



BRECKENRIDGE TOWN COUNCIL REGULAR MEETING

Tuesday, August 08, 2017; 7:00 PM

Town Hall Auditorium

| | | |
|-------------|--|-----------|
| I | CALL TO ORDER, ROLL CALL | |
| II | APPROVAL OF MINUTES - JULY 25, 2017 | 2 |
| III | APPROVAL OF AGENDA | |
| IV | COMMUNICATIONS TO COUNCIL | |
| | A. CITIZEN'S COMMENT - (NON-AGENDA ITEMS ONLY: 3-MINUTE LIMIT PLEASE) | |
| | B. BRECKENRIDGE TOURISM OFFICE UPDATE | |
| V | CONTINUED BUSINESS | |
| | A. SECOND READING OF COUNCIL BILLS, SERIES 2017 - PUBLIC HEARINGS | |
| VI | NEW BUSINESS | |
| | A. FIRST READING OF COUNCIL BILLS, SERIES 2017 - PUBLIC HEARINGS | |
| | 1. COUNCIL BILL NO. 24, SERIES 2017 - AN ORDINANCE REPEALING CHAPTER 15 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE CONCERNING STREET USE PERMITS; AND AMENDING THE MODEL TRAFFIC CODE FOR COLORADO, 2010 EDITION, BY PROHIBITING THE OPERATION OF HORSEDRAWN CARRIAGES, PEDAL BUSES, AND PEDICABS ON THE STREETS AND HIGHWAYS OF THE TOWN UNLESS AUTHORIZED BY A SPECIAL EVENTS PERMIT | 5 |
| | B. RESOLUTIONS, SERIES 2017 | |
| | C. OTHER | |
| VII | PLANNING MATTERS | |
| | A. PLANNING COMMISSION DECISIONS | 13 |
| VIII | REPORT OF TOWN MANAGER AND STAFF | |
| IX | REPORT OF MAYOR AND COUNCILMEMBERS | |
| | A. CAST/MMC (MAYOR MAMULA) | |
| | B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (MR. BERGERON) | |
| | C. BRECKENRIDGE TOURISM OFFICE (MS. GIGLIELLO) | |
| | D. BRECKENRIDGE HERITAGE ALLIANCE (MS. WOLFE) | |
| | E. WATER TASK FORCE (MR. DUDICK) | |
| | F. BRECKENRIDGE CREATIVE ARTS (MS. LAWRENCE) | |
| | G. BRECKENRIDGE EVENTS COMMITTEE (MS. LAWRENCE) | |
| X | OTHER MATTERS | |
| XI | SCHEDULED MEETINGS | 18 |
| XII | ADJOURNMENT | |

*Report of the Town Manager, Report of Mayor and Council Members; Scheduled Meetings and Other Matters are topics listed on the 7:00 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items. The Town Council may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item.

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CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of July 25, 2017 to order at 7:00 pm. The following members answered roll call: Mr. Dudick, Mr. Bergeron, Ms. Lawrence, Mr. Burke, Ms. Wolfe, Ms. Gigliello and Mayor Mamula.

APPROVAL OF MINUTES - JULY 11, 2017

With no changes or corrections to the meeting minutes of July 11, 2017, Mayor Mamula declared they would stand approved as submitted.

APPROVAL OF AGENDA

Mr. Holman stated there were two changes to the agenda: 1) Under New Business to add the first reading of Council Bill No. 23, Series 2017, an emergency ordinance that will replace the Resolution scheduled to approve a lease. 2) Remove Resolution No. 20, Series 2017. Mayor Mamula declared the agenda approved with these changes.

COMMUNICATIONS TO COUNCIL

A. Citizen's Comment - (Non-Agenda Items ONLY: 3-minute limit please)

Mayor Mamula opened Citizen's Comment. There were no comments and Citizen's Comment was closed.

B. Breckenridge Ski Resort Update

Mr. John Buhler, COO of Breckenridge Ski Resort, stated the Epic Discovery Alpine Camp opened last Friday, including a climbing wall, an alpine walking loop with activities, and story stakes. He further stated the Peak 10 Falcon Lift construction is going as planned, adding a 6-person lift, and Vail Resorts announced a new sustainability initiative with a 2030 commitment to zero net emissions, including \$25 million spent in energy-saving initiatives across the company. Council also noted the Ski Resort environmental manager is on the Town's Sustainability Task Force. Mayor Mamula asked about lights at Pioneer Crossing remaining on at night, and Mr. Buhler stated he will take care of that, possibly with a timer.

