

ORDINANCE NO. 12

Series 2006

AN ORDINANCE AMENDING SECTION 9-1-17-3 OF THE BRECKENRIDGE TOWN CODE, WHICH IS PART OF THE "BRECKENRIDGE DEVELOPMENT CODE", CONCERNING THE ASSIGNMENT OF POINTS IN CONNECTION WITH THE PROCESSING OF DEVELOPMENT PERMIT APPLICATIONS

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

Section 1. Section 9-1-17-3 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

9-1-17-3: ASSIGNMENT OF POINTS:

All policies are applied to all developments: Classes A, B, C, and D, unless otherwise expressly provided in a particular policy. Relative policies are assigned points, and unless provided differently in a particular policy, a negative score indicates that the policy is implemented but the proposed development will have a negative impact on the community on the basis of that particular policy. A score of zero indicates either that the particular policy is irrelevant to the proposed development or that a negative impact on the basis of that particular policy is completely mitigated. A positive score indicates that the proposed development implements a policy in such a way that there will be a positive impact on the community (i.e., the community will benefit) on the basis of that particular policy.

A point analysis shall be conducted for all policies relevant to an application, and shall be completed prior to the final hearing on the application. However, a point analysis is not required for a Class D development permit application.

Unless otherwise expressly provided in a particular policy, each relative policy is assigned points for the applicant's performance, as follows:

- |                    |   |  |
|--------------------|---|--|
| + 2 (or greater)   | - | awarded for providing a significant public benefit with no substantial public detriment, for an excellent job of implementation. The more the public benefit without substantial public detriment, or the better the job of implementation, the more the award of positive points. |
| + 1                | - | awarded for providing some public benefits, mitigating a minor public detriment, or for doing a good job of implementation.  |
| 0                  | - | awarded if the policy is irrelevant, if there is no public benefit and no public detriment from the project, if there is a public detriment which has been fully mitigated, or for an adequate job of implementation.  |
| - 1                | - | assessed for an inadequate job of implementation, or for producing some public detriment.  |
| -2/-3 (or greater) | - | assessed for substantially no effort at implementation or for an unmitigated significant public detriment. The less the effort at implementation, or the greater the degree of unmitigated significant public detriment, the greater the assessment of negative points.            |

Where a different range of points or standards for the award of positive points or the assessment of negative points are provided in a particular policy, such range of points or standards for the award or assessment of points shall apply.

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.

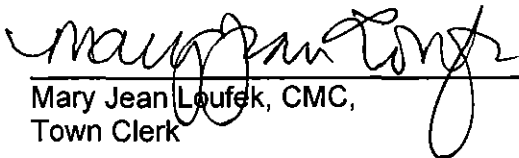
Section 4. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.


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 14<sup>th</sup> day of February, 2006. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 28<sup>th</sup> day of February, 2006, 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 February 24, 2006.

The public hearing on this ordinance was held on February 21, 2006.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 28<sup>th</sup> day of February, 2006. 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

2/28/06  
Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on March 10, 2006.