

ORDINANCE NO. 30

Series 2017

AN ORDINANCE EXCLUDING CERTAIN REAL PROPERTY FROM THE BRECKENRIDGE
DESIGN STANDARDS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
COLORADO:

Section 1. Findings. The Town Council finds and determines as follows:

A. The Town owns the following described real property:

TRACT F, FOUR SEASONS OF BRECKENRIDGE VILLAGE FILING NO. 2,
AMENDED, AS SHOWN ON THE PLAT THEREOF, TOWN OF
BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO

B. In 1992 the "Breckenridge Design Standards" were adopted as Chapter 5 of Title 9 of the Breckenridge Town Code. In 2012, Chapter 5 of Title 9 was amended by the adoption of the "Handbook of Design Standards for the Transition Character Areas of the Conservation District."

C. The Town-owned real property described in Finding A of this Section 1 is located within the boundaries of the "River Park Corridor Transition Character Area #8" as described in the "Handbook of Design Standards for the Transition Character Areas of the Conservation District."

D. The Town's method of enforcement of the Breckenridge Design Standards is through the Town's Development Code, Chapter 1 of Title 9 of the Breckenridge Town Code.

E. Pursuant to Section 9-14-2 of the Breckenridge Town Code, the Town's Development Code does not apply to Town projects undertaken by the Town.

F. Because the Town's Development Code, Chapter 1 of Title 9 of the Breckenridge Town Code, does not apply to Town projects undertaken by the Town, the Town Council finds and determines that the Town real property described in Finding A of this Section should be excluded from and should no longer be governed by or subject to the Breckenridge Design Standards, including, but not limited to, the "River Park Corridor Transition Character Area #8" as described in "Handbook of Design Standards for the Transition Character Areas of the Conservation District."

Section 2. The following described real property:

TRACT F, FOUR SEASONS OF BRECKENRIDGE VILLAGE FILING NO. 2,
AMENDED, AS SHOWN ON THE PLAT THEREOF, TOWN OF
BRECKENRIDGE, COUNTY OF SUMMIT, STATE OF COLORADO

is hereby excluded from and is longer governed by or subject to the Breckenridge Design Standards, including but not limited to, the "River Park Corridor Transition Character Area #8" as described in "Handbook of Design Standards for the Transition Character Areas of the Conservation District."

Section 3. In connection with the adoption of this ordinance the procedures for the adoption of Town ordinances set forth in Section 5.10 of the Breckenridge Town Charter were followed. In addition to the notice required by Section 5.10 of the Breckenridge Town Charter, notice of the public hearing on this ordinance was given in the same manner as is required for a final hearing on a class A development permit application pursuant to the Town's Development Code, Chapter 1 of Title 9 of the Breckenridge Town Code. Such additional notice is reasonably calculated to afford affected persons the realistic opportunity to protect their interests. The Director's Certificate of Mailing, as well as the Town Clerks Certification of Publication on the Town's website as required by Chapter 22 of Title 1 of the Breckenridge Town Code are made a part of the record of the adoption of this ordinance. The failure of any person to receive any required notice shall not impair the validity of this ordinance.

Section 4. The Town Council hereby finds, determines, and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by

Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

Section 5. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 10th day of October, 2017.

This ordinance was published in full on the Town of Breckenridge website on October 11, October 12, October 13, October 14 and October 15, 2017.

A public hearing on this ordinance was held on November 14, 2017.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 14th day of November, 2017. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST: TOWN OF BRECKENRIDGE

_____/s/_____
Helen Cospolich, CMC, Town Clerk

_____/s/_____
Eric S. Mamula, Mayor

APPROVED IN FORM

_____/s/_____
Town Attorney Date

This Ordinance was published on the Town of Breckenridge website on November 15, November 16, November 17, November 18 and November 19, 2017. This ordinance shall become effective on December 19, 2017.