

COUNCIL BILL NO. 11

Series 2024

A BILL FOR AN ORDINANCE PLACING THE ENTRADA
PROPERTY THAT HAS BEEN ANNEXED TO THE TOWN OF
BRECKENRIDGE INTO LAND USE DISTRICT 5.

WHEREAS, Ordinance No. ___ Series 2024, approved and annexed to the Town of Breckenridge the real property described in **Exhibit A** (the “Property”) in accordance with the Municipal Annexation Act of 1965 (Part 1 of Article 12 of Title 31, C.R.S.), and approved and adopted an Annexation and Development Agreement establishing terms and conditions for the annexation and future use or development of the Property as Employee Housing as defined in the Breckenridge Town Code;

WHEREAS, the Town previously approved and adopted Resolution No. 19, Series 2022, entitled “A Resolution Adopting the Town Of Breckenridge Comprehensive Plan And Land Use Guidelines as The Town's Annexation Plan Pursuant To Section 31-12-105(1)(E), C.R.S.”;

WHEREAS, the Town is required by Section 31-12-115(2), C.R.S., to zone all newly annexed areas within ninety (90) days after the effective date of the annexation ordinance;

WHEREAS, on October 18, 2022, the Town Planning Commission reviewed the proposed zoning for the Property and unanimously recommended that the Town Council place the Property in Land Use District 5;

WHEREAS, the Town's Annexation Plan adopted pursuant to Section 31-12-105(1)(e), C.R.S., indicates that the Property should be placed in Land Use District 5;

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

Section 1. That the Property described in **Exhibit A** is placed in Land Use District 5. The Town Staff is directed to change the Town's Land Use District Map to indicate that the Property has been annexed to the Town and placed within Land Use District 5.

Section 2. The Town Council 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 its inhabitants.

Section 3. The Town Council finds, determines, and declares that it has the power to adopt this ordinance pursuant to: (i) Section 31-12-115(2), C.R.S.; (ii) the Local Government

1 Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (iii) Part 3 of Article 23 of Title 31,
2 C.R.S. (concerning municipal zoning powers); (iv) Section 31-15-103, C.R.S. (concerning
3 municipal police powers); (v) Section 31-15-401, C.R.S.(concerning municipal police powers);
4 (vi) the authority granted to home rule municipalities by Article XX of the Colorado Constitution;
5 and (vii) the powers contained in the Breckenridge Town Charter.

6 **Section 4.** This Ordinance shall be published and become effective as provided by
7 Section 5.9 of the Breckenridge Town Charter.

8 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
9 PUBLISHED IN FULL this 26th day of March 2024. A Public Hearing shall be held at the
10 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 9th day of
11 April 2024, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
12 Town. TOWN OF BRECKENRIDGE, a Colorado
13 municipal corporation
14
15
16

