

ORDINANCE NO. 13

Series 2012

AN ORDINANCE AMENDING CHAPTER 5 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE BY ADOPTING BY REFERENCE "THE HANDBOOK FOR DESIGN STANDARDS FOR THE TRANSITION CHARACTER AREAS OF THE CONSERVATION DISTRICT, BRECKENRIDGE, COLORADO, MARCH 2012"; AND MAKING CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE

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

Section 1. Section 9-5-3 of the Breckenridge Town Code is amended to read in its entirety as follows:

9-5-3: DESIGN STANDARDS ADOPTED:

A. The "Handbook Of Design Standards For the Historic and Conservation Districts", dated February 1992, is adopted by reference, including the specific design standards for character areas no. 1 (east side residential), no. 2 (north end residential), no. 3 (south end residential), no. 4 (north Main Street residential), no. 5 (Main Street residential/commercial), no. 6 (Main Street core commercial) and no. 7 (south Main Street residential).

B. The "Handbook of Design Standards for the Transition Character Areas of the Conservation District, Breckenridge, Colorado", dated March 2012, is adopted by reference.

C. The subject matter of the adopted standards includes comprehensive provisions and standards which govern the development of real property within the town's historic and conservation districts as defined in such standards.

D. When used in this Code, unless the context clearly requires otherwise, the term "Handbook of Design Standards" includes both the standards adopted in Section A of this Section, and the standards adopted in Section B of this Section.

Section 2. The introductory portion of Section 9-5-3-1(A) of the Breckenridge Town Code is amended to read in its entirety as follows:

A. The third unnumbered paragraph of section 4.2 of the "Handbook of Design Standards for the Historic and Conservation Districts" is amended so as to read in its entirety as follows:

Section 3. The introductory portion of Section 9-5-3-1(B) of the Breckenridge Town Code is amended to read in its entirety as follows:

B. The "Handbook of Design Standards for the Historic and Conservation Districts" is amended by the addition of a new priority policy 80C, which shall read in its entirety as follows:

Section 4. Section 9-1-5 of the Breckenridge Development Code is amended by the inclusion of the following definitions:

HANDBOOK OF DESIGN
STANDARDS/ HANDBOOK
OF DESIGN STANDARDS
FOR THE HISTORIC AND
CONSERVATION
DISTRICTS :

Have the meanings provided in Section 9-5-3 of this Code.

TRANSITION CHARACTER
AREA:

Has the meaning provided in the Handbook of Design Standards.

Section 5. Subsection B of Policy 5 (Absolute) (Architectural Compatibility) of Section 9-1-15 the Breckenridge Town Code, is amended to read in its entirety as follows:

B. Conservation District: Within the conservation district, which area contains the historic district and the transition character areas (see special areas map) substantial compliance with both the design standards contained in the "Handbook of Design Standards" and all specific individual standards for the transition or character area within which the project is located is required to promote the educational, cultural, economic and general welfare of the community through the protection, enhancement and use of the district structures, sites and objects significant to its history, architectural and cultural values.

Section 6. Subsection B of Policy 5 (Relative) (Architectural Compatibility) of Section 9-1-15 the Breckenridge Town Code, is amended to read in its entirety as follows:

5 x (-5/0) Conservation District: Within the conservation district, which area contains the historic district and the transition character areas, compatibility of a proposed project with the surrounding area and the district as a whole is of the highest priority. Within this district, the preservation and rehabilitation of any historic structure or any "town designated landmark" or "federally designated landmark" on the site (as defined in chapter 11 of this title) is the primary goal. Any action which is in conflict with this primary goal or the "Handbook Of Design Standards" is strongly discouraged, while the preservation of the town's historic fiber and compliance with the historic district design standards is strongly encouraged. Applications concerning development adjacent to Main Street are the most critical under this policy.

Section 7. Subsection 9-2-12(G) of the Breckenridge Town Code is amended to read in its entirety as follows:

G. Assuring that all subdivisions, plats, and dedications of land are in conformance with the Breckenridge master plan, land use guidelines, handbook of design standards, urban design plan, street standards, storm drainage standards, flood damage prevention regulations, water quality and sediment transport control standards, Breckenridge development code;

Section 8. Subsection 9-2-4-1(A)(2) of the Breckenridge Town Code is amended to read in its entirety as follows:

2. The town master plan, land use guidelines, handbook of design standards, urban design plan, street standards, storm drainage standards, flood damage prevention regulations, water quality and sediment transport control standards, development code, building code, and all applicable town laws, codes, regulations, and development related policies.

Section 9. 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 10. 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 11. 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 12. 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 13. 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 13th day of March, 2012. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 27th day of March, 2012, 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


John G. Warner, Mayor

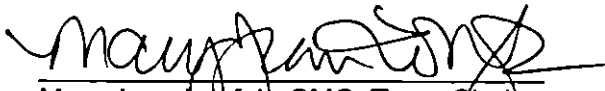
This Ordinance was published in full on the Town of Breckenridge website on March 15, March 16, March 17, March 18 and March 19, 2012.

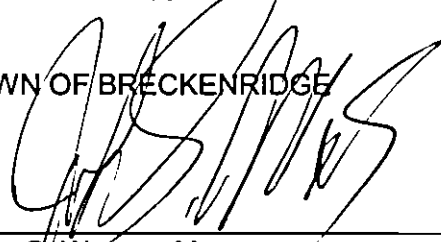
A public hearing on this ordinance was held on March 27, 2012.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 27th day of March, 2012. 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


John G. Warner, Mayor

APPROVED IN FORM


Town Attorney

3/27/12
Date

This Ordinance was published on the Town of Breckenridge website on March 29, March 30, March 31, April 1, and April 2, 2012. This ordinance shall become effective on May 2, 2012.