

ORDINANCE NO. 31

Series 2014

AN ORDINANCE AMENDING TITLE 9 OF THE BRECKENRIDGE TOWN CODE
CONCERNING CONDOMINIUMS AND CONDO HOTELS

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

Section 1. The definition of "condominium" contained within the definition of "Residential Use" in Section 9-1-5 of the Breckenridge Town Code is repealed.

Section 2. The following definitions contained within the definition of "Residential Use" in Section 9-1-15 of the Breckenridge Town Code are amended to read as follows:

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|--------------------|---|
| Condominium: | A multi-unit structure in which units may be individually owned and which provides on the site of the development recreation and leisure amenities. |
| Hotel/Lodging/Inn: | A multi-unit structure owned by a single owner which provides a centralized management structure incorporating the following features or standards: limited kitchens in the units, a twenty four (24) hour front desk check in operation, a central phone system to individual rental units, meeting rooms, food services, and recreational or leisure amenities. |

Section 3. Section 9-1-5 of the Breckenridge Town Code is amended by the addition of the following definition:

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| Limited Kitchen: | May include a refrigerator, dishwasher, cook top, and cupboards. Gas piping and 220-volt electrical service may not be provided or roughed-in in a limited kitchen. |
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Section 4. Subsection B of Section 9-1-19-3A, "Policy 3 (Absolute) Density/Intensity," of the Breckenridge Town Code is amended to read in its entirety as follows:

B. Residential: Residential uses whose allowed densities are calculated in terms of units within the land use guidelines shall utilize the following square footage conversion tables to determine the maximum dwelling area allowed within a specific project. (The town requires dwelling units to be converted to square footage rather than units because the town has determined that the impacts of a development are more closely related to the total square footage of the project than the number of units.) Furthermore, it is the intention of the town to encourage uses which have been determined to be needed and desirable for the general benefit of the town, and to discourage those uses which it determines provide little or no benefit or are a detriment to the community.

CONVERSION TABLE - RESIDENTIAL USES

Within Conservation District:

| | |
|---|--------------------------|
| Single-family | One unit = 1,600 sq. ft. |
| Duplexes and townhouses | One unit = 1,600 sq. ft. |
| Condominiums or boarding houses | One unit = 900 sq. ft. |
| All other residential (including bed and breakfast, apartment, and condominium) | One unit = 1,200 sq. ft. |

Outside Conservation District:

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| Single-family | One unit = unlimited sq. ft.* |
| Duplex included within site plan level | One unit = unlimited sq. ft.* |

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| development permit with net density of less than 5 units per acre | |
| Duplex included within site plan level development permit with net density of 5 units per acre or more | One unit = 1,600 sq. ft. |
| Townhouse | One unit = 1,600 sq. ft. |
| Hotel, inn, motel, bed and breakfast | One unit = 1,380 sq. ft. |
| Boarding houses | One unit = 900 sq. ft. |
| All other residential (including apartment and condominium) | One unit = 1,200 sq. ft. |

*Refer to Section A of Section 9-1-19-4A, "Policy 4 (Absolute) Mass," subsection A of this Chapter for mass limitations in certain subdivisions that may further limit above ground density.

Section 5. Subsections (A)(3) and (A)(4) of Section 9-1-19-4R, "Policy 4 (Relative) Mass," of the Breckenridge Town Code are amended to read as follows:

(3) Apartments and Boarding Houses: Apartment and boarding house developments may be allowed an additional fifteen percent (15%) of aboveground floor area for the provision of amenities and/or common areas.

(4) Condominiums, Hotels, Inns, And Lodges: Condominiums, hotels, inns, lodges, and other similar uses may be allowed an additional twenty five percent (25%) of aboveground floor area for the provision of amenities and/or common areas.

