

ORDINANCE NO. 2

Series 1999

AN ORDINANCE AMENDING THE TOWN OF BRECKENRIDGE LAND USE GUIDELINES
CONCERNING BUILDING HEIGHTS IN LAND USE DISTRICT 23

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

Section 1. Findings. The Town Council of the Town of Breckenridge, Colorado hereby finds and determines as follows:

1. By Ordinance No. 3, Series 1987, the Town adopted the Breckenridge Land Use Guidelines ("Land Use Guidelines").

2. The Land Use Guidelines contain provisions governing the development of real property located within the various Land Use Districts of the Town, including, but not limited to, Land Use District 23, and represent the Town's general zoning restrictions with respect to real property located within the Town.

3. By Ordinance No. 18, Series 1997, the Town Council adopted certain procedures to be followed to amend the Land Use Guidelines.

4. The amendment to the Land Use Guidelines made by this Ordinance is legislative or quasi-legislative in nature.

5. The procedural requirements of Ordinance No. 18, Series 1997, with respect to a proposed legislative or quasi-legislative amendment to the Land Use Guidelines have been fully satisfied. Without limiting the generality of the foregoing, the Town Council finds that notice of the public hearing to consider the adoption of this Ordinance was published twice in The Summit County Journal, a newspaper of general circulation in the Town, the first publication occurring at least twelve (12) days prior to the hearing and the second occurring at least four (4) days prior to the hearing, all as required by Ordinance No. 18, Series 1997. The Proof of Publication of such notice made a part of the record in connection with the adoption of this Ordinance.

Section 2. Amendment To District 23 Guidelines. The subparagraph entitled "Building Heights" of the Town of Breckenridge Land Use Guidelines applicable to Land Use District 23 is hereby amended so as to read in its entirety as follows:

BUILDING HEIGHTS

The determination of acceptable building heights will be made during the development review process, but, generally, buildings in excess of three stories are discouraged.

Section 3. Continued Effect of Land Use Guidelines. Except as specifically amended hereby, the Breckenridge Land Use Guidelines, as adopted by Ordinance No. 3, Series 1987, shall continue in full force and effect.

Section 4. Police Power Finding. 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 5. Authority. 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.

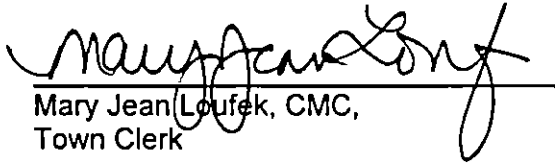
Section 6. Effective Date. This Ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

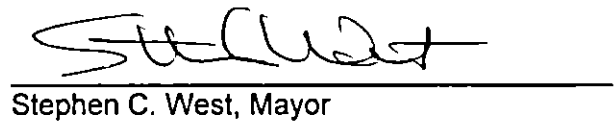
INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 23rd day of February, 1999. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 9th day of

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

ATTEST:

TOWN OF BRECKENRIDGE

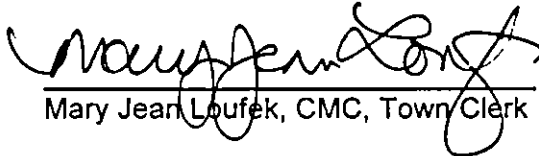

Mary Jean Loufek, CMC,
Town Clerk

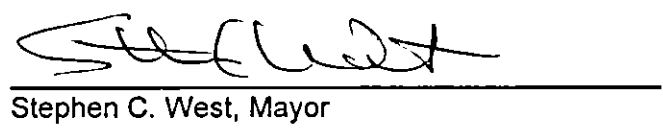

Stephen C. West, Mayor

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY,
this 9th day of March, 1999.

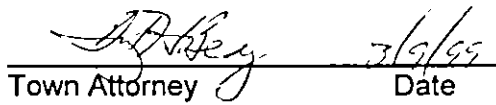
ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

APPROVED IN FORM


Town Attorney 3/9/99
Date