

ORDINANCE NO. 33

SERIES 1992

AN ORDINANCE AMENDING THE BRECKENRIDGE
DEVELOPMENT CODE TO ESTABLISH PROVISIONS
CONCERNING THE PAINTING OF CONTEMPORARY
LANDMARKS

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

Section 1. There is hereby added to Section 9-1-5 of the Breckenridge Town Code a new definition of "Contemporary Landmark" which shall read in its entirety as follows:

CONTEMPORARY
LANDMARK

A structure which is determined to have acquired historic, cultural or other special significance and which, for the 25 year period immediately preceding the adoption on April 24, 1990 of the color requirements set forth in Absolute Policy No. 5 of Section 1-9-19 of this Code, has had substantially the same exterior architecture and been in continuous use.

Section 2. There is hereby added to the definition of "Class B Development" as set forth in Section 9-1-5 of the Breckenridge Town Code a new provision which shall read in its entirety as follows:

--The painting of a Contemporary Landmark as provided in Subparagraph A.5 of Absolute Policy No. 5 (Section 9-1-19).

Section 3. The fourteenth subpart of the definition of "Class C Development" as set forth in Section 9-1-5 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

--Any painting of a structure within the Historic District, except for the painting of a Contemporary Landmark as provided in Subparagraph A.5 of Absolute Policy No. 5 (Section 9-1-19) and except for paint maintenance.

Section 4. The tenth subpart of the definition of "Class D Development" as set forth in Section 9-1-5 of the Breckenridge Town Code is hereby amended so as to read as follows:

--Any painting of a structure with a commercial or lodging use outside of the Historic District in Land Use Districts 3, 4, 5, 6, 9, 13, 20, 23, 25, 28, 31, 32, 33, 35 or 39; except for the painting of a Contemporary Landmark as provided in Subparagraph A.5 of Absolute Policy No. 5 (Section 9-1-19) and except for paint maintenance.

Section 5. Absolute Policy No. 5 (Architectural Compatibility) as set forth in Section 9-1-19 of the Breckenridge Town Code is hereby amended by the inclusion of a new Subparagraph A.5, which shall read in its entirety as follows:

A.5 Painting of Contemporary Landmark: Notwithstanding provisions of Subparagraph A of this Policy, a Contemporary Landmark may be painted a color with a chroma different from that required by Subparagraph A of this Policy under the following conditions:

1. The Planning Commission determines on the basis of credible evidence that requiring a change in the chroma of the color of the structure would significantly impair or impede the recognition of the structure by the public;
2. The chroma of the color which the structure is to be painted is the same as the chroma of the historic color which the structure has been continuously painted for the 25 years immediately preceding the adoption of the color requirements set forth in Subparagraph A of this Policy on April 24, 1990; and
3. Any Class B Development Permit which authorizes the painting of a Contemporary Landmark pursuant to the provisions of this Subparagraph A.5 shall provide that the chroma of the color of the structure may not be altered without the structure losing its designation as a Contemporary Landmark.

Section 6. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.


Section 7. 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 8. 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 November, 1992. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 24th day of November, 1992 at 7:30 p.m. or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE


 Mary Jean Loufek, Town Clerk


 Stephen C. West, Mayor

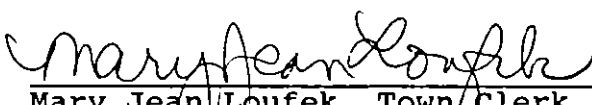
This Ordinance was published in full in the Breckenridge Journal, a newspaper of general circulation within the Town of Breckenridge, on November 19, 1992.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE this 24th day of November, 1992.

A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE


 Mary Jean Loufek, Town Clerk


 Stephen C. West, Mayor

APPROVED IN FORM


 Town Attorney

11/24/92
 Date

This Ordinance was published by title in the Breckenridge Journal, a newspaper of general circulation within the Town of Breckenridge, on December 3, 1992.