



**TOWN OF  
BRECKENRIDGE**

**Town Council Regular Meeting**  
Tuesday, February 12, 2019, 7:00 PM  
Council Chambers  
150 Ski Hill Road  
Breckenridge, Colorado

**I. CALL TO ORDER, ROLL CALL**

**II. APPROVAL OF MINUTES**

A. TOWN COUNCIL MINUTES - JANUARY 22, 2019

**III. APPROVAL OF AGENDA**

**IV. COMMUNICATIONS TO COUNCIL**

A. RECOGNITION OF COUNCILWOMAN ELISABETH LAWRENCE

B. CITIZEN'S COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

C. BRECKENRIDGE TOURISM OFFICE UPDATE

**V. CONTINUED BUSINESS**

A. SECOND READING OF COUNCIL BILLS, SERIES 2019 - PUBLIC HEARINGS

**VI. NEW BUSINESS**

A. FIRST READING OF COUNCIL BILLS, SERIES 2019

1. *COUNCIL BILL NO. 1, SERIES 2019 - AN ORDINANCE ADOPTING CHAPTER 15 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE CONCERNING SIGNS ON PRIVATE PROPERTY; AND MAKING CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE*

2. *COUNCIL BILL NO. 2, SERIES 2019 - AN ORDINANCE AMENDING TITLE 4 OF THE BRECKENRIDGE TOWN CODE BY ADDING A NEW CHAPTER 17 ENTITLED "DOCKLESS BICYCLE SHARE LICENSING"*

3. *COUNCIL BILL NO. 3, SERIES 2019 - AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010 EDITION, CONCERNING THE OPERATION OF BICYCLES AND ELECTRICAL ASSISTED BICYCLES WITHIN THE TOWN OF BRECKENRIDGE*

4. *COUNCIL BILL NO. 4, SERIES 2019 - AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010 EDITION, CONCERNING THE REGULATION OF BICYCLES AND OTHER HUMAN-POWERED VEHICLES*

B. RESOLUTIONS, SERIES 2019

C. OTHER

**VII. PLANNING MATTERS**

A. PLANNING COMMISSION DECISIONS

B. STEPHEN C. WEST ICE ARENA ADDITIONS & ALTERATIONS TOWN PROJECT

**VIII. REPORT OF TOWN MANAGER AND STAFF**

**IX. REPORT OF MAYOR AND COUNCIL MEMBERS**

A. CAST/MMC (MAYOR MAMULA)

B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MR. BERGERON)

C. BRECKENRIDGE TOURISM OFFICE (MS. WOLFE)

D. BRECKENRIDGE HERITAGE ALLIANCE (MS. GIGLIELLO)

E. BRECKENRIDGE CREATIVE ARTS

F. BRECKENRIDGE EVENTS COMMITTEE (MS. GIGLIELLO)

**X. OTHER MATTERS**

**XI. SCHEDULED MEETINGS**

A. SCHEDULED MEETINGS FOR FEBRUARY AND MARCH

**XII. ADJOURNMENT**

**I) CALL TO ORDER, ROLL CALL**

Mayor Mamula called the meeting of January 22, 2019 to order at 7:00pm. The following members answered roll call: Mr. Bergeron, Ms. Lawrence, Mr. Carleton, Mr. Gallagher, Ms. Wolfe, Ms. Gigliello and Mayor Mamula.

**II) APPROVAL OF MINUTES**

**A) TOWN COUNCIL MINUTES - JANUARY 8, 2019**

With no changes or corrections to the meeting minutes of January 8, 2019, Mayor Mamula declared they would stand approved as submitted.

**III) APPROVAL OF AGENDA**

Mr. Holman stated there were no changes to the agenda. Mayor Mamula declared the agenda approved as presented.

**IV) COMMUNICATIONS TO COUNCIL**

**A) CITIZEN'S COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)**

Mayor Mamula opened Citizen's Comment.

Mr. Mike Dudick and Ms. Deb Edwards, representing Breckenridge Grand Vacations, were present to talk about the AED initiative in the Town. Mr. Dudick explained that with the Heart Health fund the BGV would like to add AEDs to the area. He further stated all AEDs can be registered through the County, and they hope to broaden the radius of care and public awareness of the AEDs in the community. Mr. Dudick also stated his business will be demoing buildings in the area of the new hotel on Peak 8, and he encouraged Council to take a look at the code about demoing buildings since it is an involved process.

District Attorney Bruce Brown introduced Ms. Krista Burdick, the new Executive Director of the TreeTop Child Advocacy Center, located in the library basement. He stated Council should see this organization in action, since it is operating very effectively. D.A. Brown stated Ms. Burdick has a long history in Colorado and Las Vegas working in non-profits, and he thinks TreeTop will be utilized by the entire region. Ms. Burdick further stated she hopes to make TreeTop a "pillar in the community of hope and healing" for children. She stated there are plans to staff it continuously and to get national accreditation. Council asked about how the center operates, and Ms. Burdick explained there is an involved interview process that protects the children.

With no additional comments, Mayor Mamula closed Citizen's Comment.

**V) CONTINUED BUSINESS**

**A) SECOND READING OF COUNCIL BILLS, SERIES 2019 - PUBLIC HEARINGS**

**VI) NEW BUSINESS**

**A) FIRST READING OF COUNCIL BILLS, SERIES 2019**

**B) RESOLUTIONS, SERIES 2019**

**1) RESOLUTION NO. 3, SERIES 2019 - A RESOLUTION DECLARING COUNCIL INTENT FOR TRANSFER OF 2016 CERTIFICATES OF PARTICIPATION REMAINING PROCEEDS**

Mayor Mamula read the title into the minutes. Mr. Tim Berry stated this resolution would transfer the remaining certificates of participation in the construction fund that are no longer needed and, as Mr. Brian Waldes explained, the options are to use the funds for additional projects or to pay down the debt. Mr. Berry explained that we recommend paying down the debt service and this resolution will do that.

Mayor Mamula opened the public hearing. There were no comments and the public hearing was closed.

Mr. Bergeron moved to approve RESOLUTION NO. 3, SERIES 2019 - A RESOLUTION DECLARING COUNCIL INTENT FOR TRANSFER OF 2016 CERTIFICATES OF PARTICIPATION REMAINING PROCEEDS. Mr. Gallagher

seconded the motion.  
The motion passed 7-0.

C) OTHER

**VII) PLANNING MATTERS**

A) PLANNING COMMISSION DECISIONS

Ms. Wolfe asked about the term "contemporary and transitional" in the Planning Commission meeting minutes, and explained that styles evolve and change over time. She further stated she hopes we stay open-minded and follow our own rules in the future.

Mayor Mamula declared the Planning Commission Decisions would stand approved as presented.

B) CHILD CARE ADVISORY COMMITTEE APPOINTMENTS

Mayor Mamula stated the memo in the packet recommends the following candidates for seats on this committee: Heather Garcia, Johanna Gibbs, and Joyce Ruderman. Mr. Bergeron made the motion to appoint Ms. Garcia, Ms. Gibbs and Ms. Ruderman to the Child Care Advisory Committee. Mr. Carleton made the second. The motion passed 7-0.

**VIII) REPORT OF TOWN MANAGER AND STAFF**

The Report of the Town Manager and Staff was covered as part of the afternoon work session.

**IX) REPORT OF MAYOR AND COUNCIL MEMBERS**

The Report of Mayor and Council Members was covered as part of the afternoon work session.

**X) OTHER MATTERS**

**XI) SCHEDULED MEETINGS**

A) SCHEDULED MEETINGS FOR 1ST QUARTER 2019

**XII) ADJOURNMENT**

With no further business to discuss, the meeting adjourned at 7:20 pm. Submitted by Helen Cospolich, CMC, Town Clerk.

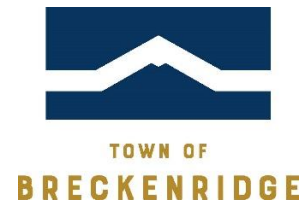
ATTEST:

---

Helen Cospolich, CMC, Town Clerk

---

Eric S. Mamula, Mayor



# Memo

**To:** Breckenridge Town Council Members  
**From:** Julia Puester, AICP, Planning Manager  
**Date:** 2/5/2019  
**Subject:** Signs on Private Property First Reading

---

## Background

Staff has been working with the Town Attorney on a Sign Code modification for signage on private property in response to a recent Supreme Court decision. This case decision, *Reed v. Town of Gilbert* is requiring most municipalities across the country to rewrite their sign code to eliminate content related references. The decision allows for signs to be regulated in regards to size, materials, etc., but not based on the sign's written content or the type of sign it is (e.g, political vs. commercial). The proposed Sign Code modifications keep the key concepts of the Sign Code similar to what exists today rather than making many substantive changes to a Sign Code that staff believes is generally working well for the community and for property owners.

The Town Council reviewed the Sign Code at the January 8<sup>th</sup> meeting after it received unanimous support from the Planning Commission.

The primary changes include:

- Renaming of all sign types that were content-based to an action on the property or physical attribute (e.g. *'real estate sign'* to *'One sign on the property not larger than four square feet in size when the property is being offered for rent or lease through a licensed real estate agent or by the property owner'*).
- Moving the Sign Code from Title 8 *Building Regulations* to Chapter 9 *Land Use and Development*.
- Modified review processes and fees to be consistent with the Development Code. A Class C for a new master sign plan and Class D minor for a minor master sign plan modification and an individual sign permit.
- Added leaning signs and marquee signs to *Prohibited Signs*.
- Added more detail to election related signs.
- Clarified that alternative materials which mimic wood grain relief are allowed.
- Added that sign lighting must comply with Chapter 12 *Exterior Lighting*.
- Removed *'Subdivision Sign'* and replaced with *'Gateway Entrance Monument Sign'* reference to be consistent with Policy 47A *Fences, Gates and Gateway Entrance Monuments*.
- Added a reference to Murals.
- Added to the Prohibited Sign section: *Signage on private property that can reasonably be interpreted as attempting to regulate signs on public property including but not limited to, parking and speed limits*.
- Inserted new descriptive color graphics.

## Changes from the Town Council Meeting January 8<sup>th</sup>

- 9-15-17 (B): Added *'property management'* to the real estate signs per Planning Commission request.

- 9-15-15 (B): Changed '*multiple use building*' to '*multiple level building*' as this section is intended to clarify the differences between floor levels, not uses.
- Sections 9-15-20 (L) and 9-15-17 (E) appeared to be the same, for sites during an active building permit. Also, 16 square feet was inconsistent with current code of 20 sq. ft. As a result, I Changed 9-15-20 to be tied to a site under development permit application review, rather than with an active building permit.

Staff will be available at the meeting to answer any questions.

1  
2 ***For Worksession/First Reading-February 12***  
3

4 AN ORDINANCE ADOPTING CHAPTER 15 OF TITLE 9 OF THE BRECKENRIDGE  
5 TOWN CODE CONCERNING SIGNS ON PRIVATE PROPERTY; AND MAKING  
6 CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE  
7

8 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
9 COLORADO:  
10

11 Section 1. Title 9 of the Breckenridge Town Code is amended by the addition of a new  
12 Chapter 15, which shall read as follows:  
13

14 **CHAPTER 15**

15 **SIGNS ON PRIVATE PROPERTY**  
16  
17

18 **SECTION:**

19 **Part A – Introduction**  
20

21  
22 9-15-1: Short Title

23 9-15-2: Authority

24 9-15-3: Legislative Findings and Purpose

25 9-15-4: Regulatory Scope  
26

27 **Part B – Definitions and Interpretation**  
28

29 9-15-5: Definitions

30 9-15-6: Interpretation  
31

32 **Part C – General Policies**  
33

34 9-15-7: General Policies for Sign Regulation

35 9-15-8: Sign Permit Required - Generally

36 9-15-9: Exempt Signs

37 9-15-10: Actions That Do Not Require A Permit

38 9-15-11: Prohibited Signs  
39

40 **Part D – Sign Permit Process**  
41

42 9-15-12: Permit Process

43 9-15-13: Variances

44 9-15-14: Master Sign Plan

2019 SIGN CODE ORDINANCE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

**Part E – Sign Size and Location Rules**

- 9-15-15: Signs on Commercial Properties
- 9-15-16: Signs on Industrial Properties
- 9-15-17: Additional Signage Allowed

**Part F – Sign Design Standards**

- 9-15-18: Sign Design Standards – Generally
- 9-15-19: Sign Maintenance
- 9-15-20: Standards for Specific Types of Signs
- 9-15-21: Nonconforming Signs
- 9-15-22: Abandoned Signs

**Part G – Enforcement**

- 9-15-23: Enforcement; Lien
- 9-15-24: Penalties and Remedies

**Part H – Miscellaneous**

- 9-15-25: Disclaimer of Liability
- 9-15-26: Rules and Regulations

**Part A – Introduction**

**9-15-1: SHORT TITLE:** This Chapter is to be known and may be cited as the “Town Of Breckenridge 2019 Sign Code,” or the “Breckenridge Sign Code.”

**9-15-2: AUTHORITY:** This Chapter is adopted by the Town Council pursuant to the following authority:

- A. Section 31-15-103, C.R.S. (concerning municipal police powers);
- B. Section 31-15-401, C.R.S. (concerning general municipal police powers);
- C. Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers);
- D. The Local Government Land Use Control Enabling Act of 1974, Part 1 of Article 20 of Title 29, C.R.S.;
- E. The authority granted to home rule municipalities by Article XX of the Colorado Constitution; and



1  
2 F. The powers contained in the Breckenridge Town Charter.  
3

4 **9-15-3: LEGISLATIVE FINDINGS AND PURPOSE:**  
5

6 A. The Town Council finds and determines as follows:  
7

8 1. The Town is widely known for its high mountain setting, its natural beauty, and its  
9 aesthetic charm.  
10

11 2. The Town's economy is tourist-based, and it is essential to the continued economic  
12 vitality of the Town that the aesthetic appeal of the Town be preserved and enhanced.  
13

14 3. If not properly regulated, signs can create a distraction for motorists and pedestrians,  
15 impede traffic circulation, and contribute to accidents.  
16

17 B. The primary purpose of this Chapter is to create a legal framework for a  
18 comprehensive and balanced system of signage in the Town. These regulations are  
19 intended to provide an easy and pleasant communication between people and their  
20 environment, and to avoid visual clutter that is potentially harmful to traffic and  
21 pedestrian safety, property values, business opportunities, and community appearance.  
22

23 C. This Chapter is adopted specifically to serve the public interest by:  
24

25 1. Encouraging signs that maintain and enhance the unique aesthetics, beauty, and charm  
26 of the Town.  
27

28 2. Protecting and enhancing the economic viability of the Town's commercial areas by  
29 attempting to assure the Town's continued aesthetic appeal to the residents and the many  
30 tourists who annually visit the Town.  
31

32 3. Promoting the use of aesthetically pleasing sign materials, colors, designs, and types.  
33

34 4. Encouraging signs that are architecturally and cosmetically compatible with the  
35 surrounding area, and that are of a quality design and character that do not detract from  
36 the overall appearance of the Town.  
37

38 5. Enhancing traffic and pedestrian safety by attempting to ensure that signage does not  
39 distract motorists or pedestrians, or obstruct or otherwise impede traffic circulation.  
40

41 6. Protecting the Town's Historic District, including that portion of the Town designated  
42 by the Secretary of the Interior as a National Historic District, by avoiding damage to  
43 the Town's sense of history, and by reinforcing the character of the Town's Historic  
44 District and its visual elements.

1  
2 7. Assisting in wayfinding, and promoting the efficient communication of messages.

3  
4 8. Enhancing the overall property values in the Town by discouraging signs that  
5 contribute to the visual clutter of the streetscape.

6  
7 9. Implementing the Town of Breckenridge Comprehensive Plan, one goal of which is to  
8 protect the unique and highly valuable aesthetic character of the Town, as well as  
9 protecting the public by encouraging traffic safety.

10  
11 10. Providing fair and consistent enforcement of this Chapter.

12  
13 D. In adopting this Chapter it is the intent of the Town to address problems caused by  
14 signs wholly apart from any message conveyed by signs, and to protect and promote the  
15 Town's compelling governmental interests in a way that is unrelated to the topic  
16 discussed, the idea or message conveyed, the speaker's viewpoint, or any other content of  
17 the message displayed on a sign. It is neither the purpose nor the intent of this Chapter to  
18 stymie any sign because of the Town's disagreement with the message or idea it conveys.

19  
20 **9-15-4: REGULATORY SCOPE:**

21  
22 A. This Chapter applies to all signs and sign structures that are located on private  
23 property within the Town, except as otherwise provided in this Chapter.

24  
25 B. Signs and sign structures located on private property within the Town are subject to  
26 any safety and construction requirements of the Town's building and technical codes.

27  
28 C. Signs located on Town-owned property are regulated by Title 11, Chapter 8 of this  
29 Code.

30  
31 **Part B – Definitions and Interpretation**

32  
33 **9-15-5: DEFINITIONS:**

34  
35 A. Words or phrases defined in the Town's Development Code (Title 9, Chapter 1 of this  
36 Code) apply to this Chapter unless such definition conflicts with a definition in this  
37 Chapter.

38  
39 B. Where terms are not defined, they shall have their ordinary accepted meanings within  
40 the context that they are used.

41  
42 C. As used in this Chapter, the following words have the following meanings:

43  
ACCENT: Twenty five percent or less of the area of a sign.

**ADVERTISE:** The nonpersonal communication of information usually paid for and usually persuasive in nature about products, services, or ideas by identified persons.

**ATTENTION GETTING DEVICE:** Any flag, streamer, spinner, pennant, costumed character, light, balloon, continuous string of pennants, flags or fringe or similar device or ornamentation used primarily for the purpose of attracting attention to a commercial use if visible by the general public. “Bistro lights” and “Decorative Lights” as defined in Section 9-12-7 of this Code are not an attention getting device.

**BANNER SIGN:** A strip of cloth or other flexible material on which a sign or message is placed.

**BUILDING FRONTAGE:** The length of a building facing a street or alley or, where a mall exists, building frontage means that portion of the mall that is parallel to the street. In the case of a corner lot, the building frontage may be either of the street frontages, but not both, at the option of the property owner. Where a property is tandem with another lot and has no frontage on a public street, the adjacent tandem property shall be disregarded, and the building frontage means the facade of the building nearest the public street. A depiction of building frontage is as follows:



**BUILDING OFFICIAL:** The Building Official of the Town, or such person’s designee acting pursuant to Section 1-7-2 of this Code.

**BUILDING AND TECHNICAL CODES:** The Town’s building and technical codes adopted by Title 8, Chapter 1 of this Code.

**BUSINESS:** A commercial use of real property for which a valid business and occupational (BOLT) license has been issued under Title 4, Chapter 1 of this Code.

**COMMERCIAL MESSAGE SIGN:** A sign that contains primarily a commercial message.

**COMMERCIAL USE:** Has the meaning provided in Section 9-1-5 of this Code.

**CONSERVATION DISTRICT:** Has the meaning provided in Section 9-1-5 of this Code.

**COPY (MESSAGE OR CONTENT):** Any graphic, letter, numeral, symbol, insignia, text, sample, model, device, or combination thereof located on a sign.

**CORNER LOT:** A lot bounded on two sides by streets that intersect with each other.

**DAY:** A calendar day, unless a business day is specified. A “business day” is a day that the offices of the Town of Breckenridge are open for business.

**DIRECTORY SIGN:** A sign that serves as a common or collective identification of two (2) or more uses on the same property and which may contain a directory to the uses as an integral part thereof or may serve as a general identification for such developments as shopping centers, industrial parks, and similar uses. An example of a directory sign is as follows:



**DEPARTMENT:** The Town’s Department of Community Development.

**DIRECTOR:** The Town’s Director of Department of Community Development, or such person’s designee acting pursuant to Section 1-7-2 of this Code.

**DISPLAY BOX:** A freestanding or wall sign located immediately outside of or near

the entrance to a restaurant, bar, or lounge.

**ELECTRONIC MESSAGE SIGN:**

A sign that uses LEDs (light emitting diodes), CCDs (charge coupled devices), plasma, or functionally equivalent technologies to display a series of still images or full motion, usually remotely programmable and changeable. Also known as “electronic message centers,” “message centers,” and “electronic signs.”

**FLAG:**

A sign containing a noncommercial message that is typically made of cloth and is displayed outdoor by being hung on a pole or hung from a building.

**FLASHING SIGN:**

A sign that has lights or illumination that flashes, has a reflective surface, rotates, revolves, oscillates, blinks, flickers, varies in intensity of color, or uses intermittent electrical pulsations. An electronic message sign is not a flashing sign.

**FREESTANDING SIGN:**

A permanent sign that is supported by one or more columns, upright poles, or braces extended from the ground or from an object on the ground, or which is erected on the ground, where no part of the sign is attached to any part of a building, structure, or other sign. The term includes a “pole sign,” “pedestal sign,” and “ground sign.” An example of a freestanding sign is as follows:



**GARDEN LEVEL:**

The floor of a building located more than fifty percent below average grade with an exterior entry accessing such level as depicted below:



**GOVERNMENT SIGN:**

A sign that is the expression of the federal or any state or local governmental entity when erected and maintained according to law and includes, but is not limited to, traffic control devices that are erected and maintained to comply with the Manual of Uniform Traffic Control Devices adopted by the State of Colorado.

**GATEWAY ENTRANCE MONUMENT:**

Has the meaning provided in Section 9-1-5 of this Code.

**HISTORIC DISTRICT:**

Has the meaning provided in Section 9-1-5 of this Code.

**HISTORIC PLAQUE:**

A sign placed on the outside of a building or structure that has received designation as a landmark under the Town's Historic Preservation Ordinance (Title 9, Chapter 11 of this Code), or applicable federal law.

**INDUSTRIAL USE:**

Has the meaning provided in Section 9-1-5 of this Code.

**INTERNALLY LIT SIGN:**

An indirect source of light which illuminates a sign by shining through a translucent surface of a sign, lit from an internal light source or gas (e.g., neon, argon).

**LEANING SIGN:**

A one sided sandwich board sign support by another object such as a building or tree.

**LOT:**

A parcel of real property designated with a separate and distinct number or letter on a recorded plat filed with the Summit County Clerk and Recorder, or when not so platted, a parcel of real property occupied or intended to be occupied by a building and all allowed accessory structures, held in unified ownership in fee or co-tenancy, or under legal control tantamount to such ownership.

**MARQUEE SIGN:** A tall roof like projection above a theater entrance, usually containing the name of a currently featured play or film and its stars. An example of a marquee sign is as follows:



**MASTER SIGN PLAN:** A sign plan for an office or commercial building that contains three or more separate businesses, which plan includes the number, size, description, and location (but not the content) of all signs located, or to be located, in or upon such property.

**MOBILE SIGN:** A sign or signage placed on or wrapped onto a vehicle or by other mobile means of travel.

**MONUMENT SIGN:** A freestanding sign with a base, including any portion of the sign or supporting structure that exceeds two (2) square feet in ground area. An example of a monument sign is as follows:



**MOVING SIGN:** A sign that moves or simulates motion.

**MURAL:** Has the meaning provided in Section 9-1-5 of this Code.

**NONCOMMERCIAL MESSAGE SIGN:** A sign that contains primarily a noncommercial message.

<b>NONCOMMERCIAL MESSAGE:</b>	Any message that is not a commercial message.
<b>ON-PREMISES SIGN:</b>	A commercial message sign that advertises a business, merchandise, product, service, or entertainment that is sold, produced, manufactured, furnished, or that is available on the property where the sign is located.
<b>OFF-PREMISES SIGN:</b>	A commercial message sign that does not advertise a business, merchandise, product, service, or entertainment that is sold, produced, manufactured, furnished, or that is available on the property where the sign is located.
<b>PERMANENT SIGN:</b>	A sign that is to be placed or erected for an indefinite period of time pursuant to a permit issued under this Chapter. Permanent signs are typically made of durable material such as wood or material that mimics wood such as high density urethane, glass, or metal.
<b>PUBLIC AREA:</b>	Any outdoor place to which the public or a substantial number of the public has access, including, but not limited to, transportation facilities, schools, places of amusement, parks, playgrounds, and the outdoor common areas of public and private buildings and facilities.
<b>PUBLIC ENTRANCE:</b>	An entrance into a business that is unlocked and available for use by the general public for access to and egress from the business during regular business hours. A “deliveries only” entrance is not a public entrance.
<b>PUBLIC RIGHT OF WAY:</b>	A public street or alley.
<b>REFLECTIVE SURFACE:</b>	Any material or device that has the effect of intensifying reflected light, including, but not limited to, Scotchlite, Day-Glo, glass beads, mirrors, highly reflective metals and luminous paint.
<b>RESIDENTIAL USE:</b>	Has the meaning provided in Section 9-1-5 of this Code.
<b>REVIEWING AUTHORITY:</b>	The Director with respect to all permit application submitted under this Chapter, except an application for a Master Sign Plan permit. The reviewing authority for a Master Sign Plan permit application shall be the Planning Commission.



**ROOF SIGN:** A sign painted on the roof of a building, or supported by poles, uprights, or braces extending from the roof of a building, or projecting above the roof of a building, but not including a sign projecting from or attached to a wall.

**SANDWICH BOARD SIGN:** A sign that is constructed with two pieces of nonreflective metal, blackboard, whiteboard, or wood or similar material, connected at the top, which pieces form a triangular shape and are self-supporting; also known as an “A-frame” sign. An example of a sandwich board sign is as follows:



**SEASONAL DECORATION:** Temporary, noncommercial decorations or displays erected or displayed only on a seasonal basis, when such are clearly incidental to the primary use of the building.

**SEPARATE FRONTAGE:** A second building frontage, parallel and adjacent to a public right of way and on the opposite side of a building’s primary frontage, that includes a public entrance.

**SIGN:** A lettered, numbered, symbolic, pictorial, or illuminated visual display designed to identify, announce, direct, or inform, and includes the sign structure. Signs are either permanent or temporary, and may contain a noncommercial message or a commercial message. Clothing is not a sign. A mural painted on a structure is not a sign subject to this Chapter, but is regulated by the Development Code.

**SIGN AREA OR SURFACE AREA:** The surface area of a sign, as determined by the Director, including its facing, copy, insignia, background, and borders, that is described by a combination of plane geometric figures.

**SIGN ON PROPERTY UNDER DEVELOPMENT:** A sign erected in connection with the development of real property.

<b>SIGN OWNER:</b>	The permittee with respect to any sign for which a sign permit has been issued; or, with respect to a sign for which no sign permit is required, or for which no sign permit has been obtained, “sign owner” means the person entitled to possession of such sign, the owner, occupant, or agent of the property where the sign is located, and any person deriving a pecuniary benefit from the sign.
<b>SIGN STRUCTURE:</b>	All supports, uprights, braces, housings, mounting devices, and framework of a sign to the extent necessary to support the sign.
<b>STATUARY SIGN:</b>	Any sign which is a modeled or sculptured likeness of a living creature or inanimate object.
<b>STREET:</b>	The entire width of every dedicated public way owned or controlled by the Town.
<b>STRUCTURE:</b>	Anything that is built or constructed with a fixed location, but does not include utility poles, lines, cables or other transmission or distribution facilities of public utilities, or structures associated with a wireless communications facility as defined in the Town’s Development Code.
<b>TEMPORARY SIGN:</b>	A sign that is not a permanent sign.
<b>TOWN-OWNED PROPERTY:</b>	Has the meaning provided in Title 11, Chapter 8 of this Code.
<b>TRAFFIC CONTROL DEVICE:</b>	A sign, signal, marking, or other device used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, or shared-use path by authority of a public agency having jurisdiction.
<b>WALKING SIGN:</b>	Any sign that is carried by any person while walking on a public street or sidewalk that is visible from a public right of way, adjacent property, or a public area.
<b>WALL SIGN:</b>	Any sign attached to, or erected against the building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall.
<b>WINDOW SIGN:</b>	A sign that is painted on, applied, or attached to a window. Merchandise that is a part of a window display is not a window sign.

**WINDOW SIGN WRAP:**

A sign that extends horizontally across a business window or series of business windows that is placed towards the top or bottom of the window so as not to detract from the inside display of merchandise. An example of an allowed window wrap sign is as follows:



**WOOD RELIEF SIGN:**

A carved sign constructed of wood and other similar materials that replicate wood with a three-dimensional (3-D) textured surface that is integral to its design, such as extensively carved, routed, or sandblasted signs. A wood sign with a simple raised or routed border, or simple raised or routed letters, shall not constitute a wood sign with relief.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

**9-15-6: INTERPRETATION:**

- A. If there is a conflict between the general provisions of this Chapter and a specific sign regulation contained in this Chapter, the specific sign regulation shall control.
- B. If there is a conflict between the sign regulations of this Chapter and any other provision of this Code, the provisions of this Chapter shall control.

