

ORDINANCE NO. 18

Series 2024

A BILL FOR AN ORDINANCE REGULATING VEHICLE-ORIENTED DRIVE-THROUGH DEVELOPMENT.

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

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

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

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

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

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

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

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, underlined to read as follows:

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

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

C. Vehicle Oriented Drive Through Development:

1. No drive-through window operations of any kind shall be allowed within the jurisdictional boundaries of the Town of Breckenridge. ~~Districts 11, 17, 18, 182, and 19 of the town, as specified in the town's land use guideline district map.~~
2. ~~Outside of Districts 11, 17, 18, 182, and 19 of the town, as specified in the town's land use guideline district map, drive-through window operations which create the need for additional curb cuts onto any public street over and above those required to serve the project without the drive-through operation will not be allowed. (Ord. 19, Series 1988; amd. Ord. 3, Series 2022)~~ Except as otherwise provided in section 9-1-12, nonconforming structure, nothing in this section 9-1-19-16A C. affects any Vehicle Oriented Drive Through Development existing prior to the effective date of this ordinance.

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

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 28th day of May, 2024.

This ordinance was published in full on the Town of Breckenridge website on May 30, May 31, June 1, June 2 and June 3, 2024.

A public hearing on this ordinance was held on June 11, 2024.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 11th day of June, 2024. 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

Kelly Owens, Mayor

APPROVED IN FORM

Town Attorney

Date

This Ordinance was published on the Town of Breckenridge website on June 13, June 14, June 15, June 16 and June 17, 2024. This ordinance shall become effective on July 17, 2024.

