

ORDINANCE NO. 16

Series 2005

AN ORDINANCE AMENDING POLICY 3 (ABSOLUTE) OF THE "BRECKENRIDGE DEVELOPMENT CODE" CONCERNING THE DENSITY EXEMPTION FOR BASEMENT AREAS OF TOWN-DESIGNATED LANDMARK STRUCTURES

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

Section 1. The "Exception" set forth in Paragraph (C)(2) of Policy 3 (Absolute) (Density/Intensity) of Section 9-1-19 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

Exception: Any portion of a basement area of a "Town-designated landmark" as defined in chapter 11 of this title, which is: a) located directly underneath the landmark building, and b) completely or partially buried below grade, shall not be counted toward allowed density for such building under this policy so long as the historic USGS floor elevation of the building is maintained. This exception shall not apply to any other provision of this code.

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. 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 26th day of April, 2005. 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 May, 2005, 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


Ernie Blake, Mayor

This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on May 6, 2005.


The public hearing on this ordinance was held on May 10, 2005.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 10th day of May, 2005. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

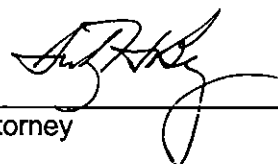
ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Ernie Blake, Mayor

APPROVED IN FORM


Town Attorney

5/19/05
Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on May 20, 2005.