**Part C – General Policies**

**9-15-7: GENERAL POLICIES FOR SIGN REGULATION:**

- A. **Enforcement.** The Director is authorized and directed to enforce this Chapter.
- B. **Review and Approval.** All decisions, approvals, orders, and appeals regarding signs within the regulatory scope of this Chapter, including, but, not limited to, decisions on sign permits, shall be made pursuant to the procedures stated in this Chapter.
- C. **Regulatory Interpretations.** All regulatory and administrative interpretations of this

1 Chapter are to be exercised in light of the Town’s message neutrality and message  
2 substitution policies. Where a particular type of sign is proposed in a permit  
3 application, and the type is neither expressly allowed nor prohibited by this Chapter,  
4 then the Director shall approve, conditionally approve, or disapprove the application  
5 based on the most similar sign type that is expressly regulated by this Chapter.  
6

7 **D. Message Neutrality.** It is the Town’s policy and intent to regulate signs in a manner  
8 that is not affected by the topic, idea, or message expressed on the sign; the subject  
9 matter of the sign; or the specific motivating ideology, viewpoint, opinion, or  
10 perspective of the speaker. This Chapter shall be administered and enforced in  
11 accordance with such policy and intent. The sign permitting and enforcement process  
12 requirements of this Chapter shall be limited to the non-communicative aspects of the  
13 sign, such as size, height, orientation, location, setback, illumination, spacing, scale,  
14 and mass of the sign structure.  
15

16 **E. Message Substitution.** Subject to the landowner’s consent, a noncommercial message  
17 of any type may be substituted for any duly permitted or allowed commercial message or  
18 any duly permitted or allowed noncommercial message; provided, that the sign structure  
19 or mounting device is legal without consideration of message content. Such substitution  
20 of message may be made without any additional approval or permitting, but is subject to  
21 any applicable size limitation applicable to a message containing a noncommercial  
22 message. This provision prevails over any more specific provision to the contrary within  
23 this Chapter. The purpose of this provision is to prevent any inadvertent favoring of  
24 commercial speech over noncommercial speech, or the favoring of any particular  
25 noncommercial message over any other noncommercial message. This provision does not  
26 create a right to increase the total amount of signage on a parcel, nor does it affect the  
27 requirement that a sign structure or mounting device be properly permitted.  
28

29 **F. On-Site/Off-Premises Distinction.** Within this Chapter, the distinction between an  
30 on-premises sign and an off-premises sign applies only to commercial messages.  
31

32 **G. Legal Nature of Sign Rights.** As to all signs attached to real property, the signage  
33 rights, duties, and obligations arising from this Chapter attach to and run with the land  
34 or other property on which a sign is mounted or displayed. This provision does not  
35 modify or affect the law of fixtures, sign-related provisions in private leases regarding  
36 signs (so long as they are not in conflict with this Chapter or other law), or the  
37 ownership of sign structures. This provision does not apply to handheld signs or other  
38 images that are aspects of personal appearance.  
39

40 **H. Owner’s Consent.** No sign may be placed on private property without the consent of  
41 the property owner or other person holding the present right of possession and control.  
42

43 **I. No Fee May Be Accepted.** A property owner shall not accept a fee for posting or  
44 maintaining a sign allowed under this Chapter. Any sign that is posted or maintained in

1 violation of this provision is not authorized and is in violation of this Chapter.  
2

3 **J. No Interference With Federally-Registered Trademark.** The Director shall not  
4 refuse to issue a permit under this Chapter for the reason that the colors of the proposed  
5 sign do not comply with the requirements of this Chapter if the colors reflect a  
6 federally-registered trademark.  
7

8 **K. Prospective Regulation.** This Chapter applies only to signs whose structure has not  
9 been permanently affixed to its intended premises on the date that the ordinance  
10 adopting this Chapter became effective.<sup>1</sup> Except as provided in Section 9-15-21, this  
11 Chapter does not affect signs that were legally installed and that existed as of the date  
12 this Chapter first takes effect.  
13

14 **L. Severability.** If any section, sentence, clause, phrase, word, portion, or provision of  
15 this Chapter is held invalid, unconstitutional, or unenforceable by any court of competent  
16 jurisdiction such holding shall not affect, impair, or invalidate any other section,  
17 sentence, clause, phrase, word, portion, or provision of this Chapter that can be given  
18 effect without the invalid portion. In adopting this Chapter, the Town Council  
19 affirmatively declares that it would have approved and adopted this Chapter even without  
20 any portion that may be held invalid or unenforceable.  
21

22 **9-15-8: SIGN PERMIT REQUIRED - GENERALLY:**  
23

24 A. Except as provided in Section 9-15-9, a sign permit shall be required for all permanent  
25 signs prior to the erection, relocation, alteration, or replacement of the sign.  
26

27 B. A sign permit shall not be required for those temporary signs that are allowed under  
28 this Chapter.  
29

30 **9-15-9: EXEMPT SIGNS:** The following signs do not require a sign permit and are exempt  
31 from the requirements of this Chapter:  
32

33 A. Government signs;  
34

35 B. Signs required by federal, state, or local law;  
36

37 C. Historic plaques on designated landmark properties;  
38

39 D. Cornerstones when carved into stone, concrete, bronze or other permanent material  
40 and made an integral part of a building or structure;  
41

42 E. Signs required by the Town's building and technical codes;

---

<sup>1</sup> The ordinance that adopted this Chapter became effective on [REDACTED], 2019.

1  
2 F. Warning signs marking hazards on private property two (2) square feet or less in size;

3  
4 G. Merchandise. These displays may be subject to the rules on outdoor display of  
5 merchandise set forth in Title 9, Chapter 7 of this Code;

6  
7 H. Bumper stickers or similar expressions that are affixed to a motor vehicle;

8  
9 I. Seasonal decorations; provided that such decorations are maintained so as to not  
10 constitute a fire hazard and are removed after the season associated with the decoration  
11 has ended. Temporary winter holiday decorations must be removed by the  
12 day after the third Monday in February (when President's Day is celebrated);

13  
14 J. Flags;

15  
16 K. Signs on commercial vehicles, including trailers; provided that the vehicles/trailers are  
17 not in violation of Section 9-15-18:F;

18  
19 L. Walking signs; and

20  
21 M. Any other sign for which a permit is specifically not required by this Chapter.

22  
23 N. Scoreboards associated with an approved recreational field.

24  
25 **9-15-10: ACTIONS THAT DO NOT REQUIRE A PERMIT:** A sign permit is not required  
26 for:

27  
28 A. A change of copy, text, or message that does not alter the material, size, location, or  
29 illumination of a sign (see Section 9-15-7(E) [Message Substitution]);

30  
31 B. The general maintenance of an existing and approved sign;

32  
33 C. Window signs placed pursuant to Section 9-15-15(D);

34  
35 D. Window wraps placed pursuant to Section 9-15-15(E); or

36  
37 E. Signs erected pursuant to Section 9-15-17.

38  
39 **9-15-11: PROHIBITED SIGNS:** The following signs and types of signs are inconsistent with  
40 the purposes and standards of this Chapter and, as such, are prohibited within the Town without  
41 reference to their content:

42  
43 A. Any sign for which a permit is required under this Chapter, but for which no valid  
44 permit has been issued or exists, or which violates the terms, conditions, and

- 1 restrictions of this Chapter or the sign permit that approved the sign;  
2  
3 B. Any sign that is specifically prohibited by the provisions of this Chapter;  
4  
5 C. Temporary signs, except as specifically authorized by this Chapter;  
6  
7 D. Attention-getting devices;  
8  
9 E. Flashing signs; moving signs; signs emitting audible sounds, smoke, fumes, odors, or  
10 visible matter; and signs that change copy electronically;  
11  
12 F. Beacons, lasers, or searchlights used for a commercial purpose;  
13  
14 G. Inflated signs, balloons, or inflatable party devices intended for short-term use;  
15  
16 H. Electronic message signs;  
17  
18 I. Internally lit signs placed on the exterior of a building, or within five feet (5') of a  
19 window of a building;  
20  
21 J. Roof signs;  
22  
23 K. Off-premises commercial message signs, except as provided in Section 9-1517(C);  
24  
25 L. Signs affixed to trees or utility poles;  
26  
27 M. Abandoned signs (see Section 9-15-22);  
28  
29 N. Signs erected or displayed by a person involved in the business of general advertising  
30 for hire;  
31  
32 O. Sandwich board signs;  
33  
34 P. Leaning signs;  
35  
36 Q. Marquee signs;  
37  
38 R. Monument signs within the Conservation District;  
39  
40 S. Gateway monuments signs within the Conservation District;  
41  
42 T. Banner signs (unless authorized by a permit issued pursuant to Title 4, Chapter 13 of  
43 this Code or as authorized pursuant to Section 11-8-7 of this Code); and  
44

1 U. Signs on private property that can reasonably be interpreted as attempting to regulate  
2 uses on public property including, but not limited to, parking and speed limits.  
3

4 **Part D – Sign Permit Process**  
5

6 **9-15-12: SIGN PERMIT PROCESS:**  
7

8 **A. Sign Permit Applications Reviewed Under Development Code:** All applications for  
9 permits submitted pursuant to this Chapter, except an application for a Master Sign  
10 Permit, shall be Class D Minor development permit applications under the Development  
11 Code. An application for a Master Sign Permit shall be a Class C development permit  
12 application under the Development Code. An application to amend a Master Sign Plan  
13 shall be a Class D Minor development permit application. Those relevant provisions of  
14 the Development Code that are not inconsistent with this Chapter shall apply to permit  
15 applications submitted under this Chapter. In the event of a conflict between the  
16 provisions of the Development Code and the provisions of this Chapter, the provisions of  
17 this Chapter shall control.  
18

19 **B. Reviewing Authority to Decide Applications.** The reviewing authority as defined in  
20 Section 9-15-5 shall review and decide all sign permit applications that are filed pursuant  
21 to this Chapter.  
22

23 **C. Submittal Requirements for Sign Permit:** An application for a sign permit under  
24 this Chapter, except for an application for a Master Sign Plan (see Section 9-15-14(B))  
25 shall contain the following:  
26

- 27 1. Application form and required application fee for the class of permit being applied for  
28 as established in the Development Code.  
29
- 30 2. Two drawings showing details of construction and foundation, if applicable, of the  
31 proposed sign.  
32
- 33 3. A scaled drawing showing the size, shape, design, colors, materials, and lighting, of  
34 the proposed sign.  
35
- 36 4. A site plan of the proposed site and sign location of any freestanding sign.  
37
- 38 5. Elevation, site plan or other depiction of the premises for which the sign is to be  
39 located upon with length of premise called out.  
40
- 41 6. An elevation or photo depicting the proposed location of the sign on a building or a  
42 wall or window sign.  
43
- 44 7. A colored rendering of the sign (excluding sign content).



1  
2 8. The Reviewing Authority may require such other information as the Reviewing  
3 Authority shall deem necessary to properly evaluate the application; provided the  
4 Reviewing Authority shall not require any information concerning the content of the sign.  
5 Any content information voluntarily provided by the applicant shall not be considered by  
6 the Reviewing Authority in deciding the application. Once filed with the Town, an  
7 application and any exhibits become the property of the Town.  
8

9 **D. Application Fee Not Refundable:** The application fee is nonrefundable.  
10

11 **E. Decision on Application:** The Reviewing Authority shall grant or conditionally grant  
12 an application if the application satisfies all of the requirements of this Chapter and any  
13 applicable provisions of the Development Code. The Reviewing Authority may impose  
14 such conditions on a permit as are required to protect the public health, safety, and  
15 welfare, and to obtain compliance with the requirements of this Chapter and other  
16 applicable law.  
17

18 **F. Provisions Deemed Inapplicable Or Irrelevant:** The Reviewing Authority may  
19 refuse to apply or require compliance with any provision of this Chapter or the  
20 Development Code that the Reviewing Authority determines to be inapplicable or  
21 irrelevant to an application for a sign permit.  
22

23 **G. When Permitted Sign Must Be Erected:** Signs for which permits have been issued  
24 shall be erected within one hundred eighty (180) days of the issuance of the permit.  
25 Failure to complete placement of the sign within such period shall require the sign owner  
26 to obtain a new permit before the sign can be erected. For good cause the Director may  
27 extend the deadline for erection of a permitted sign for up to an additional one hundred  
28 eighty (180) days.  
29

30 **H. Inspections For Permits:**

31  
32 1. All signs for which a building permit is required shall be subject to inspection by and  
33 approval of the Building Official. Inspections shall be conducted within seven  
34 business days of the request for an inspection.  
35

36 2. Footing inspections may be required for all signs having footings.  
37

38 3. All signs shall comply with the applicable provisions of the Town's building and  
39 technical codes. If a permit is required under a building or technical code, such permit  
40 must be obtained in addition to a sign permit.  
41

42 **9-15-13: VARIANCES:**

43  
44 **A. Variances Authorized; Standards:** The Director may grant a variance from any of

1 the regulations contained in this Chapter, except the maximum allowed sign area.<sup>2</sup>

2  
3 **B. Approval Standards.** The Director may grant a variance authorized by this Section if  
4 the variance requested is required by special or unique hardship because of:

5  
6 1. Exceptional narrowness, shallowness, or shape of the premise on which a  
7 sign is to be located; or

8  
9 2. Exceptional topographic conditions or physical features uniquely affecting the  
10 premise on which the sign is to be located.

11  
12 The Director may not grant a variance solely because the display of a sign would be more  
13 profitable or valuable if the variance were granted.

14  
15 **C. Additional Variance Standards:** The Director may grant a variance only if the  
16 Director determines that the variance is consistent with the Town's master plan<sup>3</sup>, and  
17 there are no other reasonable alternatives for displaying a sign permitted by this Chapter.

18  
19 **D. Factors Not To Be Considered:** In considering a request for a variance the Director  
20 shall not consider the topic, idea, or message expressed on the sign; the subject matter  
21 of the sign; or the specific motivating ideology, viewpoint, opinion, or perspective of  
22 the speaker.

23  
24 **9-15-14: MASTER SIGN PLAN:**

25  
26 **A. Master Sign Plans Required; When:** All buildings containing three (3) or more  
27 separate businesses must obtain approval of a master sign plan from the Director prior to  
28 any signs being erected in or upon any structure. All signs erected or maintained within  
29 the structure must conform at all times to the approved master sign plan. Any deviations  
30 from an approved master sign plan is unlawful unless and until a revised master sign  
31 plan is approved by the Director.

32  
33 **B. Application For Master Sign Plan:** An application for a master sign plan must  
34 include at least the following information:

35  
36 1. Class C application form and fee;

37  
38 2. Site plan and elevations, if applicable;

39  

---

<sup>2</sup> But see Section 9-15-20(D)(3) which authorizes the Director to determine the maximum allowable sign area in a project that is subject to a master sign plan under certain circumstances and Section 9-15-20(K) (2) which authorizes the director to determine the maximum allowable sign area under certain circumstances for hotels and condominiums.

<sup>3</sup> See Title 9, Chapter 4 of this Code.

- 1 3. Lineal front footage of the structure;  
2  
3 4. The total amount of allowable sign area for the structure; and  
4  
5 5. The location, materials, lighting, and maximum area of each sign that an individual  
6 business will be allowed to display including freestanding or directional signage.  
7  
8 6. The Reviewing Authority may require such other information as the Reviewing  
9 Authority shall deem necessary to properly evaluate the application; provided the  
10 Reviewing Authority shall not require any information concerning the content of the sign.  
11 Any content information voluntarily provided by the applicant shall not be considered by  
12 the Reviewing Authority in deciding the application. Once filed with the Town, an  
13 application and any exhibits become the property of the Town.  
14

15 **C. Individual Sign Permits Still Required:** Individual sign permits are required for  
16 signs contained within an approved master sign plan with a Class D minor development  
17 permit.  
18

### 19 **Part E – Sign Size and Location Rules**

#### 20 **9-15-15: SIGNS ON COMMERCIAL PROPERTIES:**

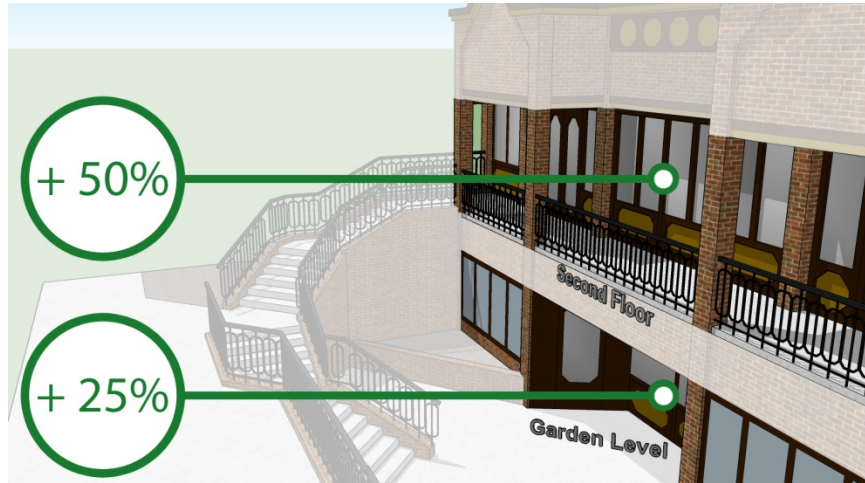
21  
22  
23 **A. General:** Unless specifically excluded by this Chapter, all signs displayed shall be  
24 included in determining the total sign area for a building. The aggregate area of all signs,  
25 both temporary and permanent, displayed on a site shall not exceed the total allowable  
26 sign area established by this section. The total square footage of allowable sign area for  
27 any building shall be equal to sixty six percent (66%) of the building's frontage. Unless  
28 specifically excluded by this chapter, all signs displayed shall be included in determining  
29 the total sign area for a building.  
30

31 Example: (Linear feet of building frontage) x 0.66 = total square footage of allowable  
32 sign area.  
33

34 In those instances where a building has two (2) separate frontages and all of the allowable  
35 sign area can legally be displayed on the primary frontage, the commission may increase  
36 the total allowable sign area by up to one hundred percent (100%) as may be reasonably  
37 necessary to provide additional sign area needed to identify the building and/or tenant(s)  
38 when viewed from the public way adjacent to the separate frontage.  
39

40 **B. Sign Area Adjustments; Multiple Level Buildings:** Each multiple level building  
41 shall be permitted one hundred percent (100%) of the allowable sign area set forth above.  
42 In addition, the second floor, if any, shall be allowed an additional fifty percent (50%) of  
43 the allowable sign area and the garden level, if any, shall be allowed an additional twenty  
44 five percent (25%) of the allowable sign area. Additional signage will be allowed for the

1 garden level and the second floor only if separate business is operating from each of these  
2 floors. Buildings that have no street level entrances and two (2) levels of commercial use  
3 are eligible for the garden level bonus only. These additional amounts of allowable sign  
4 area shall apply only to that portion of second floors and garden levels which are used as  
5 commercial space accessible to the public.  
6



7  
8  
9 **C. Other Adjustments To General Allowed Sign Area:**

- 10  
11 1. Only sixty six percent (66%) of the surface area of each face of a double faced sign is  
12 counted against allowed sign area.  
13  
14 2. Only eighty five percent (85%) of the surface area of a wood relief sign is counted  
15 against the allowable sign area.  
16

17 **D. Window Signs:** In addition to the signage allowed by Section B, each business in a  
18 commercial use property may display a maximum of four (4) window signs, whether  
19 such signs are temporary (not paper) or permanent. The total area of all allowed window  
20 signs, both temporary and permanent, shall not exceed five (5) square feet in area.  
21

22 **E. Window Wrap:** In addition to the window signage square foot allowance  
23 provided in Section C, each business is entitled to one window sign wrap that may  
24 extend across the width of the storefront windows. The window sign wrap may be a  
25 maximum of twelve inches (12") in height and must be composed of materials that are  
26 affixed to the window in a semi-permanent manner that is not easily changed (e.g.,  
27 paper cannot be used). The window sign wrap must be placed within six inches (6") of  
28 either the top or bottom of the window, so as not to detract from the inside display of  
29 merchandise.  
30

31 **F. Separate Frontages:** In those instances where a building with a commercial use has  
32 two (2) separate frontages and all of the allowable sign area can legally be displayed on

1 the primary frontage, the Director may increase the total allowable sign area by a  
2 maximum square footage double the calculated allowed as may be reasonably necessary.

3  
4 **G. Limitations:**

5  
6 1. No more than twenty (20) square feet of signage per business on a commercial use  
7 property may be visible from any one location after any sign bonus calculations have  
8 been applied, if applicable.

9  
10 2. Except as specifically provided in this Chapter, the area of any one sign on a building  
11 with a commercial use shall not exceed twenty (20) square feet after any sign bonuses  
12 have been applied, if applicable.

13  
14 **H. Display Boxes:** Each restaurant, bar, or lounge may have one display box sign. If the  
15 size of the display box is two (2) square feet or less the display box shall not count  
16 against the allowable sign area. If the size of the display box exceeds two (2) square feet,  
17 the area of the display box in excess of two (2) square feet counts against the allowable  
18 sign area.

19  
20 **I. Gas Stations:** In addition to the signage otherwise allowed by this Chapter, gas station  
21 shall be allowed an extra twenty (20) square feet of signage located near the gas pumps.

22  
23 **9-15-16: SIGNS ON INDUSTRIAL PROPERTIES:** The signage rules for properties with an  
24 industrial use<sup>4</sup> are the same as the rules for properties with a commercial use.

25  
26 **9-15-17: ADDITIONAL SIGNAGE ALLOWED; WHEN:** In addition to the signage allowed  
27 by this Chapter, the owner or lawful occupant of any property may place the following  
28 temporary signs on the owner's or occupant's property without a sign permit but subject to the  
29 limitations of this Section:

30  
31 A. Signs not to exceed a total of twelve (12) square feet in size for a period of up to forty  
32 five (45) days prior to an election involving candidates for a federal, state, or local office,  
33 or ballot question. No one sign shall exceed four (4) square feet in size. The signs shall be  
34 removed within five days following the election. The signs must not be placed in the  
35 public right of way.

36  
37 B. One sign on the property not larger than four (4) square feet in size when the property  
38 is being offered for sale through a licensed real estate agent, property owner, or by the  
39 property management; through the internet; or through advertising in a local newspaper  
40 of general circulation. The sign authorized pursuant to this Section B must be removed  
41 once the sale of the property has been concluded.

---

<sup>4</sup> Storage, processing and shipping of agricultural or timber products; mineral extraction and production; storage, processing or shipping; fabrication; assembly, services, manufacturing; auto body repair shops; or storage of products. See definition of "industrial use" in Section 9-1-5 of this Code.

1  
2 C. At the time a sign is allowed to be displayed by a property owner pursuant to Section  
3 B a real estate agent representing the owner may temporarily place off-premises signs  
4 without a permit, subject to the following limitations:  
5

6 1. Location of Signs:  
7

8 a. No off-premises sign authorized by this Section C is allowed anywhere within the  
9 conservation and historic districts;  
10

11 b. No sign authorized by this Section C is allowed within the rights of way of Park  
12 Avenue and Main Street within the Town;  
13

14 c. No sign authorized by this Section C may be placed on the paved driving surface of  
15 any public right of way, or on any public sidewalk;  
16

17 d. No sign authorized by this Section C may obstruct any public street, alley,  
18 sidewalk, recreational path, or any public snow removal operations;  
19

20 e. No sign authorized by this Section C is allowed within any designated public  
21 pedestrian area;  
22

23 f. No sign authorized by this Section C may be located on private property without  
24 the consent of the property owner; and  
25

26 g. No sign authorized by this Section C may be placed so as to cause confusion by  
27 motorists observing the sign.  
28

29 2. Number of Signs: Not more than three (3) signs authorized by this Section C may be  
30 placed within any Town right of way or located at an off-premises private property;  
31

32 3. Maximum Sign Area: The maximum sign area of a sign authorized by this Section C  
33 is four (4) square feet;  
34

35 4. Height: The height of a sign authorized by this Section C may not exceed five feet (5')  
36 as measured from the top of the sign to the grade at the base of the sign;  
37

38 5. Display Duration:  
39

40 a. A sign authorized by this Section C may only be displayed beginning up to one  
41 hour before time when the owner's real property is open for viewing by potential  
42 buyers or renters with the realtor, broker, owner, or other similar agent present on  
43 the real property, and must be removed no later than one hour after the conclusion

1 of the viewing;  
2

3 b. A sign authorized by this Section C may only be displayed between 8:00 A.M. and  
4 8:00 P.M. of the same day; and  
5

6 c. A sign authorized by this Section C may not be displayed for more than three (3)  
7 consecutive days.  
8

9 6. Lighting: A sign authorized by this Section C may not be lit;  
10

11 7. No Attention Getting Devices: No attention getting device may be affixed to any sign  
12 authorized by this Section C; and  
13

14 8. Town Not liable: The Town is not liable for damage done to a temporary sign  
15 authorized by this Section C that is located within a public right of way.  
16

17 D. One sign on the property not larger than four (4) square feet in size when the property  
18 is being offered for rent or lease through a licensed real estate agent or by the property  
19 owner; through the internet; or through advertising in a local newspaper of general  
20 circulation. The sign authorized pursuant to this Section D must be removed once the  
21 property has been rented or leased.  
22

23 E. One sign not larger than four (4) square feet in size, subject to the terms of this  
24 Chapter and applicable law.  
25

## 26 **Part F – Sign Design Standards**

27

28 **9-15-18: SIGN DESIGN STANDARDS – GENERALLY:** All signs for which a permit is  
29 required under this Chapter shall be subject to the following general limitations:  
30

31 **A. Sign Design And Materials:** Unless otherwise expressly provided in this Chapter,  
32 signs must be constructed predominantly of natural materials, such as rough cedar,  
33 redwood, pine, or other types of solid wood. Wood or alternative materials that mimic  
34 wood grain (e.g. high density urethane) are encouraged. Metal may be used as an accent  
35 (maximum of 25% of sign area) on wood relief signs.  
36

37 **B. Architectural Compatibility:** A sign (including its supporting structure and  
38 components, if any) shall be architecturally compatible with any building to which the  
39 sign is to be attached and with the surrounding structures.  
40

### 41 **C. Lighting Standards:**

42

43 1. Shielded Lighting: Light bulbs or lighting tubes used for illuminating a sign shall not  
44 be visible from the vehicular travel lanes of adjacent public rights of way. The use of

1 adequate shielding, designed so that light from sign illuminating devices does not  
2 shine directly into the eyes of passing motorists without first being reflected off the  
3 sign or its background, is required whenever sign lighting is used.  
4

5 2. **Subdued Lighting:** The intensity of sign lighting shall not exceed that necessary to  
6 illuminate and make legible a sign from the adjacent travel way or closest municipal  
7 street; and the illumination of a sign shall not be noticeably brighter than other lighting in  
8 the vicinity and shall comply with Title 9, Chapter 12 this Code.  
9

10 3. **Direction Of Lighting:** All lighting fixtures shall be placed above the sign and shall  
11 shine downward toward the sign. Illumination of signs shall not be directed toward  
12 adjacent properties.  
13

14 4. **Internally Lit Signs:** No sign that is placed on the exterior of a building or on the  
15 interior of the building within five feet (5') of a window shall be internally lit.  
16

17 **D. Component Painting:** All light fixtures, conduit, and shielding shall be painted a  
18 flat, dark color, or shall be painted to match either the building or the supporting structure  
19 that serves as the background of the sign.  
20

21 **E. Confusing Or Dangerous Signs:** No sign or sign structure shall:  
22

23 1. Obstruct the view of, resemble, or purport to be a device to control the operation of  
24 motor vehicles or pedestrians in the right of way, or any other official sign.  
25

26 2. Create an unsafe distraction for motor vehicle operators.  
27

28 3. Obstruct the view of motor vehicle operators entering a public roadway from any  
29 parking area, service drive, private driveway, alley, or other thoroughfare.  
30

31 4. Obstruct free ingress to or egress from required door, window, fire escape, or other  
32 required exit or standpipe.  
33

34 **F. Parked Vehicles Not To Be Used As Signs:** Notwithstanding Section 9-15-9K, no  
35 parked vehicle, including, but not limited to, an automobile, truck, bus, semi-truck  
36 (attached or detached), trailer, mobile home, motor home, boat, van, or other motor  
37 vehicle, shall be used as a sign or sign structure. Delivery trucks parked during hours of  
38 operation are excluded.  
39

40 **G. Clearance:** Signs shall not be located with less than three feet (3') horizontal or eight  
41 feet (8') vertical clearance from overhead electric conductors. No sign shall obstruct any  
42 window to such an extent that any light or ventilation is reduced to a point below that  
43 required by any law or ordinance.  
44



1 **9-15-19: SIGN MAINTENANCE:** All signs must be structurally sound, maintained in good  
2 repair and may not constitute a hazard to safety, health or public welfare by reason of inadequate  
3 maintenance, dilapidation or electrical shock. The display surfaces of all signs shall be kept  
4 neatly painted or posted at all times. In addition to other remedies provided for in this Chapter,  
5 the Director shall have the authority to order the painting, repainting, repair, maintenance, or  
6 removal of any sign that has become dilapidated or a hazard to safety, health or public welfare. If  
7 such a condition is determined by the Director to exist, the Director shall give notice to the sign  
8 owner at the address shown on the sign permit by certified mail, return receipt requested. If,  
9 within fifteen (15) days from service of the notice, the Director's order is not complied with, the  
10 Director may remove the sign, or cause it to be removed, and the cost of removal shall be  
11 charged against the sign owner and the sign owner's property as provided in Section 9-15-23.  
12

13 **9-15-20: STANDARDS FOR SPECIFIC TYPES OF SIGNS:** The following regulations shall  
14 apply to the specific types of signs as indicated.  
15

16 **A. Awnings:**

- 17
- 18 1. No awning shall block the view of other signs or extend over the public right of way  
19 without Town approval.  
20
  - 21 2. There shall be a minimum clearance of at least eight feet (8') between the bottom of the  
22 awning and the ground at grade.  
23
  - 24 3. All awning supports must be set back a minimum of one foot (1') from the Town right  
25 of way.  
26

27 **B. Cutout Letters/Painted Letters:** Cutout letters mounted on a building surface, and  
28 letters painted on a building, are wall signs and the aggregate area of such signs shall be  
29 counted against the allowable sign area established by this Chapter. Measurements for  
30 cutout letters shall begin at the top of the first letter or logo, and end at the end and  
31 bottom of the last letter or logo. Spacing between letters and words shall count toward  
32 the sign area.  
33

34 **C. Double Faced Signs:** The two (2) sides of a double faced sign must be parallel back  
35 to back, and no thicker than twelve inches (12").  
36

37 **D. Freestanding Signs:**

- 38
- 39 1. There shall be no more than one freestanding sign for each lot or building, except as  
40 otherwise provided in this Chapter.  
41
  - 42 2. A landscaped area equal to two (2) square feet for each one square foot of each side of  
43 a freestanding sign shall be maintained by the permit holder. Such area shall be kept in a  
44 neat and clean condition, free of trash, weeds, and rubbish.

1  
2 3. No freestanding sign outside the Conservation District shall exceed ten feet (10') in  
3 height. No freestanding sign within the Conservation District shall exceed eight feet  
4 (8') in height.

5  
6 4. No freestanding sign shall extend over or into a public right of way.

7  
8 5. A freestanding sign located in a project with an approved master sign plan containing  
9 three (3) or more buildings or development sites may exceed the twenty (20) square foot  
10 limit established by Section 9-15-15(G)(2). The maximum allowable size of any such  
11 sign shall be determined by the Director based upon the following criteria:

12  
13 a. the number of buildings or development sites within the project that is subject to the  
14 master sign plan;

15  
16 b. the distance of such sign from any major arterial providing primary access to the  
17 project; and

18  
19 c. the necessity of facilitating traffic circulation.  
20

21 **E. Projecting or Hanging Signs:**

22  
23 1. Projecting or hanging signs may not extend above the ceiling of the second floor of  
24 any building.

25  
26 2. Projecting signs shall not be located above the eave line or parapet wall of any building  
27 and shall be a minimum of eight feet (8') above grade when located adjacent to or  
28 projecting over a public right of way.

29  
30 3. No projecting sign shall extend more than four feet (4') from a building wall.

31  
32 4. The two sides of a projecting or hanging sign must be parallel back to back and shall  
33 not exceed twelve inches (12") in thickness.

34  
35 5. The allowable size of any projecting or hanging sign shall not include the sign  
36 structure portion necessary to support the sign.  
37

38 **F. Wall Signs:** Wall signs shall not be mounted higher than the eave line or parapet wall  
39 of the principal building and no portions of such wall sign, including cutout letters, shall  
40 project more than six inches (6") from the building.

41  
42 **G. Monument Signs:** Monument signs are permitted only outside of the Conservation  
43 District. The allowable shall not include the sign structure portion necessary to support  
44 the sign.

