

1 COUNCIL BILL NO. 15

2
3 Series 2024

4
5 **A BILL FOR AN ORDINANCE REGULATING VEHICLE-ORIENTED DRIVE-**
6 **THROUGH DEVELOPMENT.**

7
8 **WHEREAS**, in 2008, the Town adopted the *Town of Breckenridge 2008 Comprehensive*
9 *Plan* which promotes, among other things, small town characteristics, maintain the rich legacy
10 as a mining boomtown, and to reduce congestion and dependency on the automobile;

11 **WHEREAS**, regulating vehicle-oriented drive-through development is furthermore
12 consistent with *The Joint Upper Blue Master Plan*, adopted in 1997 and updated in 2011,
13 projections on the capacity of the Town and its infrastructure and the increasing need to
14 implement destination management plans and a variety of tools to create a non-auto dependent
15 destination resort community;

16 **WHEREAS**, in 2022, the Town adopted the *Sustainable Breck Plan* with goals to reduce
17 transportation emissions by 25% by 2030 and 91% by 2050 over the 2005 community baseline;

18 **WHEREAS**, in 2019, the Town adopted the *Breckenridge Destination Management Plan*
19 which created goals for more boots and bikes, less cars, establishing Breckenridge at the
20 leading edge in mountain environmental stewardship and sustainable practices, and reduce
21 visitor and resident car traffic;

22 **WHEREAS**, regulating vehicle-oriented drive-through development is consistent with the
23 Town's overall policy goals related to land use, public transportation, and protecting the
24 environment;

25 **WHEREAS**, regulating vehicle-oriented drive-through development is another policy to
26 help reduce vehicle emissions and air pollution resulting from trip generation and idling vehicles,
27 discourage excess paved areas to accommodate vehicle waiting, queuing, and maneuvering,
28 and reduce conflict points between vehicles and pedestrians; and,

29 **WHEREAS**, regulating vehicle-oriented drive-through development is consistent with all
30 of the Town's adopted plans and is necessary to achieve the Town's adopted goals.

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

1 **Section 1.** That a new definition be added to section 9-1-5, underlined to read as
2 follows:

3 Vehicle Oriented Drive Through Development: The uses of land, buildings or structures, or
4 parts thereof, to provide or dispense products or services, either wholly or in part, through an
5 attendant, a window, or an automated machine, to persons remaining in motorized vehicles
6 that are in a lane dedicated for that purpose. Examples include but are not limited to drive-up
7 windows, menu boards, order boards or boxes, drive-in restaurants, and drive-up banks and
8 automated teller machines. Vehicle Oriented Drive Through Development shall not include the
9 direct refueling of motor vehicles, car washes, parking spaces used for customer pick-up or
10 loading of goods or products purchased on-site or prior to the customer's arrival, or parking and
11 loading spaces used for the donation of secondhand goods.

12 **Section 2.** That subsection C. of , 9-1-19-16A: POLICY 16 (ABSOLUTE) INTERNAL
13 CIRCULATION: be renamed “Vehicle Oriented Drive Through Development” and be amended
14 by deleting the language stricken and adding the language underlined to read as follows:

15 C. *Vehicle Oriented Drive Through Development:*

16 1. No drive-through window operations of any kind shall be allowed within the jurisdictional
17 boundaries of the Town of Breckenridge. Districts 11, 17, 18, 182, and 19 of the town, as
18 specified in the town's land use guideline district map.

19 2. ~~Outside of Districts 11, 17, 18, 182, and 19 of the town, as specified in the town's land use~~
20 ~~guideline district map, drive-through window operations which create the need for additional~~
21 ~~curb cuts onto any public street over and above those required to serve the project without the~~
22 ~~drive-through operation will not be allowed. (Ord. 19, Series 1988; amd. Ord. 3, Series 2022)~~
23 Except as otherwise provided in section 9-1-12, nonconforming structure, nothing in this section
24 9-1-19-16A C. affects any Vehicle Oriented Drive Through Development existing prior to the
25 effective date of this ordinance.

26 **Section 3.** That subsection B. of section 9-1-19-16R: Policy 16 (Relative) Internal
27 Circulation is hereby repealed.

28 **Section 4.** This ordinance shall be published and become effective as provided by
29 Section 5.9 of the Breckenridge Town Charter.

30

1 INTRODUCTION, READ ON FIRST READING, APPROVED AND ORDERED
2 PUBLISHED IN FULL this 28th day of May, 2024. A Public Hearing shall be held at the
3 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 11th day of
4 June, 2024, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
5 Town.

6 TOWN OF BRECKENRIDGE, a Colorado
7 municipal corporation
8
9

10
11 By: _____
12 Kelly Owens, Mayor
13

14 ATTEST:

15
16
17
18 _____
19 Helen Cospolich, CMC,
20 Town Clerk
21

22 ATTEST:
23
24
25