Mr. Buhler then read a prepared statement about Vail Resorts' stance on parking in the Town of Breckenridge. As part of the statement, Mr. Buhler stated Vail Resorts believes the Town is short of 500 spaces in the core and the Town is going back on its promise. Mayor Mamula responded that the Town is moving forward with approximately 600 spaces, and this council has explored many options up to this point and is still willing to work with Vail Resorts if they can come to the table for something next to Gondola lots.

CONTINUED BUSINESS

A. Second Reading of Council Bills, Series 2017 - Public Hearings

1. COUNCIL BILL NO. 22, SERIES 2017 - AN ORDINANCE AMENDMENT CONCERNING AUTHORITY TO ENFORCE PARKING REGULATIONS

Mayor Mamula read the title into the minutes. Mr. Tim Berry stated there were no changes to this ordinance from first reading.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 22, SERIES 2017 - AN ORDINANCE AMENDMENT CONCERNING AUTHORITY TO ENFORCE PARKING REGULATIONS. Mr. Burke seconded the motion.

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The motion passed 7-0.

NEW BUSINESS

- A. First Reading of Council Bills, Series 2017 - Public Hearings
 - 1. COUNCIL BILL NO. 23, SERIES 2017 - AN ORDINANCE APPROVING A LEASE-PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE, LLC (Lease Number 205913000)
Mayor Mamula read the title into the minutes. Mr. Tim Berry stated this Emergency Ordinance would approve a lease with PNC, LLC for the lease-purchase of golf cart GPS units. He further stated this ordinance replaces the Resolution scheduled for this meeting, and it is necessary for mortgaging personal property. He further stated this ordinance is drafted as emergency ordinance to allow the Town to close on the financing immediately, and it is functionally the same as the proposed Resolution, and would become effective immediately. Mr. Burke asked about other lease-purchase agreements going before Council, and Mr. Berry stated it was a common procedure and a requirement of Town Code.
Mr. Bergeron moved to approve COUNCIL BILL NO. 23, SERIES 2017 - AN ORDINANCE APPROVING A LEASE-PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE, LLC (Lease Number 205913000). Ms. Gigliello seconded the motion.
The motion passed 7-0.
- B. Resolutions, Series 2017
- C. Other

PLANNING MATTERS

- A. Planning Commission Decisions
With no request to call an item off the consent calendar, Mayor Mamula declared the Planning Commission Decisions would stand approved as presented.

REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated he did not have an update for the Council.

REPORT OF MAYOR AND COUNCILMEMBERS

All reports of Mayor and Council members were covered during the afternoon work session.

- A. Cast/MMC (Mayor Mamula)
- B. Breckenridge Open Space Advisory Committee (Mr. Bergeron)
- C. Breckenridge Tourism Office (Ms. Gigliello)
- D. Breckenridge Heritage Alliance (Ms. Wolfe)
- E. Water Task Force (Mr. Dudick)
- F. Breckenridge Creative Arts (Ms. Lawrence)
- G. Breckenridge Events Committee (Ms. Lawrence)

OTHER MATTERS

There were no other matters to discuss.

SCHEDULED MEETINGS

ADJOURNMENT

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With no further business to discuss, the meeting adjourned at 7:15 pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor

DRAFT

MEMORANDUM

To: Mayor and Town Council
From: Rick Holman, Town Manager
Date: August 2, 2017 (For August 8th Council Meeting)
Subject: An Emergency Ordinance Repealing Town Code Concerning Street Use Permits

Attached to this memorandum is an “Emergency” ordinance that would repeal a section of the Town Code that allows for certain activities to occur in the Town via a Street Use Permit. In the past those activities that were governed by this section of the code included the horse and carriage ride, pedicabs, and a pedal bus. There are currently no active permits and no applications for permits for any of these described activities. Staff is recommending at this time that we pass an emergency ordinance that would take effect immediately prohibiting these types of activities on Town streets/highways. Due to the increased traffic congestion the Town has been experiencing over the past several years and number of complaints we have received reference slow moving vehicles, such as the types allowed by permit under the current ordinance, staff feels it is important to act expeditiously and preserve the safety and welfare of the community.