Section 6. Section 9-3-8 of the Breckenridge Town Code is amended to read as follows:

9-3-8: OFF STREET PARKING REQUIREMENT:

A. Within The Service Area: In connection with the development of all property within the service area there shall be provided the following amount of off street parking:

| Land Use Category | Number Of Required Off Street Parking Spaces (Per TSF-GFA* Unless Otherwise Noted) |
|----------------------------------|---|
| Residential: | |
| Single-family | 1.1 |
| Duplex | 1.1 |
| Multi-family; efficiency, studio | 1.1 |
| Multi-family; 1 bedroom plus | 1.1 |
| Condominium; efficiency, studio | 1.1 |
| Condominium; 1 bedroom plus | 1.1 |
| Divisible unit | 1.1 |
| Lodging, hotel, motel | 1.1 |
| Dormitory | 1.1 |
| Commercial: | |
| Retail sale, commercial: | |
| General retail, commercial | 1.4 |
| Supermarket | 2.5 |
| Financial | 1.9 |
| Office: | |
| General office | 1.4 |
| Government office | 2.2 |

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| Auto service station | 3.0 per bay plus 1 per pump |
| Restaurant, sit down | 3.5 |
| Auditorium, theater | 0.3 per seat |
| Church | 0.5 |
| Convention center | 3.1 |
| Library, museum | 1.8 |
| Medical/dental clinic | 3.3 |
| Commercial recreation | 2.0 |

*TSF-GFA = 1,000 square feet of gross floor area.

Note: If the required parking is less than 1 space, and for any fractional parking space required, the applicant shall be required to pay the in lieu fee provided in section 9-3-12 of this chapter.

B. Outside The Service Area: In connection with the development of all property outside the service area there shall be provided the following amount of off street parking:

Residential:

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| Single-family | 2.0 per dwelling unit* |
| Duplex | 1.5 per dwelling unit |
| Multi-family: | |
| Efficiency - studio | 1.0 per dwelling unit |
| 1 bedroom and larger | 1.5 per dwelling unit |
| Divisible unit | +0.5 for each divisible room |
| Condominium: | |
| Efficiency, studio, 1 bedroom | 1.0 per dwelling unit |
| 2 bedroom and larger | 1.5 per dwelling unit |
| Divisible unit | +0.5 for each divisible room |
| Lodging, hotel, motel | 1.0 per guestroom |
| Dormitory | 0.5 per bed |

Schools:

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|----------------------------|------------------------------|
| Elementary and junior high | 2 per classroom |
| High school | 1 per 4 students and faculty |
| College | 1 per 4 students and faculty |

Commercial:

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| Retail sale, commercial and office | 1 per 400 square feet GFA (minimum 2 per building) |
| Construction - contracting | 1 per 200 square feet plus 1 loading bay per 1,000 square feet |
| Industrial use | 1 per 400 square feet plus 1 loading bay per 1,000 square feet |
| Auto service stations | 3 per service bay plus 1 per pump |
| Restaurants - sit down | 1 per 4 persons capacity |
| Restaurants - drive-in | 1 per 100 square feet GFA |

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| Auditoriums - theaters | 1 per 4 seats |
| Churches | 1 per 6 seats |
| Convention center facility | By special review of the director and planning commission |
| Library and museum | 1 per 500 square feet GFA |
| Medical and dental clinics | 1 per 300 square feet GFA |
| Hospital | 1 per 3 beds |
| Commercial recreation indoor and outdoor | By special review of the director and planning commission |

*du = dwelling unit

Note: The required number of parking spaces shall be rounded up to the nearest whole number.

Section 7. 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 8. 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 9. 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 10. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

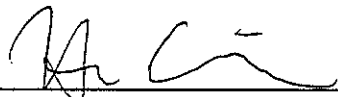
INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 23rd day of September, 2014.

This ordinance was published in full on the Town of Breckenridge website on September 24, September 25, September 26, September 27 and September 28, 2014.

A public hearing on this ordinance was held on October 14, 2014.

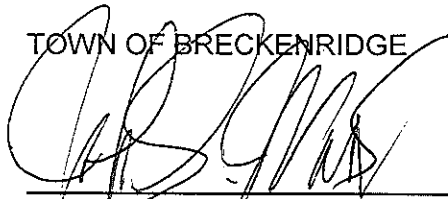
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 14th day of October, 2014. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:



Helen Cospolich, Town Clerk

TOWN OF BRECKENRIDGE



John G. Warner, Mayor

APPROVED IN FORM



Town Attorney

10/14/14
Date

This Ordinance was published on the Town of Breckenridge website on October 16, October 17, October 18, October 19 and October 20, 2014. This ordinance shall become effective on November 19, 2014.