

ORDINANCE NO. 31

Series 2023

**A BILL FOR AN ORDINANCE AMENDING POLICY 3A PERTAINING TO DENSITY CALCULATIONS FOR NET ZERO ENERGY BUILDINGS.**

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

**Section 1.** That a new definition be added to section 9-1-5, entitled "Definitions", and placed in alphabetical order with the language below to read as follows:

9-1-5: DEFINITIONS:

NET ZERO ENERGY BUILDING: A building that produces at least as much energy as it consumes on an annual basis.

**Section 2.** That a new subsection 7. be added to section C. of 9-1-19-3A: POLICY 3 (ABSOLUTE) DENSITY/INTENSITY, with the language below to read as follows:

**9-1-19-3A: POLICY 3 (ABSOLUTE) DENSITY/INTENSITY:**

C. General Provisions:

7. For any building which achieves net zero energy use, a net zero energy building, and which uses a double exterior wall system, the computation of density shall be based on a fully enclosed space that is measured from the midpoint of the wall system, measuring from the area of the midpoint line between the interior wall and surrounding exterior wall that extends to a roof of a building or portion thereof including dwelling areas of the building, closets, bathrooms, living room, garage space of single-family, duplexes, and townhomes, interior hallways, interior common spaces, commercial storage and basement areas, and all areas of the building that are unfinished but have a floor to ceiling height of 5 feet or greater. Building areas that are not fully enclosed and feature portions of open or mesh wall that exceed 12 inches vertically and are entirely permeable across at least one façade such as trash dumpster enclosures, parking garages, porches and similar areas shall not be counted as density. An energy analysis prepared by a registered design professional, using an approved simulation tool, will be required at the time of Development Permit application submittal demonstrating that the proposed design will achieve a net zero energy outcome.

**Section 3.** 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 12th day of September, 2023.

This ordinance was published in full on the Town of Breckenridge website on September 14, September 15, September 16, September 17 and September 18, 2023.

A public hearing on this ordinance was held on September 26, 2023.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 26th day of September, 2023. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

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Helen Cospolich, CMC, Town Clerk

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Eric S. Mamula, Mayor

APPROVED IN FORM

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Town Attorney

Date

This Ordinance was published on the Town of Breckenridge website on September 27, September 28, September 29, September 30 and October 1, 2023. This ordinance shall become effective on October 31, 2023.