1 **H. Directory Signs:** Directory signs may be wall mounted or freestanding. The aggregate  
2 area of directory signs does not count towards each business's allowable sign area. The  
3 individual signs of a directory sign shall be of a coordinated design, with each of the  
4 individual signs sharing at least two (2) of the following as design elements in common:  
5 size, shape, materials, letter style and colors. Each individual business sign in a directory  
6 sign shall not exceed three (3) square feet in size. In no case may the aggregate area of a  
7 directory sign exceed twenty (20) square feet in size. Where the number of businesses  
8 served would not fit onto the maximum size allowed for a directory sign, then additional  
9 directory signs may be allowed. Additional directory signs must be located at least  
10 twenty five feet (25') from other directory signs to avoid creating a cluttered appearance.  
11

12 **I. Statuary Signs:**

13 1. Statuary elements of any sign shall not exceed thirty five percent (35% ) of the area of  
14 the proposed sign. In no case shall the statuary element of any sign exceed five (5) square  
15 feet. Two-dimensional silhouettes shall not be considered statuary signs for the purpose  
16 of this Chapter.  
17

18 2. The area of the statuary sign shall be calculated using the two largest dimensions  
19 (width, depth or height) of a three-dimensional element (rather than calculating the  
20 volume in cubic feet). For example, if a statuary element of a sign is thirty five inches  
21 (35") tall, thirty inches (30") wide, and ten inches (10") deep, the area of the sign shall be  
22 calculated using only the height and width of the statuary element.  
23

24 **J. Gateway Entrance Monuments:** Gateway entrance monuments are permitted only  
25 outside of the Conservation District. An application for a gateway entrance monument  
26 shall be evaluated based upon the requirements of Section 9-1-19-47A, "Policy 47  
27 (Absolute) Fences, Gates and Gateway Entrance Monuments" of this Code.  
28

29 **K. Hotel and Condominium Signs:**

30  
31 1. Signage not to exceed twenty (20) square feet shall be permitted for each hotel or  
32 condominium project.  
33

34 2. Such sign may exceed twenty (20) square feet if the Director determines that all of the  
35 following exist:  
36

37 a. the proposed sign is a single wall sign;  
38

39 b. a sign larger than twenty (20) square feet is necessary to fit proportionately within a  
40 large expanse of wall area not interrupted by windows or other architectural  
41 features, and to serve as an architecturally compatible building feature breaking  
42 up a large wall area that would otherwise be unbroken;  
43

- c. the proposed sign is set back at least thirty (30) feet from the property line;
- d. the proposed sign is no larger than is reasonably necessary;
- e. the colors and design of the sign are compatible with those of the building; and
- f. the proposed wall sign is used in lieu of any other signage for the project.

3. Where a hotel or condominium project has linear frontage of one hundred (100) feet or more and multiple vehicular accesses all of which accesses are not visible from a single location, one sign may be permitted at each point of vehicular access to the project.

**L. Sign On Property Under Development:** One sign not to exceed twenty (20) square feet in sign area may be erected when a valid development permit for the development of real property has been issued by the Director. Such sign must be removed at or prior to the issuance of the last certificate of occupancy, or when construction of the project is abandoned, whichever shall first occur.

**9-15-21: NONCONFORMING SIGNS:** Signs that were legally installed prior to the effective date of the ordinance adopting this Chapter, but are inconsistent with the requirements of this Chapter, are considered legal nonconforming uses, and are “grandfathered” by this Chapter. As such, they may continue to exist; provided, that they shall not be altered, modified, or changed in any way that would increase their nonconformity. When such modification, alteration, or change occurs or is proposed the sign shall be brought into compliance with this Chapter.

**9-15-22: ABANDONED SIGNS:**

**A. Signs Must Be Removed; When:** A commercial message sign shall be removed within fourteen (14) days after the activity, product, business, service or other use that is being advertised has ceased or vacated the premises.

Exceptions: The requirements of Section A shall not apply to: (i) permanent signs for businesses that are open only on a seasonal basis if there is clear intent to continue operation of the business, or (ii) noncommercial message signs.

**B. Signs May Be Removed By Director; When:** After fourteen (14) days and notice to the permit holder, a sign that has not been removed as required by this Section may be removed by the Director and the costs of such action may be collected as provided in Section 9-15-23(F).

**C. Date of Accrual of Abandonment:** As of the effective date of the ordinance adopting this Chapter, no legally established signs shall be considered abandoned. For regulatory purposes, any factors indicating abandonment shall not begin accruing until ninety days after the effective date of the ordinance adopting this Chapter.

1  
2 **Part G – Enforcement**  
3

4 **9-15-23: ENFORCEMENT; LIEN:**  
5

6 A. Right Of Entry: Whenever necessary to make an inspection to enforce any of the  
7 provisions of this Chapter, or whenever the Director has reasonable cause to believe that  
8 there exists in any building or upon any premises any condition or violation which makes  
9 such building or premises unsafe, dangerous or hazardous, the Director may enter such  
10 building or premises at all reasonable times to inspect the same or to perform any duty  
11 imposed upon the Director by this Chapter; provided, that if such building or premises is  
12 occupied, the Director shall first present proper credentials and request entry; and if such  
13 building or premises is unoccupied, the Director shall first make a reasonable effort to  
14 locate the owner or other persons having charge or control of the building or premises  
15 and request entry. If such entry is refused, the Director shall have recourse to every  
16 remedy provided by law to secure entry, including, but not limited to, requesting that an  
17 inspection warrant be issued by the municipal court judge pursuant to Rule 241 of the  
18 Colorado Municipal Court Rules of Procedure. The municipal court judge may issue an  
19 inspection warrant authorizing the inspection of a structure in accordance with Rule  
20 241(b) of the Colorado Municipal Court Rules of Procedure. Any inspection warrant  
21 issued pursuant to this section shall fully comply with the applicable provisions of Rule  
22 241 of the Colorado Municipal Court Rules of Procedure. The municipal judge may  
23 impose such conditions on an inspection warrant as may be necessary in the judge's  
24 opinion to protect the private property rights of the landowner of the property to be  
25 inspected, or to otherwise make the warrant comply with applicable law. When the  
26 Director shall have first obtained a proper inspection warrant or other remedy provided  
27 by law to secure entry, no owner or occupant or any other persons having charge, care, or  
28 control of any building or premises shall fail or neglect, after proper request is made as  
29 herein provided, to promptly permit entry therein by the Director for the purpose of  
30 inspection and examination pursuant to this Chapter.  
31

32 **B. Authority to Issue Penalty Assessment Notices:** If permitted to do so by the  
33 Director, any employee of the Department is authorized, as part of his or her duties, to act  
34 as a Code enforcement officer of the Town for the limited purpose of issuing a penalty  
35 assessment notice for any alleged violation of this Chapter if the alleged offense is listed  
36 on the Municipal Judge's list of designated violations the penalties for which may be paid  
37 at the office of the Municipal Court Clerk as described in Rule 210(b)(5) of the Colorado  
38 Rules of Municipal Court Procedure. Any penalty assessment notice issued pursuant to  
39 the authority granted by this Section B shall comply with the requirements of Section 1-  
40 8-12(K) of the Code.  
41

42 **C. Lien; Collection:** Any amount that the Town is authorized to collect pursuant to this  
43 Chapter, except a permit application fee, may be collected by the Town using the  
44 procedures set forth in Subsections C and D of this Section. The Town Clerk shall notify

1 the person owed the Town money pursuant to this Chapter of the total amount alleged to  
 2 be due, and if such person fails within thirty (30) days after the date of notification to pay  
 3 such amount in full, or to make arrangements acceptable to the Director to pay such  
 4 amount, then such amount due to the Town shall become a lien against and run with the  
 5 property where the sign is located or such other property that gives rise to the amount  
 6 owed to the Town. The Town Clerk shall certify such amount to the Summit County  
 7 treasurer for collection in the same matter as delinquent charges, assessments or taxes are  
 8 collected pursuant to Section 31-20-105, C.R.S.

9  
 10 **D. Amount Of Lien:** The amount certified by the Town Clerk to the Summit County  
 11 treasurer for collection shall include the actual amount alleged to be due, plus twenty five  
 12 percent (25%) to cover administrative costs, penalties, collection costs, and interest.

13  
 14 **E. Additional Remedies:** The enforcement procedures established in this Section are not  
 15 the exclusive method of enforcement of the provisions of this Chapter, but may be  
 16 exercised concurrently with, or in addition to, the imposition of the penalties pursuant  
 17 to Section 9-15-24, or other civil remedies available to the Town pursuant to law.

18  
 19 **F. Authority To Remove Signs From Right Of Way or Other Town Property:**  
 20 Notwithstanding anything contained in this Chapter to the contrary, any employee of the  
 21 Department, the Police Department, or the Department or the Public Works may remove  
 22 and destroy any sign that is illegally placed within a Town right of way or other Town-  
 23 owned property in violation of the provisions of this Chapter.

24  
 25 **9-15-24: PENALTIES AND REMEDIES:**

26  
 27 **A. General:** It is an infraction as defined in Section 1-3-2 of this Code for any person to  
 28 violate any of the provisions of this Chapter. Each such person shall be liable for a  
 29 separate offense for each and every day during any portion of which any violation of any  
 30 of the provisions of this Chapter is committed, continued, or permitted, and shall be  
 31 punished accordingly.

32  
 33 **B. Fine Schedule:** Any person found to have violated any provision of this Chapter, or  
 34 against whom a default judgment has been entered for any violation of this Chapter shall  
 35 be punished by a fine as follows:

36

Offense No.	Fine Amount
First Offense	\$100
Second Offense	\$250
Third Offense and Each Subsequent Offense	As Determined By the Municipal Judge subject to the limits in Section 1-4-1-1

37  
 38 **C. When Penalty Assessment Procedure May Be Used; When Mandatory Court**

1 **Appearance Required:** A defendant's first two (2) alleged violations of this Chapter  
2 may be written as penalty assessments. A defendant's third and each subsequent alleged  
3 violation of this Chapter shall require a mandatory court appearance.  
4

5 **D. Injunctive Relief:** In addition to other remedies available to the Town, the Town may  
6 commence an action pursuant to Section 1-8-10 of this Code or other applicable law to  
7 enjoin the alleged violation of any provision of this Chapter, or to authorize and compel  
8 the removal, termination, or abatement of such violation.  
9

10 **E. Additional Remedies:** Any remedies provided for in this Chapter shall be cumulative  
11 and not exclusive, and shall be in addition to any other remedies provided by law.  
12

### 13 **Part H – Miscellaneous**

#### 14 **9-15-25: DISCLAIMER OF LIABILITY:**

15  
16  
17 **A. Sign Owner Liability:** The provisions of this Chapter do not relieve, diminish, or  
18 modify the liability of any person for any damages arising from the ownership,  
19 maintenance, use, construction, or placement of a sign.  
20

21 **B. Town Liability:** The adoption of this Chapter does not create any duty to any person  
22 with regard to the enforcement or nonenforcement of this Chapter. No person shall have  
23 any civil remedy against the Town, or its officers, employees, or agents, for any damage  
24 arising out of or in any way connected with the adoption, enforcement, or  
25 nonenforcement of this Chapter. Nothing in this Chapter creates any liability on the part  
26 of the Town, or its officers, employees, or agents. Nothing in this Chapter waives any of  
27 the immunities, limitations on liability, or other provisions of the Colorado Governmental  
28 Immunity Act, Section 24-10-101 et seq., C.R.S., or any other immunity or limitation on  
29 liability otherwise available to the Town, or its officers, employees, or agents.  
30

31 **9-15-26: RULES AND REGULATIONS:** The Director may from time to time adopt, amend,  
32 alter, and repeal administrative rules and regulations as may be necessary for the proper  
33 administration of this Chapter. Such regulations shall be adopted in accordance with the  
34 procedures established by Title 1, Chapter 18 of this Code. A violation of such regulations may  
35 be enforced in the Town's Municipal Court.  
36

37 Section 2. Footnote 3 in Section 1-8-2 of the Breckenridge Town Code is amended to  
38 read as follows:  
39

40 <sup>3</sup>See title 89, chapter 215 of this Code  
41

42 Section 3. Section 4-14-23 of the Breckenridge Town Code is amended to read as  
43 follows:  
44

1 4-14-23: SIGNAGE:  
2

3 All signage for a licensed premises shall comply with the requirements of title ~~89~~,  
4 chapter ~~215~~ of this code. In addition, no licensee shall display a sign for a licensed  
5 premises that contains the word "marijuana" or a graphic/image of any portion of  
6 a marijuana plant.  
7

8 Section 4. Section 5-12-10 of the Breckenridge Town Code is amended to read as  
9 follows:  
10

11 5-12-10: REQUIRED SIGNAGE:  
12

13 Every retail store required to collect the disposable bag fee shall display a sign in  
14 a location outside or inside of the store, viewable by customers, alerting  
15 customers to the town of Breckenridge's disposable bag fee. **The signage**  
16 **required by this section shall be deemed to be the speech of the Town.**  
17

18 Section 5. Title 8, Chapter 2 of the Breckenridge Town Code, entitled "Sign Code," is  
19 repealed.  
20

21 Section 6. The second unnumbered paragraph of Section 9-1-18-1(C)(2)(b)(1) of the  
22 Breckenridge Town Code is amended to read follows:  
23

24 The site plan shall be drawn at a scale of one inch equals twenty feet (1" = 20'), or one  
25 inch equals ten feet (1" = 10') for sites of ten thousand (10,000) square feet or less; shall  
26 be drawn on twenty four inch by thirty six inch (24" x 36") size paper; and shall depict  
27 the property corners and all permanent survey monuments. The site plan shall further  
28 include the title under which the proposed plan is to be filed; the date of drawing  
29 preparation and any revisions; a north arrow; the scale of drawing; the legal description  
30 for the property; signature blocks; phasing lines; a data block (to include tabulation in  
31 square feet of building mass and density, broken down by uses if more than 1 use is  
32 proposed, and accompanied by a statement of density used by this plan and any density  
33 remaining for this site); ~~a tabulation in square feet of the total sign area allowed on the~~  
34 ~~site, the sign area previously used, the sign area used by this application and the sign area~~  
35 ~~remaining following the approval of this permit;~~ the land area of site; dwelling area;  
36 common area; open space area, lot coverage and impervious surface area to be expressed  
37 in square feet and percent of the site; parking, both required and provided; the land use  
38 district; name of master plan, if applicable; the number and type of fireplaces; and the  
39 number of dwelling units and bedrooms. **The site plan shall not contain any**  
40 **information regarding signage.**  
41

42 Section 7. The second unnumbered paragraph of Section 9-1-18-1(D)(1)(c)(1) of the  
43 Breckenridge Town Code is amended to read as follows:  
44



1 The site plan shall be drawn at a scale of one inch equals twenty feet (1" = 20'), or one  
2 inch equals ten feet (1" = 10') for sites of ten thousand (10,000) square feet or less; shall  
3 be drawn on twenty four inch by thirty six inch (24" x 36") size paper; and shall depict  
4 the property corners and all permanent survey monuments. The site plan shall further  
5 include the title under which the proposed plan is to be filed; the date of drawing  
6 preparation and any revisions; a north arrow; the scale of drawing; the legal description  
7 for the property; signature blocks; phasing lines; a data block (to include tabulation in  
8 square feet of building mass and density, broken down by uses if more than 1 use is  
9 proposed, and accompanied by a statement of density used by this plan and any density  
10 remaining for this site); ~~a tabulation in square feet of the total sign area allowed on the~~  
11 ~~site, the sign area previously used, the sign area used by this application and the sign area~~  
12 ~~remaining following the approval of this permit;~~ the land area of site; dwelling area;  
13 common area; open space area, lot coverage and impervious surface area to be expressed  
14 in square feet and percent of the site; parking, both required and provided; the land use  
15 district; name of master plan, if applicable; the number and type of fireplaces; and the  
16 number of dwelling units and bedrooms. **The site plan shall not contain any**  
17 **information regarding signage.**

18  
19 Section 8. The second unnumbered paragraph of Section 9-1-18-2(D)(1)(d)(3) of the  
20 Breckenridge Town Code is amended to read as follows:

21  
22 The site plan shall be drawn at a scale of one inch equals twenty feet (1" = 20') or one  
23 inch equals ten feet (1" = 10') for sites of ten thousand (10,000) square feet or less; shall  
24 be drawn on twenty four inch by thirty six inch (24" x 36") size paper; and shall depict  
25 the property corners and all permanent survey monuments. The site plan shall further  
26 include the title under which the proposed plan is to be filed; the date of drawing  
27 preparation and any revisions; a north arrow; the scale of drawing; the legal description  
28 for the property; signature blocks; phasing lines; a data block (to include tabulation in  
29 square feet of building mass and density, broken down by uses if more than 1 use is  
30 proposed, and accompanied by a statement of density used by this plan and any density  
31 remaining for this site); ~~a tabulation in square feet of the total sign area allowed on the~~  
32 ~~site, the sign area previously used, the sign area used by this application and the sign area~~  
33 ~~remaining following the approval of this permit;~~ the land area of site; dwelling area;  
34 common area; open space area, lot coverage, total site disturbance area and impervious  
35 surface area to be expressed in square feet and percent of site; snow stack area; parking,  
36 both required and provided; the land use district; name of master plan, if applicable; the  
37 number and type of fireplaces, and the number of dwelling units and bedrooms. **The site**  
38 **plan shall not contain any information regarding signage.**

39  
40 Section 9. Section 9-1-18-2(C)(3)(a)(1) of the Breckenridge Town Code is amended so  
41 as to read as follows:

42  
43 (1) The site plan shall be drawn at a scale of one inch equals twenty feet (1"= 20') or one  
44 inch equals ten feet (1"= 10') for sites of ten thousand (10,000) square feet or less; shall

1 be drawn on twenty four inch by thirty six inch (24" x 36") size paper; and shall depict  
2 the property corners and all permanent survey monuments. It shall further include the title  
3 under which the proposed plan is to be filed; the date of drawing preparation and any  
4 revisions; a north arrow; the scale of drawing; the legal description for the property;  
5 signature blocks; phasing lines; a data block to include: tabulation in square feet of  
6 building mass and density (broken down by uses if more than 1 use is proposed, and  
7 accompanied by a statement of density used by this plan, and any density remaining for  
8 this site); ~~a tabulation in square feet of the total sign area allowed on the site, the sign~~  
9 ~~area previously used, the sign area used by this application and the sign area remaining~~  
10 ~~following the approval of this permit;~~ the land area of site; dwelling area; common area;  
11 open space area, lot coverage, total site disturbance area, and impervious surface area to  
12 be expressed in square feet and percent of site; snow stack area; parking, both required  
13 and provided; the land use district; name of master plan, if applicable; the number of  
14 dwelling units and bedrooms; and the number and type of fireplaces. **The site plan shall**  
15 **not contain any information regarding signage.**  
16

17 Section 10. Section 9-1-18-2(D)(1)(d)(3) of the Breckenridge Town Code is amended so  
18 as to read as follows:

19  
20 (3) The site plan shall be drawn at a scale of one inch equals twenty feet (1"= 20'), or  
21 one inch equals ten feet (1" = 10') for sites of ten thousand (10,000) square feet or less;  
22 shall be drawn on twenty four inch by thirty six inch (24" x 36") size paper; and shall  
23 depict the property corners and all permanent survey monuments. The site plan shall  
24 further include the title under which the proposed plan is to be filed; the date of drawing  
25 preparation and any revisions; a north arrow; the scale of drawing; the legal description  
26 for the property; signature blocks; phasing lines; a data block to include: tabulation in  
27 square feet of building mass and density (broken down by uses if more than one use is  
28 proposed, and accompanied by a statement of density used by this plan and any density  
29 remaining for this site); ~~a tabulation in square feet of the total sign area allowed on the~~  
30 ~~site, the sign area previously used, the sign area used by this application and the sign area~~  
31 ~~remaining following the approval of this permit;~~ the land area of site; dwelling area;  
32 common area; open space area, lot coverage, total site disturbance area, and impervious  
33 surface area to be expressed in square feet and percent of site; parking, both required and  
34 provided; snow stack area; the land use district; name of master plan, if applicable; the  
35 number and type of fireplaces, the number of dwelling units and bedrooms. **The site plan**  
36 **shall not contain any information regarding signage.**  
37

38 Section 11. Section 9-1-19-12A "Policy 12 (Absolute)(Signs)" of the Breckenridge Town  
39 Code is amended to read as follows:

40  
41 9-1-19-12A: POLICY 12 (ABSOLUTE) SIGNS:

42  
43 All signs shall be in compliance with the provisions of the Breckenridge Sign  
44 Ordinance Code<sup>1</sup>.

1  
2 <sup>1</sup>See Title ~~89~~, Chapter ~~215~~ of this Code.

3  
4 Section 12. Section (A)(9) of Section 9-1-19-38A “Policy 38 (Absolute) (Home  
5 Occupations,” of the Breckenridge Town Code is deleted, and the subsequent subsections of  
6 Section A are renumbered accordingly.

7  
8 Section 13. Section (E)(4) of Section 9-1-19-40A “Policy 40 (Absolute) (Chalet  
9 Houses)” of the Breckenridge Town Code is deleted, and the subsequent subsections of Section  
10 E are renumbered accordingly.

11  
12 Section 14. Section (B)(3)(a)(11) of Section 9-1-19-49A “Policy 49 (Absolute) (Vendor  
13 Carts)” of the Breckenridge Town Code is amended to read as follows:

14  
15 11. All signs for a large vendor cart shall be subject to the Breckenridge Sign  
16 Code<sup>1</sup> ~~One permanent freestanding sign is allowed for a large vendor cart, unless~~  
17 ~~otherwise prohibited by the Breckenridge Sign Code.~~

18  
19 <sup>1</sup>See Title ~~89~~, Chapter ~~215~~ of this Code.

20  
21 Section 15. Section (B)(3)(b)(14) of Section 9-1-19-49A “Policy 47 (Absolute) (Vendor  
22 Carts)” of the Breckenridge Town Code is amended to read as follows:

23  
24 14. All signs for a small vendor cart shall be subject to the Breckenridge Sign  
25 Code. ~~The maximum sign area for a small vendor cart is sixty six percent (66%)~~  
26 ~~of the linear frontage of the cart.~~

27  
28 Section 16. Footnote 8 of Title 9, Chapter 1 of the Breckenridge Town Code is amended  
29 to read as follows:

30  
31 <sup>8</sup>See Title ~~89~~, Chapter ~~215~~ of this Code.

32  
33 Section 17. Section 9-2-3-5(C)(11) of the Breckenridge Town Code is amended to read  
34 as follows:

35  
36 11. Final lighting and signage plans **without reference to the content of the**  
37 **signs.**

38  
39 Section 18. Section 9-3-9(L) of the Breckenridge Town Code is amended to read as  
40 follows:

41  
42 L. Signs: ~~The placement of~~ Appropriate signage directing traffic shall be placed in  
43 any off street parking facility pursuant to the Breckenridge Sign Code<sup>1</sup> ~~Parking~~  
44 ~~lot and circulation directional signs must be approved pursuant to the Town’s sign~~

1 ordinance. All signs relating to off street parking facilities shall be reviewed  
2 according to the development code.

3  
4 <sup>1</sup> See Title ~~89~~, Chapter ~~215~~ of this Code.

5  
6 Section 19. Footnote 5 of Title 9, Chapter 3 of the Breckenridge Town Code is amended  
7 to read as follows:

8  
9 <sup>5</sup>See Title ~~89~~, Chapter ~~215~~ of this Code.

10  
11 Section 20. Section 9-12-8(H) of the Breckenridge Town Code is amended to read as  
12 follows:

13  
14 H. Sign Lighting: The lighting of a sign when done in accordance with the  
15 requirements of title ~~89~~, chapter ~~215~~ of this code.

16  
17 Section 21. Section 9-12-12(A)(6) of the Breckenridge Town Code is amended to read as  
18 follows:

19  
20 6. Signage Illumination: All signage in LZ-1, LZ-2 and LZ-3 shall comply with of  
21 title ~~89~~, chapter ~~215~~ this code. Signage utilizing lighting shall have fixtures  
22 mounted to the top of the sign structure aimed downward onto the sign from  
23 above. Fixtures shall be fully shielded so that light is directed only onto the sign  
24 facade and not aimed at the sky, adjacent streets, roads or properties.

25  
26 Section 22. Section E of the definition of “Commercial Handbill” in Section 11-5-2 of the  
27 Breckenridge Town Code is amended to read as follows:

28  
29 E. Which is not covered by the definition of a sign in section ~~8-2-39-15-5~~ of this  
30 Code..

31  
32 Section 23. Section 11-8-3 of the Breckenridge Town Code is amended to read as  
33 follows:

34  
35 11-8-3: Regulatory Scope: This Chapter primarily regulates signs and other  
36 forms of government speech conveyed by the Town and other governmental  
37 entities. Signs that may lawfully be placed on Town-owned property by the Town  
38 or other governmental entities pursuant to this Chapter do not require a sign  
39 permit issued pursuant to Title ~~89~~, Chapter ~~215~~ of this Code, or other formal  
40 approval by the Town. Signage on property other than Town-owned property is  
41 regulated by Title ~~89~~, Chapter ~~215~~ of this Code.

42  
43 Section 24. The definition of “Subdivision Entrance Sign” in Section 11-8-4 of the  
44 Breckenridge Town Code is repealed.

1  
2 Section 25. Section 11-8-4 of the Breckenridge Town Code is amended by the addition of  
3 the following definition:  
4

**GATEWAY**  
**ENTRANCE**  
**MONUMENT:**

**Has the meaning provided in Section 9-1-5 of this Code.**

5  
6 Section 26. Section 11-8-5 of the Breckenridge Town Code is amended to read as  
7 follows:  
8

9 11-8-5 PRIVATE SIGNS PROHIBITED ON TOWN-OWNED PROPERTY;  
10 EXCEPTIONS:  
11

- 12 A. Except as specifically authorized in this Section, it is unlawful for any person to  
13 place a private sign on any Town-owned property.
- 14 B. The following private signs may lawfully be placed on Town-owned property:
- 15 1. Private signs when authorized by a special events permit issued by the  
16 Town pursuant to Title 4, Chapter 13 of this Code.
- 17 2. Private ~~subdivision entrance signs~~ **gateway entrance monuments** when  
18 authorized by the Director under the following conditions:
- 19 (a) The ~~sign~~**monument** owner shall demonstrate that it is not feasible  
20 to place the sign on private property due to site constraints, poor  
21 topography, or other similar conditions.
- 22 (b) The ~~sign~~**monument** owner shall enter into an encroachment  
23 license agreement, or similar contractual agreement, with the  
24 Town, which agreement shall contain provisions concerning  
25 insurance and indemnification so as to adequately protect the  
26 Town from liability in the event of a claim or loss arising from the  
27 placement of the ~~sign~~**monument** on such Town-owned property.
- 28 (c) The ~~sign~~**monument** shall be maintained as required by the terms  
29 of the encroachment license agreement and this Chapter. If the  
30 ~~sign~~**monument** is not so maintained the Town may order the  
31 ~~sign~~**monument** removed from the Town-owned property, and if  
32 the ~~sign~~**monument** owner refuses to remove the sign, the Town  
33 may remove the ~~sign~~**monument** and may recover the costs thereof  
34 from the ~~sign~~**monument** owner.

- 1 (d) The sign monument shall not be placed so as to substantially  
 2 interfere with the Town’s use of the Town-owned property, or  
 3 create an unsafe or hazardous condition. Without limiting the  
 4 generality of the foregoing, the sign monument shall not obstruct  
 5 the sight triangle, impede drainage or interfere with utilities,  
 6 pedestrian ways, snow stack areas, or snowplowing.
- 7 (e) The Director shall review and approve as to form and content any  
 8 request to place a private ~~subdivision entrance signs~~ gateway  
 9 entrance monuments on Town-owned property pursuant to this  
 10 Section before the sign monument is placed. The Director may  
 11 impose any reasonable conditions of approval on the placement of  
 12 any private ~~subdivision entrance signs~~ gateway entrance  
 13 monuments on Town-owned property .

14 3. Private signs placed by a real estate agent on Town-owned property as  
 15 authorized by Title 89, Chapter 215 of this Code.

16 4. When approved by the Director, signs, including but not limited to  
 17 sandwich board signs as defined in Section 9-15-5 of this Code,  
 18 providing information about events, activities, or museums which are  
 19 open to the general public, regardless of whether a fee is required to  
 20 gain admission, if such event, activity or museum is conducted,  
 21 sponsored, or provided by a Colorado non-profit corporation.

22 Section 27. Except as specifically amended hereby, the Breckenridge Town Code, and  
 23 the various secondary Codes adopted by reference therein, continue in full force and effect.  
 24

25 Section 28. This ordinance shall be published and become effective as provided by  
 26 Section 5.9 of the Breckenridge Town Charter.  
 27  
 28

29 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
 30 PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2019. A Public Hearing shall be held at the  
 31 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 26th day of  
 32 February, 2019, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the  
 33 Town.  
 34

35 TOWN OF BRECKENRIDGE, a Colorado  
 36 municipal corporation  
 37

38  
 39  
 40 By: \_\_\_\_\_  
 41 Eric S. Mamula, Mayor

1  
2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61

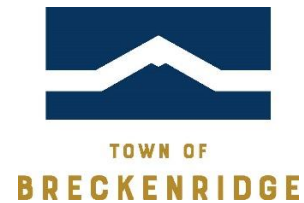
ATTEST:

---

Helen Cospolich, CMC,  
Town Clerk

Brk 500-29-1\2019 Sign Ordinance (01-09-19)





# Memo

**To:** Breckenridge Town Council Members  
**From:** Shannon Haynes, Assistant Town Manager  
**Date:** 2/1/2019  
**Subject:** Dockless Bicycle Share Licensing

---

Earlier this year staff and Council discussed shared mobility and the potential for various modes to operate in Breckenridge. As a result of that conversation staff has drafted an ordinance proposed to govern the licensing and operation of businesses offering shared bicycles. Incorporated in the ordinance are provisions intended to address staff and Council concerns related to safety, clutter/litter on Town property, and pedestrian impediments.

Below are notable highlights of the ordinance, as well as a few items for Council consideration.

- A licensee would be required to provide a financial guaranty that the Town could draw on to pay for expenses related to:
  - o Repair and maintenance to town property needed as a result of the licensee's equipment;
  - o Any cost for removing or storing a licensee's bicycles that are improperly parked; and
  - o Any cost to the town to remove a licensee's bicycles if the license expires or is otherwise terminated.

Staff proposes a guaranty in the amount of \$80/bicycle with a cap of \$8,000.
- Staff proposes an initial license fee of \$500.
- The ordinance does provide for a limitation on the number of bicycles to be deployed by any one licensee. Staff recommends a limitation of 50 shared bikes per licensee. The Town Manager would have the authority to modify the number of bicycles each licensee may deploy based on their ability to meet key performance indicators established by the manager.
- With the license application the applicant would be required to submit a management plan to address:
  - o Development and implementation of an assistance plan for users who do not have access to smart phones or credit cards;
  - o A service plan to ensure equitable distribution of shared bicycles including deployment at transit facilities and high demand areas;
  - o A description of how the applicant will respond to complaints of improperly parked or abandoned bicycles, as well as safety or operational concerns;
  - o A maintenance plan for shared bicycles; and
  - o A proposed user education and outreach plan for proper bicycle parking and riding
- A licensee will be required to promote the use of a helmet while riding, educate riders on the requirement to yield to pedestrians on sidewalks and comply with all traffic regulations, and educate users on the proper places for bicycles to be parked.

