

ORDINANCE NO. 25

Series 2007

AN ORDINANCE AMENDING SECTION 9-1-5 OF THE BRECKENRIDGE TOWN CODE,  
KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", CONCERNING THE  
DEFINITION OF DEVELOPMENT

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

Section 1. The definition of "Development" set forth in Section 9-1-5 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

DEVELOPMENT:

A. Any one of the following:

1. Any change in the actual use of land or improvements thereon, including, but not limited to: the construction of any improvements which require a building permit, a change in the use or intensity of use on the land or in improvements thereon, enlargement, reconstruction or renovation of improvements; or demolition of improvements.
2. Subdivision of land.
3. When any of the following may affect one or more policies: erection of signs and fences, site clearance, removal or addition of vegetation, grading, dredging, mining, drilling, cut and fill, dumping soil or other material, removal of soil, or contouring, curb cuts and construction of improvements to public access ways whether dedicated or not, placement of temporary structures, and construction or renovation of improvements which do not require a building permit.
4. Demolition of structures.
5. Repainting of existing structure when color is being changed.
6. Extension or modification of utilities.

B. The following are not development activities:

1. Normal maintenance and repair of improvements which does not involve a change in use or intensity of use.
2. Nonstructural interior improvements when it has no effect on the square footage of the use types within the project.

C. The Town Council by development agreement may exclude from the definition of "development" any proposed activity that does not involve the construction of new density and mass.

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: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section 31-15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vi) 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 August, 2007. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 11<sup>th</sup> day of September, 2007, 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 September 7, 2007.


The public hearing on this ordinance was held on September 11, 2007.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 11<sup>th</sup> day of September, 2007. 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

9/11/07  
Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on September 21, 2007.