Any of these types of previously described activities could still be approved in the future, on a limited basis, as part of a special event permit. I will be available at the work session to discuss this with the Council.

1 ***FOR WORKSESSION/ADOPTION AS AN***
2 ***EMERGENCY ORDINANCE – AUG. 8***

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

6
7 COUNCIL BILL NO. ____

8
9 Series 2017

10
11 AN ORDINANCE REPEALING CHAPTER 15 OF TITLE 4 OF THE BRECKENRIDGE
12 TOWN CODE CONCERNING STREET USE PERMITS; AND AMENDING THE MODEL
13 TRAFFIC CODE FOR COLORADO, 2010 EDITION, BY PROHIBITING THE OPERATION
14 OF HORSEDRAWN CARRIAGES, PEDAL BUSSES, AND PEDICABS ON THE STREETS
15 AND HIGHWAYS OF THE TOWN UNLESS AUTHORIZED BY A SPECIAL EVENTS
16 PERMIT

17
18 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
19 COLORADO:

20
21 Section 1. Chapter 15 of Title 4 of the Breckenridge Town Code, entitled “Permits
22 Required to Conduct Certain Business on Town Streets,” is repealed.

23
24 Section 2. Section 6-3H-5(G) of the Breckenridge Town Code is amended to read as
25 follows:

26
27 ~~G. Pedicabs may lawfully be operated on the Riverwalk only from November 1~~
28 ~~through the end of the ski season at the Breckenridge ski area. It is unlawful to~~
29 ~~operate a pedicab on the Riverwalk at any other time. It is unlawful to operate a~~
30 ~~pedal bus or a pedicab on the Riverwalk unless authorized by a special event~~
31 ~~permit issued pursuant to Chapter 13 of Title 4 of this Code at any time.~~

32
33 Section 3. In Section 7-1-2 of the Breckenridge Town Code, the list of additional
34 definitions added to Appendix I (Definitions) of the Model Traffic Code for Colorado, 2010
35 edition, is amended by the addition of the following definition:

36
HORSEDRAWN CARRIAGE: **A wheeled vehicle pulled by a horse and**
used to carry people.

37
38 Section 4. Section 7-1-2 of the Breckenridge Town Code is amended by the addition of
39 the following additional amendment to the Model Traffic Code for Colorado, 2010 edition:

40
41 Section 109(8) of the adopted code is amended so as to read in its entirety as
42 follows:

1
2 (8) Persons riding or leading animals on or along a highway shall ride or lead
3 such animals on the left side of said highway, facing approaching traffic. This
4 shall not apply to persons driving herds of animals along highways. **No person**
5 **shall drive a horsedrawn carriage on the streets or highways within the Town**
6 **unless authorized by a special event permit issued pursuant to Chapter 13 of**
7 **Title 4 of this Code.**
8

9 Section 5. That portion of Section 7-1-2 of the Breckenridge Town Code that pertains to
10 Section 1417 of the Model Traffic Code for Colorado, 2010 edition, is amended to read as
11 follows:

12
13 The adopted code is amended by the addition of a new section 1417, to be entitled
14 “Operation Of Pedicabs **Prohibited.**” which shall read in its entirety as follows:

15
16 1417. Operation Of Pedicabs **Prohibited. No person shall operate a pedicab on**
17 **the streets and highways with the Town unless authorized by a special event**
18 **permit issued pursuant to Chapter 13 of Title 4 of this Code.**
19

20 (1) Every person operating a pedicab shall have all of the rights and duties
21 applicable to the driver of any other vehicle under this code, except as to special
22 regulations in this code and except as to those provisions which by their nature
23 can have no application. Said operators shall comply with the rules set forth in
24 this section when using the streets and highways within the town.

25 (2) No pedicab shall be operated on Colorado Highway 9 (Park Avenue) south of
26 the intersection of Colorado Highway 9 (Park Avenue) and South Main Street and
27 north of the intersection of Colorado Highway 9 (Park Avenue) and Village Road
28 within the town. Pedicabs may lawfully be operated on Colorado Highway 9
29 (Park Avenue) between the intersection of Colorado Highway 9 (Park Avenue)
30 and South Main Street and the intersection of Colorado Highway 9 (Park Avenue)
31 and Village Road within the town, subject to the other rules described in this
32 section. It shall not be a violation of this section if a pedicab is operated on
33 Colorado Highway 9 in a direct route to and from the pedicab’s garage facility if
34 no passengers are carried when the pedicab is traveling on such route and if the
35 pedicab is otherwise operated to the other rules described in this section.

