

ORDINANCE NO. 21

Series 1998

AN ORDINANCE AMENDING 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. The definition of "employee housing" set forth in Section 9-1-5 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

Employee Housing A dwelling unit the occupancy of which is restricted to a person eighteen (18) years of age or older who, during the entire period of his or her occupancy of the property, earns his or her living by working in Summit County, Colorado an average of at least thirty (30) hours per week, together with such person's spouse and minor children, if any.

All employee housing units shall be a minimum of 250 square feet of density in size and shall have a living area containing at a minimum: a kitchen sink; cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches in front; sleeping accommodations; a separate closet with a door; and a separate bathroom with a door, lavatory, and a bathtub or shower.

Section 2. Subparagraph (1) of Paragraph E of Policy 3 (Absolute) ("Density/Intensity") of Section 9-1-19 of the Breckenridge Town Code, entitled "Special Employee Housing Density Calculations" is hereby amended so as to read in its entirety as follows:

E. Special Employee Housing Density Calculations:

(1) A maximum of ten percent (10%) of the density of a project which is located outside of the Conservation District shall be excluded from the calculated density of the project if such density is used to construct employee housing (as defined in section 9-1-5 of this chapter). An employee housing unit which is located within the conservation district shall count against the density and mass of the project for which such unit was provided.

Section 3. 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 in connection with commercial, industrial, and multi-unit residential developments to help alleviate employee housing impacts created by the proposed uses.

(1) Point Assessments: The following points shall be assessed in connection with all development permit applications for commercial, industrial and residential projects:

POINTS	% OF PROJ DENSITY IN EMPLOYEE HOUSING	EXAMPLES OF SQUARE FOOTAGE CONVERSION OF % FROM 2nd COLUMN SIZE OF PROJECT IN SQ. FT.(density)				
		**4,000	5,000	10,000	20,000	50,000
-10	0.0	NA	0	0	0	
-9	0.01 - 0.5	NA	NA	NA	NA	*250
-8	0.51 - 1.0	NA	NA	NA	NA	400
-7	1.01 - 1.5	NA	NA	NA	*250	600
-6	1.51 - 2.0	NA	NA	NA	400	900
-5	2.01 - 2.5	NA	NA	*250	500	1100
-4	2.51 - 3.0	NA	NA	300	600	1400
-3	3.01 - 3.5	NA	NA	350	700	1600
-2	3.51 - 4.0	NA	NA	400	800	1900
-1	4.01 - 4.5	NA	NA	450	900	2200
0	4.51 - 5.0	NA	*250	500	1000	2400
1	5.01 - 5.5	NA	275	550	1100	2700
2	5.51 - 6.0	*250	300	600	1200	2900
3	6.01 - 6.5	275	325	650	1300	3200
4	6.51 - 7.0		350	700	1400	3400
5	7.01 - 7.5	300	375	750	1500	3600
6	7.51 - 8.0		400	800	1600	3900
7	8.01 - 8.5	350	425	850	1700	4200
8	8.51 - 9.0		450	900	1800	4400
9	9.01 - 9.5	375	475	950	1900	4600
10	9.51 - 100	400	500	1000	2000	4900

* Minimum unit size permitted to qualify as employee housing is 250 square feet, therefore any unit less than 250 square feet is the equivalent of providing no employee housing for the purpose of earning positive or negative points.

** all single family residential; and all other projects less than 5,000 square feet in density shall not be assessed negative points for the non-provision of employee housing, but such projects may be awarded positive points in accordance with the table set forth above.

Section 4. Subparagraph A(3) 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:

(3) Exemptions: The following developments and uses are exempt from an assessment of negative points provided for in this Section:

- a. Public and private schools.
- b. Governmental entities exempt from the town's planning regulations
- c. Churches.
- d. Change of use for buildings of historic and architectural significance.
- e. Mixed use projects where the combined total square footage is less than 5,000 square feet.
- f. Other governmental or public buildings such as public museums, public libraries, or post offices, where the building is owned and operated by a governmental agency.

Section 5. There is hereby added to Policy 24 (Relative) ("Social Community"), as set forth in Section 9-1-19 of the Breckenridge Town Code, a new Subparagraph A(4), which shall read in its entirety as follows:

(4) Summer Seasonal Housing: Between May 1st and September 30th of any year, an employee housing unit may be lawfully occupied for a period not to exceed twelve consecutive weeks by any person participating in or employed by the summer programs sponsored by a non-profit organization or the Town. Such occupancy shall be authorized by a Class D Development Permit.

Section 6. The definition of "Class D Development Permit", set forth in Section 9-1-5 of the Breckenridge Town Code, is hereby amended by the inclusion of the following additional item:

-Summer seasonal occupancy of employee housing unit as provided in Paragraph A(4) of Policy 24 (Absolute) of Section 9-1-19 of this Code.

Section 7. 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 8. 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 9. 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 23rd day of June, 1998. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 7th day of July, 1998, 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

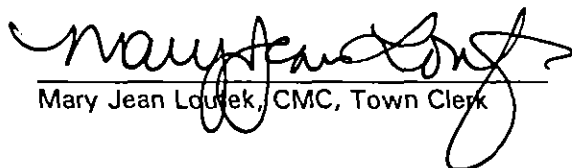

Stephen C. West, Mayor

READ ADOPTED ON SECOND READING WITH AMENDMENTS AND ORDERED PUBLISHED BY TITLE this 28th day of July, 1998.

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


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney

7/28/98
Date

This Ordinance was published by title with Amendments in The Summit County Journal a newspaper of general circulation within the Town of Breckenridge, on August 6, 1998.