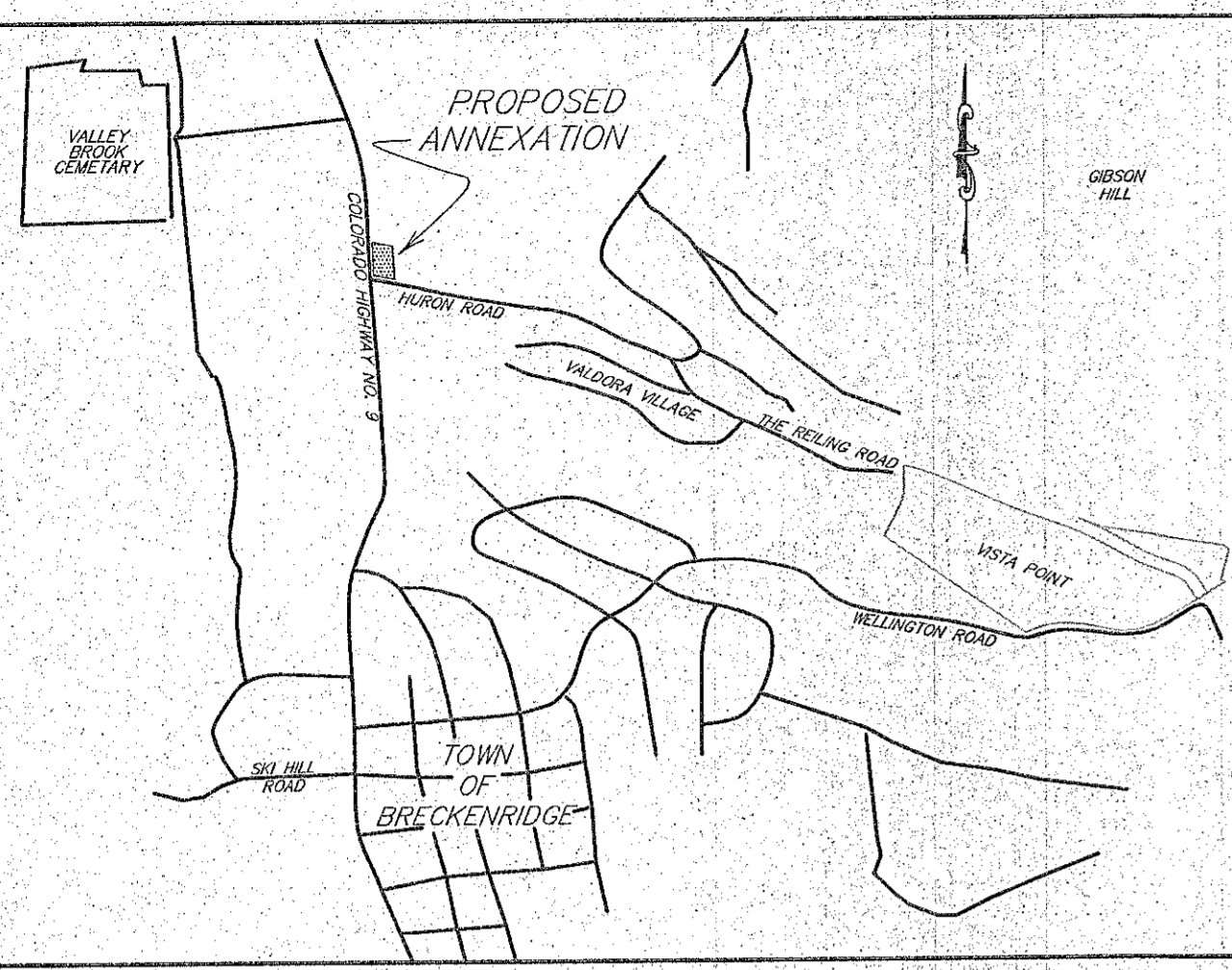
17 By _____
18 Kelly Owens, Mayor Pro Tem
19

20 ATTEST:

21 _____
22
23
24
25 Town Clerk
26
27

AN ANNEXATION MAP TO THE TOWN OF BRECKENRIDGE
TRACT A2, ENTRADA AT BRECKENRIDGE
SUMMIT COUNTY, COLORADO

"Exhibit A"



VICINITY MAP

TOTAL AREA TO BE ANNEXED=1.718 ACRES
PERIPHERY OF AREA TO BE ANNEXED=1,129.45'
1/6 OF TOTAL PERIPHERY=188.24'
CONTIGUOUS BOUNDARY OF ANNEXATION PARCEL=786.09'

LEGEND

- EXISTING TOWN BOUNDARY
- ANNEXATION BOUNDARY
- FOUND REBAR & STEEL CAP (ILLEGIBLE)
- FOUND REBAR & PLASTIC CAP (PLS 9939)
- ⊙ FOUND REBAR & PLASTIC CAP (PLS 27924)
- FOUND REBAR & PLASTIC CAP (ILLEGIBLE)
- FOUND #4 REBAR
- FOUND REBAR & PLASTIC CAP (PLS 23901)

PROPERTY DESCRIPTION:

TRACT A2, ENTRADA AT BRECKENRIDGE, A REPLAT OF TRACTS A1, B1 & C, ENTRADA AT BRECKENRIDGE, SUMMIT COUNTY, COLORADO ACCORDING TO THE PLAT RECORDED UNDER RECEPTION NO. 1146781, CONTAINING A TOTAL OF 61,655 SQUARE FEET OR 1.415 ACRES.

TRACT D, ENTRADA AT BRECKENRIDGE, A REPLAT OF TRACTS A1, B1 & C, ENTRADA AT BRECKENRIDGE, SUMMIT COUNTY, COLORADO ACCORDING TO THE PLAT RECORDED UNDER RECEPTION NO. 1146781, CONTAINING A TOTAL OF 255 SQUARE FEET OR 0.006 ACRE.