Staff will be available at the work session on February 12<sup>th</sup> to discuss and answer any questions.

1 ***FOR WORKSESSION/FIRST READING – FEB. 12***

2  
3 COUNCIL BILL NO. \_\_

4  
5 Series 2019

6  
7 AN ORDINANCE AMENDING TITLE 4 OF THE BRECKENRIDGE TOWN CODE  
8 BY ADDING A NEW CHAPTER 17 ENTITLED  
9 “DOCKLESS BICYCLE SHARE LICENSING”

10  
11 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
12 COLORADO:

13  
14 Section 1. Title 4 of the Breckenridge Town Code is amended by the addition of a new  
15 chapter 17, to be entitled “Dockless Bicycle Share Licensing”, which shall read in its entirety as  
16 follows:

17  
18 CHAPTER 17

19  
20 DOCKLESS BICYCLE SHARE LICENSING

21  
22 SECTION:

- 23  
24 4-17-1: Short title  
25 4-17-2: Authority  
26 4-17-3: Legislative Intent  
27 4-17-4: Definitions  
28 4-17-5: License Required  
29 4-17-6: Application For License  
30 4-17-7: Application Fee  
31 4-17-8: Town Manager’s Review of Application  
32 4-17-9: Decision By Town Manager  
33 4-17-10: Authority To Impose Conditions on License  
34 4-17-11: Contents of License  
35 4-17-12: License Not Transferable  
36 4-17-13: Duration of License  
37 4-17-14: Renewal of License  
38 4-17-15: Insurance and Indemnification  
39 4-17-16: Licensee’s Specific Duties and Obligations  
40 4-17-17: Dockless Shared Bicycle Standards  
41 4-17-18: Suspension Or Revocation of License  
42 4-17-19: Town Manager’s Decision Is Final  
43 4-17-20: Signage

- 1 4-17-21: Parking Shared Bicycles
- 2 4-17-22: Penalties; Injunctive Relief
- 3 4-17-23: No Town Liability
- 4 4-17-24: Rules and Regulations

5  
 6 4-17-1: SHORT TITLE: This chapter shall be known and may be cited as the “Town Of  
 7 Breckenridge Dockless Bicycle Share Licensing Ordinance.”

8  
 9 4-17-2: AUTHORITY: The town council finds, determines, and declares that it has the power  
 10 to adopt this chapter pursuant to:

- 11
- 12 A. Section 31-17-702, C.R.S. (concerning municipal regulation of streets and alleys);
- 13 B. Section 31-17-103, C.R.S. (concerning municipal police powers);
- 14 C. Section 31-17-401, C.R.S.(concerning general municipal police powers);
- 15 D. The authority granted to home rule municipalities by Article XX of the Colorado  
 16 Constitution; and
- 17 E. The powers contained in the Breckenridge Town Charter.

18 4-17-3: LEGISLATIVE INTENT: The intent and purpose of this chapter is to protect the public  
 19 health, safety, and welfare to prevent or mitigate against any adverse impact that dockless shared  
 20 bicycles may have to public or private property by licensing all persons who make available  
 21 dockless shared bicycles in the town.

22  
 23 4-17-4: DEFINITIONS: As used in this chapter the following words have the following  
 24 meanings:

25  
 APPLICANT: A person who has submitted an application for license pursuant to this chapter.

APPLICATION: An application for license submitted pursuant to this chapter.

DAY: A calendar day, unless otherwise indicated.

DOCKLESS: Not having a docking station in a fixed location from which users must lock and unlock their rented bicycles.

DOCKLESS BICYCLE SHARE: A transportation system providing users the ability to access bicycles via mobile technology and that does not need to be

	attended by the licensee, allowing the user to pick up a bicycle from one location and leave it at another within a system's service area.
<b>DOCKLESS SHARED BICYCLE (OR SHARED BICYCLE):</b>	A bicycle offered or operating in a system through which members of the public are offered for consideration the use of bicycles without the use of fixed docking facilities.
<b>ELECTRICAL ASSISTED BICYCLE:</b>	Has the meaning provided in the town's model traffic code adopted in title 7, chapter 1 of this code.
<b>GOOD CAUSE (for the purpose of refusing or denying a license renewal under this chapter):</b>	Means: <ul style="list-style-type: none"> <li>A. The licensee has violated, does not meet, or has failed to comply with: (i) any of the terms, conditions, or provisions of this chapter; or (ii) any rule and regulation promulgated by the town manager pursuant to this chapter; or</li> <li>B. The licensee has failed to comply with (i) any of the terms and conditions of its license including, but not limited to, any special terms or conditions that were placed on its license at the time the license was issued or were subsequently modified by the town manager pursuant to Section 4-17-10B, or (ii) any special conditions that were placed on its license in prior disciplinary proceedings or that arose in the context of potential disciplinary proceedings.</li> </ul>
<b>MOBILE APPLICATION:</b>	The software installed on a user's mobile device that allows the user to access dockless shared bicycles.
<b>LICENSEE:</b>	The person to whom a license has been issued pursuant to this chapter.

PERSON: Has the meaning provided in Section 1-3-2 of this code.

POLICE CHIEF: The police chief of the town, or the police chief designee authorized to act pursuant to Section 1-7-2 of this code.

REBALANCING: Redistributing bicycles throughout the town to ensure all areas are served by dockless bicycle share.

TOWN: Has the meaning provided in Section 1-3-2 of this code.

TOWN MANAGER: The town manager of the town, or the town manager's designee authorized to act pursuant to Section 1-7-2 of this code.

USER: The operator of a shared bicycle rented from a licensee.

- 1  
2 4-17-5: LICENSE REQUIRED: No person shall conduct or carry on the business of offering  
3 shared bicycles that are not deployed from a fixed docking station without first obtaining a  
4 license from the town manager under this chapter.  
5  
6 4-17-6: APPLICATION FOR LICENSE:  
7  
8 A. A person seeking to obtain a license pursuant to this chapter shall file an  
9 application with the town manager. The form of the application shall be provided  
10 by the town manager.
- 11 B. The applicant shall provide a financial guaranty upon which the town may draw,  
12 in the amount of \$80 per bicycle, with a cap of \$8,000, to secure performance of  
13 the terms of the applicant's license following issuance. The financial guaranty  
14 shall be cash, a letter of credit from a surety or financial institution located in the  
15 state of Colorado and in a form acceptable to the town manager, payable to the  
16 town as beneficiary, or another form of financial guaranty approved by the town  
17 manager. If a permitted licensee increases the size of its fleet as permitted by this  
18 chapter, the financial guaranty shall be adjusted appropriately before deploying  
19 additional bicycles. The financial guaranty will be used to pay town expenses  
20 related to the enforcement of this chapter including, without limitation, the  
21 following:

- 1           1.     Public property repair and maintenance costs caused by the licensee’s  
2                     equipment;
- 3           2.     Any cost for removing or storing a licensee’s bicycles that are improperly  
4                     parked; and
- 5           3.     Any cost to the town to remove a licensee’s bicycles if its license expires  
6                     or is otherwise terminated.

7                     If the financial guaranty is exhausted prior to the term of the license, the  
8                     licensee shall restore the financial guaranty to \$8,000, or such other  
9                     amount as may be required by the town manager. A licensee’s failure to  
10                    restore the financial guarantee shall be a violation of the terms and  
11                    conditions of the license. If an applicant’s license is not granted, the  
12                    financial guaranty shall be returned to the applicant without interest. Upon  
13                    the expiration or termination of a license the remaining balance of the  
14                    financial guarantee shall be refunded to the licensee without interest.

15  
16        C.     An applicant for a license shall submit, along with the application, a management  
17                    plan that addresses accessibility of the applicant’s proposed dockless bicycle  
18                    share system, and how the applicant will prevent or mitigate adverse impacts that  
19                    its dockless shared bicycles may have to public or private property. The town  
20                    manager shall not approve a management plan unless it adequately addresses such  
21                    impacts. The management plan shall include the following components:

- 22           1.     A description of how the applicant will develop and implement assistance  
23                     programs to enhance equitable access to potential dockless bicycle share  
24                     users who do not have access to smart phones or credit cards;
- 25           2.     A proposed service plan to achieve equitable distribution of shared  
26                     bicycles and electric assisted bicycles, including deployment of dockless  
27                     shared bicycles at transit facilities, high demand areas of the town, and  
28                     areas of the town that are not currently served by shared bicycle stations;
- 29           3.     A description of how the applicant will respond to complaints of  
30                     improperly parked or abandoned shared bicycles;
- 31           4.     A description of how the applicant will respond when notified of safety or  
32                     operational concerns of a shared bicycle in the system;
- 33           5.     A maintenance plan for shared bicycles; and
- 34           6.     A proposed user education and outreach plan for proper bicycle parking  
35                     and riding.

1 D. A license issued pursuant to this chapter does not eliminate the need for the  
2 licensee to obtain other required town licenses related to the operation of the  
3 licensee’s business, including, without limitation:

- 4 1. a town sales tax license; and
- 5 2. a town Business and Occupational Tax License.

6 4-17-7: APPLICATION FEE: An applicant shall pay to the town a non-refundable application  
7 fee when the application is filed. The purpose of the fee is to cover the Town’s administrative  
8 costs of processing the application, and the Town’s costs of monitoring and enforcing licenses  
9 issued pursuant to this chapter. For applications filed in 2019 the application fee is \$500.00.  
10 Thereafter, the amount of the application fee shall be fixed by the town council as part of its  
11 annual budget process.

12  
13 4-17-8: TOWN MANAGER’S REVIEW OF APPLICATION:

14  
15 A. Upon receipt of a properly completed application, together with all information  
16 required in connection therewith, and the payment of the application fee as  
17 required by section 4-17-7, and the financial guaranty required by section 4-7-6B,  
18 the town manager shall transmit copies of the application to:

- 19 1. the Police Department;
- 20 2. the Community Development Department;
- 21 3. the Public Works Department; and
- 22 4. any other person or agency that the town manager determines should  
23 properly investigate and comment upon the application.

24 B. Within twenty days of receipt of a completed application those town departments  
25 and other referral agencies described in subsection A of this section shall provide  
26 the town manager with comments concerning the application.

27 C. If the town manager requests the applicant to provide additional information that  
28 the town manager reasonably determines to be necessary in connection with the  
29 investigation and review of the application, the applicant shall provide such  
30 information within five days of the town manager’s request, unless the town  
31 manager agrees to a longer time period.

32  
33 4-17-9: DECISION BY TOWN MANAGER:

34  
35 A. The town manager shall conditionally approve or deny an application within  
36 thirty days of the receipt of a completed application unless, by written notice to

1 the applicant, the decision period is extended for an additional ten days if  
2 necessary for the town manager to complete the town manager’s review of the  
3 application.

4 B. The town manager shall issue a license under this chapter when, from a  
5 consideration of the application, and such other information as may otherwise be  
6 obtained, the town manager determines that:

7 1. The application (including any required attachments and submissions) is  
8 complete and signed by the applicant, and the applicant has provided any  
9 additional information concerning the application requested by either the  
10 town manager pursuant to section 4-17-8C;

11 2. The applicant has paid the application fee and any other fees required by  
12 section 4-17-7 and made the deposit of the financial guaranty required by  
13 4-17-6B;

14 3. The application does not contain a material falsehood or  
15 misrepresentation; and

16 4. The granting of the application will not endanger public health or safety.

17 C. The town manager shall deny an application for a license under this chapter if the  
18 town manager determines that:

19 1. Information contained in the application, or supplemental information  
20 requested from the applicant, is found to be false in any material respect;

21 2. The applicant has had a license issued under this chapter revoked within  
22 the two years immediately preceding the filing of the application, or the  
23 applicant owned a fifty percent or greater interest in any business entity  
24 that has had a license issued under this chapter revoked within the two  
25 years immediately preceding the filing of the application;

26 3. The applicant is currently indebted to the town for any lawfully assessed  
27 tax or fee; or

28 4. The granting of the application will endanger public health or safety.

29 D. If the application is denied, the town manager shall clearly set forth in writing the  
30 grounds for denial.

31 E. If the application is conditionally approved, the town manager shall clearly set  
32 forth in writing the conditions of approval.

33 F. If an application is denied the application fee shall not be refunded.



1 4-17-10: AUTHORITY TO IMPOSE CONDITIONS ON LICENSE:  
2

- 3 A. The town manager shall have the authority to impose such reasonable terms and  
4 conditions on a license as may be necessary to protect the public health, safety,  
5 and welfare, and to obtain compliance with the requirements of this chapter and  
6 applicable law.
- 7 B. For good cause shown, the town manager may administratively modify or  
8 eliminate or add any license condition during the term of the license.

9 4-17-11: CONTENTS OF LICENSE: A license shall contain the following information:  
10

- 11 A. The name of the licensee;
- 12 B. The date of the issuance of the license;
- 13 C. The address at which the licensee is authorized to operate the business; and
- 14 D. The date of the expiration of the license.

15 A license must be signed by both the licensee and the town manager to be valid.  
16

17 4-17-12: LICENSE NOT TRANSFERABLE: A license is non-transferable and non-assignable.  
18 Any attempt to transfer or assign a license shall void the license.  
19

20 4-17-13: DURATION OF LICENSE: Each license issued pursuant to this chapter shall be valid  
21 for one year from the date of issuance, unless the town manager specifies a shorter term for the  
22 license.  
23

24 4-17-14: RENEWAL OF LICENSE:  
25

- 26 A. A licensee does not have a vested right or a property right in the renewal of a  
27 license issued pursuant to this chapter.
- 28 B. Each license issued pursuant to this chapter may be renewed as provided in this  
29 section.
- 30 C. An application for the renewal of an existing license shall be made to the town  
31 manager not less than forty-five days prior to the date of expiration. No  
32 application for renewal shall be accepted by the town manager after the date of  
33 expiration. The town manager may waive the forty-five days' time requirement  
34 set forth in this subsection if the applicant demonstrates an adequate reason.

- 1 D. At the time of the filing of an application for the renewal of an existing license the  
2 applicant shall pay a renewal fee in an amount fixed by the town council as part of  
3 its annual budget process.
- 4 E. The timely filing of a renewal application shall extend the current license until a  
5 final decision is made on the renewal application by the town manager.
- 6 F. A license may be renewed by the town manager. At the time of the renewal of a  
7 license the town manager may impose any condition on the license that the town  
8 manager could lawfully impose pursuant to this chapter.
- 9 G. The town manager may refuse to renew a license for good cause.

10 4-17-15: INSURANCE AND INDEMNIFICATION: Each license issued under this chapter  
11 shall contain the following requirements:  
12

- 13 A. The licensee shall procure and continuously maintain throughout the term of the  
14 license a policy of comprehensive commercial general liability insurance with  
15 limits of liability not less than Two Million Dollars (\$2,000,000) per claim, Two  
16 Million Dollars (\$2,000,000) aggregate, and Fifty Thousand Dollars (\$50,000) for  
17 property damage. The town shall be named as an additional insured under such  
18 insurance policy. An ACORD Form 27, or other certificate of insurance  
19 acceptable to town clerk, shall be completed by the licensee's insurance agent and  
20 provided to the town clerk as evidence that policies providing the required  
21 coverages, conditions, and minimum limits are in full force and effect and shall be  
22 reviewed and approved by town prior to commencement of the operations of the  
23 business pursuant to the license, and on each renewal or replacement of the policy  
24 during the term of the license.
- 25 B. The licensee shall indemnify and defend the town, its officers, employees,  
26 insurers, and self-insurance pool (with counsel acceptable to the town), from and  
27 against all liability, claims, and demands, on account of injury, loss, or damage,  
28 including without limitation, claims arising from bodily injury, personal injury,  
29 sickness, disease, death, property loss or damage, or any other loss of any kind  
30 whatsoever, arising out of in any manner connected with the operation of the  
31 business for which the license was issued. The licensee shall investigate, handle,  
32 respond to, and to provide defense for and defend against, any such liability,  
33 claims, or demands at the sole expense of the licensee, and bear all other costs and  
34 expenses related thereto, including court costs and attorney fees. The indemnity  
35 obligation of this subsection shall survive the expiration or revocation of the  
36 license.

37 4-17-16: LICENSEE SPECIFIC DUTIES AND OBLIGATIONS: In addition to the other  
38 requirements of this chapter, it is the duty and obligation of each licensee to:  
39

- 1           A.     Comply with the following:
- 2                     1.     All of the terms and conditions of the license, including, without  
3                             limitation, any special condition imposed by the town manager pursuant to  
4                             section 4-17-10;
- 5                     2.     The licensee’s approved management plan;
- 6                     3.     All of the requirements of this chapter; and
- 7                     4.     All other town ordinances that are applicable to the licensee’ business.
- 8           B.     Provide, on its mobile application, a link for customers to notify the licensee if  
9                     there is a safety or maintenance issue with the bicycle; conspicuously post the  
10                     licensee’s privacy policy on the rental agreement between the licensee and the  
11                     user; and comply with such policy.
- 12           C.     Include, in its mobile application, prominently displayed notification to users that:
- 13                     1.     Helmet use is encouraged while riding a bicycle;
- 14                     2.     Bicyclists are required to yield to pedestrians on sidewalks;
- 15                     3.     When riding on-street, users must comply with all traffic regulations, as  
16                             drivers would in a motor vehicle; and
- 17                     4.     Shared bicycles may only be parked in bicycle racks, designated bicycle  
18                             parking areas or on private property with the consent of the property  
19                             owner, or in designated areas on town property that have been approved  
20                             by the town.
- 21           D.     Provide users with a 24-hour customer service telephone number to report safety  
22                     concerns, complaints, or ask questions.
- 23           E.     Understand and educate users regarding the laws applicable to riding and  
24                     operating a bicycle or electric assisted bicycle in the town, and within Summit  
25                     County.
- 26           F.     Provide the town manager with current contact information for the licensee or the  
27                     licensee’s staff who are capable of rebalancing shared bicycles or picking up  
28                     abandoned or damaged shared bicycles as required by subsection H of this  
29                     section.
- 30           G.     Relocate or rebalance shared bicycles within two hours of receiving a request  
31                     from the town.

- 1 H. Remove or maintain any inoperable shared bicycle or shared bicycle that is not  
2 safe to operate, within twenty-four hours of notice by any means to the licensee  
3 by any individual or entity.
- 4 I. Comply with the record keeping, ridership data, and reporting requirements  
5 established by the town manager under this chapter.
- 6 J. Refrain from initially deploying more than 50 shared bicycles.. During the term of  
7 a license the town manager is authorized to modify the number of shared bicycles  
8 each licensee may deploy based on the licensee’s ability to meet key performance  
9 indicators established by the manager.

10 4-17-17: DOCKLESS SHARED BICYCLE STANDARDS:  
11

- 12 A. No person shall offer a dockless shared bicycle for use that does not meet each of  
13 the standards set forth in this section.
- 14 B. The shared bicycle shall meet the standards outlined in the Code of Federal  
15 Regulations (C.F.R.) under title 16, chapter II, Subchapter C, Part 1512 –  
16 Requirements for Bicycles. Additionally, the shared bicycle shall meet the safety  
17 standards outlined in International Organization for Standardization (I.S.O.)  
18 43.150 – Cycles, subsection 4210.
- 19 C. Each electric assisted shared bicycle shall meet the definition of electric assisted  
20 bicycles in the town’s model traffic code adopted by reference in title 7, chapter 1  
21 of this code.
- 22 D. The shared bicycle shall be equipped with a locking mechanism that enables the  
23 bicycle to be locked to a fixed structure.
- 24 E. The shared bicycle shall be equipped with technology to track ridership data  
25 required by the license.
- 26 F. The shared bicycle shall have affixed, in a prominent location, identifying  
27 information that includes:
  - 28 1. The name, address, electronic mail address, and 24-hour customer service  
29 telephone number of the licensee; and
  - 30 2. A unique identifier number or series of numbers for each shared bicycle.

31 4-17-18: SUSPENSION OR REVOCATION OF LICENSE:  
32

- 33 A. A license issued pursuant to this chapter may be suspended or revoked by the  
34 town manager after a hearing for any of the following reasons:

- 1           1.     Fraud, misrepresentation, or a false statement of material fact contained in  
2           the license application.
- 3           2.     A violation of any town, state, or federal law or regulation pertaining to  
4           the operation of the business for which the license was issued.
- 5           3.     A violation of this chapter.
- 6           4.     A violation of any of the terms and conditions of the license, including,  
7           without limitation, any special condition imposed upon the license by the  
8           town manager pursuant to section 4-17-10.
- 9           5.     Licensees operations at its licensed location have ceased for more than six  
10          months for any reason.
- 11          6.     Ownership of the licensee business has been transferred without the new  
12          owner obtaining a license pursuant to this chapter.
- 13          B.     In connection with the suspension of a license, the town manager may impose  
14          reasonable conditions.
- 15          C.     Any hearing held pursuant to this section shall be processed in accordance with  
16          chapter 19 of title 1 of this code.
- 17          D.     For the purpose of disciplinary action imposed pursuant to this section, a licensee  
18          is responsible and accountable for the conduct of the licensee’s employees,  
19          agents, and contractors occurring in connection with the operation of the business  
20          for which the license has been issued.
- 21          E.     In deciding whether a license should be suspended or revoked, and in deciding  
22          what conditions to impose in the event of a suspension, if any, the town manager  
23          shall consider all of the following:
  - 24           1.     The nature and seriousness of the violation.
  - 25           2.     Corrective action, if any, taken by the licensee.
  - 26           3.     Prior violation(s), if any, by the licensee.
  - 27           4.     The likelihood of recurrence.
  - 28           5.     All circumstances surrounding the violation.
  - 29           6.     Whether the violation was willful.
  - 30           7.     The number of previous violations by the licensee.

1                   8.       Previous sanctions, if any, imposed against the licensee.

2                   F.       No fee previously paid by a licensee in connection with the application shall be  
3                   refunded if such license is suspended or revoked.

4 4-17-19: TOWN MANAGER’S DECISION IS FINAL: Any decision made by the town  
5 manager pursuant to this chapter shall be a final decision of the town and may be appealed to the  
6 district court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure. The  
7 applicant’s or licensee’s (as applicable) failure to timely appeal the decision is a waiver the  
8 applicant’s or licensee’s right to contest the denial or conditional approval of the application.  
9

10 4-17-20: SIGNAGE: All signage for a business for which a license has been issued shall  
11 comply with the requirements of title 9, chapter 15 of this code.  
12

13 4-17-21: PARKING DOCKLESS SHARED BICYCLES:  
14

15                   A.       No user of a dockless shared bicycle shall park a shared bicycle in any location  
16                   except where authorized by this chapter or pursuant to rules issued by the town  
17                   manager under this chapter. Both the licensee and user are jointly and severally  
18                   liable for any parking in violation of this chapter or the town manager rules issued  
19                   under this chapter.

20                   B.       The police chief is authorized to impound any shared bicycle left in a location that  
21                   is not authorized for the parking of a shared bicycle pursuant to rules issued by  
22                   the town manager, to dispose of any abandoned or improperly parked shared  
23                   bicycle, and to collect the cost of such impoundment or disposal from the licensee  
24                   either through the financial guaranty required by this chapter or directly from the  
25                   licensee if the financial guaranty is insufficient to cover the cost.

26 4-17-22: PENALTIES; INJUNCTIVE RELIEF:  
27

28                   A.       It is a misdemeanor offense for any person to violate any provision of this  
29                   chapter. Any person convicted of having violated any provision of this chapter  
30                   shall be punished as set forth in chapter 4 of title 1 of this code.

31                   B.       If a person is required to have a license issued pursuant to this chapter the  
32                   operation of such person’s business without a valid license issued pursuant to this  
33                   chapter may be enjoined by the town in an action brought in the municipal court  
34                   pursuant to section 1-8-10 of this code, or in any other court of competent  
35                   jurisdiction. In any case in which the town prevails in a civil action initiated  
36                   pursuant to this section, the town may recover its reasonable attorney fees plus  
37                   costs of the proceeding.

38                   C.       The remedies provided in this section are in addition to any other remedy  
39                   provided by applicable law.

1 4-17-23: NO TOWN LIABILITY: The adoption of this chapter and the issuance of licenses  
2 pursuant to this chapter shall not create any duty to any person. No person shall have any civil  
3 liability remedy against the town, or its officers, employees or agents, for any damage or loss of  
4 any kind arising out of or in any way connected with the issuance of any license pursuant to this  
5 chapter. Nothing in this chapter shall be construed to create any liability or to waive any of the  
6 immunities, limitations on liability, or other provisions of the Colorado Governmental Immunity  
7 Act, section 24-10-101, et seq., C.R.S., or to waive any immunities or limitations on liability  
8 otherwise available to the town, or its officers, employees or agents.  
9

10 4-17-24: RULES AND REGULATIONS: The town manager shall have the authority from time  
11 to time to adopt, amend, alter, and repeal administrative rules and regulations as may be  
12 necessary for the proper administration of this chapter. Such regulations shall be adopted in  
13 accordance with the procedures established by title 1, chapter 18 of this code. A violation of  
14 such regulations may be enforced in the Town's Municipal Court.  
15

16 Section 2. Except as specifically amended hereby, the Breckenridge Town Code, and the  
17 various secondary Codes adopted by reference therein, shall continue in full force and effect.  
18

19 Section 3. The Town Council hereby finds, determines, and declares that this ordinance  
20 is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and  
21 improve the order, comfort, and convenience of the Town of Breckenridge and the inhabitants  
22 thereof.  
23

24 Section 4. This ordinance shall be published and become effective as provided by Section  
25 5.9 of the Breckenridge Town Charter.  
26

27 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
28 PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2019. A Public Hearing shall be held at the  
29 regular meeting of the town manager of the Town of Breckenridge, Colorado on the \_\_\_ day of  
30 \_\_\_\_\_, 2019, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the  
31 Town.  
32

33 TOWN OF BRECKENRIDGE, a Colorado  
34 municipal corporation  
35

36  
37  
38 By \_\_\_\_\_  
39 Eric S. Mamula, Mayor  
40  
41

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59

ATTEST:

\_\_\_\_\_  
Helen Cospolich, CMC, Town Clerk

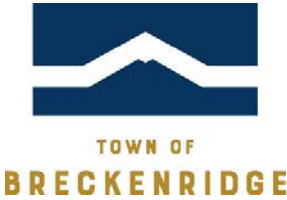
900-205\Dockless Bicycle Share Licensing Ordinance (01-29-19)(First Reading)



# Memo

To: Breckenridge Town Council Members  
From: Jim Baird, Police Chief  
Date: 1/31/2019  
Subject: Bicycle Rules Ordinance

---



The attached ordinance, if passed by council, would amend the model traffic code to better align with the State of Colorado traffic laws, specifically with respect to the responsibility of a cyclist approaching an intersection controlled by a stop sign or red traffic control signal.

There is only one substantive change. Currently, the language does permit a cyclist to slow to a reasonable speed and then proceed through an intersection controlled by a red light. However, this ordinance will put a definitive burden on the cyclist to stop at a red light in all cases and then proceed only after yielding to other traffic, both vehicular and pedestrian. The ordinance also defines a reasonable speed as 15 miles per hour or less. The remaining updates are wording changes only.

It is staff's recommendation that council approve the ordinance. Tim Berry and I will be present at the work session on Tuesday, February 12<sup>th</sup> to answer any questions.

1 ***FOR WORKSESSION/FIRST READING***  
2 ***February 12***  
3

4 Additions To The Current Breckenridge Model Traffic Code Are  
5 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~  
6

7 COUNCIL BILL NO. 3  
8

9 Series 2019  
10

11 AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010  
12 EDITION, CONCERNING THE OPERATION OF BICYCLES AND ELECTRICAL  
13 ASSISTED BICYCLES WITHIN THE TOWN OF BRECKENRIDGE  
14

15 WHEREAS, Section 42-4-110(1)(b), C.R.S., authorizes local authorities to adopt by  
16 reference a model traffic code embodying the rules of the road and vehicle requirements set forth  
17 in Article 4 of Title 42, C.R.S., and such additional local regulations as are provided for in  
18 Section 42-4-111, C.R.S.; and  
19

20 WHEREAS, the Town of Breckenridge has adopted (and amended) the Model Traffic  
21 Code For Colorado, 2010 edition, as the Traffic Code for the Town; and  
22

23 WHEREAS, Section 42-4-111(1)(h), C.R.S., provides that nothing in Article 4 of Title  
24 42, C.R.S., prevents local authorities, with respect to streets and highways under their  
25 jurisdiction and within the reasonable exercise of the police power (except streets and highways  
26 that are part of the state highway system), from regulating the operation of bicycles or electrical  
27 assisted bicycles consistent with the provision of Article 4 of Title 42, C.R.S.; and  
28

29 WHEREAS, the Colorado legislature recently adopted, and the Governor signed into law,  
30 SB18-144 dealing with the regulation of bicycles approaching intersections; and  
31

32 WHEREAS, SB18-144 authorizes municipalities to adopt local regulations of bicycles  
33 approaching intersections; and  
34

35 WHEREAS, the Town Council finds, determines, and declares that the Model Traffic  
36 Code For Colorado, 2010 edition, should be amended to incorporate the provisions of SB18-144.  
37

38 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
39 BRECKENRIDGE, COLORADO:  
40

41 Section 1. That portion of Section 7-1-2 of the Breckenridge Town Code  
42 pertaining to Section 1412(1) of the Model Traffic Code For Colorado, 2010 edition, is  
43 amended so as to read as follows:  
44

1 (1) Every A person riding a bicycle or electrical assisted bicycle ~~shall have~~ has all  
2 of the rights and duties applicable to the driver of any other vehicle under this  
3 article Model Traffic Code, as amended, except as to special regulations in this  
4 article Model Traffic Code, as amended, ~~and except as provided in Section~~  
5 1412(12), and as to those provisions which by their nature can have no  
6 application. Said riders shall comply with the rules set forth in this section and  
7 section 221, ~~and, when using streets and highways within incorporated cities and~~  
8 ~~towns, subject to local ordinances regulating the operation of bicyeles and~~  
9 ~~electrical assisted bicycles as provided in section 111.~~

10  
11 Section 2. That portion of Section 7-1-2 of the Breckenridge Town Code  
12 pertaining to Section 1412(12) of the Model Traffic Code For Colorado, 2010 edition, is  
13 amended so as to read as follows:

14  
15 ~~(12) (a) A person operating a bicyele or electrical assisted bicyele approaching a~~  
16 ~~stop sign shall slow down and, if required for safety, stop before entering the~~  
17 ~~intersection. After slowing to a reasonable speed or stopping, the person shall~~  
18 ~~yield the right of way to any vehicle in the intersection or approaching on another~~  
19 ~~roadway so closely as to constitute an immediate hazard during the time the~~  
20 ~~person is moving across or within the intersection, except that a person after~~  
21 ~~slowing to a reasonable speed and yielding the right of way if required, may~~  
22 ~~cautiously make a turn or proceed through the intersection without stopping.~~

23  
24 ~~(b) A person operating a bicycle or electrical assisted bicycle approaching a~~  
25 ~~steady red traffic control signal shall stop before entering the intersection, except~~  
26 ~~that a person after slowing to a reasonable speed and yielding the right of way if~~  
27 ~~required, may cautiously make a right hand turn without stopping or may~~  
28 ~~cautiously make a left hand turn onto a one way roadway without stopping.~~

29  
30 ~~(c) The provisions of this subsection 12 shall control over any conflicting portion~~  
31 ~~of this code or any Town ordinance.~~

32  
33 (a) A person riding a bicycle or electrical assisted bicycle and approaching an  
34 intersection of a roadway with a stop sign shall slow down and, if required  
35 for safety, stop before entering the intersection. If a stop is not required for  
36 safety, the person shall slow to a reasonable speed and yield the right-of-way  
37 to any traffic or pedestrian in or approaching the intersection. After the  
38 person has slowed to a reasonable speed and yielded the right-of-way if  
39 required, the person may cautiously make a turn or proceed through the  
40 intersection without stopping.

