
Heap Leaching
Hired Hand Quarters
Hydroelectric Energy System
I1
Industry or Industrial
Lumberyard
M1
Manufactured Home Park
Middle School
Milling
Nordic Ski Hut
Nude Entertainment Establishments
Nudity
Packing and Outfitting
Penal Facilities
Power Plant
R4
R6
RME
RP
Regional Planning Commission
Retail Marijuana Cultivation Facility
Retail Marijuana Product Facility
Rooming house
RPC
RU
SU
Sanitary Landfill/Solid Waste Disposal

Sewage Treatment Plant
Sheep
Shooting Range
Silviculture
Sludge
Sludge Storage, Temporary
Specified Anatomical Areas
Specified Sexual Activities
Swine
Timber Harvest
Vat Leaching
Wild Game Ranch

CHAPTER 16

- Chapter 16, entitled "Bylaws" shall be deleted in its entirety and reserved for the Town's future use.

Section 3. Amendment to Ordinance 2024-O-01 Prescribing the membership of the Planning and Zoning Commission. Section 2(C)(1) titled Powers is repealed and replaced to read as follows: 1. Review and Decisions as required by the Town of Keystone Land Use Code.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Minor Revision or Correction Authorized. The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, numerical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

Section 6. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 7. Emergency Declared; Effective Date. The Town Council hereby legislatively declares that the passage of this Ordinance is necessary for the immediate preservation of the public peace, health or safety. Absent passage of this Ordinance as an Emergency Ordinance, the Town risks the submission of applications for land use matters and other regulations without a land development code in place and there is no mechanism to process any land use applications without a land development code in place. Upon passage by a supermajority of Town Council members in office, as required by Section 6.6

of the Keystone Home Rule Charter (¾ of all members in office), this Ordinance shall take effect immediately and be enforced on May 9, 2024.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AND SCHEDULED FOR PUBLIC HEARING ON APRIL 23, 2024, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

26th DAY OF March, 2024.

Kenneth D. Riley
Kenneth D. Riley, Mayor

ATTEST:

Madelene Sielo
Town Clerk

APPROVED AS TO FORM:

Jessie Mader
Town Attorney

I hereby certify that the above Ordinance was introduced to the Town Council of the Town of Keystone at its meeting of March 26th, 2024 and ordered published two times by title only in The Summit Daily newspaper on April 5th on April 12th, 2024, and in full on the Town web site.

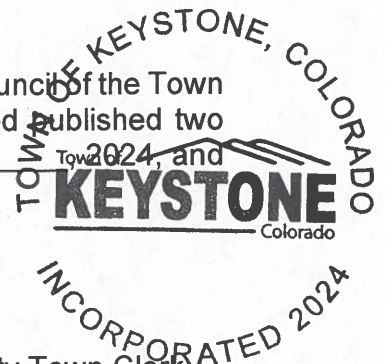
ATTEST: Madelene Sielo

SEAL

By: Town Clerk or Deputy Town Clerk

READ, PASSED AND ADOPTED AS AN ORDINANCE ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

23rd DAY OF April, 2024.



Kenneth D. Riley
Kenneth D. Riley, Mayor

ATTEST:

Madeline Sieb
Town Clerk

APPROVED AS TO FORM:

Joseph M...
Town Attorney