

ORDINANCE NO. 19

Series 2021

AN ORDINANCE AMENDING SECTION 9-1-5 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "TOWN OF BRECKENRIDGE DEVELOPMENT CODE," CONCERNING THE MEASUREMENT OF BUILDING HEIGHT IN FLOODPLAIN AREAS IN LAND USE DISTRICTS 31 AND 43

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

Section 1. The introductory paragraph of the definition of "Building Height Measurement" in Section 9-1-5 of the Breckenridge Town Code is amended to read as follows:

BUILDING HEIGHT MEASUREMENT: Building height is measured in one of the following three (3) ways (A, B or C); all are measured from a point on the roof to a point on the grade directly below. Measurement is taken from points around the outside edge of the building's perimeter to natural or proposed grade, whichever yields a greater dimension, and from within the building's foundation perimeter to natural grade. For buildings within floodplain areas in land use districts 31 and 43, measurement shall be to proposed grade, provided that the proposed grade is the minimum rise in grade needed to raise the building one foot above base flood elevation. In the case of non-natural or highly irregular topography due to past mining impacts or other manmade impacts within the existing site development area (see illustration below), an average slope may be used.

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 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 4. 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 22nd day of June, 2021.


This ordinance was published in full on the Town of Breckenridge website on June 24, June 25, June 26, June 27 and June 28, 2021.

A public hearing on this ordinance was held on July 13, 2021.

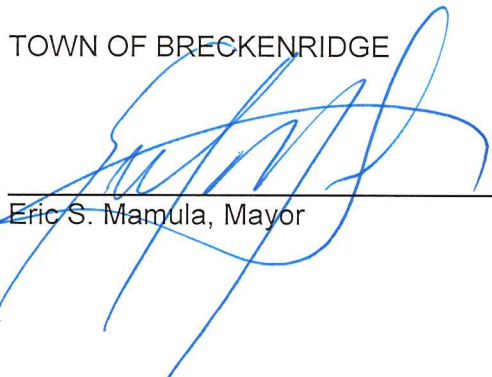
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 13th day of July, 2021. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE




Helen Cospolich, CMC, Town Clerk



Eric S. Mamula, Mayor

APPROVED IN FORM



Town Attorney

7/13/21

Date

This Ordinance was published on the Town of Breckenridge website on July 16, July 17, July 18, July 19 and July 20, 2021. This ordinance shall become effective on August 19, 2021.