41  
42 (b) For purposes of subsection (a) of this section, a reasonable speed is fifteen  
43 miles per hour or less.

44  
45 (c) A person riding a bicycle or electrical assisted bicycle and approaching an  
46 intersection of a roadway with an illuminated red traffic control signal shall

1 stop before entering the intersection and shall yield to all other traffic and  
2 pedestrians. Once the person has yielded, the person may cautiously proceed  
3 in the same direction through the intersection or make a right-hand turn.  
4 When a red traffic control signal is illuminated, a person shall not proceed  
5 through the intersection or turn right if an oncoming vehicle is turning or  
6 preparing to turn left in front of the person.

7  
8 (d) A person riding a bicycle or electrical assisted bicycle approaching an  
9 intersection of a roadway with an illuminated red traffic control signal may  
10 make a left-hand turn only if turning onto a one-way street and only after  
11 stopping and yielding to other traffic and pedestrians. However, a person  
12 shall not turn left if a vehicle is traveling in the same direction as the person  
13 and the vehicle is turning or preparing to turn left. If the person is not  
14 turning left onto a one-way street, the person shall not make a left-hand turn  
15 at an intersection while a red traffic control signal is illuminated.

16  
17 Section 3. Except as specifically amended hereby, the Breckenridge Town Code,  
18 and the various secondary codes adopted by reference therein, shall continue in full force  
19 and effect.

20  
21 Section 4. The Town Council hereby finds, determines and declares that this ordinance is  
22 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and  
23 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants  
24 thereof.

25  
26 Section 5. The Town Council hereby finds, determines and declares that it has the power  
27 to adopt this ordinance pursuant to: (i); Section 42-4-111(1)(h), C.R.S.; (ii) Section 42-4-  
28 110(1)(a), C.R.S.; (iii) Section 42-4-1412.5, C.R.S.; (iv) Section 31-15-103, C.R.S. (concerning  
29 municipal police powers); (v) Section 31-15-401, C.R.S.(concerning municipal police powers);  
30 (vi) the authority granted to home rule municipalities by Article XX of the Colorado  
31 Constitution; and (vii) the powers contained in the Breckenridge Town Charter.

32  
33 Section 6. This ordinance shall be published and become effective as provided by  
34 Section 5.9 of the Breckenridge Town Charter; provided, however, that this ordinance shall not  
35 become effective with respect to any state highway located within the corporate limits of the  
36 Town of Breckenridge until it has been approved by the Colorado Department of Transportation  
37 pursuant to Sections 42-4-110(1)(e) and 43-2-135(1)(g), C.R.S.

38  
39 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
40 PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2019. A Public Hearing shall be held at the  
41 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the \_\_\_\_ day of  
42 \_\_\_\_\_, 2019, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the  
43 Town.

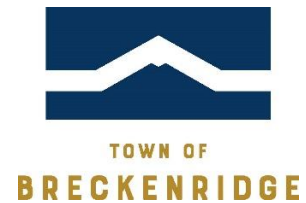
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

TOWN OF BRECKENRIDGE, a Colorado  
municipal corporation

By \_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:

\_\_\_\_\_  
Helen Cospolich, CMC,  
Town Clerk



# Memo

**To:** Breckenridge Town Council Members  
**From:** Shannon Haynes, Assistant Town Manager  
**Date:** 2/6/2019  
**Subject:** Regulation of Bicycles & Other Human Powered Vehicles – Addition of Electrical Assisted Bicycle Classes and operational rules

---

The attached ordinance would amend town code to align with the State of Colorado Model Traffic code. This change updates the definition of an “Electrical Assisted Bicycle” (EAB) and provides for three classes of EAB. These classes are loosely defined as:

- Class 1 – EAB equipped with a motor that provides assistance only when the rider is pedaling and does not provide assistance when the bicycle reaches 20 mph.
- Class 2 – EAB equipped with a motor that provides assistance regardless of whether the rider is pedaling and does not provide assistance when the bicycle reaches 20 mph.
- Class 3 – EAB equipped with a motor that provides assistance only when the rider is pedaling and does not provide assistance when the bicycle reaches 28 mph.

Additionally, this change also updates language specific to turning and passing movements.

Tim Berry and I will be present at the work session on Tuesday, February 12<sup>th</sup> to answer any questions.

1 **FOR WORKSESSION/FIRST READING – FEB. 12**

2  
3 Additions To The Current Breckenridge Town Code Are  
4 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

5  
6 COUNCIL BILL NO. \_\_\_\_\_

7  
8 Series 2019

9  
10 AN ORDINANCE AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010  
11 EDITION, CONCERNING THE REGULATION OF BICYCLES AND OTHER HUMAN-  
12 POWERED VEHICLES

13  
14 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,  
15 COLORADO:

16  
17 Section 1. In Section 7-1-2 of the Breckenridge Town Code the definition of “Electrical  
18 Assisted Bicycle” in Appendix I (Definitions) is amended to read as follows:

19  
20 (28.3) “Electrical assisted bicycle” means a vehicle having two ~~tandem wheels~~ or  
21 ~~two parallel~~ **three** wheels, ~~and one forward wheel;~~ fully operable pedals, **and** an  
22 electric motor not exceeding seven hundred fifty watts of power. ~~and a top motor-~~  
23 ~~powered speed of twenty miles per hour;~~ **Electrical assisted bicycles are**  
24 **further required to conform to one of three classes as follows:**

25  
26 **(a) “class 1 electrical assisted bicycle” means an electrical assisted bicycle**  
27 **equipped with a motor that provides assistance only when the rider is**  
28 **pedaling and that ceases to provide assistance when the bicycle reaches a**  
29 **speed of twenty miles per hour.**

30  
31 **(b) “class 2 electrical assisted bicycle” means an electrical assisted bicycle**  
32 **equipped with a motor that provides assistance regardless of whether the**  
33 **rider is pedaling but ceases to provide assistance when the bicycle reaches a**  
34 **speed of twenty miles per hour.**

35  
36 **(c) “class 3 electrical assisted bicycle” means an electrical assisted bicycle**  
37 **equipped with a motor that provides assistance only when the rider is**  
38 **pedaling and that ceases to provide assistance when the bicycle reaches a**  
39 **speed of twenty-eight miles per hour.**

40  
41 **Unless otherwise clearly indicated in this code, the term “electrical assisted**  
42 **bicycle” means either a class 1, class 2, or a class 3 electrical assisted bicycle.**

43  
44 Section 2. In Section 7-1-2 of the Breckenridge Town Code the definition of “Motor

1 Vehicle” in Appendix I (Definitions) is amended to read as follows:  
2

3 (59) ”Motor Vehicle” means any self-propelled vehicle that is designed primarily  
4 for travel on the public highways and that is generally and commonly used to  
5 transport persons and property over the public highways or a low-speed electric  
6 vehicle. The term does not include electrical assisted bicycles, low-power  
7 scooters, wheelchairs ~~as defined by subsection (122) of this section~~, or vehicles  
8 moved solely by human power. For the purposes of the offense described in  
9 section 1401 for farm tractors and off-highway vehicles, as defined in section 33-  
10 14.5-101(3), C.R.S., operated on streets and highways, “motor vehicle” includes a  
11 farm tractor or an off-highway vehicle that is not otherwise classified as a motor  
12 vehicle.  
13

14 Section 3. That portion of the Section 7-1-2 of the Breckenridge Town Code pertaining to  
15 Section 1412 of the Town’s Traffic Code is amended to read as follows:  
16

17 Section 1412 of the adopted code is amended so as to read in its entirety as  
18 follows:  
19

20 1412. Operation Of Bicycles And Other Human-Powered Vehicles.  
21

22 (1) Every person riding a bicycle or electrical assisted bicycle shall have all of the  
23 rights and duties applicable to the driver of any other vehicle under this ~~article~~  
24 code, except as to special regulations in this ~~article~~ code and except as to those  
25 provisions which by their nature can have no application. Said riders shall comply  
26 with the rules set forth in this section and section 221, and, when using streets and  
27 highways within ~~incorporated cities and towns~~ the town, shall be subject to local  
28 ordinances regulating the operation of bicycles and electrical assisted bicycles as  
29 provided in section 111.  
30

31 (2) [Deleted].  
32

33 (3) No bicycle or electrical assisted bicycle shall be used to carry more persons at  
34 one time than the number for which it is designed or equipped.  
35

36 (4) No person riding upon any bicycle or electrical assisted bicycle shall attach  
37 the same or himself or herself to any motor vehicle upon a roadway.  
38

39 (5) (a) Any person operating a bicycle or an electrical assisted bicycle upon a  
40 roadway at less than the normal speed of traffic shall ride in the right-hand lane,  
41 subject to the following conditions:  
42

43 (I) If the right-hand lane then available for traffic is wide enough to be safely  
44 shared with overtaking vehicles, a bicyclist shall ride far enough to the right as  
judged safe by the bicyclist to facilitate the movement of such overtaking vehicles  
unless other conditions make it unsafe to do so.

45 **(II) A bicyclist may use a lane other than the right-hand lane when:**

46 **(A) Preparing for a left turn at an intersection or into a private roadway or**  
47 **driveway;**



1 (B) Overtaking a slower vehicle; or  
2 (C) Taking reasonably necessary precautions to avoid hazards or road conditions.  
3 (III) Upon approaching an intersection where right turns are permitted and there is  
4 a dedicated right-turn lane, a bicyclist may ride on the left-hand portion of the  
5 dedicated right-turn lane even if the bicyclist does not intend to turn right.  
6 (b) A bicyclist shall not be expected or required to:  
7 (I) Ride over or through hazards at the edge of a roadway, including but not limited  
8 to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians,  
9 animals, surface hazards, or narrow lanes; or  
10 (II) Ride without a reasonable safety margin on the right-hand side of the roadway.  
11 (c) A person operating a bicycle or an electrical assisted bicycle upon a one-way  
12 roadway with two or more marked traffic lanes may ride as near to the left-hand  
13 curb or edge of such roadway as judged safe by the bicyclist, subject to the following  
14 conditions:  
15 (I) If the left-hand lane then available for traffic is wide enough to be safely shared  
16 with overtaking vehicles, a bicyclist shall ride far enough to the left as judged safe  
17 by the bicyclist to facilitate the movement of such overtaking vehicles unless other  
18 conditions make it unsafe to do so.  
19 (II) A bicyclist shall not be expected or required to:  
20 (A) Ride over or through hazards at the edge of a roadway, including but not  
21 limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians,  
22 animals, surface hazards, or narrow lanes; or  
23 (B) Ride without a reasonable safety margin on the left-hand side of the roadway.  
24 ~~(II) A bicyclist shall not be expected or required to:~~  
25 ~~(A) Ride over or through hazards at the edge of a roadway, including but not~~  
26 ~~limited to fixed or moving objects, parked or moving vehicles, bicycles,~~  
27 ~~pedestrians, animals, surface hazards, or narrow lanes; or~~  
28 ~~(B) Ride without a reasonable safety margin on the left-hand side of the roadway.~~  
29 (6)(a) Persons riding bicycles or electrical assisted bicycles upon a roadway shall  
30 not ride more than two abreast except on paths or parts of roadways set aside for  
31 the exclusive use of bicycles.  
32 (b) Persons riding bicycles or electrical assisted bicycles two abreast shall not  
33 impede the normal and reasonable movement of traffic and, on a laned roadway,  
34 shall ride within a single lane.  
35 (7) A person operating a bicycle or electrical assisted bicycle shall keep at least  
36 one hand on the handlebars at all times.  
37 (8)(a) A person riding a bicycle or electrical assisted bicycle intending to turn left  
38 shall follow a course described in sections 901(1), 903, and 1007 or may make a  
39 left turn in the manner prescribed in paragraph (b) of this subsection (8).  
40 (b) A person riding a bicycle or electrical assisted bicycle intending to turn left  
41 shall approach the turn as closely as practicable to the right-hand curb or edge of  
42 the roadway. After proceeding across the intersecting roadway to the far corner of  
43 the curb or intersection of the roadway edges, the bicyclist shall stop, as much as  
44 practicable, out of the way of traffic. After stopping, the bicyclist shall yield to

1 any traffic proceeding in either direction along the roadway that the bicyclist had  
2 been using. After yielding and complying with any official traffic control device  
3 or police officer regulating traffic on the highway along which the bicyclist  
4 intends to proceed, the bicyclist may proceed in the new direction.

5 (c) Notwithstanding the provisions of paragraphs (a) and (b) of this subsection  
6 (8), any authorized employee of ~~the transportation commission and local~~  
7 ~~authorities in their respective jurisdictions~~ town may cause official traffic control  
8 devices to be placed on roadways and thereby require and direct that a specific  
9 course be traveled.

10 (9)(a) Except as otherwise provided in this subsection (9), every person riding a  
11 bicycle or electrical assisted bicycle shall signal the intention to turn or stop in  
12 accordance with section 903; except that a person riding a bicycle or electrical  
13 assisted bicycle may signal a right turn with the right arm extended horizontally.

14 (b) A signal of intention to turn right or left when required shall be given  
15 continuously during not less than the last one hundred feet traveled by the bicycle  
16 or electrical assisted bicycle before turning and shall be given while the bicycle or  
17 electrical assisted bicycle is stopped waiting to turn. A signal by hand and arm  
18 need not be given continuously if the hand is needed in the control or operation of  
19 the bicycle or electrical assisted bicycle.

20 (10)(a) A person riding a bicycle or electrical assisted bicycle upon and along a  
21 sidewalk or pathway or across a roadway upon and along a crosswalk shall yield  
22 the right-of-way to any pedestrian and shall give an audible signal before  
23 overtaking and passing such pedestrian. A person riding a bicycle in a crosswalk  
24 shall do so in a manner that is safe for pedestrians.

25 (b) A person shall not ride a bicycle or electrical assisted bicycle upon and along a  
26 sidewalk or pathway or across a roadway upon and along a crosswalk where such  
27 use of bicycles or electrical assisted bicycles is prohibited by official traffic  
28 control devices or local ordinances. A person riding a bicycle or electrical assisted  
29 bicycle shall dismount before entering any crosswalk where required by official  
30 traffic control devices or local ordinances.

31 (c) A person riding or walking a bicycle or electrical assisted bicycle upon and  
32 along a sidewalk or pathway or across a roadway upon and along a crosswalk  
33 shall have all the rights and duties applicable to a pedestrian under the same  
34 circumstances, including, but not limited to, the rights and duties granted and  
35 required by section 802.

36 (11)(a) A person may park a bicycle or electrical assisted bicycle on a sidewalk  
37 unless prohibited or restricted by an official traffic control device or local  
38 ordinance.

39 (b) A bicycle or electrical assisted bicycle parked on a sidewalk shall not impede  
40 the normal and reasonable movement of pedestrian or other traffic.

41 (c) A bicycle or electrical assisted bicycle may be parked on the road at any angle  
42 to the curb or edge of the road at any location where parking is allowed.

43 (d) A bicycle or electrical assisted bicycle may be parked on the road abreast of  
44 another such bicycle or bicycles near the side of the road or any location where

1 parking is allowed in such a manner as does not impede the normal and  
2 reasonable movement of traffic.

3 (e) In all other respects, bicycles or electrical assisted bicycles parked anywhere  
4 on a highway shall conform to the provisions of part 12 of this ~~article~~ **code**  
5 regulating the parking of vehicles.

6 (12)(a) A person operating a bicycle or electrical assisted bicycle approaching a  
7 stop sign shall slow down and, if required for safety, stop before entering the  
8 intersection. After slowing to a reasonable speed or stopping, the person shall  
9 yield the right-of-way to any vehicle in the intersection or approaching on another  
10 roadway so closely as to constitute an immediate hazard during the time the  
11 person is moving across or within the intersection, except that a person after  
12 slowing to a reasonable speed and yielding the right-of-way if required, may  
13 cautiously make a turn or proceed through the intersection without stopping.

14 (b) A person operating a bicycle or electrical assisted bicycle approaching a  
15 steady red traffic control signal shall stop before entering the intersection, except  
16 that a person after slowing to a reasonable speed and yielding the right of way if  
17 required, may cautiously make a right hand turn without stopping or may  
18 cautiously make a left hand turn onto a one-way roadway without stopping.

19 (c) The provisions of this subsection 12 shall control over any conflicting portion  
20 of this code or any town ordinance.

21 (13)(a) Any person who violates any provision of this section commits a  
22 misdemeanor traffic offense; except that section 42-2-127, C.R.S. shall not apply.

23 (b) Any person riding a bicycle or electrical assisted bicycle who violates any  
24 provision of this code other than this section which is applicable to such a vehicle  
25 and for which a penalty is specified shall be subject to the same specified penalty  
26 as any other vehicle; except that section 42-2-127, C.R.S. shall not apply.

27 (14) Upon request, the ~~law enforcement agency having jurisdiction~~ **town's police**  
28 **department** shall complete a report concerning an injury or death incident that  
29 involves a bicycle or electrical assisted bicycle on the roadways of the ~~state~~ **town**,  
30 even if such accident does not involve a motor vehicle.

31 (15) ~~It is an infraction for a~~ **A** person **shall not** ~~to~~ operate an electrical assisted  
32 bicycle on any town-owned recreational path~~way~~ within the corporate limits of  
33 the town.

34 **(16) (a) A person under sixteen years of age shall not operate a class 3**  
35 **electrical assisted bicycle upon any street, highway, or any town-owned**  
36 **recreational path within a street or highway within the corporate limits of**  
37 **the town; except that a person under sixteen years of age may ride as a**  
38 **passenger on a class 3 electrical assisted bicycle that is designed to**  
39 **accommodate passengers.**

40 **(b) A person shall not operate or ride as a passenger on a class 3 electrical**  
41 **assisted bicycle unless:**

42 **(i) each person under eighteen years of age is wearing a protective helmet of**  
43 **a type and design manufactured for use by operators of bicycles;**

1 (ii) the protective helmet conforms to the design and specifications set forth  
2 by the united states consumer product safety commission or the american  
3 society for testing and materials; and  
4 (iii) the protective helmet is secured properly on the person’s head with a  
5 chin strap while the class 3 electrical assisted bicycle is in motion.  
6 (c) a violation of subsection (16)(b) of this section does not constitute  
7 negligence or negligence per se in the context of any civil personal injury  
8 claim or lawsuit seeking damages.  
9 (17) Any violation of this Section 1412 shall be a traffic infraction, and shall  
10 be punished as provided in Section 7-1-6 of this code.

11  
12 As used in this subsection ~~(15)~~ Section 1412:

13  
14 (A) "Town-owned recreational pathway" includes both the approximately 3.6  
15 miles of the recreational pathway commonly known as the "Blue River ~~bike path~~  
16 Recpath" lying within the corporate limits of the town, as well as all other town-  
17 owned and maintained recreational ~~paths~~ pathways; and

18  
19 (B) "Recreational pathway" means a trail owned and maintained by the town that  
20 is used for such recreational purposes as may be authorized by the town,  
21 including, without limitation, bicycling, hiking, running, snowshoeing, cross-  
22 country skiing, and other similar recreational activities. A public street is not a  
23 recreational path.

24  
25 This section does not apply to the use of an electrical assisted bicycle on a town-  
26 owned recreational pathway by a person with a disability, if such use is  
27 authorized by applicable state or federal law.

28  
29 Section 4. Except as specifically amended hereby, the Breckenridge Town Code, and the  
30 various secondary codes adopted by reference therein, shall continue in full force and effect.

31  
32 Section 5. The Town Council hereby finds, determines and declares that this ordinance  
33 is necessary and proper to provide for the safety, preserve the health, promote the prosperity,  
34 and improve the order, comfort and convenience of the Town of Breckenridge and the  
35 inhabitants thereof.

36  
37 Section 6. The Town Council hereby finds, determines and declares that it has the power  
38 to adopt this ordinance pursuant to: (i) Section 42-4-110(1)(a), C.R.S.; (ii) Section 42-4-  
39 111(1)(dd), C.R.S; (iii) Section 42-4-1412, C.R.S.; (iv) Section 31-15-103, C.R.S. (concerning  
40 municipal police powers); (v) Section 31-15-401, C.R.S.(concerning municipal police powers);  
41 (vi) the authority granted to home rule municipalities by Article XX of the Colorado  
42 Constitution; and (vii) the powers contained in the Breckenridge Town Charter.

43  
44 Section 7. This ordinance shall be published as provided by Section 5.9 of the

1 Breckenridge Town Charter.

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

Section 8. The ordinance shall not become effective with respect to any state highway located within the corporate limits of the Town of Breckenridge until it has been approved by the Colorado Department of Transportation pursuant to Sections 42-4-110(1)(e) and 43-2-135(1)(g), C.R.S.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2019. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the \_\_\_\_ day of \_\_\_\_\_, 2019, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

TOWN OF BRECKENRIDGE, a Colorado municipal corporation

By: \_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:  
  
\_\_\_\_\_  
Helen Cospolich, CMC,  
Town Clerk



# Memo

To: Breckenridge Town Council Members  
From: Peter Grosshuesch, Director of Community Development  
Date: January 30, 2019  
Subject: Planning Commission Decisions of the January 29, 2019 Meeting

---

## ***DECISIONS FROM THE PLANNING COMMISSION MEETING, January 29, 2019:***

**CLASS A APPLICATIONS:** None.

**CLASS B APPLICATIONS:** None.

**CLASS C APPLICATIONS:** None.

### **TOWN PROJECT HEARINGS:**

1. Stephen C. West Ice Arena Additions and Alterations, 189 Boreas Pass Road, PL-2018-0608. A proposal to add a 2,928 sq. ft. addition to the existing Ice Arena to include locker rooms, restrooms, a referee room, storage and mechanical rooms, offices, new lockers, new stairs, site and landscaping work, and mechanical, electrical, and plumbing additions and alterations. *Commission recommends approval to the Council.*

**OTHER:** None.



Breckenridge South



## PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 p.m. by Chair Giller.

### ROLL CALL

Christie Mathews-Leidal  
Mike Giller  
Dan Schroder

Jim Lamb  
Steve Gerard  
Lowell Moore

Ron Schuman

### APPROVAL OF MINUTES

With no changes, the January 15, 2019 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

Ms. Puester: Staff received a request today to pull the 319 S. French Street project off tonight's agenda. We will re-notice the project when they reschedule.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No comments.

### TOWN PROJECTS:

1. Stephen C. West Ice Arena Additions and Alterations (CL), 189 Boreas Pass Road, PL-2018-0608

Ms. Puester, filling in for Mr. LaChance who is absent, presented a proposal to add an addition on the northwest corner of the building, of two new locker rooms with attached restroom facilities to the existing Ice Arena building, one "referee room" with restroom facilities, one storage room, one mechanical room, two new office rooms on the second floor of the building, new lockers, new exterior stairs and egress path, site/landscaping work, and mechanical, electrical, plumbing additions/alterations. Ms. Puester reviewed the proposal, relevant policies, and points, and asked for questions from the Commission.

Chris McGinnis, Capital Projects Manager, Applicant: We are hoping to get going in the spring.

Mr. Giller opened the hearing to public comment. There was none and the public hearing was closed.

#### *Commissioner Questions / Comments:*

Mr. Gerard: How long will it take? (Mr. McGinnis: Should be complete by October.)

Mr. Schroder: I think it's a great project. My son is a hockey player and the expansion would be super, just more room although we already have locker rooms. The locker rooms can be sort of tight and with the amount of visitors to the arena, it's nice to be able to show such a nice facility. I support the points.

Mr. Moore: I agree and think it's an excellent addition to an excellent facility and I really enjoy it. I concur with the points.

Mr. Schuman: I look forward to seeing it completed. I agree with the point analysis.

Mr. Lamb: I agree, I support.

Ms. Leidal: Good, I support the points analysis.

Mr. Gerard: Good way to use the space and I support the points.

Mr. Giller: I support and think it's a good project.

Mr. Gerard made a motion to recommend approval, seconded by Mr. Schuman. The motion passed



unanimously.

**OTHER MATTERS:**

1. Town Council Summary (Memo Only)

Mr. Schroder: How do we count people? (Mr. Truckey: We use trail counters, it's a sensor that sees when someone moves in front of it.) Good, that's a pretty accurate analysis.

Ms. Leidal: Where did the 47 percent goal in housing come from? (Mr. Truckey: Back around 2007, we did an analysis with the help of Mick Ireland in Aspen, and he helped us estimate that at that time we were housing about 47 percent of our workforce. We have kept that goal the same for the last ten years. It's still up for debate if we can continue to achieve that. Even though we are building a lot of workforcde units, at the same time there are a lot of units turning into short term rentals or being sold by locals to second homeowners. We're losing ground that way and it's a real challenge.)

Mr. Gerard: The number of employees are going up too.

Mr. Moore: Back to the counting, I talked to someone who said the Town would be heating the sidewalk on the South side of 4 O'Clock. Any news on that? (Mr. Truckey: It is being looked at. When the Council initially looked at that, there were concerns about the cost, but it has come up again given the number of people using the sidewalk.)

2. Saving Places Conference Coordination

Carpooling details were discussed. Ms. Puester will send an email with further details.

**ADJOURNMENT:**

The meeting was adjourned at 5:56 pm.

---

Mike Giller, Chair



# Memo

**To:** Town Council  
**From:** Chapin LaChance, AICP  
Planner II, Community Development Dept.  
**Date:** 2/6/2019  
**Subject:** Stephen C. West Ice Arena Additions and Alterations Town Project

---

The Ice Arena Additions and Alterations project is being reviewed as a Town Project. All public noticing requirements for the approval of a Town Project have been fulfilled as required under the Town Projects Ordinance amendment (by Council Bill No. 1, Series 2013).

The proposal is to construct two new locker rooms with attached restroom facilities, one "referee room" with restroom facilities, one storage room, one mechanical room, two new office rooms on the second floor of the building, new lockers, new exterior stairs and egress path, site/landscaping work, and mechanical, electrical, plumbing additions/alterations.

The Planning Commission held a Public Hearing on January 29<sup>th</sup> and recommends approval (with a vote of 7-0) of the Stephen C. West Ice Arena Additions and Alterations Town Project, with a passing point analysis of zero (0) points.

Attached to this memo is a complete staff report, substantially the same as presented to the Planning Commission, and attachments including point analysis, findings, site and floor plans, and building elevations.

Staff will be available at the meeting to answer any questions.

## Town Council Staff Report

**Subject:** Stephen C. West Ice Arena Additions and Alterations  
(Town Project Hearing; PL-2018-0608)

**Date:** January 30, 2019 (for the meeting of February 12, 2019)

**Proposal:** Addition of two new locker rooms with attached restroom facilities, one "referee room" with restroom facilities, one storage room, one mechanical room, two new office rooms on the second floor of the building, new lockers, new exterior stairs and egress path, site/landscaping work, and mechanical, electrical, plumbing additions/alterations.

**Project Manager:** Chapin LaChance, AICP, Planner II

**Property Owner:** Town of Breckenridge

**Applicant:** Chris McGinnis, Civil Engineer (Town of Breckenridge Public Works Dept.)

**Address:** 189 Boreas Pass Rd.

**Legal Description:** Block 2, Rodeo Grounds Subdivision

**Land Use District:** 28: Residential, 10 UPA, Residential; Lodging

**Area:** 23.215 acres (approximately 1,006,516 sq. ft)

**Site Conditions:** The property is developed with two public ice rinks, playground, train park, and two paved parking lots. There is a platted 52 ft. wide Utilities and Open Space Stream Easement along the western property boundary. The site slope gently towards the west, and contains wetlands in its western portions. The southern portion of the property is densely wooded, and mature tree stands exist throughout the property.

**Adjacent Uses:** **North:** Residential condominium, and single family residential  
**South:** Public open space, single family residential (Southside Estates)  
**East:** Single family residential, Public open space  
**West:** Highway 9, residential condominiums and townhomes

**Density:** **Allowed:** 232.15 SFEs (232,150 sq. ft.) @ 10 UPA per LUD 28  
**Existing:** 41.8 SFEs. (41,803 sq. ft.)  
**Proposed:** 2.9 SFEs additional, 44.73 SFEs total (41,803 sq. ft. existing + 2,928 sq. ft. additional = 44,731 sq. ft.)

**Mass:** **Allowed:** 232,150 sq. ft.  
**Existing:** 41,803 sq. ft.  
**Proposed:** 44,731 sq. ft. (41,803 sq. ft existing + 2,928 sq. ft. additional)

- FAR:** 1:22
- Parking:** **Required:** by special Review  
**Existing:** 249 spaces  
**Proposed:** No change
- Height:** No change.
- Setbacks:** **Required:** 1 ft.  
**Existing:**
- Front (north): 113 ft.
  - Side (west): 298 ft.
  - Rear (south): 325 ft.
- Proposed:**
- Front (north): no change
  - Side (west): 280 ft.
  - Rear (south): no change

### Policy Discussion

**Architectural Compatibility (Policy 5/A & 5/R):** A large one-story addition is proposed to the northwest corner of the building, which will feature shed roof forms. The existing secondary gable roof at the northwest corner will be removed for the addition. The proposed shed roof forms are consistent with the existing shed roof forms along the northern side of the ice rink, which create a stepped-down appearance and help reduce the massing of this already very large building. The proposed concrete walkway on the west side of the addition will be covered and protected by the extended roof above it.

