

ORDINANCE NO. 1

Series 1999

AN ORDINANCE AMENDING THE BRECKENRIDGE DEVELOPMENT CODE
CONCERNING BUILDING HEIGHTS

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

Section 1. There is hereby added to the list of definitions set forth in Section 9-1-5 of the Breckenridge Town Code a new definition of "Story", which shall read in its entirety as follows:

STORY: Each story of building height recommended in the Land Use Guidelines, Master Plan, or other development policy shall be equal to an interval of thirteen (13) vertical feet for each of the first two (2) levels of a building, and twelve (12) vertical feet for any additional building levels.

Section 2. The definition of "Building Height" set forth in Section 9-1-5 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

BUILDING HEIGHT: The greatest vertical dimension of a building measured between the top of a flat or mansard roof, including the cap of parapet, or from the mean elevation between the ridge and eave of a sloped roof, to the finished or natural grade elevation at the exterior wall below, whichever yields a greater dimension. A sunken area internal to a project shall be measured to natural grade. Building height shall not include: elevator shaft extensions, chimneys, and focal elements such as church steeples, spires, clock towers that have no density or mass, and up to five (5) additional feet for first floor lobbies and commercial spaces.

Section 3. There is hereby added to the list of definitions set forth in Section 9-1-5 of the Breckenridge Town Code a new definition of "Overall Height, which shall read in its entirety as follows:

OVERALL HEIGHT: Overall height shall mean the same as building height, except that the measurement shall be to the highest point of any architectural element, except a chimney. This definition is applicable only to a single family residence proposed to be constructed on a single family lot located in any Land Use District outside the Historic District.

Section 4. Paragraph A of Policy 6 (Relative), entitled "Building Height", 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. Height Criteria Outside Of Historic District: The height of a building has many impacts on the community. Buildings that are too tall can block views, light, air, and solar radiation to other properties; they can also disrupt off site vistas and penetrate tree canopies that provide screening to maintain a mountain forest character. The Town encourages reducing height impacts with broken, interesting roof forms that step down at edges while maintaining steeply pitched roofs characteristic of mountain architecture. It is encouraged that the height of new buildings be controlled to minimize the negative impacts on the community. To meet this goal, developments outside the Historic District shall be evaluated against the following criteria.

(1) Negative points under this Paragraph shall be assessed based upon a project's relative compliance with the building height recommendations contained in the Land Use Guidelines, as follows:

-5 points - Buildings that exceed the building height recommended in the Land Use Guidelines, but are no more than ½ story over the Land Use Guidelines recommendation.

-10 points - Buildings that are more than ½ story over the Land Use Guidelines recommendation, but are no more than 1 story over the Land Use Guidelines recommendation.

-15 points - Buildings that are more than 1 story over the Land Use Guidelines recommendation, but are no more than 1&1/2 stories over the Land Use Guidelines recommendation.

-20 points - Buildings that are more than 1&1/2 stories over the Land Use Guidelines recommendation, but are no more than 2 stories over the Land Use Guidelines recommendation.

Additional negative points shall be cumulatively assessed using this same method of calculation for a building that is more than 2 stories above the Land Use Guidelines recommendation.

(2) Additional negative points, or a positive point credit against a negative point assessment under Paragraph (1) of this Policy, may be assessed or awarded based upon the Planning Commission's findings of compliance with the following:

(a) It is encouraged that buildings not penetrate the tree canopy when one is present on site. 1 x (-1/0)

(b) It is encouraged that buildings exceeding the height recommendations of the Land Use Guidelines incorporate density into the roof of the structure, where no additional height impacts are created. 1 x (0/+1)

(c) Buildings taller than the building heights recommended by the Land Use Guidelines or an applicable master plan should not obstruct views from publicly owned places, including but not limited to Town parks and open spaces (but excluding streets), should not block sun, or reduce ice melting on public streets. 1 x (-1/0)

(d) Building heights are encouraged to be architecturally compatible with the existing buildings in the neighborhood. 1 x (0/+1)

(e) Buildings are encouraged to provide broken, interesting roof forms that step down at the edges. 1 x (-2/+2)

Section 5. Policy 6 (Absolute), entitled "Building Height-Historic District", as set forth in Section 9-1-19 of the Breckenridge Town Code, is hereby repealed and readopted with changes so as to read in its entirety as follows:

6. (ABSOLUTE) BUILDING HEIGHT: The maximum allowed height for structures shall be as follows:

A. Within The Historic District:

1. In Land Use Districts 11, 17 and 18, and in those portion of Land Use Districts 18₂ and 19 north of Lincoln Avenue or south of Washington Street, building height shall not exceed twenty six feet (26').

2. In those portions of Land Use Districts 18₂ and 19 that lie between Lincoln Avenue and Washington Street, building height shall not exceed thirty feet (30').

B. Outside The Historic District. A single family residence proposed to be constructed on a single family lot in any Land Use District outside the Historic District shall not exceed thirty five feet (35') in overall height. Such residence shall not be subject Subparagraph (A) of Policy 6 (Relative) of this Chapter.

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 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.

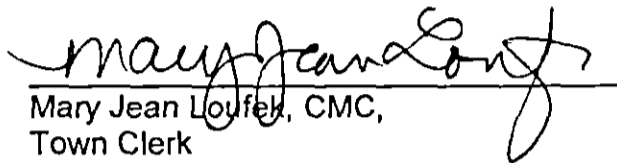
Section 8. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.


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 February, 1999. 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 March, 1999, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE

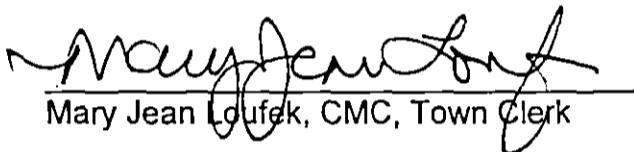

Mary Jean Loufek, CMC,
Town Clerk

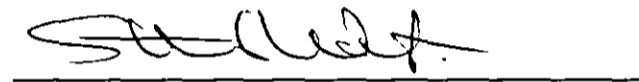

Stephen C. West, Mayor

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE WITH AMENDMENTS, this 9TH day of March, 1999.

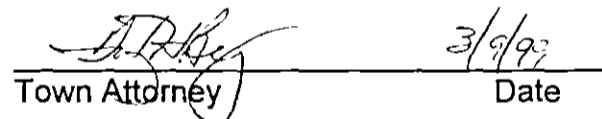
ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney

3/9/99
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 March 19, 1999.