



TOWN OF
BRECKENRIDGE

Town Council Regular Meeting
Tuesday, August 11, 2020, 7:00 PM
VIRTUAL Council Chambers

This meeting will be broadcast live, but the public will NOT be permitted to attend the meeting in person due to COVID-19 concerns. If you are interested, please monitor the meeting by joining the live broadcast available online.

Log-in information is available in the calendar section of our website:
www.townofbreckenridge.com.

Questions and comments can be submitted prior to the meeting to Mayor@townofbreckenridge.com or during the meeting using the Q&A feature in the Online Webinar.

I. CALL TO ORDER, ROLL CALL

II. APPROVAL OF MINUTES

A. TOWN COUNCIL MINUTES - JULY 28 AND AUGUST 4, 2020

III. APPROVAL OF AGENDA

IV. COMMUNICATIONS TO COUNCIL

A. CITIZEN'S COMMENT (NON-AGENDA ITEMS ONLY; PLEASE SUBMIT COMMENTS IN ADVANCE TO MAYOR@TOWNOFBRECKENRIDGE.COM, OR USE THE Q&A FEATURE OF THE WEBINAR)

B. BRECKENRIDGE TOURISM OFFICE UPDATE

V. CONTINUED BUSINESS

A. SECOND READING OF COUNCIL BILLS, SERIES 2020 - PUBLIC HEARINGS

VI. NEW BUSINESS

A. FIRST READING OF COUNCIL BILLS, SERIES 2020

1. *COUNCIL BILL NO. 28, SERIES 2020 - AN ORDINANCE AMENDING CHAPTER 13 OF TITLE 4 OF THE BRECKENRIDGE TOWN CODE CONCERNING SPECIAL EVENTS*

2. *COUNCIL BILL NO. 29, SERIES 2020 - AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE," CONCERNING EXTERIOR LIGHTING*

3. *COUNCIL BILL NO. 30, SERIES 2020 - AN ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO (Town Open Space Parcel)*

4. *COUNCIL BILL NO. 31, SERIES 2020 - AN ORDINANCE AMENDING SECTION 9-1-*

21 OF THE BRECKENRIDGE TOWN CODE CONCERNING CORRELATIVE DOCUMENTS TO THE BRECKENRIDGE DEVELOPMENT CODE

B. RESOLUTIONS, SERIES 2020

C. OTHER

1. *A PROCLAMATION IN SUPPORT OF AMERICAN WIND WEEK*

VII. PLANNING MATTERS

A. PLANNING COMMISSION DECISIONS

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 (MS. GIGLIELLO)

C. BRECKENRIDGE TOURISM OFFICE (MR. KUHN)

D. BRECKENRIDGE HERITAGE ALLIANCE (MR. KUHN)

E. WATER TASK FORCE (MAYOR MAMULA)

F. BRECKENRIDGE CREATIVE ARTS

G. BRECKENRIDGE EVENTS COMMITTEE (MR. CARLETON)

H. CHILD CARE ADVISORY COMMITTEE (MS. OWENS)

I. WORKFORCE HOUSING COMMITTEE (MR. CARLETON)

J. SOCIAL EQUITY ADVISORY COMMISSION

X. OTHER MATTERS

XI. SCHEDULED MEETINGS

A. SCHEDULED MEETINGS FOR AUGUST, SEPTEMBER, AND EARLY OCTOBER

XII. ADJOURNMENT

**TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
VIRTUAL MEETING
Tuesday, July 28, 2020
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I) CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of July 28, 2020 to order at 7:04pm. The following members answered roll call: Mr. Bergeron, Ms. Gigliello, Ms. Owens, Mr. Gallagher, Mr. Carleton, Mr. Kuhn and Mayor Mamula.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – JULY 7, JULY 9 AND JULY 14, 2020

With no changes or corrections to the meeting minutes of July 7, July 9, and July 14, 2020, Mayor Mamula declared they would stand approved as presented.

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. Citizens were encouraged to email their comments in advance of the meeting or use the Q&A section of the webinar.

One webinar attendee (Ms. Leah Wachowski) asked about the status of the Diversity Commission. Ms. Gigliello stated we are hiring a consultant (The Equity Project, LLC) to help with this effort and are slowing down the effort to make sure we do things correctly. Mr. Holman stated we will be doing a full analysis to see where there might be gaps in our plans to make sure we are inclusive as possible. He further stated staff expects to come back to Council with training dates over the next two weeks or so, and this group will help guide the creation of the commission.

