

ORDINANCE NO. 15

Series 1998

AN EMERGENCY ORDINANCE CONCERNING THE NUMBER OF POINTS TO BE AWARDED UNDER POLICY 24 (RELATIVE) OF THE BRECKENRIDGE DEVELOPMENT CODE CONCERNING THE PROVISION OF EMPLOYEE HOUSING

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

Section 1. Subparagraph A(1) of Policy 24 (Relative) ("Social Community"), as set forth in Section 9-1-19 of the Breckenridge Town Code, is hereby amended so as to read in its entirety as follows:

A. Employee Housing: It is the policy of the Town to encourage the provision of employee housing units within commercial, industrial, and multi-unit residential developments to help alleviate employee housing impacts created by the proposed uses.

(1) Point Assessments:

a. Multi-unit Residential -

1. The following points will be assessed in connection with multi-unit residential projects of less than 5,000 square feet of density:

5 x +2 The provision of not less than 500 square feet of employee housing. The maximum positive points will be considered for a project which contains more than 1,000 square feet of employee housing.

0 The provision of no employee housing.

2. The following points will be assessed in connection with multi-unit residential projects of five thousand (5,000) square feet of density or more:

5 x +2 The provision of employee housing equal to or greater than 10 percent of the density of the proposed project. The maximum positive points will be considered for a project which contains more than 1,000 square feet of employee housing.

0 The provision of employee housing equal to more than 500 square feet but less than 10 percent of the density of the proposed project.

-2 The provision of no employee housing.

b. Commercial/Office -

1. The following points will be assessed in connection with commercial or office projects of less than 5,000 square feet of density:

5 x +2 The provision of not less than 500 square feet of employee housing. The maximum positive points will be considered for a project which contains more than 1,000 square feet of employee housing.

0 The provision of no employee housing.

2. The following points will be assessed in connection with commercial or office projects of 5,000 square feet of density or more :

5 x +2 The provision of employee housing equal to or greater than 10 percent of the density of the proposed project. The maximum positive points will be considered for a project which contains more than 1,000 square feet of employee housing.

0 The provision of employee housing more than 500 square feet but less than 10 percent of the density of the proposed project.

-2 The provision of no employee housing.

c. Industrial/Service Commercial -

1. The following points will be assessed in connection with industrial projects of less than 10,000 square feet of density:

5 x +2 The provision of not less than 500 square feet of employee housing. The maximum positive points will be considered for a project which contains more than 1,000 square feet of employee housing.

- 0 The provision of no employee housing.
- 2. The following points will be assessed in connection with industrial projects of 10,000 square feet of density or more:
 - 5 x +2 The provision of employee housing equal to or greater than 10 percent of the density of the proposed project.
 - 0 The provision of employee housing more than 500 square feet but less than 10 percent of the density of the proposed project.
 - 2 The provision of no employee housing.

Section 2. 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 3. 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 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. The Town Council of the Town of Breckenridge hereby finds, determines and declares that an emergency exists and that this Ordinance is necessary for the immediate preservation of public property, health, welfare, peace or safety. The change to the Town's employee housing policy which was brought about by the adoption on January 27, 1998 of Ordinance No. 4, Series 1998, had the unintended consequence of awarding positive points for the provision of employee housing under the Town's Development Code in a manner which is disproportionate, in the judgment of the Town Council, to the amount of employee housing actually being provided. As a direct result, the Town has received applications under the Town's Development Code seeking approval of projects which do not, in the judgment of the Town Council, reflect good planning practices or good public policy. The Town Council finds and determines that there is a reasonable probability of the submission of additional development permit applications seeking to take advantage of the policy established by Ordinance No. 4, Series 1998, prior to the time that this Ordinance would normally go into effect if not adopted on an emergency basis. The adoption of this Ordinance on an emergency basis will immediately eliminate any obligation of the Town to evaluate and approve under the policy established by Ordinance No. 4, Series 1998 any development permit application submitted after the adoption of this Ordinance, and will thereby serve a substantial public purpose. The Town Council further determines that the adoption of this Ordinance as an emergency ordinance is in the best interest of the citizens of the Town of Breckenridge.


Section 6. Pursuant to Section 5.11 of the Breckenridge Town Charter this Ordinance shall take effect and be in full force upon adoption of this Ordinance by the affirmative votes of at least five (5) members of the Town Council.

Section 7. This Ordinance shall be published in full within ten (10) days after adoption, or as soon thereafter as possible, as required by Section 5.11 of the Breckenridge Town Charter.

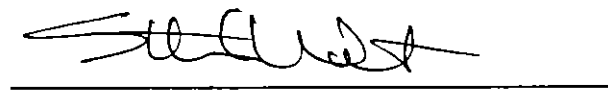
ADOPTED AND APPROVED as an Emergency Ordinance this 12th day of May, 1998.

ATTEST:

TOWN OF BRECKENRIDGE

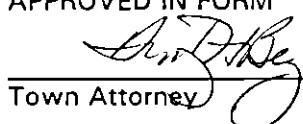


 Mary Jean Loulek, CMC, Town Clerk



 Stephen C. West, Mayor

APPROVED IN FORM



 Town Attorney

5/12/98

 date

This Ordinance was published in full in the Summit County Journal on May 21, 1998.