

ORDINANCE NO. 19

Series 2019

AN ORDINANCE PLACING RECENTLY ANNEXED PROPERTY
IN LAND USE DISTRICT 45
(Kenington Townhomes – 2.80 acres, more or less)

WHEREAS, by Ordinance No. 10, Series 2019, effective July 4, 2019, the real property described in Section 1 of this ordinance was annexed into and made a part of the Town in accordance with the Municipal Annexation Act of 1965 (Part 1 of Article 12 of Title 31, C.R.S.); and

WHEREAS, the Town is required by Section 31-12-115(2), C.R.S., to zone all newly annexed areas within ninety (90) days after the effective date of the annexation ordinance; and

WHEREAS, the Town Council recently adopted an ordinance establishing Land Use District 45 for the purpose of providing an appropriate land use district designation for the real property described in Section 1 of this ordinance, and certain other land; and

WHEREAS, the Town's Planning Commission has recommended that the recently annexed parcel be placed within Land Use District 45.

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

Section 1. The following described real property:

Kenington Place Townhomes, including all buildings and units thereof, and all common areas, according to the plats thereof recorded in the real property records of the Clerk and Recorder of Summit County, Colorado.

The parcel is more particularly described as follows:

A tract of land being all of Kenington Place Townhomes (previously Lot 67, Huron Heights), located in summit County Colorado, and being more particularly described as follows:

Beginning at the Southeast corner of said Kenington Place Townhomes (Lot 67, Huron Heights); thence along the following 5 courses:

- 1.) N54°12'03"W a distance of 579.76 feet;
 - 2.) N10°00'29"W a distance of 147.77 feet;
 - 3.) N57°15'00"E a distance of 150.00 feet;
 - 4.) S44°09'25"E a distance of 640.54 feet;
 - 5.) S35°44'24"W a distance of 130.91 feet;
- To the Point of Beginning, containing 2.80 acres, more or less

is placed in Breckenridge Land Use District 45. The Town staff is directed to change the Town's Land Use District Map to indicate that the abovedescribed property has been annexed and placed within Land Use District 45.

Section 2. The Town's Annexation Plan adopted pursuant to Section 31-12-105(1)(e), C.R.S., is amended to reflect the placement of the real property described above in Land Use District 45.

Section 3. The Town Council finds, determines, and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 4. The Town Council finds, determines, and declares that it has the power to adopt this ordinance pursuant to: (i) Section 31-12-115(2), C.R.S.; (ii) the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (iii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iv) Section 31-15-103, C.R.S. (concerning municipal police powers); (v) Section 31-15-401, C.R.S.(concerning municipal police powers);

(vi) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vii) 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 9th day of July, 2019.

This ordinance was published in full on the Town of Breckenridge website on July 10, July 11, July 12, July 13 and July 14, 2019.

A public hearing on this ordinance was held on August 13, 2019.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 13th day of August, 2019. 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 August 16, August 17, August 18, August 19 and August 20, 2019. This ordinance shall become effective on September 19, 2019.

ATTEST:

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