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

V) CONTINUED BUSINESS

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2020

B) RESOLUTIONS, SERIES 2020

C) OTHER

VII) PLANNING MATTERS

A) PLANNING COMMISSION DECISIONS

Planning Commission Decisions were approved as presented.

VIII) REPORT OF TOWN MANAGER AND STAFF

Mr. Holman stated he had no report.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

Reports of Mayor and Council Members were covered during the afternoon work session.

A. CAST/MMC

B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE

C. BRECKENRIDGE TOURISM OFFICE

D. BRECKENRIDGE HERITAGE ALLIANCE

E. WATER TASK FORCE

F. BRECKENRIDGE CREATIVE ARTS

G. BRECKENRIDGE EVENTS COMMITTEE

H. CHILD CARE ADVISORY COMMITTEE

I. WORKFORCE HOUSING COMMITTEE

J. SOCIAL EQUITY ADVISORY COMMISSION

X) OTHER MATTERS

Other matters were covered during the afternoon work session.

**TOWN OF BRECKENRIDGE
TOWN COUNCIL REGULAR MEETING
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Mayor Mamula thanked Mr. Gallagher for his service to the Town in his elected capacity and Mr. Gallagher thanked each of the council members for their work for the community, their dedication and their professionalism. He further stated he hopes to see everyone when he is back in Town.

XI) SCHEDULED MEETINGS

A) SCHEDULED MEETINGS FOR JULY, AUGUST AND SEPTEMBER

XII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:12pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor

DRAFT

**TOWN OF BRECKENRIDGE
TOWN COUNCIL SPECIAL MEETING
VIRTUAL MEETING
Tuesday, August 4, 2020
PAGE 1**

1 of 2

I) CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of August 4, 2020 to order at 8:06am. The following members answered roll call: Mr. Bergeron, Ms. Gigliello, Ms. Owens, Mr. Carleton, Mr. Kuhn and Mayor Mamula.

II) APPROVAL OF AGENDA

Mr. Holman stated there were no changes to the agenda.

III) NEW BUSINESS

IV) DISCUSSION ITEMS

A) RESULTS FROM THE BTO BUSINESS SURVEY & RESULTS FROM THE FOCUS GROUPS (THOSE HELD IN THE PAST WEEK)

Mr. Holman stated the purpose of today is to talk about several items related to COVID, including the business survey, Walkable Main Street and winter planning.

Ms. Haynes stated the business survey went out on July 20th and was distributed through several organizations with 88 responses, and 83% of respondents supporting extending Walkable Main through September. She further stated that for winter, restaurants will try to keep some outside seating and focus on takeout or delivery options, and retailers are looking for more online focus to shift business models and they would like the Town to look at changing signage regulations. Ms. Haynes stated that respondents supported keeping safety protocols through the winter in order to keep their businesses open.

Mayor Mamula stated for his business, weekends in September are typically very strong, and we may have more travelers this year with schools opening late so the entire month of September may be strong. He further stated September 28th might be the last day of Walkable Main Street. Ms. Gigliello stated that since Denver schools are doing online learning we may not slow down in September as we have done in prior years. She also stated she supports keeping Walkable Main going through the end of September. Mr. Bergeron, Mr. Kuhn and Mr. Carleton with Mayor Mamula and Ms. Gigliello. Ms. Haynes stated OktoberFeast will take place Sept. 26-Oct. 4, but it will be very different from Oktoberfest as in the past.

Council agreed to reopen the Main Street on Monday, September 28th. Council discussed the timing of free parking, and Mayor Mamula stated he would like to leave the Mask Zone ordinance in place indefinitely. Mayor Mamula also stated the Town's liquor service ordinance is superseded by the State's order, ending liquor sales and service at 10pm. Ms. Owens stated we need to not lose sight of how sending all the kids back to school will impact the community.