A PORTION OF TRACT C, ENTRADA AT BRECKENRIDGE, A REPLAT OF TRACTS A1, B1 & C, ENTRADA AT BRECKENRIDGE, SUMMIT COUNTY, COLORADO ACCORDING TO THE PLAT RECORDED UNDER RECEPTION NO. 1146781, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST PROPERTY CORNER OF TRACT A2, ENTRADA AT BRECKENRIDGE; THENCE S21°49'20" W A DISTANCE OF 14.17 FEET; THENCE N77°04'50" W A DISTANCE OF 211.57 FEET; THENCE 25.30 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 14.00 FEET, A CENTRAL ANGLE OF 103°32'52" AND A CHORD WHICH BEARS N51°08'42" E 22.00 FEET DISTANT; THENCE S77°04'50" E A DISTANCE OF 149.62 FEET; THENCE 12.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 62.00 FEET, A CENTRAL ANGLE OF 11°18'36" AND A CHORD WHICH BEARS S71°59'52" E 12.22 FEET DISTANT; THENCE S65°46'14" E A DISTANCE OF 19.70 FEET; THENCE 9.61 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 48.00 FEET, A CENTRAL ANGLE OF 11°28'05" AND A CHORD WHICH BEARS S71°30'16" E 9.59 FEET DISTANT; THENCE S77°04'50" E A DISTANCE OF 20.77 FEET TO THE POINT OF BEGINNING, CONTAINING 4,047 SQUARE FEET, OR 0.093 ACRE MORE OR LESS.

A PORTION OF HURON ROAD, CO. RD. NO. 450, SUMMIT COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST PROPERTY CORNER OF TRACT A2, ENTRADA AT BRECKENRIDGE; THENCE S 17°49'20" W A DISTANCE OF 14.17 FEET TO THE POINT OF BEGINNING; THENCE S 21°49'20" W A DISTANCE OF 43.23 FEET; THENCE N77°04'50" W A DISTANCE OF 189.05 FEET; THENCE N18°50'53" W A DISTANCE OF 50.82 FEET; THENCE N77°04'50" W A DISTANCE OF 211.57 FEET TO THE POINT OF BEGINNING, CONTAINING 8,891 SQUARE FEET OR 0.204 ACRE MORE OR LESS.

TOWN OF BRECKENRIDGE CERTIFICATE:

THIS MAP IS APPROVED THIS _____ DAY OF _____ 2022.

BY: DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT
NOTICE:

PUBLIC NOTICE IS HEREBY GIVEN THAT THE TOWN OF BRECKENRIDGE HEREBY ACCEPTS ALL OF THE OFFERS OF DEDICATION MADE BY THIS MAP. HOWEVER, SUCH ACCEPTANCE DOES NOT CONSTITUTE AN ACCEPTANCE OF THE ROADS AND RIGHT OF WAY REFLECTED HEREON FOR MAINTENANCE BY THE TOWN.

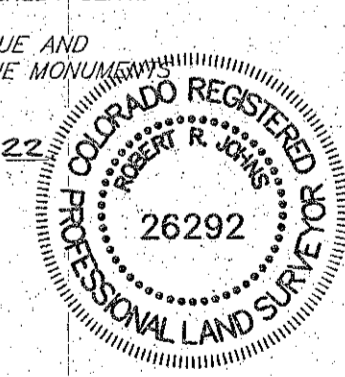
UNTIL SUCH ROADS AND RIGHT OF WAY MEET TOWN ROAD SPECIFICATIONS AND ARE SPECIFICALLY ACCEPTED BY THE TOWN, THE MAINTENANCE, CONSTRUCTION, AND ALL OTHER MATTERS PERTAINING TO OR AFFECTING SAID ROADS AND RIGHT OF WAY ARE THE SOLE RESPONSIBILITY OF THE OWNERS OF THE LAND EMERGED WITHIN THIS MAP.

SURVEYOR'S CERTIFICATE:

I, ROBERT R. JOHNS, A COLORADO REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME AND UNDER MY SUPERVISION, AND THAT BOTH THIS MAP AND THE SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THE MONUMENTS WERE PLACED PURSUANT TO CHS 38-51-105.

DATED THIS 24th DAY OF August, 2022, A.D., 2022.