Materials are proposed to match existing, which will include standing seam metal roofing, 1x8 horizontal rough sawn Cedar siding, vertical corrugated metal panels (non-reflective), rough sawn Douglas Fir, and painted steel tube beams. Both staff and the Planning Commission have concerns with the amount of non-natural material (corrugated metal siding) proposed. The existing corrugated metal siding on the west elevation of the existing building exceeds 25% non-natural materials, but negative points were not assigned for this with the building's original 1999 approval. The staff report for the original Town Project Permit (PC# 1999-049) for the ice area stated "*Exterior materials consists of a mix of... corrugated metal and horizontal lap cedar siding. All in all, the visible sides have a good balance of materials to provide interested and break up the façade. The rear of the building, however, is somewhat plain metal in the interest of cost savings. This is mitigated in that the rear is minimally visible.*" As the proposed addition is furthering a non-conforming situation by introducing additional corrugated metal siding, the Planning Commission has assigned negative three (-3) points for the project exceeding 25% non-natural materials on the west elevation. The proposed second story office additions are interior to the building, but will require new windows on the north and east elevations

Precedent for negative three (-3) points:

- Village Hotel Exterior Remodel, 605 S. Park Ave., PL-2018-0482

- Bonenberger Residence, 203 Marksberry Way, PC# 2013018
- Preservation Homes at Maggie Placer, 9525 CO Highway 9, PC# 2008024

**Recreation (Policy 20/R):** The ice arena received positive six (+6) points under this Policy when it was originally approved in 1999 (PC# 1999-049), and positive three (+3) points for the outdoor ice rink roof addition in 2016 (PL-2016-0143). The Planning Commission finds that the proposed additional locker rooms will significantly improve this recreational amenity in the community and has awarded positive three (+3) points under this Policy, consistent with the past precedent listed below.

Precedent for positive three (+3) points:

- River Park, 470 Flora Dora Dr., PL-2018-0012
- Kingdom Park Playground, 880 Airport Rd., PL-2016-0050
- Breckenridge Nordic Center Lodge, 9 Grandview Dr., PC# 2011050

**Land Use (Policy 2/A and 2/R):** The ice arena is an existing use and we do not find that this use is in conflict with any existing or desired uses for this area. The Planning Commission does not have any concerns with the continued use of the ice arena.

**Site and Environmental Design (Policy 7/R):** The proposed addition to the northwest corner of the building is well buffered from Highway 9 and Boreas Pass Rd. by both the physical distance and the existing mature trees along the western and northern property boundary. The applicant proposes to demolish and relocate the existing concrete path to the west of the proposed addition, in order to provide necessary egress to the existing and proposed exits along the western façade. All development is proposed at least 25' from the existing and recently delineated wetlands on the property. The Planning Commission does not have any concerns.

**Snow Removal and Storage (Policy 13/A & 13/R):** The applicant proposes 694 sq. ft. of new hardscape, for the concrete path on the west side of the addition, and shows ample snow storage alongside the path which exceeds the recommended 25%. The Planning Commission does not have any concerns.

**Parking (Policy 18/A & 18/R):** There are not any additional parking spaces proposed with this application. The parking requirement for Indoor and Outdoor Commercial Recreation use is “by special review of the Director and Planning Commission.” The 1999 staff report for construction of the arena stated *“The east lot is estimated to provide 125 to 175 additional spaces, for a total of roughly 225-275. This amount of parking is intended to serve events of 500 people, and at a rate of one space per 2 people, this is more than sufficient for the intended ice event uses. The extra spaces will be used as overflow and public/employee parking...”* There are 249 existing parking spaces on the property. The Planning Commission does not have any concerns, as the proposed additions will not significantly increase the capacity for events, but rather enhance the experience for the existing capacity.

**Landscaping: (Policy 22/A & 22/R):** The applicant proposes to transplant or replace five (5) existing Aspens which are currently planted in the location of the proposed addition. The property has ample landscaping along its perimeter boundary and throughout the site. The Planning Commission does not have any concerns.

**Drainage (Policy 27/A & 27/R):** The site slopes gently towards the west, and the submitted site plan shows positive drainage away from the addition. The Planning Commission does not have any concerns.

**Exterior Lighting (Policy 46/A):** The applicant has submitted specifications for a proposed exterior light fixture, which is fully shielded, downcast, with no portion of bulb visible, and is proposed to be installed less than 15' above grade. The Planning Commission does not have any concerns.

**Other**

**Title 10 - Flood Control, Chapter 4 - Water Quality And Sediment Transport Control Standards, Section 7 - Performance Standards:** There is not any disturbance proposed within the required 25' setback of the existing wetlands on the property, which were delineated in 2018. The Planning Commission does not have any concerns.

**Point Analysis**

The Planning Commission has found the proposed development to comply with all Absolute Policies, and has assigned points under the Relative Policies as follows:

Negative three (-3) points for exceeding 25% of non-natural materials under Architectural Compatibility (Policy 5/R)

Positive three (+3) points for the provision of on site, public recreational facilities under Recreation (Policy 20/R)

Total: Zero (0) points (PASSING).

**Planning Commission Recommendation**

Planning Commission recommends that the Town Council approve the Stephen C. West Ice Arena Additions and Alterations Town Project (PL-2018-0608), located at 189 Boreas Pass Road with a passing point analysis of zero (0) points, along with the attached Findings.

**Recommended Town Council Motion:**

I make a motion to approve the Stephen C. West Ice Arena Additions and Alterations Town Project (PL-2018-0608), located at 189 Boreas Pass Road with a passing point analysis of zero (0) points, along with the attached Findings.

<b>Town Project Hearing Impact Analysis</b>				
Project:	Stephen C. West Ice Arena Additions and Alterations	<b>Positive</b>	<b>Points</b>	<b>+3</b>
PC#:	PL-2018-0608			
Date:	1/30/2019	<b>Negative</b>	<b>Points</b>	<b>- 3</b>
Staff:	Chapin LaChance, AICP, Planner II			
		<b>Total</b>	<b>Allocation:</b>	<b>0</b>
Items left blank are either not applicable or have no comment				
<b>Sect.</b>	<b>Policy</b>	<b>Range</b>	<b>Points</b>	<b>Comments</b>
1/A	<b>Codes, Correlative Documents &amp; Plat Notes</b>	Complies		There are not any applicable plat notes.
2/A	<b>Land Use Guidelines</b>	Complies		
2/R	Land Use Guidelines - Uses	4x(-3/+2)		No change in use is proposed.
2/R	Land Use Guidelines - Relationship To Other Districts	2x(-2/0)		
2/R	Land Use Guidelines - Nuisances	3x(-2/0)		
3/A	<b>Density/Intensity</b>	Complies		
3/R	Density/ Intensity Guidelines	5x (-2>-20)	0	<b>Allowed:</b> 232.15 SFEs (232,150 sq. ft.) <b>Existing:</b> 41.8 SFEs. (41,803 sq. ft.) <b>Proposed:</b> 2.9 SFEs additional, 44.73 SFEs total (41,803 sq. ft existing + 2,928 sq. ft. additional = 44,731 sq. ft.)
4/R	Mass	5x (-2>-20)	0	<b>Allowed:</b> 232,150 sq. ft. <b>Existing:</b> 41,803 sq. ft. <b>Proposed:</b> 44,731 sq. ft. (41,803 sq. ft. existing + 2,928 sq. ft. additional)
5/A	<b>Architectural Compatibility / (Historic Above Ground Density)</b>	Complies		
5/R	Architectural Compatibility - Aesthetics	3x(-2/+2)	- 3	The existing siding on the west elevation exceeds 25% non-natural materials, but negative points were not assigned for this with the building's original 1999 approval. Because the proposed additional corrugated metal siding is furthering a non-conforming situation, the Planning Commission has assigned negative three (-3) points for the project exceeding 25% non-natural materials on the west elevation.
5/R	Architectural Compatibility / Conservation District	5x(-5/0)		
5/R	Architectural Compatibility H.D. / Above Ground Density 12 UPA	(-3>-18)		
5/R	Architectural Compatibility H.D. / Above Ground Density 10 UPA	(-3>-6)		
6/A	<b>Building Height</b>	Complies		No change.
6/R	Relative Building Height - General Provisions	1X(-2,+2)		
	For all structures except Single Family and Duplex Units outside the Historic District			
6/R	Building Height Inside H.D. - 23 feet	(-1>-3)		
6/R	Building Height Inside H.D. - 25 feet	(-1>-5)		
6/R	Building Height Outside H.D. / Stories	(-5>-20)		
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
	For all Single Family and Duplex Units outside the Conservation District			
6/R	Density in roof structure	1x(+1/-1)		
6/R	Broken, interesting roof forms that step down at the edges	1x(+1/-1)		
6/R	Minimum pitch of eight in twelve (8:12)	1x(0/+1)		
7/R	Site and Environmental Design - General Provisions	2X(-2/+2)		
7/R	Site and Environmental Design / Site Design and Grading	2X(-2/+2)		The applicant proposes to demolish and relocate the existing concrete path to the west of the proposed addition, in order to provide necessary egress to the existing and proposed exits along the western façade.

7/R	Site and Environmental Design / Site Buffering	4X(-2/+2)		The proposed addition to the northwest corner of the building is well buffered from Highway 9 and Boreas Pass Rd. by both the physical distance and the existing mature trees along the western and northern property boundary.
7/R	Site and Environmental Design / Retaining Walls	2X(-2/+2)		
7/R	Site and Environmental Design / Driveways and Site Circulation Systems	4X(-2/+2)		
7/R	Site and Environmental Design / Site Privacy	2X(-1/+1)		
7/R	Site and Environmental Design / Wetlands	2X(0/+2)		All development is proposed at least 25' from the existing and recently delineated wetlands on the property.
7/R	Site and Environmental Design / Significant Natural Features	2X(-2/+2)		
8/A	<b>Ridgeline and Hillside Development</b>	Complies		
9/A	<b>Placement of Structures</b>	Complies		<b>Required:</b> 1 ft. <b>Existing:</b> Front (north): 113 ft. Side (west): 298 ft. Rear (south): 325 ft. <b>Proposed:</b> Front (north): no change Side (west): 280 ft. Rear (south): no change
9/R	Placement of Structures - Public Safety	2x(-2/+2)		
9/R	Placement of Structures - Adverse Effects	3x(-2/0)		
9/R	Placement of Structures - Public Snow Storage	4x(-2/0)		
9/R	Placement of Structures - Setbacks	3x(0/-3)		
12/A	Signs	Complies		
13/A	<b>Snow Removal/Storage</b>	Complies		
13/R	Snow Removal/Storage - Snow Storage Area	4x(-2/+2)		Ample functional snow storage is provided for the proposed walkway, which exceeds the recommended 25%.
14/A	<b>Storage</b>	Complies		
14/R	Storage	2x(-2/0)		
15/A	<b>Refuse</b>	Complies		
15/R	Refuse - Dumpster enclosure incorporated in principal structure	1x(+1)		
15/R	Refuse - Rehabilitated historic shed as trash enclosure	1x(+2)		
15/R	Refuse - Dumpster sharing with neighboring property (on site)	1x(+2)		
16/A	Internal Circulation	Complies		
16/R	Internal Circulation / Accessibility	3x(-2/+2)		
16/R	Internal Circulation - Drive Through Operations	3x(-2/0)		
17/A	<b>External Circulation</b>	Complies		
18/A	<b>Parking</b>	Complies		There are not any additional parking spaces proposed with this application. The parking requirement for Indoor and Outdoor Commercial Recreation use is "by special review of the Director and Planning Commission." There are 249 existing parking spaces on the property, which are intended to serve events of 500 people at a rate of one space per 2 people. The Planning Commission does not have any concerns, as the proposed additions will not significantly increase the capacity for events, but rather enhance the experience for the existing capacity.
18/R	Parking - General Requirements	1x(-2/+2)		
18/R	Parking-Public View/Usage	2x(-2/+2)		
18/R	Parking - Joint Parking Facilities	1x(+1)		
18/R	Parking - Common Driveways	1x(+1)		
18/R	Parking - Downtown Service Area	2x(-2/+2)		
19/A	<b>Loading</b>	Complies		



20/R	Recreation Facilities	3x(-2/+2)	+3	<p>The Planning Commission has awarded positive three (+3) points because the proposed additions will improve recreation in the community by providing additional locker rooms, two additional offices, and a storage room. The ice arena received positive six (+6) points when it was originally approved in 1999 (PC# 1999-049), and positive three (+3) points for the outdoor ice rink roof addition in 2016 (PL-2016-0143).</p> <p><b>Precedent for (+3) points:</b>  River Park, 470 Floradora Dr., PL-2018-0012</p> <p>Outdoor Ice Arena Roof, 189 Boreas Pass Rd., PL-2016-0143</p> <p>Kingdom Park Playground, 880 Airport Rd., PL-2016-0050</p>
21/R	Open Space - Private Open Space	3x(-2/+2)		
21/R	Open Space - Public Open Space	3x(0/+2)		
22/A	<b>Landscaping</b>	Complies		5 existing Aspens will be transplanted or replaced.
22/R	Landscaping	2x(-1/+3)		
24/A	<b>Social Community</b>	Complies		
24/A	Social Community / Above Ground Density 12 UPA	(-3>-18)		
24/A	Social Community / Above Ground Density 10 UPA	(-3>-6)		
24/R	Social Community - Employee Housing	1x(-10/+10)		
24/R	Social Community - Community Need	3x(0/+2)		
24/R	Social Community - Social Services	4x(-2/+2)		
24/R	Social Community - Meeting and Conference Rooms	3x(0/+2)		
5/R	Social Community - Conservation District	3x(-5/0)		
24/R	Social Community - Historic Preservation	3x(0/+5)		
24/R	Social Community - Historic Preservation/Restoration - Benefit	+3/6/9/12/15		
25/R	Transit	4x(-2/+2)		
26/A	<b>Infrastructure</b>	Complies		
26/R	Infrastructure - Capital Improvements	4x(-2/+2)		
27/A	<b>Drainage</b>	Complies		
27/R	Drainage - Municipal Drainage System	3x(0/+2)		
28/A	<b>Utilities - Power lines</b>	Complies		
29/A	<b>Construction Activities</b>	Complies		
30/A	<b>Air Quality</b>	Complies		
30/R	Air Quality - wood-burning appliance in restaurant/bar	-2		
30/R	Beyond the provisions of Policy 30/A	2x(0/+2)		
31/A	<b>Water Quality</b>	Complies		
31/R	Water Quality - Water Criteria	3x(0/+2)		
32/A	<b>Water Conservation</b>	Complies		
33/R	Energy Conservation - Renewable Energy Sources	3x(0/+2)		
33/R	Energy Conservation - Energy Conservation	3x(-2/+2)		
	HERS index for Residential Buildings			
33/R	Obtaining a HERS index	+1		
33/R	HERS rating = 61-80	+2		
33/R	HERS rating = 41-60	+3		
33/R	HERS rating = 19-40	+4		
33/R	HERS rating = 1-20	+5		
33/R	HERS rating = 0	+6		
	Commercial Buildings - % energy saved beyond the IECC minimum standards			
33/R	Savings of 10%-19%	+1		
33/R	Savings of 20%-29%	+3		
33/R	Savings of 30%-39%	+4		
33/R	Savings of 40%-49%	+5		
33/R	Savings of 50%-59%	+6		
33/R	Savings of 60%-69%	+7		
33/R	Savings of 70%-79%	+8		
33/R	Savings of 80% +	+9		
33/R	Heated driveway, sidewalk, plaza, etc.	1X(-3/0)		

33/R	Outdoor commercial or common space residential gas fireplace (per fireplace)	1X(-1/0)		
33/R	Large Outdoor Water Feature	1X(-1/0)		
	Other Design Feature	1X(-2/+2)		
34/A	<b>Hazardous Conditions</b>	Complies		
34/R	Hazardous Conditions - Floodway Improvements	3x(0/+2)		
35/A	<b>Subdivision</b>	Complies		
36/A	<b>Temporary Structures</b>	Complies		
37/A	<b>Special Areas</b>	Complies		
37/R	Community Entrance	4x(-2/0)		
37/R	Individual Sites	3x(-2/+2)		
37/R	Blue River	2x(0/+2)		
37R	Cucumber Gulch/Setbacks	2x(0/+2)		
37R	Cucumber Gulch/Impervious Surfaces	1x(0/-2)		
38/A	<b>Home Occupation</b>	Complies		
39/A	<b>Master Plan</b>	Complies		
40/A	<b>Chalet House</b>	Complies		
41/A	<b>Satellite Earth Station Antennas</b>	Complies		
42/A	<b>Exterior Loudspeakers</b>	Complies		
43/A	<b>Public Art</b>	Complies		
43/R	Public Art	1x(0/+1)		
44/A	<b>Radio Broadcasts</b>	Complies		
45/A	<b>Special Commercial Events</b>	Complies		
46/A	<b>Exterior Lighting</b>	Complies		Proposed exterior light fixture is fully shielded, downcast, with no portion of bulb visible, and is proposed to be installed less than 15' above grade.
47/A	<b>Fences, Gates And Gateway Entrance Monuments</b>	Complies		
48/A	<b>Voluntary Defensible Space</b>	Complies		
49/A	<b>Vendor Carts</b>	Complies		
50/A	<b>Wireless Communication Facilities</b>	Complies		

## TOWN OF BRECKENRIDGE

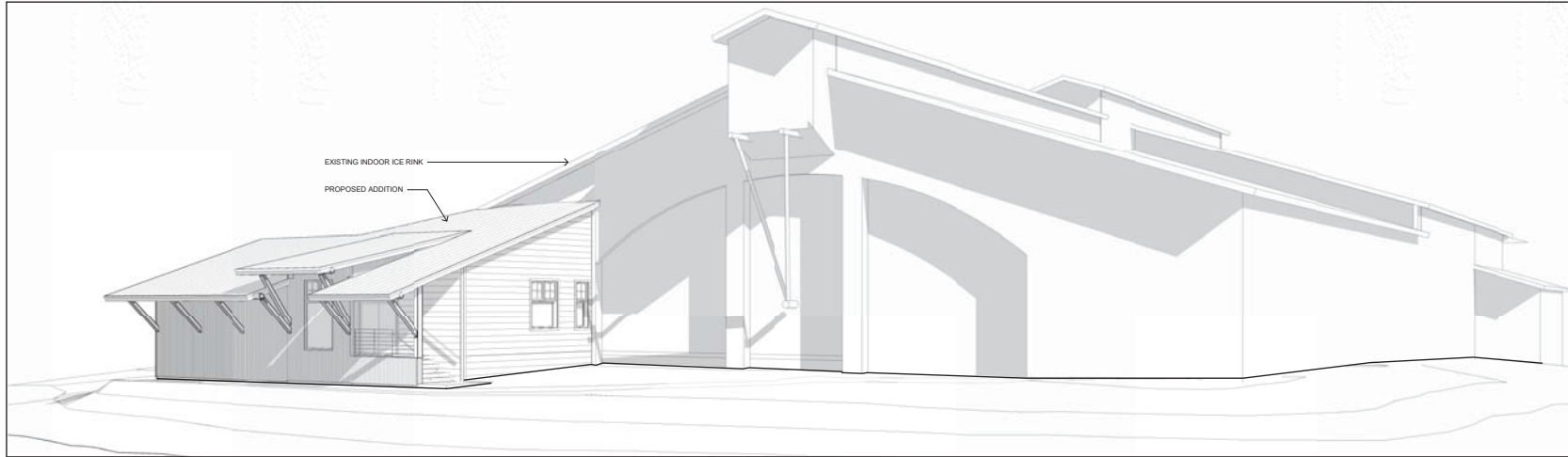
**Stephen C. West Ice Arena Additions and Alterations Town Project  
Block 2, Rodeo Grounds Subdivision  
189 Boreas Pass Rd.  
PL-2018-0608**

### FINDINGS

1. This project is “Town Project” as defined in Section 9-4-1 of the Breckenridge Town Code because it involves the planning and design of a public project.
2. The process for the review and approval of a Town Project as described in Section 9-14-4 of the Breckenridge Town Code was followed in connection with the approval of this Town Project.
3. The Planning Commission reviewed and considered this Town Project on **January 29, 2019**. In connection with its review of this Town Project, the Planning Commission scheduled and held a public hearing on **January 29, 2019**, notice of which was published on the Town’s website for at least five (5) days prior to the hearing as required by Section 9-14-4(2) of the Breckenridge Town Code. At the conclusion of its public hearing, the Planning Commission recommended approval of this Town Project to the Town Council.
4. The Town Council’s final decision with respect to this Town Project was made at the regular meeting of the Town Council that was held on **February 12, 2019**. This Town Project was listed on the Town Council’s agenda for the **February 12, 2019** agenda that was posted in advance of the meeting on the Town’s website. Before making its final decision with respect to this Town Project, the Town Council accepted and considered any public comment that was offered.
5. Before approving this Town Project the Town Council received from the Director of the Department of Community Development, and gave due consideration to, a point analysis for the Town Project in the same manner as a point analysis is prepared for a final hearing on a Class A Development Permit application under the Town’s Development Code (Chapter 1 of Title 9 of the Breckenridge Town Code).
6. The Town Council finds and determines that the Town Project is necessary or advisable for the public good, and that the Town Project shall be undertaken by the Town.



matthew stais architects  
108 north ridge street  
p o box 135  
breckenridge  
colorado 80424  
970 453 0444



[RENDERING NOT FOR CONSTRUCTION]

www.staisarchitects.com

# STEPHEN C. WEST ICE ARENA ADDITIONS & ALTERATIONS

BRECKENRIDGE TOWN PROJECT # 302105007

189 BOREAS PASS RD  
BRECKENRIDGE, COLORADO

TOWN PLANNING SUBMITTAL . REVISED

stephen c west ice  
arena addition

T06 project #302105007  
189 boreas pass rd  
breckenridge, colorado

MSA PROJECT # 1835

© COPYRIGHT  
ALL RIGHTS RESERVED. NO REPRODUCTION  
OR RESALE WITHOUT WRITTEN CONSENT OF  
PROJECTS.

ISSUE:

50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

SHEET INDEX

CS	COVER SHEET	A101	NEIGHBORHOOD MAP	A201	MAIN FLOOR PLAN - WEST	A301	NORTH ELEVATIONS	A311	EXTERIOR PERSPECTIVES
	TOPOGRAPHIC SURVEY	A111	PROPOSED SITE PLAN	A202	UPPER FLOOR PLAN - EAST	A302	WEST ELEVATIONS	A312	EXTERIOR PERSPECTIVES
				A220	ROOF PLAN - WEST	A303	SOUTH ELEVATIONS		

PROJECT TEAM

<b>OWNER:</b>	<b>SURVEYOR:</b>	<b>ARCHITECT:</b>	<b>STRUCTURAL ENGINEER:</b>	<b>MEP ENGINEER:</b>
TOWN OF BRECKENRIDGE P.O. BOX 188 150 SKI HILL ROAD BRECKENRIDGE, COLORADO 80424 970.547.3183	SCHMIDT LAND SURVEYONG, INC. P.O. BOX 5781 FRISCO, COLORADO 970.409.9993	MATTHEW STAIS ARCHITECTS P.O. BOX 135 108 N. RIDGE ST BRECKENRIDGE, COLORADO 80424 970.453.0444	ENGINEERING DESIGNWORKS, INC. P.O. BOX 775729 1825 SKI TIMES SQUARE, UNIT E2C STEAMBOAT SPRINGS, COLORADO 80447 970.879.4890	BG BUILDINGWORKS, INC. P.O. BOX 9690 222 CHAPEL PLACE, UNIT AC-201 AVON, COLORADO 81620 970.919.6108

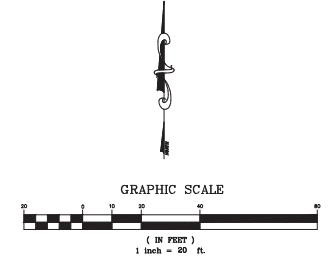
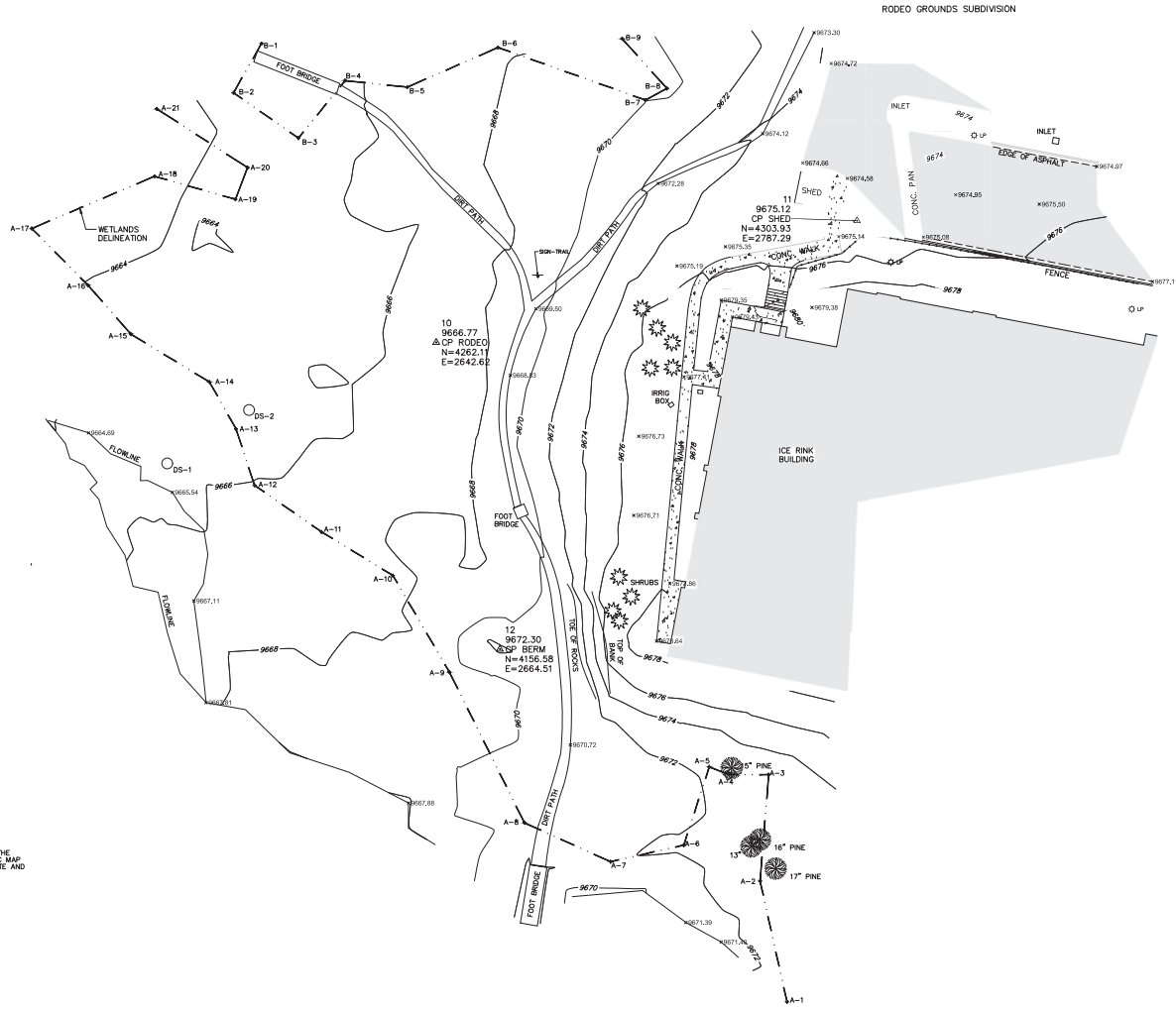
COVER SHEET

draft

CS

11/16/2019 10:07:52 PM I:\11835\_breck los locker mm\MSA files\REV\T\Building\1835\_breck los locker\lockers3D\MODEL - T06\_PLANNING.rvt

A TOPOGRAPHIC MAP OF A PORTION OF  
 RODEO GROUNDS SUBDIVISION  
 SECTION 6, TOWNSHIP 7 SOUTH, RANGE 77 WEST OF THE 6TH P.M.  
 TOWN OF BRECKENRIDGE, SUMMIT COUNTY, COLORADO



**SURVEYOR'S CERTIFICATE**  
 I, ELIZABETH K. SCHMIDT, A PROFESSIONAL LAND SURVEYOR REGISTERED UNDER THE  
 LAWS OF THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS TOPOGRAPHIC MAP  
 WAS MADE BY ME AND UNDER MY SUPERVISION, AND THAT THIS MAP IS ACCURATE, AND  
 CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE: \_\_\_\_\_

ELIZABETH K. SCHMIDT  
 COLORADO P.L.S. 37047


**GENERAL NOTES**

1. DATE OF SURVEY: SEPTEMBER 2008
2. RODEO GROUNDS SUBDIVISION, SECTION 6, TOWNSHIP 7 SOUTH, RANGE 77 WEST OF THE SIXTH P.M. WAS RECORDED JUNE 19, 1989 UNDER RECEPTION NO. 371782 IN THE SUMMIT COUNTY CLERK AND RECORDER'S OFFICE.
3. PROJECT BENCHMARK: HELD ELEVATION 9.705 00 FEET AT RANDOM SURVEY CONTROL POINT "C.P. ILLINOIS CREEK"
4. BASIS OF BEARINGS: RIGHT OF WAY BOREAS PASS ROAD BEING S 57°45' 07"E
5. CONTOUR INTERVAL - TWO FEET.
6. SCHMIDT LAND SURVEYING, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD.

