

ORDINANCE NO. 41

Series 2006

AN ORDINANCE AMENDING THE "BRECKENRIDGE SUBDIVISION STANDARDS",  
CONCERNING THE RESUBDIVISION OF LAND

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

Section 1. Section 9-2-1-9 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

9-2-1-9: RESUBDIVISION OF LAND:

- A. Procedure For Resubdivision: For any proposed "resubdivision" of land as defined by this chapter, a plan shall be reviewed for approval by the town utilizing the same procedures, rules, and regulations as for a subdivision.
- B. Procedures For Subdivision Where Future Development Parcels Exist: Where a parcel of land is subdivided and the subdivision plan indicates that one or more portions of the parcel will not be subdivided into individual building lots, but will be retained for future subdivision and development, the subdivision shall be designed and the remnant parcels located in such a manner that allows for the future extension of streets, trails and utilities.
- C. Limitation on Resubdivision: No lot located within a single family residential subdivision outside of the Conservation District shall be resubdivided if the result would be the creation of more lots than existed prior to the resubdivision. EXCEPTION: a resubdivision to create townhomes or condominiums is exempt from this prohibition when done pursuant to an approved subdivision plan.
- D. It shall not be necessary to resubdivide a lot, tract or parcel solely to extinguish or modify the location of a publicly owned easement shown on a subdivision or resubdivision plat. Such easement may be extinguished or modified by an appropriate written agreement approved by the Director and the Town Attorney.

Section 2. Section 9-2-2 of the Breckenridge Town Code is hereby amended by the addition of a definition of "Single Family Residential Subdivision", which shall read in its entirety as follows:

SINGLE FAMILY RESIDENTIAL  
SUBDIVISION:

A subdivision created by the filing of a subdivision plat with the Summit County Clerk and Recorder in which more than fifty percent (50%) of the developed lots contain single family residential structures as defined in Section 9-1-5 of this Code.

Section 3. 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 4. 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.

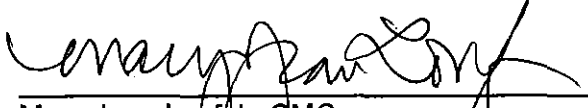
Section 5. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the provisions of: (i) The Colorado Land Use Enabling Act, Article 20 of Title 29, C.R.S., (ii) Section 31-23-214, C.R.S., and (iii) the powers contained in the Breckenridge Town Charter, and (iv) other powers possessed by home rule municipalities in Colorado.

Section 6. 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 24<sup>th</sup> day of October, 2006. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 14<sup>th</sup> day of November, 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

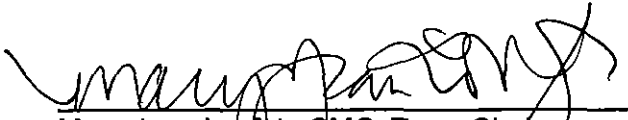
This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on November 3, 2006.

The public hearing on this ordinance was held on November 14, 2006.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL WITH AMENDMENTS, this 14<sup>th</sup> day of November, 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

11/14/06  
Date

This ordinance was published in full with amendments in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on November 24, 2006.