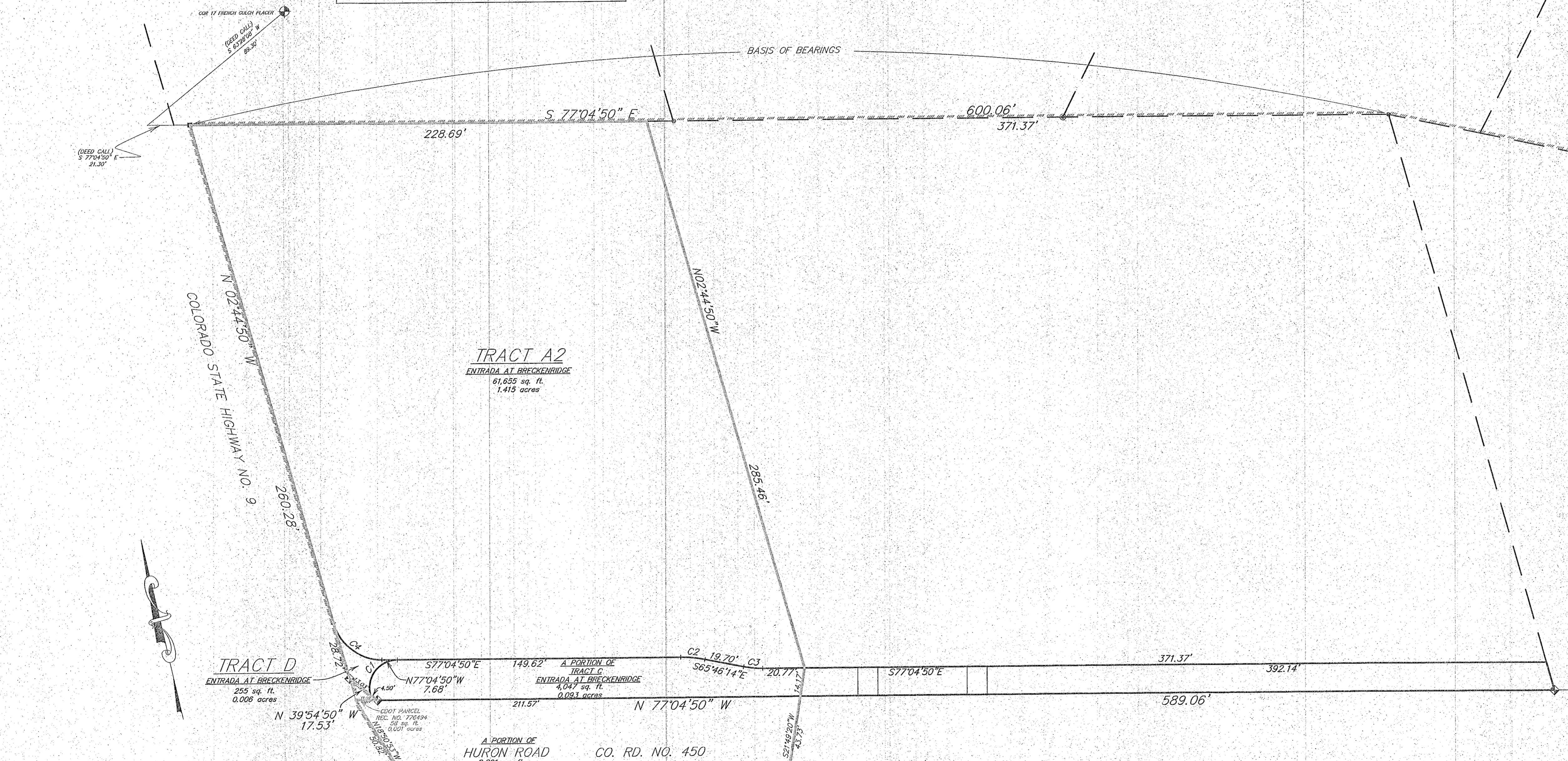
Robert R. Johns
ROBERT R. JOHNS, P.L.S. NO. 26292



CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO)
COUNTY OF SUMMIT)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, _____ M., THIS _____ DAY OF _____, 20____, AND FILED UNDER RECEPTION NUMBER _____.