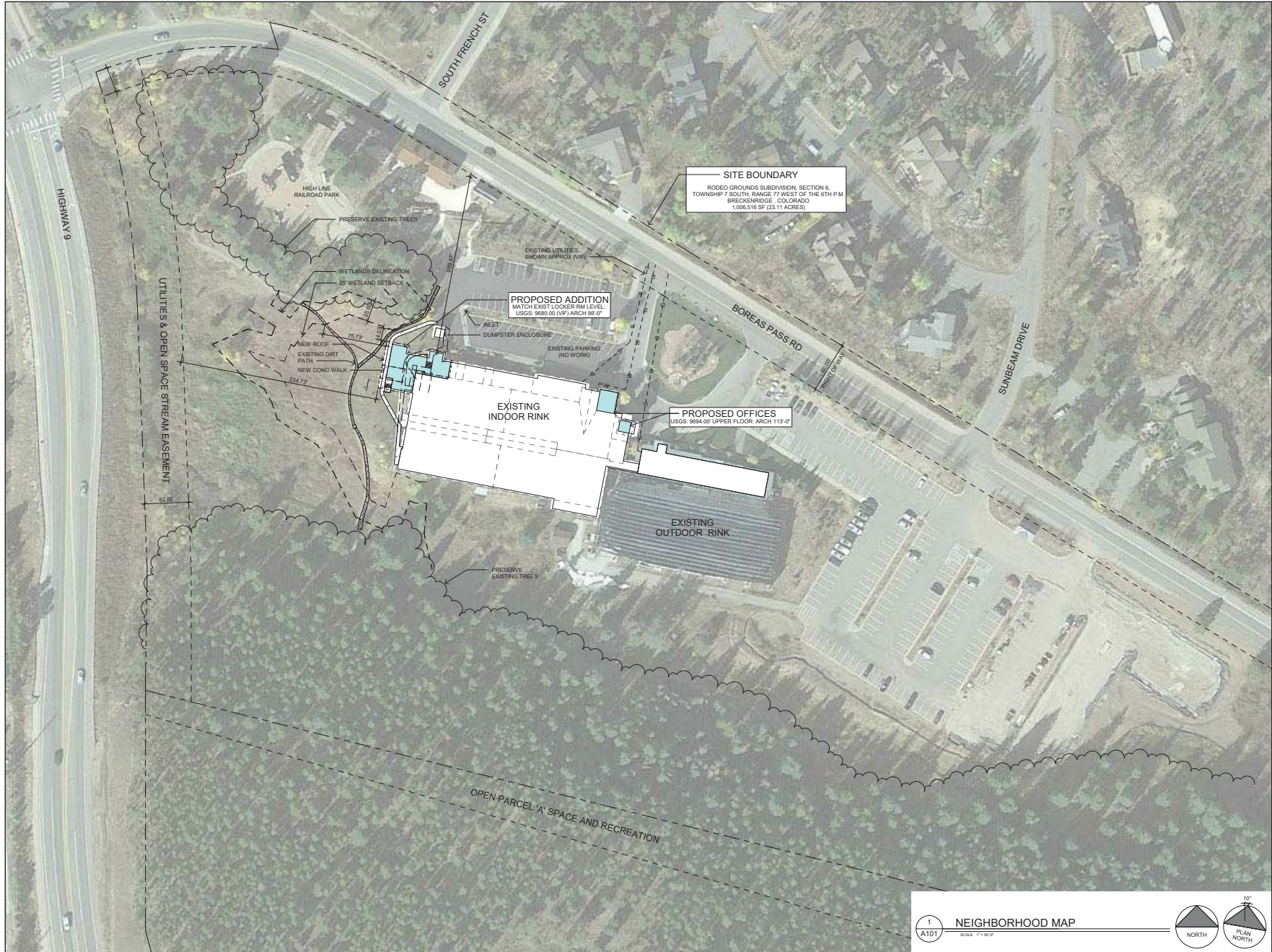
**LEGEND**

- ▲ RANDOM SURVEY CONTROL POINT
- + WETLANDS MARKING - BY OTHERS
- SHRUB/MALLOW
- \* SPOT ELEVATION
- WETLAND

NOTICE:  
 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 DEFECTS. IN NO EVENT MAY ANY ACTION BASED UPON ANY  
 DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

Drawn EKS	Dep 2008TP.DWG	Project 2006
Date 10/2/18	Scale 1" = 20'	Sheet 1 of 1
 <b>SCHMIDT</b> LAND SURVEYING, INC. P.O. Box 5767 FRISCO, CO 80443 970-409-9963		

11/10/2019 2:07:20 PM 111835 track los locker mm\MSA\Brewer\T\T\Building\1835 track los locker 3D MODEL - TOU PLANNING.rvt



**matthew stals architects**  
 108 north ridge street  
 p o box 135  
 breckenridge  
 colorado 80424  
 970 453 0444

[www.stalsarchitects.com](http://www.stalsarchitects.com)

**stephen c west ice arena addition**  
 TOG project #302105007  
 180 boreas pass rd  
 breckenridge, colorado  
 MSA PROJECT # 1835

© COPYRIGHT  
 ALL RIGHTS RESERVED. NO REPRODUCTION OR RESALE WITHOUT WRITTEN CONSENT OF ARCHITECTS.

ISSUE:

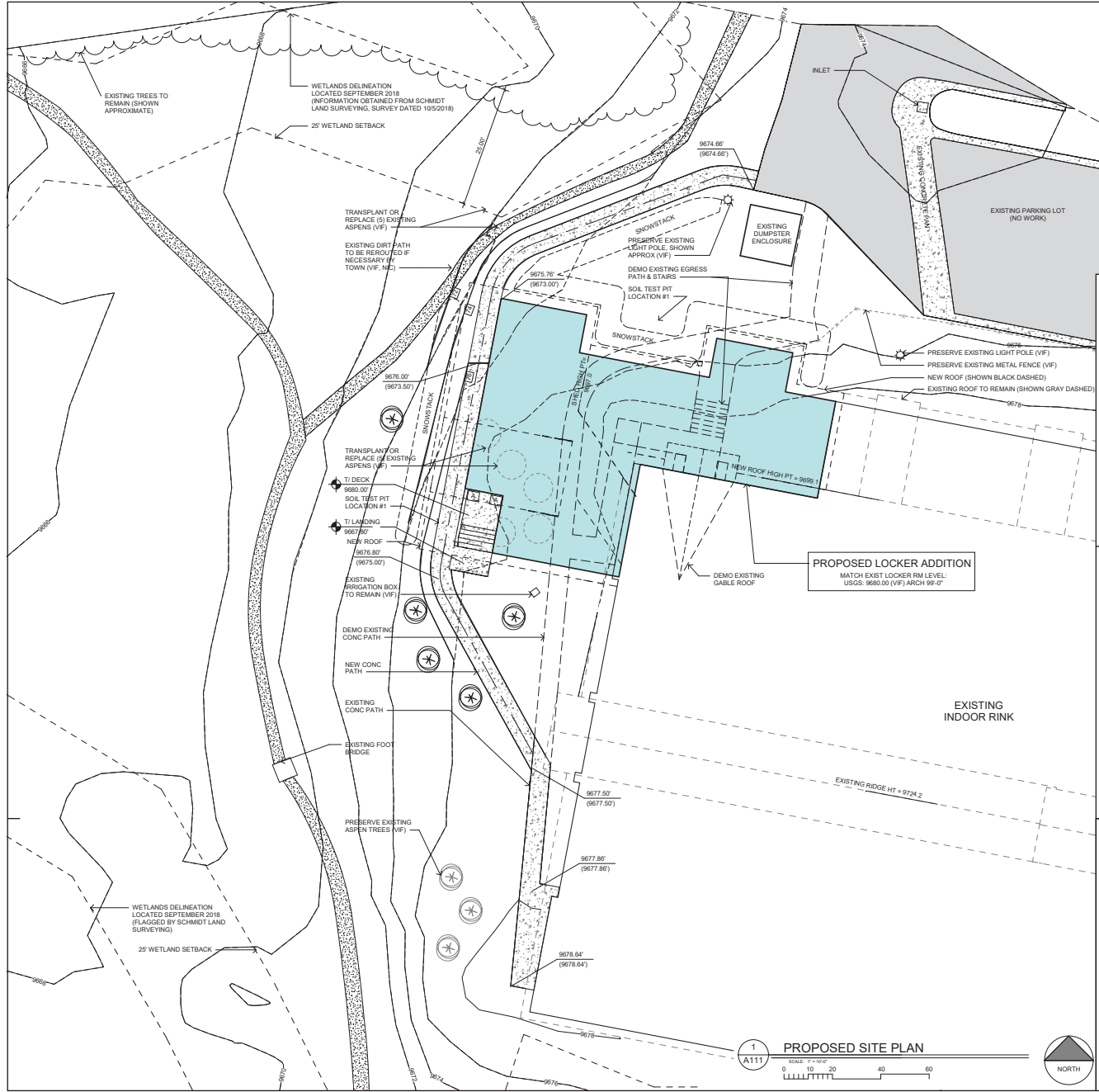
50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

NEIGHBORHOOD MAP  
**draft**  
 A101

1 NEIGHBORHOOD MAP  
 A101 SCALE: 1"=80'



matthew stals architects  
108 north ridge street  
p o box 135  
breckenridge  
colorado 80424  
970 453 0444



**AREA CALCULATIONS**

**SITE CALCS:**

DESCRIPTION	AREA (ACRES)
1. NEW BUILDING FOUNDATION BELOW ENCL AREAS	2,482 SF
2. NEW BUILDING FOOTPRINT (1) + DECKS AND PORCHES	2,241 SF
3. NEW PAVING @ DRIVES, WALKS, & DECKS	694 SF
4. NEW SNOW STACK	816 SF
<b>5. TOTAL</b>	<b>1,008,516 SF (23.10)</b>

**BUILDING CALCS:**

	EXISTING INDOOR RINK (SF)	EXISTING OUTDOOR RINK (SF)	PROPOSED (SF)	TOTAL (SF)
1. LOWER FLOOR	34,188	4,575	2,440	41,203
2. MAIN FLOOR	3,040	-	488	3,528
<b>3. TOTAL</b>	<b>37,228</b>	<b>4,575</b>	<b>2,928</b>	<b>44,731</b>

- NOTES:**
- BUILDING AREAS CALCD IN ACCORDANCE W/ BUILDING CODE REQUIREMENTS.
  - UNCONDITIONED AREA INCLUDES GARAGE, MECHANICAL & STORAGE (WITH OVER 5'-0" HEADROOM).
  - STAIRS & LANDINGS NOT COUNTED WITH UPPERMOST FLOOR SQUARE FOOTAGES.

**EXTERIOR LIGHTING SCHEDULE**

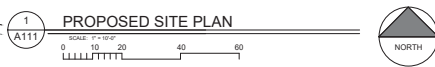
- NOTES:**
- TOP OF LIGHT TO BE LESS THAN 15' ABOVE GRADE PER TOB REGS.
  - VERIFY QUANTITIES AND LOCATIONS WITH OWNER PRIOR TO ORDERING FIXTURES.

TAG	TYPE	MFR/MODEL	LAMPS	NOTES
A	WALL MOUNT	CANO 1-LIGHT OUTDOOR SCENE	(1) 60W	DARK SKY RATED



**SITE PLAN NOTES**

- BOUNDARY AND TOPOGRAPHICAL INFORMATION OBTAINED FROM SURVEY BY SCHMIDT LAND SURVEYING, INC. DATED 5 OCTOBER 2018. VERIFY IN FIELD AND BACK-CHECK ALL INFORMATION PRIOR TO CONSTRUCTION STAKING.
- UTILITY LOCATIONS ARE SHOWN APPROXIMATELY. CONTACT APPROPRIATE AUTHORITIES TO FIELD LOCATE ALL UTILITIES PRIOR TO EXCAVATION.
- CONTRACTOR SHALL IDENTIFY ALL EXISTING TREES, WHICH ARE SPECIFIED ON THE SITE PLAN TO BE RETAINED BY ERECTING TEMPORARY FENCE BARRIERS AROUND THE TREES TO PREVENT UNNECESSARY ROOT COMPACTION DURING CONSTRUCTION. CONSTRUCTION DISTURBANCE SHALL NOT OCCUR BEYOND THE FENCE BARRIERS, AND DIRT AND CONSTRUCTION MATERIALS OR DEBRIS SHALL NOT BE PLACED ON THE FENCING. THE TEMPORARY FENCE BARRIERS ARE TO REMAIN IN PLACE UNTIL ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
- CONTRACTOR SHALL SUBMIT AND OBTAIN APPROVAL FROM THE TOWN. A CONSTRUCTION STAGING PLAN INDICATING THE LOCATION OF ALL CONSTRUCTION MATERIAL STORAGE, FILL AND EXCAVATION MATERIAL, STORAGE AREAS, PORTOLET AND DUMPSTER LOCATIONS, AND EMPLOYEE VEHICLE PARKING AREAS. NO STAGING IS PERMITTED WITHIN PUBLIC RIGHT OF WAY. ANY DIRT TRACKS UPON THE PUBLIC ROAD SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REMOVE. CONTRACTOR PARKING WITHIN THE PUBLIC RIGHT OF WAY IS NOT PERMITTED WITHOUT THE EXPRESS PERMISSION OF THE TOWN, AND CARS MUST BE MOVED FOR SNOW REMOVAL. A PROJECT CONTACT PERSON IS TO BE PROVIDED TO THE PUBLIC WORKS DEPARTMENT PRIOR TO ISSUANCE OF THE BUILDING PERMIT.
- REVEGETATE ALL DISTURBED AREAS PER LANDSCAPE NOTES.
- FINISH GRADE TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING FOUNDATION @ ALL AREAS.
- PLANTING BEDS SHOWN HATCHED ON LANDSCAPE PLAN. REFER TO LANDSCAPE SCHEDULE & NOTES.
- USDS DATUM PER SURVEY.
- SPOT ELEVATIONS NOTE PROPOSED GRADE (A STATION # IF APPLICABLE) ABOVE LEADER LINE, WITH EXISTING GRADE NOTED BELOW LEADER LINE (IN PARENTHESES).
- NEW CONTOURS ARE LABELED ON HIGH SIDE OF CONTOUR LINE.
- REFER TO ARCHITECTURAL DRAWINGS FOR RETAINING WALL DETAILS.



www.stalsarchitects.com

stephen c west ice arena addition

T06 project #302105007  
189 acres case #1  
breckenridge, colorado  
MSA PROJECT # 1835

© COPYRIGHT  
ALL RIGHTS RESERVED. NO REPRODUCTION OR RESALE WITHOUT WRITTEN CONSENT OF PROJECT.

**ISSUE:**

description	date
concept review	27 sept 2018
50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

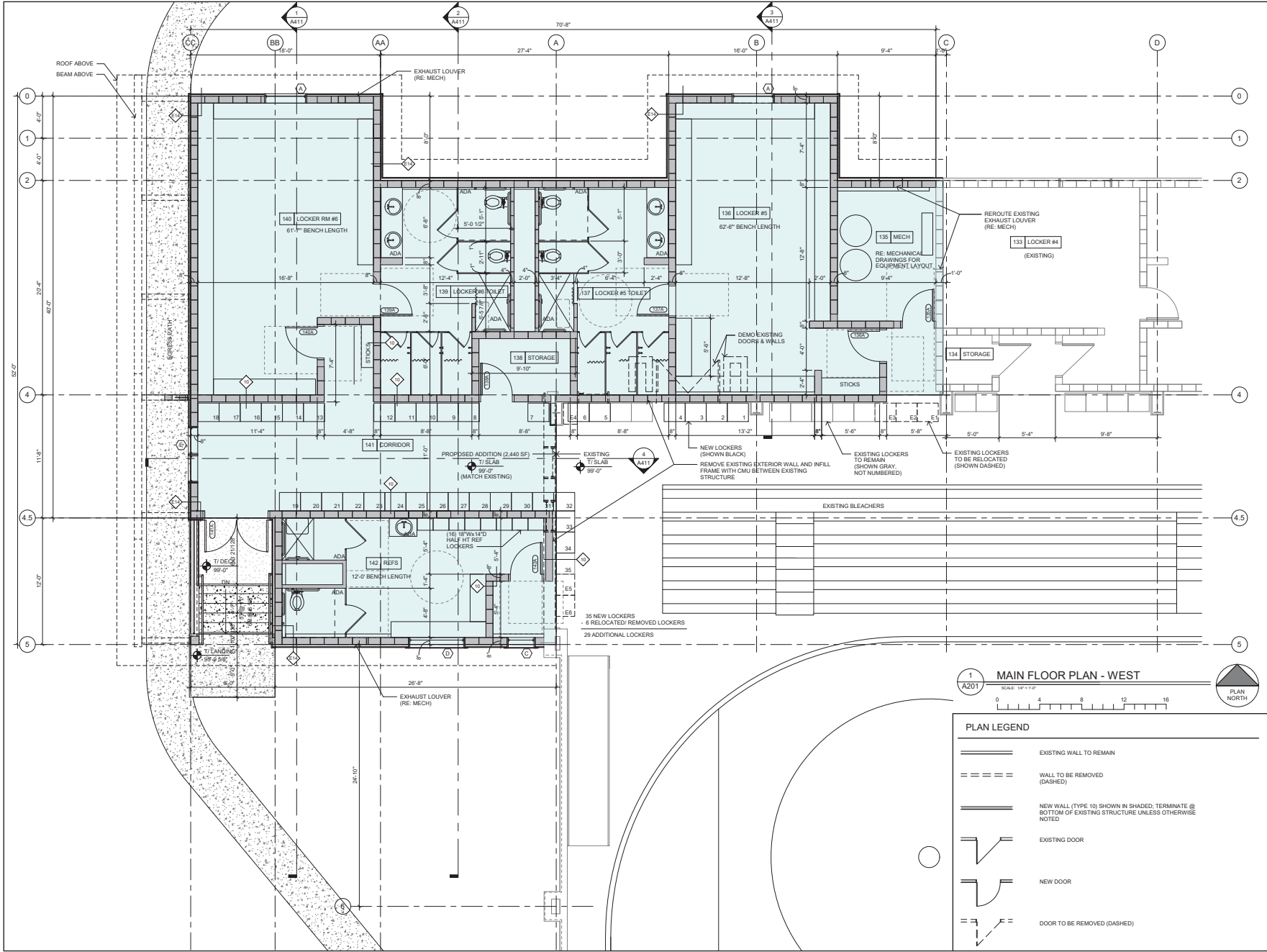
PROPOSED SITE PLAN

draft

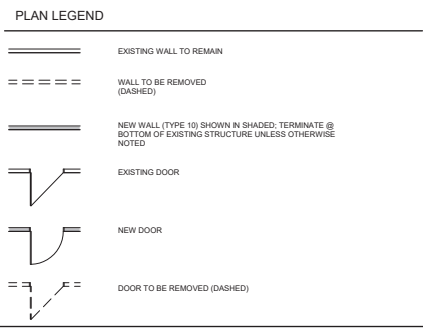
A111

1/27/2019 10:03:36 AM H:\1835 track ice locker.mxd (USA) User: V:\TJ\Building\1835 track ice locker.mxd (USA) User: V:\TJ\ANNING.VT

11/16/2019 3:07:22 PM H:\1835 track ice locker.mxd (MSA floor plan) (V:\building\1835 track ice locker 3D MODEL - TOE PLANNING.rvt)



**1 MAIN FLOOR PLAN - WEST**  
 SCALE: 1/4" = 1'-0"  
 PLAN NORTH



**matthew stals architects**  
 108 north ridge street  
 p o box 135  
 breckenridge  
 colorado 80424  
 970 453 0444

[www.stalsarchitects.com](http://www.stalsarchitects.com)

**stephen c west ice arena addition**

TOG project #302125007  
 180 acres case rd  
 breckenridge, colorado  
 MSA PROJECT # 1835

**COPYRIGHT**  
 ALL RIGHTS RESERVED. NO REPRODUCTION OR RESALE WITHOUT WRITTEN CONSENT OF ARCHITECTS.

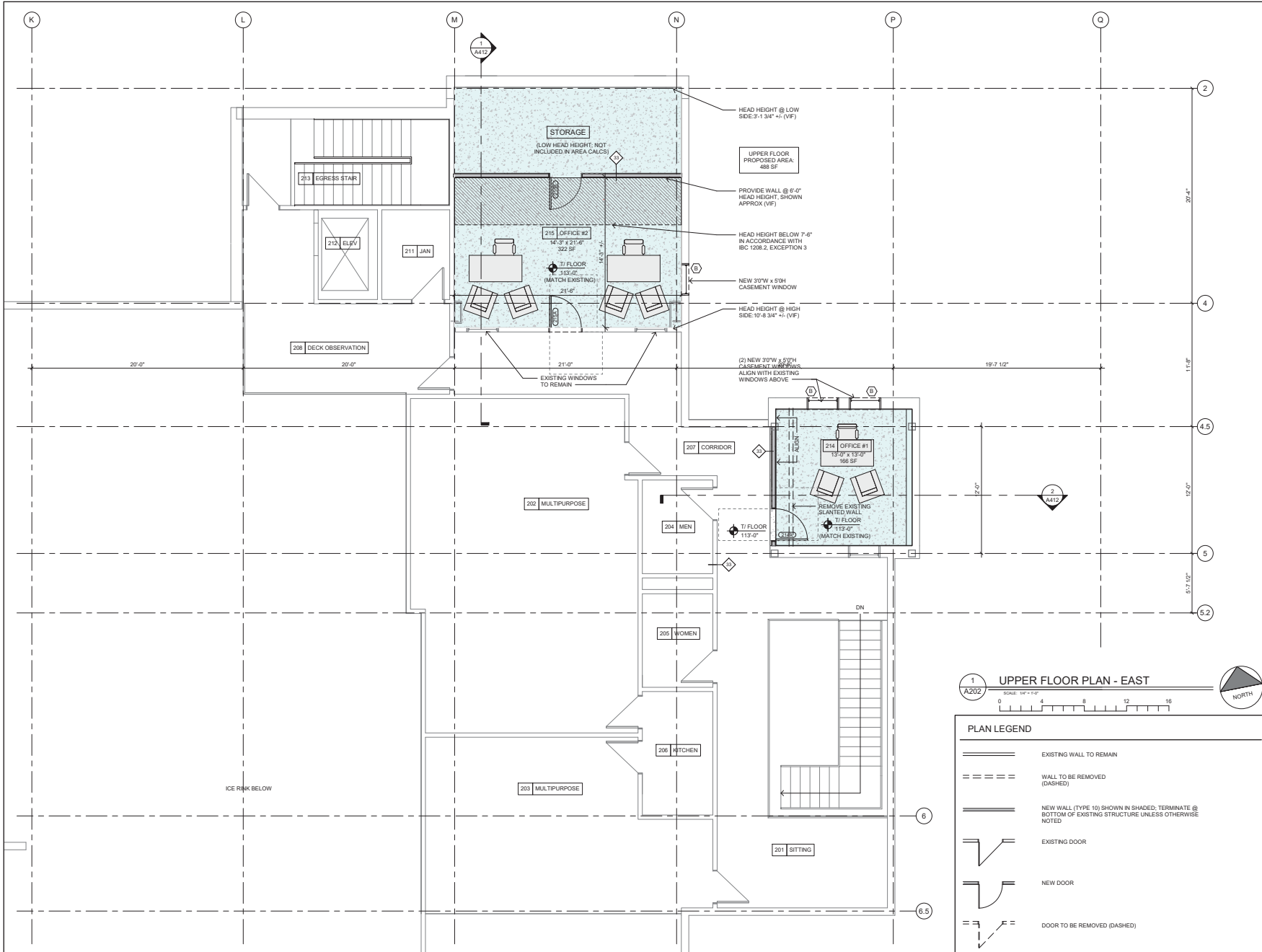
**ISSUE:**

concept review	27 sept 2018
50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

**MAIN FLOOR PLAN - WEST**  
draft  
**A201**



11/02/2019 10:20:22 PM H:\1830 Draw Los tolar mm\MSA\REV\VT\Building\0330 Draw Los tolar\lockers 3D MODEL - TOG FL ANNING.rvt



matthew stals architects  
108 north ridge street  
p o box 135  
breckenridge  
colorado 80424  
970 453 0444

www.stalsarchitects.com

stephen c west ice  
arena addition

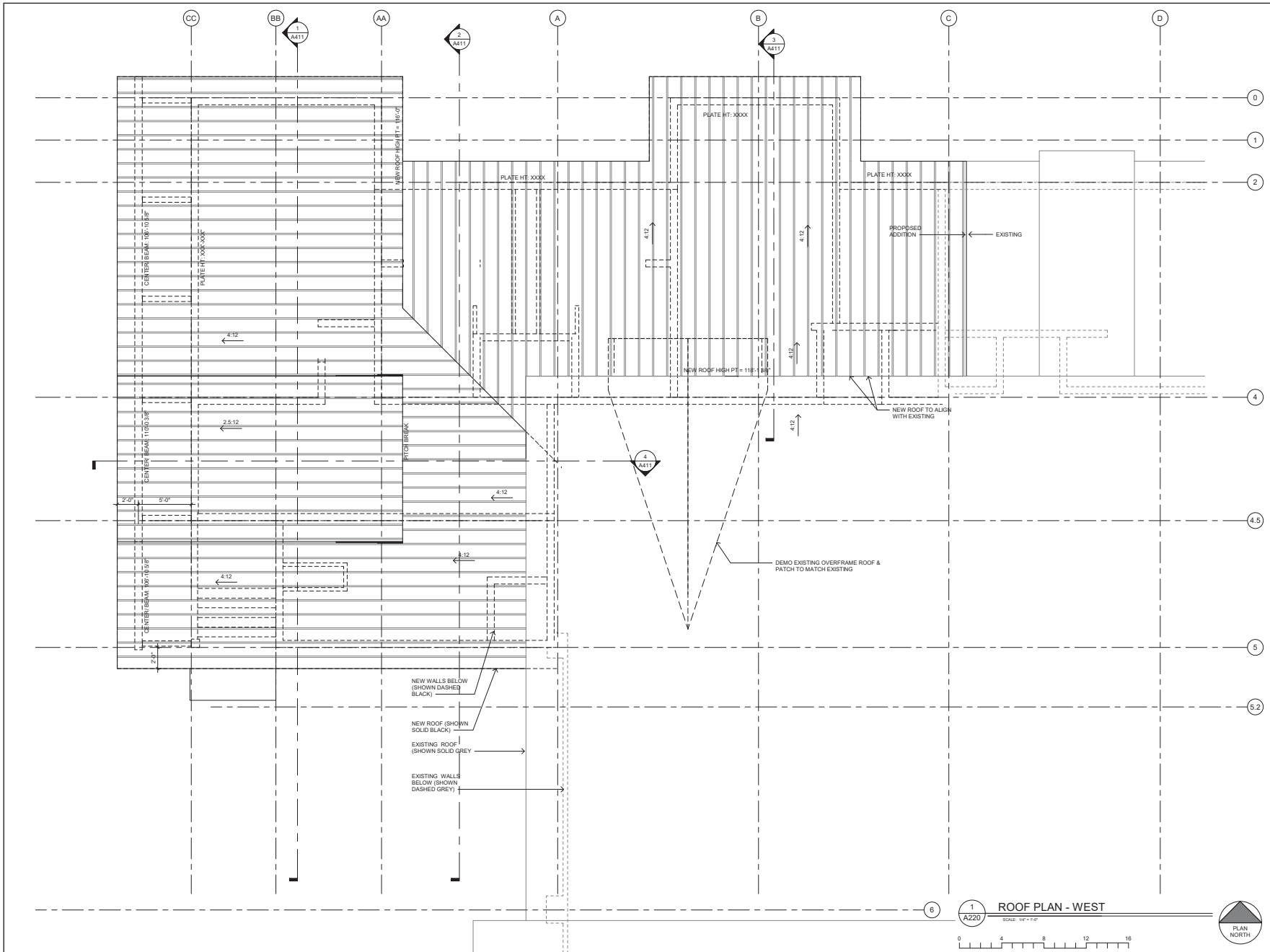
TOG project #302105007  
189 horses case rd  
breckenridge, colorado  
MSA PROJECT # 1835

© COPYRIGHT  
ALL RIGHTS RESERVED. NO REPRODUCTION  
OR RESALE WITHOUT WRITTEN CONSENT OF  
STALS ARCHITECTS.

ISSUE:

concept review	27 sept 2018
50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

UPPER FLOOR PLAN -  
EAST  
**draft**  
A202



1 A220 ROOF PLAN - WEST  
SCALE: 1/8" = 1'-0"



matthew stals architects  
108 north ridge street  
p.o. box 135  
breckenridge  
colorado 80424  
970 453 0444

www.stalsarchitects.com

stephen c west ice  
arena addition

TOG project #302105007  
180 surrey case rd  
breckenridge, colorado  
MSA PROJECT # 1835

© COPYRIGHT  
ALL RIGHTS RESERVED. NO REPRODUCTION  
OR RESALE WITHOUT WRITTEN CONSENT OF  
STALETS.