36 (3) No pedicab shall be used to carry more persons at one time than the number
37 for which it is designed or equipped.

38 (4) No person operating upon any pedicab shall attach the same or himself or
39 herself to any motor vehicle upon a roadway.

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

43 (1) If the right hand lane then available for traffic is wide enough to be safely
44 shared with overtaking vehicles, a pedicab operator shall ride far enough to the
45 right as judged safe by the pedicab operator to facilitate the movement of such

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

1 in the new direction.

2 (e) Notwithstanding the provisions of paragraphs (a) and (b) of this subsection
3 (8), the police chief may cause official traffic control devices to be placed on
4 roadways and thereby require and direct that a specific course be traveled.

5 (9)(a) Except as otherwise provided in this subsection (9), every person operating
6 a pedicab shall signal the intention to turn or stop in accordance with section 903;
7 except that a person operating a pedicab may signal a right turn with the right arm
8 extended horizontally.

9 (b) A signal of intention to turn right or left when required shall be given
10 continuously during not less than the last one hundred feet traveled by the pedicab
11 before turning and shall be given while the pedicab is stopped waiting to turn. A
12 signal by hand and arm need not be given continuously if the hand is needed in
13 the control or operation of the pedicab.

14 (10) A person shall not operate a pedicab on a sidewalk, except when necessary to
15 cross a street or highway.

16 (11)(a) A person may not park a pedicab on a sidewalk.

17 (b) Pedicabs parked anywhere on a street shall conform to the provisions of part
18 12 of this code regulating the parking of vehicles.

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

27 (b) A person operating a pedicab approaching a steady red traffic control signal
28 shall stop before entering the intersection, except that a person after slowing to a
29 reasonable speed and yielding the right of way if required, may cautiously make a
30 right hand turn without stopping or may cautiously make a left hand turn onto a
31 one-way roadway without stopping.

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

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

36 (14) Upon request, the law enforcement agency having jurisdiction shall complete
37 a report concerning an injury or death incident that involves a pedicab anywhere
38 within the town, even if such accident does not involve a motor vehicle.

39
40 Section 6. That portion of Section 7-1-2 of the Breckenridge Town Code that pertains to
41 Section 1418 of the Model Traffic Code for Colorado, 2010 edition, is amended to read as
42 follows:

43
44 The adopted code is amended by the addition of a new section 1418, to be entitled
45 "Operation Of Pedal Busses **Prohibited**," which shall read in its entirety as
46 follows:

1
2 **1418. Operation Of Pedal Busses ~~Prohibited.~~ ~~No person shall operate a pedal~~**
3 **~~bus on the streets and highways with the Town unless authorized by a special~~**
4 **~~event permit issued pursuant to Chapter 13 of Title 4 of this Code.~~**
5

6 (1) A pedal bus is a "vehicle" as defined in this code. All code sections that are
7 applicable to vehicles shall apply to pedal busses. A pedal bus shall have all of the
8 equipment that a vehicle is required to have under this code.

9 (2) Every person operating a pedal bus on the streets within the town shall have
10 all of the rights and duties applicable to the driver of any other vehicle under this
11 code, except as to those rights and duties which by their nature can have no
12 application. Every person operating a pedal bus shall comply with the rules set
13 forth in this section, the other applicable rules of this code, and all other
14 applicable laws, rules, and regulations when using the streets within the town.

15 (3) The driver or operator of a pedal bus must be at least 18 years of age. When
16 operating a pedal bus on the streets within the town the driver or operator shall
17 have in his or her immediate possession a valid Colorado driver's license.

18 (4) No pedal bus shall be operated on Colorado Highway 9 (Park Avenue) south
19 of the intersection of Colorado Highway 9 (Park Avenue) and South Main Street
20 and north of the intersection of Colorado Highway 9 (Park Avenue) and Village
21 Road within the town. Pedal busses may lawfully be operated on Colorado
22 Highway 9 (Park Avenue) between the intersection of Colorado Highway 9 (Park
23 Avenue) and South Main Street and the intersection of Colorado Highway 9 (Park
24 Avenue) and Village Road within the town, subject to the other rules described in
25 this section.

26 (5) No pedal bus shall be used to carry more persons at one time than the number
27 for which it is designed or equipped.

