

ORDINANCE NO. 17

Series 1999

AN ORDINANCE CONCERNING THE CLASSIFICATION OF DEVELOPMENT UNDER THE BRECKENRIDGE DEVELOPMENT CODE

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

Section 1. The definition of "Class 'A' 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:

CLASS A DEVELOPMENT: Any development which includes any of the following activities or elements:

- Residential uses which include three (3) units or more.
- Lodging and hotel uses.
- Any site work or landscaping which is in excess of two hundred thousand dollars (\$200,000.00) in value, to include ski lifts and parking lots.
- Commercial and industrial uses, additions and remodels which are in one thousand (1,000) square feet in size or greater.
- Approval of a master plan on a site five (5) acres or more in size.
- Major amendment to a master plan pursuant to Section 9-1-19(L).

Section 2. The definition of "Class 'B' 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:

CLASS B DEVELOPMENT: Any development which includes any of the following activities or elements:

Class B--Major¹

- Single-family residential within the Historic District or the Conservation District.
- Duplex residential within the Historic District.
- Bed and breakfasts, and boarding houses.
- Commercial and industrial uses and additions which are less than one thousand (1,000) square feet in size.
- Approval of a master plan on a site of less than 5 acres.
- Demolition or moving of historic structure (including any portion of the structure).

Class B--Minor¹

- Major remodel* of any residential structure within the Historic District or the Conservation District.
- Change of use within a residential district.
- Site work, landscaping, grading, and utility installations on steep slopes (greater than 15 percent) or within environmentally sensitive areas.

¹Class "B" development is divided into major and minor categories for purposes of payment of application fees only (see Chapter 9 of this Title). The procedures set forth in the Development Code for the processing of Class "B" development permit applications apply to both major and minor categories.

Section 3. 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:

CLASS C DEVELOPMENT: Any development which includes any of the following activities or elements:

Class C--Major¹

- Single-family structure outside of Historic District, with or without an accessory apartment, except where development occurs on a steep slope or within an environmentally sensitive area, in which case the project may be reclassified as a Class B (Major).
- Duplex residential outside of the Historic District.

Class C--Minor¹

- Change of use outside of a residential district.
- Master sign plans.
- Temporary structures or uses greater than three (3) days in duration.
- Minor remodels* and additions to commercial, office or industrial structures.
- Major remodels* of single family residences and duplex structures outside of the Historic District.
- Matters relating to nonconforming uses.
- Minor amendment to a master plan pursuant to Section 9-1-19(L).

¹Class "C" development is divided into major and minor categories for purposes of payment of application fees only (see Chapter 9 of this Title). The procedures set forth in the Development Code for the processing of Class "C" development permit applications apply to both major and minor categories.

Section 4. 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 in its entirety as follows:

CLASS D DEVELOPMENT: Any development which includes any of the following activities and elements:

- Banners and sponsor banners (all).
- Individual signs (all).
- Demolition or moving of any structure outside of Historic District.
- Demolition of nonhistoric structure within Historic District.
- Fencing (all).
- Home occupation.
- Minor remodel* of any residential structure.
- Temporary structures or events of three (3) days or less in duration.
- Operation of a Chalet House.
- Any painting of a structure within the Historic District, except for paint maintenance.
- 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 paint maintenance.
- The painting of a contemporary landmark as provided in subsection A.2 of Policy No. 5 (Absolute) of Section 9-1-19.
- The placement of a commercial handbill dispenser outside of a fully enclosed building as provided in Section 11-5-6 of this Code.
- Construction of approved trash dumpster enclosure or conversion of nonconforming trash dumpster enclosure to approved trash dumpster enclosure.
- Placement of public art.
- Substitution of employee housing unit
- Summer seasonal occupancy of employee housing unit as provided in subsection A(5) of Policy 24 (Absolute) of Section 9-1-19.
- Placement of a satellite earth station larger than two (2) meters in diameter in Land Use Districts where industrial or commercial uses are recommended, or larger than one meter in diameter in Land Use Districts where any other use is recommended.
- Temporary vendor carts.
- Site work, landscaping, grading, and utility installations unless done on steep slopes or within environmentally sensitive areas.
- The outdoor display or storage of bicycles as provided in subsection 9-7-6C of this Title.
- Any other development described as a Class D Development in any Town Ordinance.

*Major remodel- additional residential square footage of more than ten percent (10%) of existing structure square footage and/or change of character to the exterior of the structure.

*Minor remodel- additional residential square footage of ten percent (10%) or less of the existing structure's square footage and no change of character to the exterior of the structure.

Section 5. Paragraph L(2) of Policy 39 (Absolute) (Master Plan) of Section 9-1-19 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

L. A minor master plan amendment is an amendment made to a master plan for the purpose of correcting an error, updating a master plan to reflect as-built conditions, or making other changes to the master plan which do not involve the reallocation of density, a change in or addition to approved uses, a change in an approved phasing sequence, or circulation. A major master plan amendment is any master plan amendment which is not a minor master plan amendment. Master plan amendments shall be classified as provided in the definitions of "Class A Development" and "Class C--Minor Development" in Section 9-1-5 of this Chapter, and processed accordingly.

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.

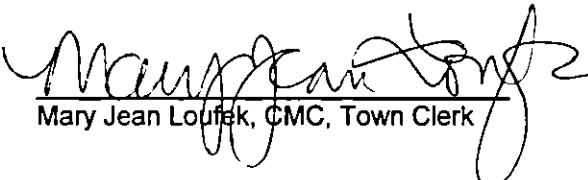
Section 8. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

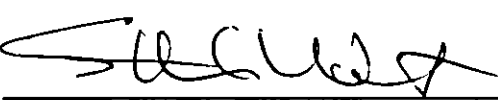
Section 9. This Ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 27th day of July, 1999. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 10th day of August, 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

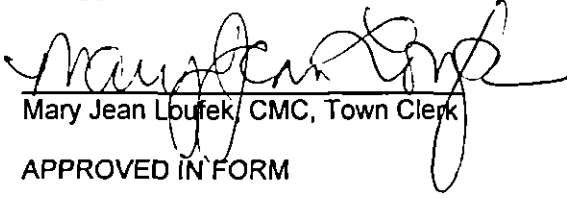
This Ordinance was published in full in The Summit County Journal a newspaper of general circulation within the Town of Breckenridge, on August 6, 1999.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE WITH AMENDMENTS, this 10th day of August, 1999.

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

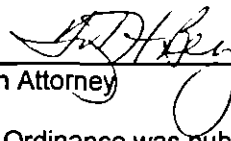
ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney

7/27/99
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 August 20, 1999.