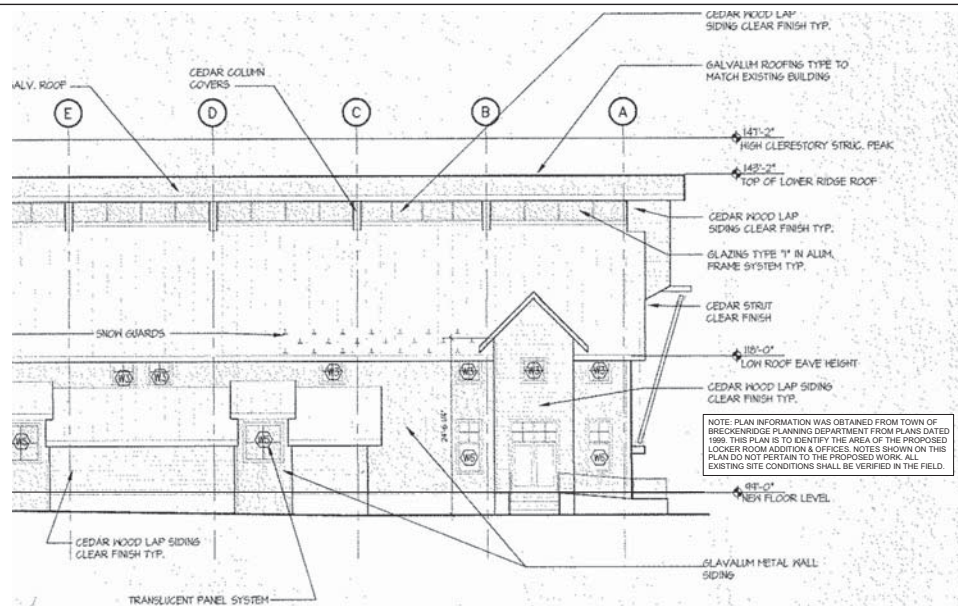
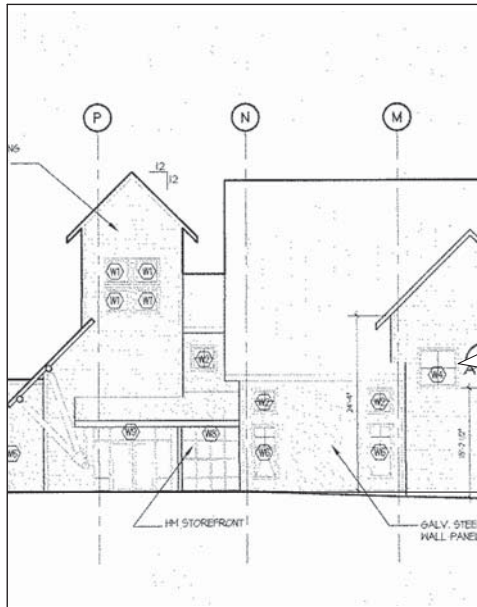
ISSUE:

50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

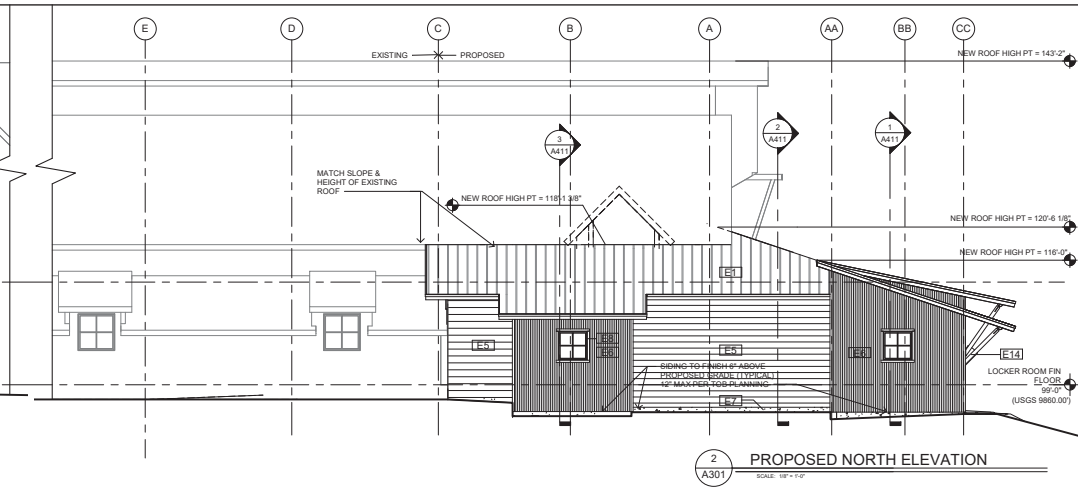
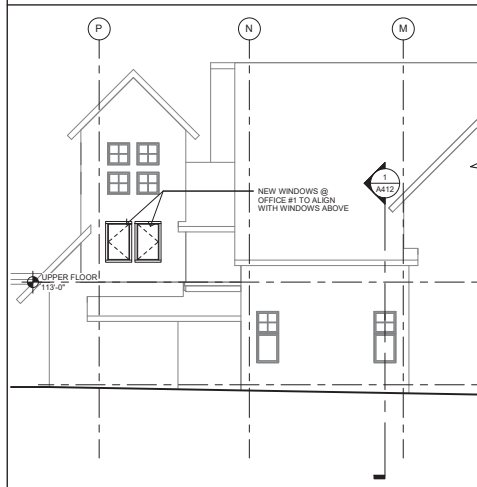
ROOF PLAN - WEST

draft

A220



**1**  
A301  
EXISTING NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



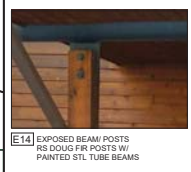
**2**  
A301  
PROPOSED NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

**NORTH ELEVATION SIDING CALCULATIONS**

	NATURAL SF (%)	NONNATURAL SF (%)	TOTAL SF (%)
1. PROPOSED NORTH ELEVATION	513 SF (51.6)	481 SF (48.4)	994 (100)
2. TOTAL NORTH ELEVATION	2,682 SF (66.5)	1,349 SF (33.5)	4,031 (100)

NOTES: 1. SIDING AREAS CALC'D IN ACCORDANCE W/ BRECKENRIDGE DEVELOPMENT CODE.  
2. EXISTING AREAS ARE APPROXIMATE BASED ON CONSTRUCTION DRAWINGS OBTAINED FROM TOWN OF BRECKENRIDGE PLANNING DEPARTMENT, DATED 7/2/1999

**EXTERIOR MATERIALS KEY**



matthew stals architects  
108 north ridge street  
p o box 135  
breckenridge  
colorado 80424  
970 453 0444

www.stalsarchitects.com

stephen c west ice  
arena addition  
TOG project #3021125007  
189 brecken ridge rd  
breckenridge, colorado  
MSA PROJECT # 1835

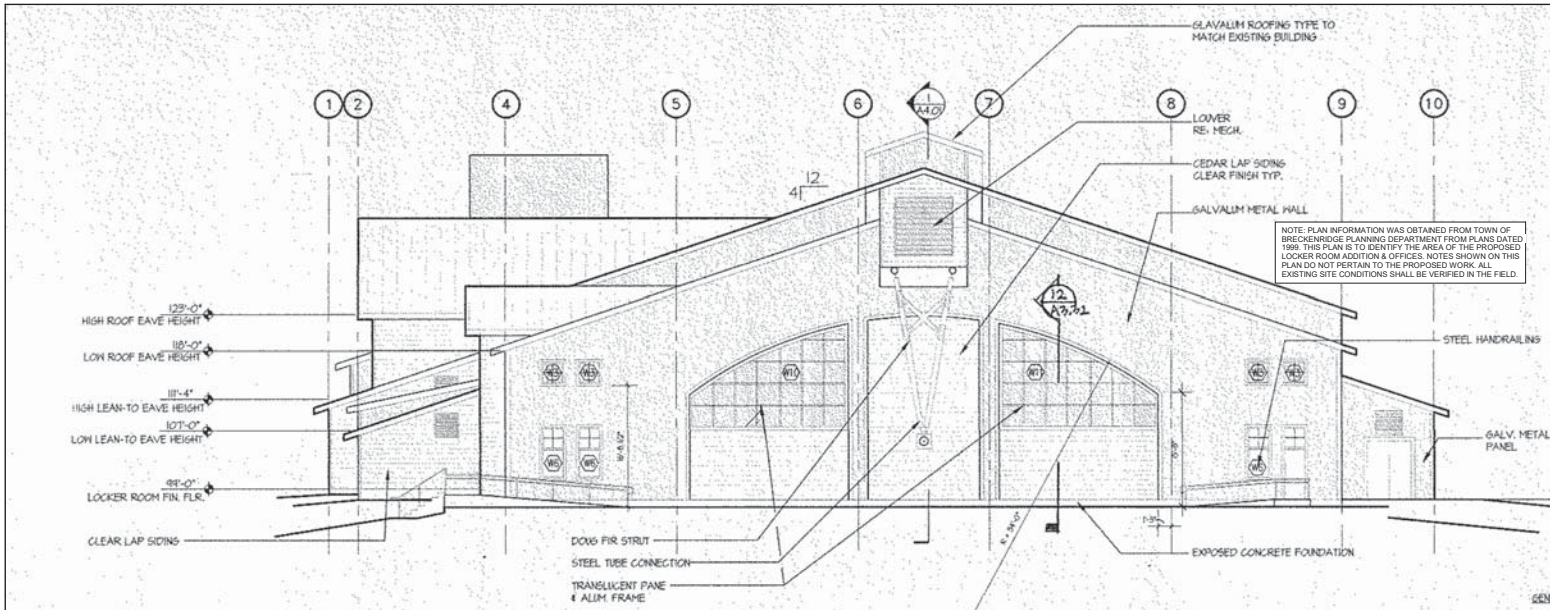
© COPYRIGHT  
ALL MATERIALS SHOWN, ANY RESTRICTIONS  
OR RESERVE WITHOUT WRITTEN CONSENT IS  
PROHIBITED.

**ISSUE:**

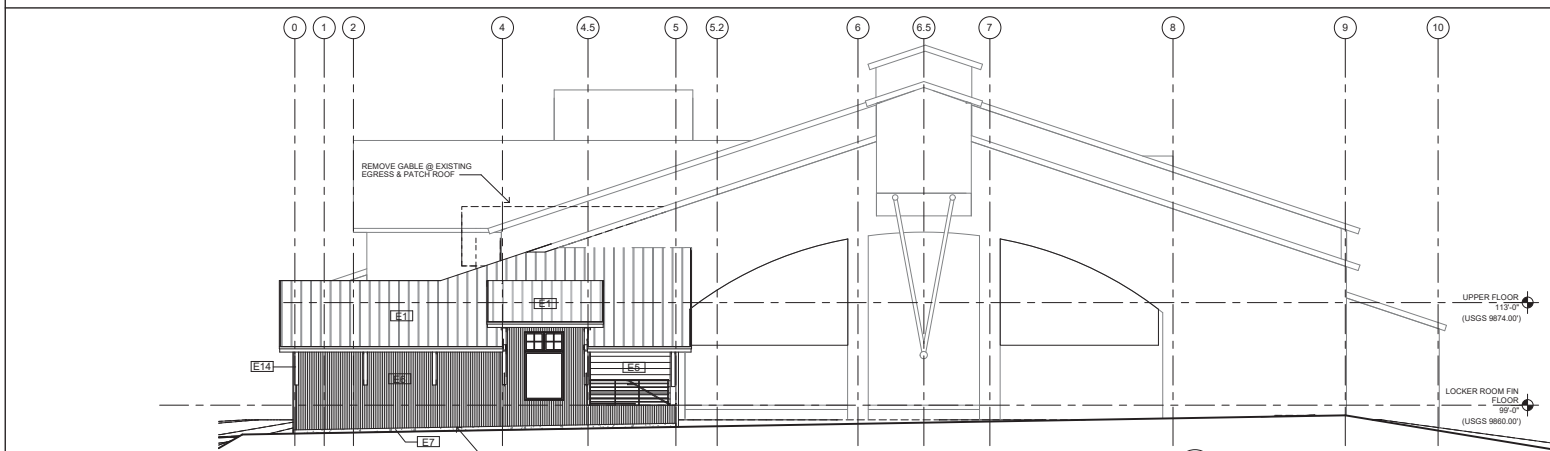
ISSUE	DATE
50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

**NORTH ELEVATIONS**  
**draft**  
A301

1/16/2019 10:27:25 PM I:\11835 stank los locker mm\MSA files\REV\1\T04\104\1835 stank los locker 3D MODEL - TOG PLANNING.rvt



1 EXISTING WEST ELEVATION  
SCALE: 1/8" = 1'-0"



2 PROPOSED WEST ELEVATION  
SCALE: 1/8" = 1'-0"

WEST ELEVATION SIDING CALCULATIONS

	NATURAL SF (%)	NONNATURAL SF (%)	TOTAL SF (%)
1. PROPOSED WEST ELEVATION	85 SF (16.5)	431 SF (83.5)	516 (100)
2. TOTAL WEST ELEVATION	1,188 SF (66.5)	2,350 SF (33.5)	3,538 (100)

NOTES: 1. SIDING AREAS CALCD IN ACCORDANCE W/ BRECKENRIDGE DEVELOPMENT CODE  
2. EXISTING AREAS ARE APPROXIMATE BASED ON CONSTRUCTION DRAWINGS OBTAINED FROM TOWN OF BRECKENRIDGE PLANNING DEPARTMENT, DATED 7/2/1999

EXTERIOR MATERIALS KEY



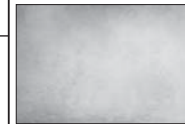
E1 PRIMARY ROOF



E5 PRIMARY SIDING  
1/8" HORIZONTAL RS CEDAR



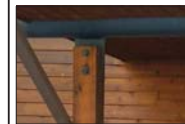
E6 SECONDARY SIDING  
VERTICAL CORRUGATED MTL PANELS  
NON-REFLECTIVE



E7 FOUNDATION WALL  
EXPOSED CONCRETE



E8 DOORS/ WINDOWS



E14 EXPOSED BEAM POSTS  
RS DOUG FIR POSTS W/  
PAINTED STL TUBE BEAMS

matthew stals architects  
108 north ridge street  
p o box 135  
breckenridge  
colorado 80424  
970 453 0444

www.stalsarchitects.com

stephen c west ice arena addition

TOD project #302105007  
100 broad case rd  
breckenridge, colorado

MSA PROJECT # 1835

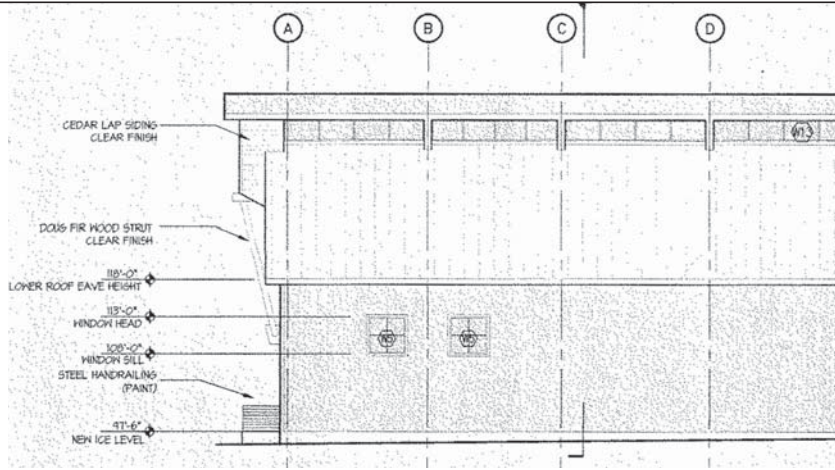
© COPYRIGHT  
ALL RIGHTS RESERVED. NO REPRODUCTION OR RESALE WITHOUT WRITTEN CONSENT OF PROJECT.

ISSUE:

DATE	DESCRIPTION
30 oct 2018	50% des dev1
11 dec 2018	planning
20 dec 2018	100% des dev1
17 jan 2019	planning rev 1

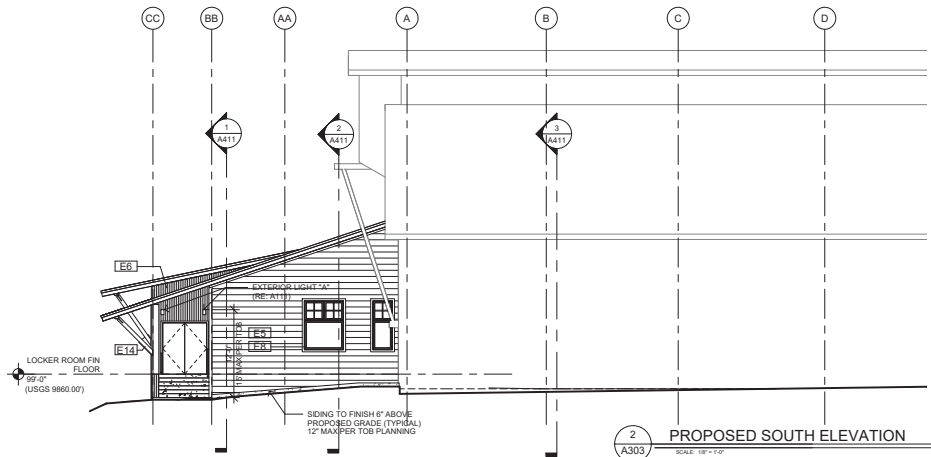
WEST ELEVATIONS  
**draft**  
A302

1/16/2019 3:07:24 PM H:\1835 stals ice arena\MSA\Rev\REV\T\Building\0303\book for site lockers\3D MODEL - TOB PLANNING.rvt



**1**  
A303 **EXISTING SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"

**EXTERIOR MATERIALS KEY**



**2**  
A303 **PROPOSED SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"

**SOUTH ELEVATION SIDING CALCULATIONS**

	NATURAL SF (%)	NONNATURAL SF (%)	TOTAL SF (%)
1. PROPOSED SOUTH ELEVATION	412 SF (87.7)	58 SF (12.3)	470 (100)
2. TOTAL SOUTH ELEVATION	562 SF (28.5)	1,407 SF (71.5)	1,969 (100)

NOTES: 1. SIDING AREAS CALC'D IN ACCORDANCE W/ BRECKENRIDGE DEVELOPMENT CODE  
 2. EXISTING AREAS ARE APPROXIMATE BASED ON CONSTRUCTION DRAWINGS OBTAINED FROM TOWN OF BRECKENRIDGE PLANNING DEPARTMENT, DATED 7/21/1999

**matthew stals architects**  
 108 north ridge street  
 p o box 135  
 breckenridge  
 colorado 80424  
 970 453 0444

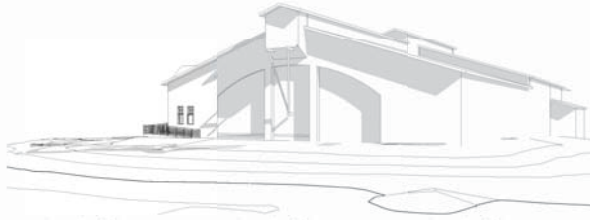
**stephen c west ice arena addition**  
 TOG project #302105007  
 1189 brecken ridge rd  
 breckenridge, colorado  
 MSA PROJECT # 1835

**ISSUE:**

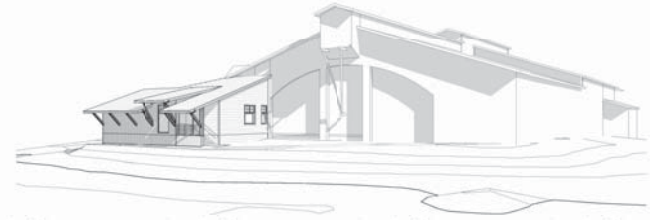
DATE	DESCRIPTION
30 oct 2018	50% des dev1
11 dec 2018	planning
20 dec 2018	100% des dev1
17 jan 2019	planning rev 1

**SOUTH ELEVATIONS**  
 draft  
 A303

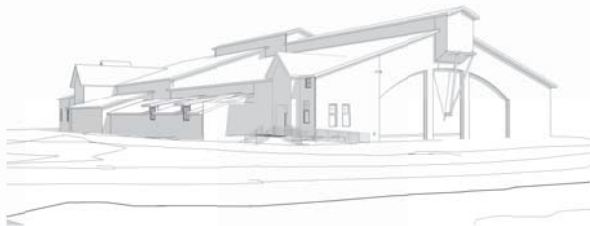
11/16/2019 10:07:28 PM I:\1835 track los tickler mm\MSA Res\REV\T\Building\1835 track los tickler\3D MODEL - TOU PLANNING.rvt



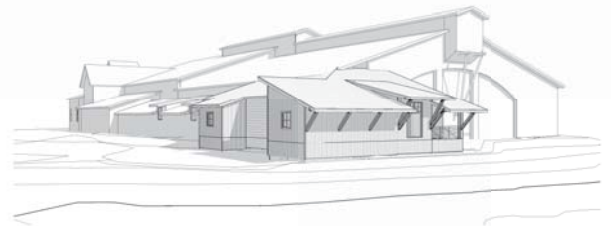
4 EXISTING VIEW FROM SW  
SCALE



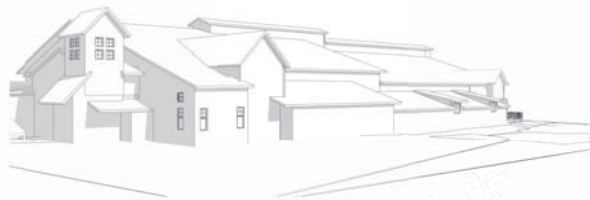
1 PROPOSED VIEW FROM SW  
SCALE



5 EXISTING VIEW FROM NW  
SCALE



2 PROPOSED VIEW FROM NW  
SCALE



6 EXISTING VIEW FROM NE  
SCALE



3 PROPOSED VIEW FROM NE  
SCALE



matthew stals architects  
108 north ridge street  
p o box 135  
breckenridge  
colorado 80424  
970 453 0444

www.stalsarchitects.com

stephen c west ice  
arena addition

T06 project #302105007  
180 horses case rd  
breckenridge, colorado

MSA PROJECT # 1835

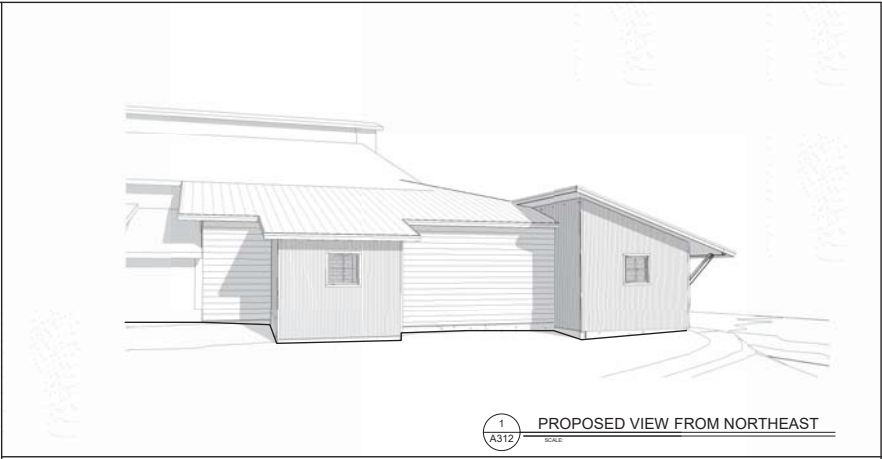
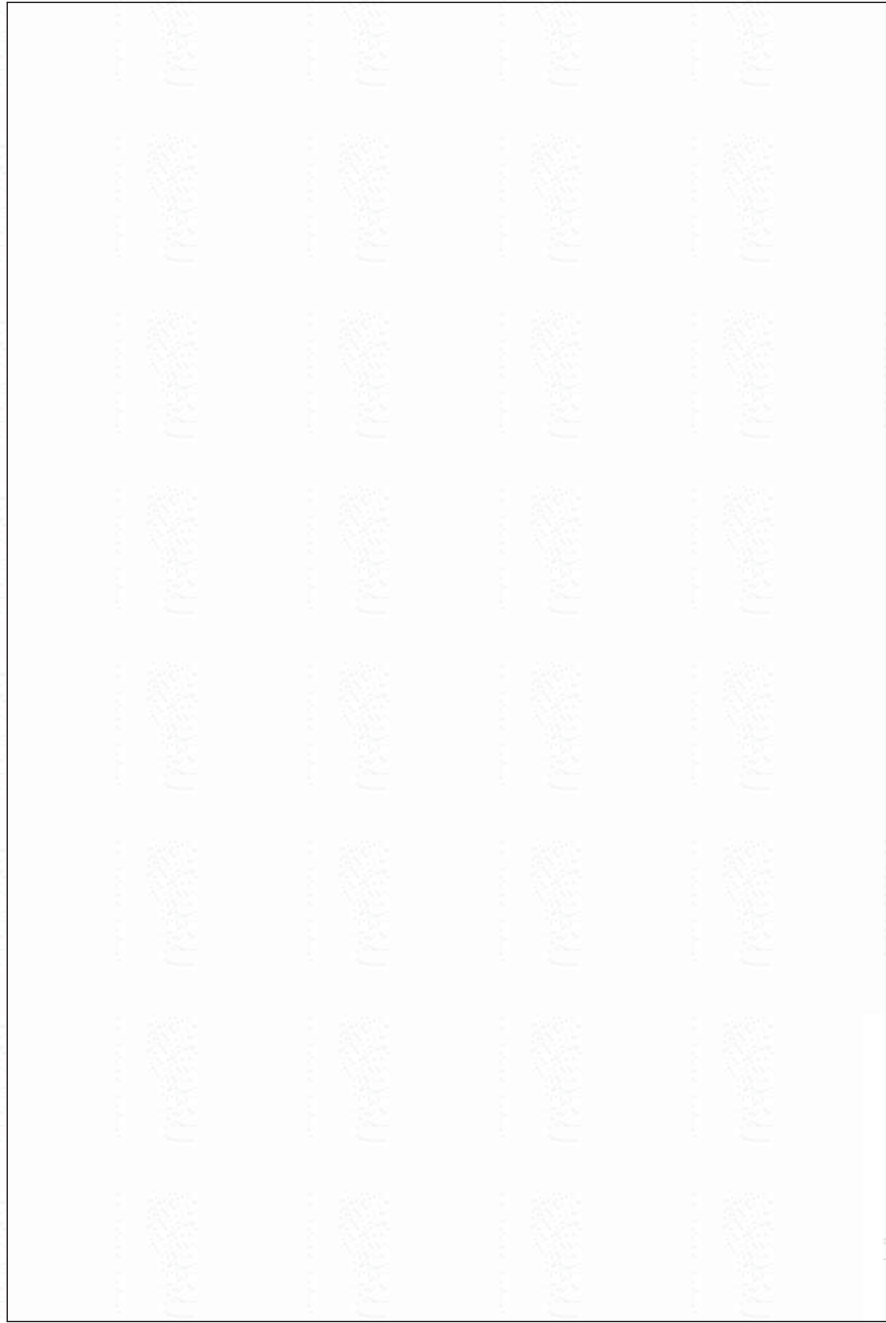
© COPYRIGHT  
ALL RIGHTS RESERVED. NO REPRODUCTION  
OR RESALE WITHOUT WRITTEN CONSENT OF  
STALS ARCHITECTS

ISSUE:

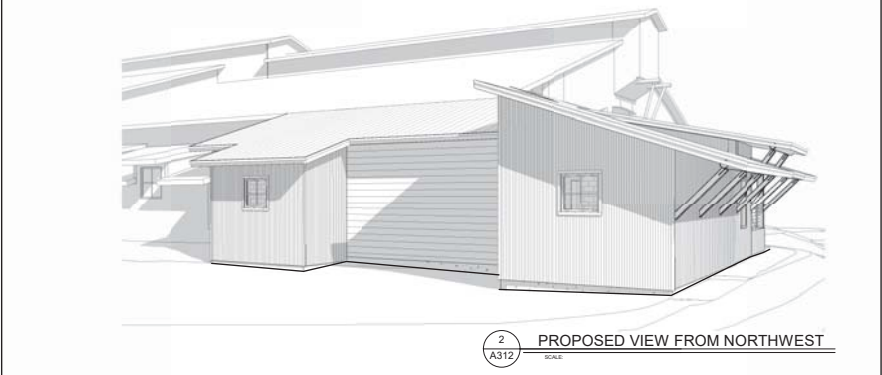
50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

EXTERIOR  
PERSPECTIVES  
**craft**  
A311

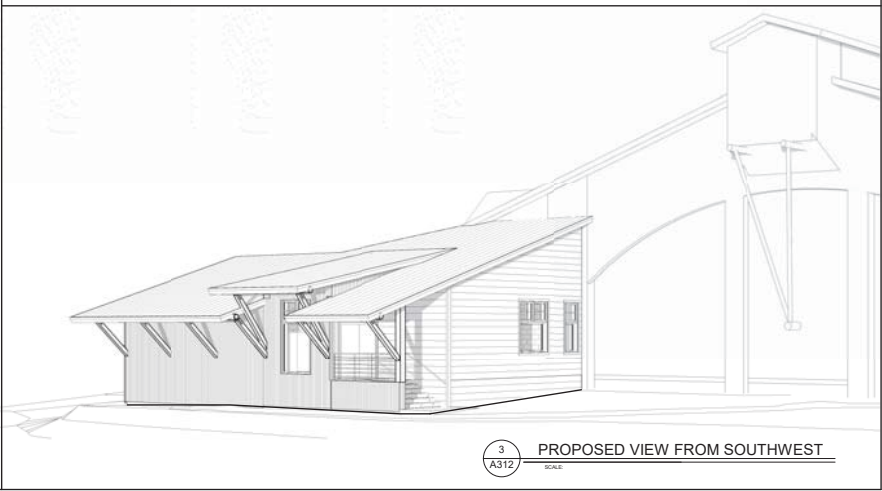
11/02/2019 2:07:31 PM I:\1835 track los locos\msa\reserv\VT\building\030 track los locos\3D\MODEL...TOE PLANNING.rvt



1 PROPOSED VIEW FROM NORTHEAST  
SCALE



2 PROPOSED VIEW FROM NORTHWEST  
SCALE



3 PROPOSED VIEW FROM SOUTHWEST  
SCALE



matthew stala architects  
108 north ridge street  
p o box 135  
breckenridge  
colorado 80424  
970 453 0444

www.stalarchitects.com

stephen c west ice  
arena addition  
TOG project #302105007  
180 horses case rd  
breckenridge, colorado  
MSA PROJECT # 1835

© COPYRIGHT  
ALL RIGHTS RESERVED. NO REPRODUCTION  
OR RESALE WITHOUT WRITTEN CONSENT OF  
PROJECTS.

ISSUE:

50% des dev1	30 oct 2018
planning	11 dec 2018
100% des dev1	20 dec 2018
planning rev 1	17 jan 2019

EXTERIOR  
PERSPECTIVES  
**craft**  
A312



## Scheduled Meetings

**Shading indicates Council required attendance – others are optional**

*The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.*

### February 2019

<b>Tuesday, Feb. 12, 2019</b>	<b>3:00pm / 7:00 pm</b>	<b>Town Hall Chambers</b>	<b>First Meeting of the Month</b>
Feb. 19th, 2019	Noon - 5:00pm	Residence Inn	InterVISTA & Retreat
Feb. 21st, 2019	4:30pm - 5:30pm	Breck Nordic Center	Happy Hour with the Mayor
<b>Tuesday, Feb. 26, 2019</b>	<b>3:00pm / 7:00 pm</b>	<b>Town Hall Chambers</b>	<b>Second Meeting of the Month</b>

### March 2019

March 5th, 2019	4:30pm - 7:00pm	Main Street / Riverwalk	Mardi Gras
<b>Tuesday, March 12, 2019</b>	<b>3:00pm / 7:00 pm</b>	<b>Town Hall Chambers</b>	<b>First Meeting of the Month</b>
<b>Tuesday, March 26, 2019</b>	<b>3:00pm / 7:00 pm</b>	<b>Town Hall Chambers</b>	<b>Second Meeting of the Month</b>

### Other Meetings

February 6th, 2019	Childcare Advisory Committee	3:00pm
February 12th, 2019	Board of County Commissioners Meeting Workforce Housing Committee	9:00am / 1:30pm 1:30pm
February 13th, 2019	Breckenridge Heritage Alliance	Noon
February 14th, 2019	Upper Blue Sanitation District	5:30pm
February 18th, 2019	Troll Committee Meeting	9:00am
February 19th, 2019	Board of County Commissioners Meeting Liquor & Marijuana Licensing Authority Planning Commission Meeting	9:00am 9:00am 5:30pm
February 25th, 2019	Open Space & Trails Meeting	5:30pm
February 26th, 2019	Board of County Commissioners Meeting	9:00am / 1:30pm
February 27th, 2019	Summit Stage Transit Board Meeting Summit Combined Housing Authority	8:15am 9:00am
February 28th, 2019	Transit Advisory Council Meeting Breckenridge Tourism Office Board Meeting Northwest CO Council of Governments	8:00am 8:30am 10:00am
March 5th, 2019	Board of County Commissioners Meeting Planning Commission Meeting	9:00am 5:30pm
March 6th, 2019	Breckenridge Events Committee I-70 Coalition Childcare Advisory Committee	9:00am 10:00am 3:00pm
March 7th, 2019	QQ - Quality and Quantity - Water District CAST	9:00am Noon





## Scheduled Meetings

**Shading indicates Council required attendance – others are optional**

*The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.*

March 12th, 2019	Board of County Commissioners Meeting Workforce Housing Committee	9:00am / 1:30pm 1:30pm
March 14th, 2019	Upper Blue Sanitation District	5:30pm
March 18th, 2019	Breckenridge Creative Arts	4:00pm
March 19th, 2019	Board of County Commissioners Meeting Liquor & Marijuana Licensing Authority Planning Commission Meeting	9:00am 9:00am 5:30pm
March 25th, 2019	Open Space & Trails Meeting	5:30pm
March 26th, 2019	Board of County Commissioners Meeting	9:00am / 1:30pm
March 27th, 2019	Summit Stage Transit Board Meeting Summit Combined Housing Authority	8:15am 9:00am
March 28th, 2019	Transit Advisory Council Meeting Breckenridge Tourism Office Board Meeting Northwest CO Council of Governments RW&B Board Meeting	8:00am 8:30am 10:00am 3:00pm