28 (6) At all times when a pedal bus is operated on the streets within the town the
29 owner of a pedal bus shall maintain in effect a policy of comprehensive
30 commercial general liability insurance with limits of liability not less than one
31 million dollars (\$1,000,000) per occurrence, and fifty thousand dollars (\$50,000)
32 for property damage. The town shall be named as an additional insured under
33 such insurance policy. An ACORD form 27, or other certificate of insurance
34 acceptable to town clerk, shall be completed by the owner's insurance agent and
35 provided to the town clerk as evidence that policies prior to commencement of the
36 operations of the pedal bus on the town streets, and on each renewal or
37 replacement of the policy during the time the pedal bus is being operated on the
38 town streets. No pedal bus may be operated on a town street unless the required
39 insurance is in effect and proof thereof has been provided to the town clerk as
40 required by this subsection.

41 (7) Any person who violates any provision of this section commits a misdemeanor
42 traffic offense.

43 (8) Upon request, the law enforcement agency having jurisdiction shall complete
44 a report concerning an injury or death incident that involves a pedal bus anywhere
45 within the town, even if such accident does not involve a motor vehicle.
46

1 Section 7. The definitions of “pedal bus” and “pedicab” in Section 8-2-3 of the
2 Breckenridge Town Code are deleted.

3
4 Section 8. Section 8-2-14-1 of the Breckenridge Town Code is repealed.

5
6 Section 9. Except as specifically amended hereby, the Breckenridge Town Code, and the
7 various secondary codes adopted by reference therein, shall continue in full force and effect.

8
9 Section 10. The Town Council hereby finds, determines and declares that this ordinance
10 is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
11 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
12 thereof.

13
14 Section 11. The Town Council hereby finds, determines and declares that it has the
15 power to adopt this ordinance pursuant to: (i) Section 42-4-110(1)(a), C.R.S.; (ii) Section 42-4-
16 111, C.R.S.; (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section
17 31-15-401, C.R.S.(concerning municipal police powers); (v) Section 31-15-702, C.R.S.
18 (concerning the regulation of municipal streets and alleys); (vi) the authority granted to home
19 rule municipalities by Article XX of the Colorado Constitution; and (vii) the powers contained in
20 the Breckenridge Town Charter.

21
22 Section 12. The Town Council of the Town of Breckenridge hereby finds, determines and
23 declares that an emergency exists and that this ordinance is necessary for the immediate
24 preservation of public property, health, welfare, peace or safety in order to prevent the
25 submission of an application for a street use permit pursuant to Chapter 15 of Title 4 of the
26 Breckenridge Town Code before this ordinance would become effective if adopted as a non-
27 emergency ordinance. The Town Council further determines that the adoption of this ordinance
28 as an emergency ordinance is in the best interest of the citizens of the Town of Breckenridge.

29
30 Section 13. Pursuant to Section 5.11 of the Breckenridge Town Charter this ordinance
31 shall take effect and be in full force upon adoption of this ordinance by the affirmative votes of at
32 least five (5) members of the Town Council; provided, however, that Sections 3 through 6,
33 inclusive, of this ordinance shall not become effective with respect to any state highway located
34 within the corporate limits of the Town of Breckenridge until it has been approved by the
35 Colorado Department of Transportation pursuant to Sections 42-4-110(1)(e) and 43-2-135(1)(g),
36 C.R.S.

37
38 Section 14. This ordinance shall be published in full within ten (10) days after adoption,
39 or as soon thereafter as possible, as required by Section 5.11 of the Breckenridge Town Charter.

40
41 ADOPTED AND APPROVED as an Emergency Ordinance this ____ day of _____,
42 2017.

TOWN OF BRECKENRIDGE, a Colorado
municipal corporation

By: _____
Eric S. Mamula, Mayor

ATTEST:

Helen Cospolich, CMC,
Town Clerk

APPROVED IN FORM

Town Attorney

MEMORANDUM

To: Town Council

From: Peter Grosshuesch, Director of Community Development

Date: August 2, 2017

Re: Planning Commission Decisions of the August 1, 2017, Meeting.

DECISIONS FROM THE PLANNING COMMISSION AGENDA OF August 1, 2017:

CLASS C APPLICATIONS:

1) Joos Residence Addition and Accessory Apartment, PL-2017-0233; 502 Wellington Rd.

