

ORDINANCE NO. 19

Series 2024

**A BILL FOR AN ORDINANCE ADOPTING AN OVERLAY ZONE AMENDING
REGULATION OF TIMESHARE INTERESTS.**

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

Section 1. That section 9-1-5 entitled “Definitions” be amended by deleting the language stricken and adding the language underlined to read as follows:

9-1-5: DEFINITIONS:

Timeshare Interests: a dwelling unit within a multi-unit property, that has been divided into 13 or more interval estates, timeshare estates, timespan estates, ~~or and~~ other timesharing interests as defined in the Condominium Ownership Act, article 33, title 38, CRS, as amended from time to time or a dwelling unit where right-to-use for a specific amount of time is granted through a membership club, points system, or the right to use the dwelling unit is made through purchase or other contractual arrangements. The intermittent rental of a dwelling unit to the public or parties outside the system does not preclude the dwelling unit from being defined as a timeshare interest. Single-family, duplex, or townhouse dwelling units may not be developed as timeshare interests.

Section 2. That section 9-1-19-2A: Policy 2 (Absolute) Land Use Guidelines be amended by deleting the language stricken and adding the language underlined to read as follows:

9-1-19-2A: Policy 2 (Absolute) Land Use Guidelines:

Land use guidelines have been adopted for the town and surrounding areas by the Breckenridge town council. To promote the health, safety and general welfare of the community, all developments shall be reviewed against the land use guidelines and, where applicable, an approved master plan for the development of the property. Each development located within the boundaries of the Timeshare Overlay District, Downtown Overlay District, or the Cucumber Gulch Protection Overlay District as defined in the land use guidelines shall comply with all of the regulations applicable to such Overlay District.

- A. Timeshare interest development is only allowed within the Timeshare Overlay District mapped area boundary as adopted under Ordinance XX, Series 2024.

Section 3. Overlay District Adopted. The Town of Breckenridge adopts these regulations, and the “Timeshare Overlay District” (“District”) is created. If the provisions of these regulations conflict with either the other provisions of the Land Use Guidelines or the Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code), the provisions of these regulations shall control.

Section 4. Area of Applicability; District Boundaries. The boundaries of the District are depicted on the attached Timeshare Overlay District map which is incorporated herein by reference as attached “Exhibit A” and made a part of these regulations. The map shall be

interpreted so that future timeshare interest development may only occur within the District boundaries.

Section 5. Nothing in this section 9-1-19-2A affects any vested right under a development agreement or permit for a timeshare interest as that term is defined in section 9-1-5 issued immediately prior to the effective date of this ordinance.

Section 6. 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.