SUMMIT COUNTY CLERK AND RECORDER

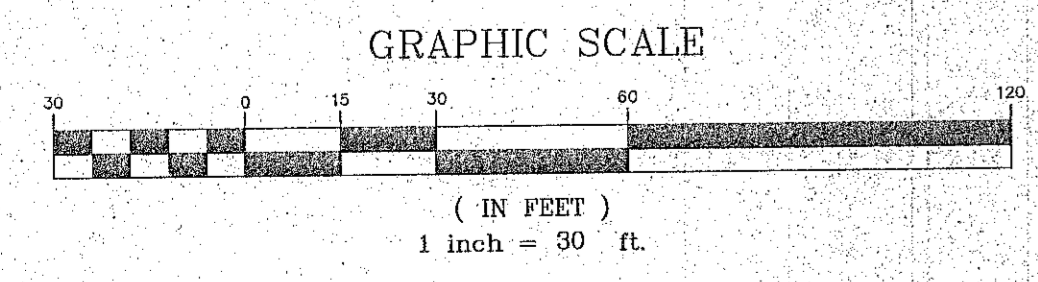


TRACT A2
ENTRADA AT BRECKENRIDGE
61,655 sq. ft.
1.415 acres

TRACT D
ENTRADA AT BRECKENRIDGE
255 sq. ft.
0.006 acres

A PORTION OF
HURON ROAD
8,891 sq. ft.
0.204 acres

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	25.30'	14.00'	103°32'52"	N51°08'42" E	22.00'
C2	12.24'	62.00'	11°18'36"	S71°59'52" E	12.22'
C3	9.61'	48.00'	11°28'05"	S71°30'16" E	9.59'
C4	32.41'	25.00'	74°20'00"	S39°54'50" E	30.21'
C5	69.58'	59.01'	66°35'30"	S53°19'59" W	64.79'
C6	41.14'	70.00'	33°40'24"	N60°14'38" W	40.55'
C7	51.14'	114.03'	25°41'38"	S59°53'02" E	50.77'
C8	71.37'	55.00'	74°20'53"	N39°25'17" W	66.47'



NOTE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drawn RW/LK Dwg ANNEXPLAT_A2 Project 17324
Checked RW Date 08/24/2022 Sheet 1 of 1

RANGEWEST
ENGINEERS & SURVEYORS INC.

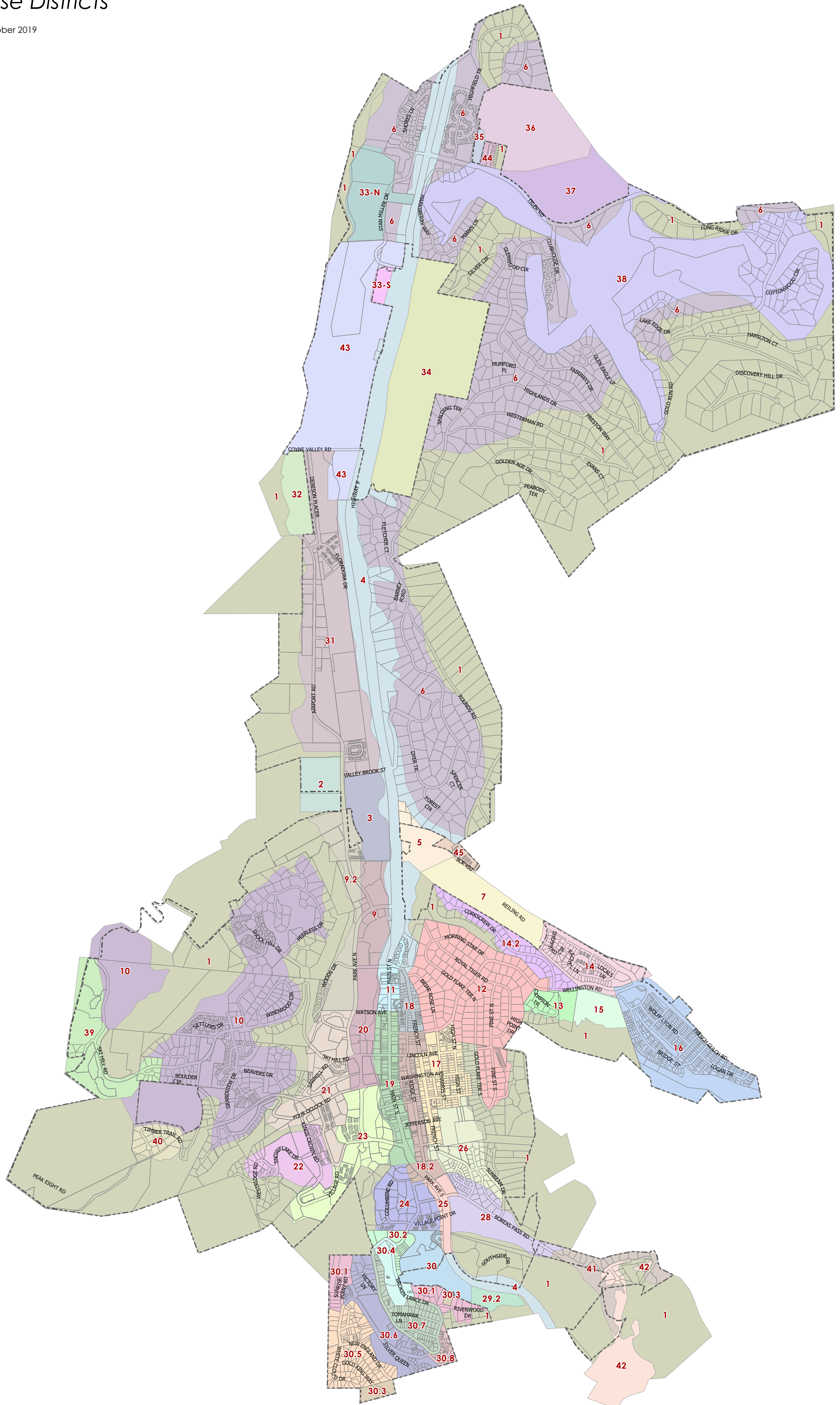
P.O. Box 589
Silverthorne, CO 80498 970-468-6281

