

ORDINANCE NO. 25

Series 1997

AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE OFF-STREET PARKING ORDINANCE", BY ADOPTING PROVISIONS ALLOWING FOR THE ESTABLISHMENT OF OFF-STREET PARKING REQUIREMENTS IN CONNECTION WITH THE APPROVAL OR AMENDMENT OF A MASTER PLAN

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

Section 1. There is hereby added to Section 9-3-6 a new definition of "Master Plan", which shall read in its entirety as follows:

MASTER PLAN See definition of "Master Plan" in Section 9-1-5 of this Code.

Section 2. There is hereby added to Section 9-3-6 a new definition of "Mixed Use", which shall read in its entirety as follows:

MIXED USE See definition of "Mixed Use" in Section 9-1-5 of this Code.

Section 3. Section 9-3-8 of the Breckenridge Town Code, entitled "Off-Street Parking Requirement", is hereby amended by the addition of a new subparagraph D, which shall read in its entirety as follows:

D. The requirements of this Section may be increased or decreased for a mixed use development containing not less than 100,000 square feet. Such change shall be accomplished by a development agreement entered into between the Town and the landowner or developer in connection with the approval or amendment of a Master Plan. A request for such development agreement shall initially be made to and reviewed by the Planning Commission in connection with its consideration of the Master Plan, and the Planning Commission shall submit its recommendation with respect to such proposed agreement to the Town Council prior to the Council's consideration of the proposed agreement. The final decision with respect to the approval of such development agreement shall be made by the Town Council in its sole and absolute discretion. Any request to vary the requirements of this Section shall be supported by a written analysis paid for by the applicant and prepared by a qualified parking consultant. Once approved, the development agreement and Master Plan shall establish the off-street parking requirement in lieu of that set forth in Section 9-3-8 of this Code and shall serve as one of the controlling development policies for a site-plan level development of the property which is the subject of the Master Plan as provided in Paragraph H of Policy 39 (Absolute) of Section 9-1-19 of this Code.

Section 4. 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 5. The Town Council hereby 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.

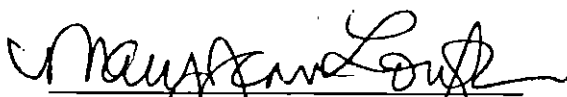
Section 6. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.


Section 7. 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 11th day of November,, 1997. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 9th day of December, 1997, 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, CMC, Town Clerk


Kenneth M. Adams, Mayor Pro Tem

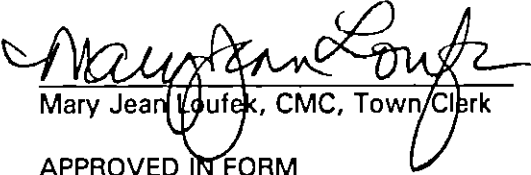
This ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on December 4, 1997.

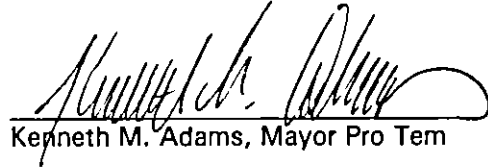
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE WITH AMENDMENTS, this 9th day of December, 1997.

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

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Kenneth M. Adams, Mayor Pro Tem

APPROVED IN FORM


Town Attorney


Date

This Ordinance was published by title in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on December 18, 1997.