A proposal to construct a 2,428 sq. ft. addition to an existing 1,226 sq. ft. single family residence, including a full remodel of the existing residence to include a 420 sq. ft. accessory apartment. Total density of 3,168 sq. ft and a mass of 3,681 sq. ft. for a FAR of 1:0.13. *Approved.*

CLASS B APPLICATIONS:

1) Ploss Residence, PL-2017-0153; 305 N. French Street

A proposal to construct a new 4 bedroom, 4.5 bathroom single-family residence along North French Street, with a 1 bedroom, 2 bathroom bunkhouse and 3-car garage along the Ridge Street Alley; with demolition of an existing single family home prior to construction. Total density of 3,988 sq. ft. and a mass of 3,949 sq. ft. Above ground density is 3,208 sq. ft. (9 UPA). *Approved.*

CLASS A APPLICATIONS: None.

TOWN PROJECT HEARINGS: None.

OTHER: None.



printed 4/11/2017

Breckenridge South



PLANNING COMMISSION MEETING

The meeting was called to order at 5:30pm by Vice Chair Leidal.

ROLL CALL

Christie Mathews-Leidal Jim Lamb Ron Schuman
Mike Giller Steve Gerard
Dan Schroder - Absent Gretchen Dudney - Absent

APPROVAL OF MINUTES

- Page 4, Ms. Leidal supports land marking designation, prefers to see the covered walkway removed because it wasn't in our period of significance.

With the above changes, the July 18, 2017, Planning Commission Minutes were approved.

APPROVAL OF AGENDA

- Under Other Matters, add Planning Commission field trip.

With the above change, the August 1, 2017, Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No Comments

CONSENT CALENDAR:

- 1) Joos Residence Addition and Accessory Apartment (CL), PL-2017-0233; 502 Wellington Rd.

Commissioner Questions / Comments:

Mr. Gerard: The proposed lighting is not dark sky lighting fixture and it should be. (Mr. LaChance: Thank you. I see now that you are correct that the proposed fixture appears to also cast light upwards and therefore would not be compliant with our Exterior Lighting requirements. We could add a Condition of Approval and require a complaint fixture to be submitted prior to issuance of a Building Permit.) (Ms. Puester: There is already a standard Condition of Approval in the Findings and Conditions of the Development Permit that requires this, so we are fine.)

With above call ups, the Consent Calendar was approved.

TOWN COUNCIL REPORT:

Mr. Truckey presented:

- The Council looked at options for a parking structure location. The four locations were the Ice Arena, F-Lot, Tiger Dredge Lot, & Wellington East Sawmill Lot. The Council preferred the Tiger Dredge lot location and will be doing further exploration of this option moving forward. We will need to amend the Conservation District map because it now includes the Tiger Dredge Lot and F Lot within the Transition Area.

Commissioner Questions / Comments:

No Comments.

FINAL HEARINGS:

1) Ploss Residence (CK), PL-2017-0153; 305 N. French Street

Mr. Kulick presented a proposal to construct a new 4 bedroom, 4.5 bathroom single-family residence along North French Street, with a 1 bedroom, 2 bathroom bunkhouse and 3-car garage along the Ridge Street Alley.

Commissioner Questions / Comments:

Mr. Schuman: Who will receive the easement? The town or the applicant? (Ms. Allen-Sabo – The applicant would like to. We hope that the town will work with them on that.)

Ms. Leidal: Beautiful landscaping. What is the condition of the existing trees? Can they be saved? (Ms. Allen-Sabo: Two builders say there is no way to save them. They are just too close to the building site.) (Mr. Kulick: I feel the new trees will actually be better than the existing lodgepole trees because they are near the end of their life-span.)

Ms. Leidal: Will all the new trees be on your property? (Ms. Allen-Sabo: Yes. Does the plan show otherwise?) Ms. Leidal: Yes. Also, do you have details for the proposed fence? (Mr. Kulick: We should add a condition of approval since they haven't decided on the fence details.)

Ms. Allen-Sabo: The reason a wall is necessitated is because of waterproofing around the heated patio and livable space underneath. We looked at several of your suggestions but nothing would work properly. (Mr. Giller: I think this works with the structure issue.)

Mr. Kulick: We can have the applicant submit a Class D Minor Application for the fence just to be certain it complies with the Handbook of Design Standards.