Town of Breckenridge

Land Use Districts

Map Printed October 2019

Town Boundary
Town Parcel



BRECKENRIDGE LAND USE GUIDELINES

DISTRICT #5

Desired Character and Function

District 5 is located due east of Kingdom Park on the east side of Highway 9 at County Road 450 at the entrance to the French Creek at Breckenridge Subdivision. The primary function of District 5 is to provide a centralized area for the development of service commercial uses. These uses should meet the needs of both the permanent population as well as the short term visitor, while also providing an appropriate entrance to Town. This District is a prime location for service commercial uses which are vehicular oriented.

Small hotel/motel lodging facilities are also appropriate, but are not considered the primary and best use for this District.

Acceptable Land Uses and Intensities

Land Use Type:	Service Commercial
Intensity of Use:	1:5 Floor Area Ratio
Structural Type:	Special Review

Service commercial activities, similar to those currently found within the District, are acceptable. They are generally identifiable by their need for relatively large storage or parking areas, direct vehicular access, and minimal pedestrian activity. Service commercial uses shall be restricted to very low noise and low air polluting activities. Proposed development should not produce any major short or long term adverse effects to the immediate environment or the existing users. Positive visual impacts should be obtained through proper screening and natural buffering. The proposed intensity level in this District for service commercial development is one square foot of structural floor area to every five square feet of lot area.

Land Use Type:	Lodging
Intensity of Use:	10 Units per Acre
Structural Type:	Special Review

Hotel and motel lodging is also an appropriate use for the area. All lodging proposals will be reviewed for their compatibility and appropriateness to the existing activities in the District. Negative impacts from surrounding service commercial developments affecting the proper function of any proposed lodging activities should be mitigated. Proper buffering between incompatible uses is necessary. Although lodging is acceptable, other types of residential development in this District are strongly discouraged. One possible exception is the construction of employee housing within individual developments. The proposed intensity level for lodging in this District is ten dwelling units per acre of land.

The highway frontage portions of the District may be best suited for both lodging and highway oriented commercial uses; non-highway oriented activities are encouraged to develop internally to the District. The determination of structural types will be subject to special review by staff and Planning Commission. However, this District does constitute a part of the northern entrance to the community, therefore, all development proposals should reflect this function by being compatible with the surrounding environment while providing an appropriate statement for the entrance to the historic downtown area of Breckenridge.

General Design Criteria

Architectural Treatment

District 5 is an extremely visible area and is considered the northern front door to the Breckenridge downtown area. It is important that this District make an architectural statement that is appropriate for this function. The architectural design should not only compliment the flavor of Breckenridge, but it should be compatible with the surrounding neighborhood as well. Contemporary architecture which reflects the small town and its historic character utilizing natural finishing materials is encouraged.

Due to the close proximity of development and the high visibility of the entire District, it is necessary to maintain continuity in all new development. A special character shall be created and maintained in this District through the use of similar architecture, structural type, and building heights in all new development.

Building Heights

Buildings in excess of two stories are discouraged. The determination of acceptable building heights shall be made by special review according to the Development Code process, however, it is encouraged that building heights of new structures be compatible with the scale of the surrounding neighborhood.

Building Setbacks

Required building setbacks shall be as outlined in the Development Code. Greater setbacks than those required are encouraged, and the determination of appropriate setbacks will be made during the development review process. It is encouraged that a form of landscaped buffer be provided along both the Highway 9 and County Road 450 frontages. Strip-type landscaping and development is discouraged.

Pedestrian Circulation

The existing and anticipated generation of pedestrian activity is relatively low within this District. Therefore, no major pedestrian improvements are planned at this time. However, due to the development potential of this District and of Districts 6 and 7, subsequent

plans which provide for a pedestrian walkway and bike path to more centralized business and recreational areas are encouraged.

Vehicular Circulation

County Road 450 currently serves as the main arterial for this District. The location and frequency of new driveways and secondary access onto County Road 450 must be limited in order to insure the safe and efficient movement of traffic along this primary arterial. Shared access and parking areas should be provided whenever feasible. All proposals which impair the capacity and efficiency of County Road 450 shall be required to mitigate any adverse effects through improvements to County Road 450 or provision of a secondary primary access.

Public Transit Accommodations. Currently, public transit does not service any portion of this District. Future public transit should be provided as the build out of the District dictates. The location of future bus stop pull-offs for the loading and unloading of passengers should be in close proximity to areas of major activity. All new bus stops should be integrated with residential and commercial developments and major vehicular and pedestrian networks.

Until the time that public transit does serve this District, it is encouraged that areas of dense development provide shuttle vans for the transportation of its occupants to major activity areas.

Special Considerations. Off Street parking shall be provided in accordance with the Town's Parking Ordinance, as well as the Development Code requirements. Shared parking areas are encouraged whenever possible.

District Improvements

Utility Improvements

Water Facilities. Distribution lines presently do not exist within this District. The existing system in the adjacent French Creek at Breckenridge Subdivision is not adequate to service this area. New distribution lines shall be constructed according to the Breckenridge Water Master Plan and proper easements provided.

Sanitation Facilities. Twelve inch and 15 inch collector lines exist within this District and are adequate to serve its full development potential. Extension of these lines may be necessary depending on intensity of development. Proper easements shall be provided for all new sewer lines. Special consideration shall be taken to alleviate the phosphorus impacts that development in this District may have on Lake Dillon.

Natural Gas, Electricity, Telephone, Cable Television. Distribution lines for natural gas, electricity, telephone and cable television service exists within this District and are adequate to service its full development potential. Extensions and improvements of existing lines may be necessary. It is required that all new utility lines be installed underground and meet specifications set by individual utility companies. Appropriate easements will be provided for all new lines.

Capital Improvements

Capital Improvement Projects. At this time, none of the projects described in the Capital Improvements Program are associated with this District.

Drainage Improvements

Given the District's acceptable uses and intensities, a surface drainage plan should be prepared prior to further development of an extensive nature. Potential effects on adjacent properties and Districts should be specifically reviewed, and developers shall be required to participate in any needed improvements.

All construction activities will be controlled in such a manner as to minimize soil disruption. Erosion control measures shall be required.

Relationships to Other Districts

District 5 lies adjacent to Districts 4, 6 and 7. The recommended service commercial and lodging uses for this District may possibly conflict with the residential uses of surrounding Districts. Because this District is in such close proximity with residential areas, it is critical that all proposals for District 5 look at District compatibility and appropriate buffering.

Land Exchange Policy

Exchange of Federal land within this District would be conducive to the desired character and function of this District, and therefore, is recommended. The exchange would not necessarily promote efficiency in the development of land patterns, but would facilitate efficiency in land management. Approximately 0.5 acres of Federal land exists within District 5.

Annexation Suitability

This District is located in an apparent path of growth and community expansion. It provides a partially established infrastructure, and is 58% built out. Municipal services to this District would be very cost effective, however the condition of its water system should be carefully examined and expansion of existing lines may be necessary. The uses recommended in this District are of major need to the Town's function.

A portion of this District presently exists within Town boundaries. The remaining portions of this District not yet in Town are highly suitable and of a high priority for immediate annexation.