Final Commissioner Questions / Comments:

Mr. Lamb: The project has come a long way and is a good looking structure. Not a typical lot due to the slope and it caused challenges with the wall. I think it now meets development code 100%.

Mr. Schuman: I feel all the conditions have been met. I like the spruce trees and I think the rock wall is a good design. I support the project.

Mr. Giller: I like how it cascades down the slope and some items have been tucked into that slope. I agree with the three questions asked.

Mr. Gerard: I like that the front and the back look different. The front view is consistent with the historic district. The back view is more contemporary and it fits in with the commercial area. I agree with the three questions. I think the patio wall has become much more attractive. The landscaping is good but I would like to see you preserve the existing trees if you can.

Ms. Leidal: I agree with my fellow commissioners comments. I think it is a good looking building. I support staff analyses, the three questions asked, and the point analysis.

Motion to add new condition 25. *All fencing shall comply with the Handbook of Design Standards and be reviewed as a separate permit.* The remainder of the conditions were re-numbered thereafter.

Mr. Schuman made a motion to approve with the addition of condition 25 above. The motion was seconded by Mr. Giller. The motion passed unanimously.

OTHER MATTERS:

- Commissioner field trip. Thinking of Aspen at the end of October as a day trip or overnight trip. I will meet with the Aspen commission to see if it works with their schedule. (Everyone is ok with overnights, they suggested seeing tiny houses, the art museum, a stop in basalt. Also roof top patios and higher buildings. Historic additions. Retail and parking structure in Snowmass.)

ADJOURNMENT:

The meeting was adjourned at 6:18 pm.

Christie Mathews-Leidal, Vice Chair



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.

August 2017

| | | | |
|--------------------------|------------------|-------------------------|------------------------------|
| Tuesday, August 8, 2017 | 3:00pm / 7:00 pm | Town Hall Chambers | First Meeting of the Month |
| Friday, August 11, 2017 | All Day | Throughout Breckenridge | CO Classic Bike Race |
| Tuesday, August 22, 2017 | 3:00pm / 7:00 pm | Town Hall Chambers | Second Meeting of the Month |
| Friday, August 25, 2017 | 5:30pm - 7:00pm | CMC | 50th Anniversary Celebration |

September 2017

| | | | |
|-------------------------|------------------|----------------------|-----------------------------|
| Saturday, Sept. 2, 2017 | 10:30am | Along the Blue River | Rubber Duck Race |
| Sept. 8 - 10, 2017 | All Day | Main Street | Oktoberfest |
| Tuesday, Sept. 12, 2017 | 3:00pm / 7:00 pm | Town Hall Chambers | First Meeting of the Month |
| Tuesday, Sept. 26, 2017 | 3:00pm / 7:00 pm | Town Hall Chambers | Second Meeting of the Month |

Other Meetings

| | | |
|----------------------|--|---------|
| August 8th, 2017 | Board of County Commissioners Meeting | 1:30pm |
| | Workforce Housing Committee | 1:30pm |
| August 9th, 2017 | Breckenridge Heritage Alliance | Noon |
| August 10th, 2017 | Upper Blue Sanitation District | 5:30pm |
| August 15th, 2017 | Breck Forward Task Force Meeting | 8:00am |
| | Liquor & Marijuana Licensing Authority | 9:00am |
| | Board of County Commissioners Meeting | 1:30pm |
| | Planning Commission Meeting | 5:30pm |
| August 28th, 2017 | Open Space & Trails Meeting | 5:30pm |
| August 22nd, 2017 | Board of County Commissioners Meeting | 1:30pm |
| August 23rd, 2017 | Summit Combined Housing Authority | 9:00am |
| August 24th, 2017 | Breckenridge Tourism Office Board Meeting | 8:30am |
| | Northwest Council of Governments | 10:00am |
| | RW&B Board Meeting | 3:00pm |
| August 25th, 2017 | CAST | 7:45am |
| August 28th, 2017 | Open Space & Trails Meeting | 5:30pm |
| September 6th, 2017 | Breckenridge Events Committee | 9:00am |
| | Childcare Advisory Committee | 3:00pm |
| September 18th, 2017 | Breckenridge Creative Arts | 4:15pm |
| October 4th, 2017 | Police Advisory Committee | 7:30am |
| October 12th, 2017 | I-70 Coalition | 1:00pm |
| Late Oct./Early Nov. | QQ - Quality and Quantity - Water District | 10:00am |