B) PLANNING FOR FALL AND WINTER

Mayor Mamula stated he feels we should look again at business support for the winter, depending on what happens with COVID and tourism. Mr. Holman stated staff plans to bring the CIP to Council at the second meeting in September, and then we'll bring the budget to Council the first meeting in October. He further stated we are going to look at the budget differently this year, and some of the conversations we are having now include how we can replicate the desire to be outdoors in the winter and how much additional funding we may need for those activities. Mr. Bergeron suggested making activities cost-neutral, for example hosting guided snowshoe hikes at low cost. Mayor Mamula stated he would like to see winter activation in the forest similar to the BCA Trail Mix project. Mr. Holman stated we have created an environment where people feel safe so they want to visit and they want things to do while they are here. Ms. Gigliello stated we could look into using the Recreation path for snowshoeing and cross-country skiing. Mr. Kuhn stated Baldy will be busy this winter as well, and we'll need to make sure we educate visitors about backcountry use if the ski area limits their use. Mayor Mamula stated people seem to feel safe here and we should continue to play to that sentiment. Mr. Bergeron noted that keeping the crowds outside may make the difference in keeping our town afloat during this difficult time. Mayor Mamula stated perhaps we look at adding snow sculptures all over Town this year in an effort to spread people out. Ms. Gigliello stated

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she would like to see some partnerships with businesses to promote outside and distanced activities this winter.

Mr. Bergeron suggested creating a town-sponsored website portal for people to purchase items or food online for take-out or delivery. Ms. Kay, Director of the BTO, stated that kind of information is on www.onebreckenridge.com, which is a more local-facing website. She further stated perhaps the BTO could take a look at creating a micro-site to link to online ordering and make it restaurant- and retail-focused. Ms. Kay stated a “white glove concierge service” could deliver food and products through an internal service and we are looking into it. Ms. Gigliello stated she loves this idea so that people don’t have rely on going out for food.

Mayor Mamula stated his restaurant is doing 500 to-go meals a night, and he wants the Town to plan this out logistically so there are good pick-up areas for easy to-go access this winter, especially with snow on the ground. He stated it would be cheaper and more sustainable to spend money on this effort than on rent relief.

Mr. Bergeron asked if there would be a separate meeting for trails ideas, and Mayor Mamula stated BOSAC needs to think through ideas.

V) OTHER MATTERS

Mr. Holman stated the grant process looks to be different this year, as we won’t be able to grant all of the in-kind requests for facility space. Mayor Mamula stated we need to make sure we keep supporting the organizations that are keeping people alive, such as food banks and rent relief, in particular, and we are going to have to make some difficult choices based on the health and safety of the community.

Mr. Holman also stated council and staff are going to participate in a Town Hall event with Summit County this afternoon.

Mr. Holman stated next week’s council meeting will start at approximately 5:45pm with a light agenda because several council members will be gone. Also, the Town has been working hand-in-hand with the BTO and coming up with creative solutions for our COVID challenges for locals and visitors.

Mayor Mamula stated the council wants to make sure we explore every avenue for business options this winter, and we are looking for ideas. Ms. Owens stated we would like any ideas the local community has to make this work for us.

Mr. Holman also noted he would like the council members to submit questions for the council vacancy applicants prior to the interviews at the end of August.

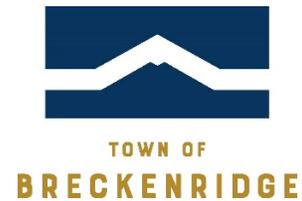
VI) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 9:10am. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor



Memo

To: Breckenridge Town Council Members
From: Shannon Haynes, Assistant Town Manager
Date: 8/4/2020
Subject: Change to Special Event Ordinance

The impact of COVID-19 restrictions has forced many event producers to rethink their events. As a result, we are seeing more events transform from in-person gatherings to “virtual” or “on your own” events. The “virtual” format alleviates the risks associated with large gatherings and close contact situations, but these events do have impacts on the community.

After a review of the current Special Event ordinance, staff recognized that these types of events are not currently included in the requirements for a special event permit. The changes included in the attached revision serve to add a “virtually held event” to those requiring a special event permit.

For reference, a “virtually held event” is an online event involving people interacting both in person and in a virtual environment and includes:

- An event expecting participation by fifty or more people at one time or over a period of time,
- the purpose of the event is entertainment,
- the public is invited to participate, and
- the occurrence is expected to have a visual, noise or environmental impact, or cause disruption of the normal community or neighborhood routine

In addition to the above changes, after reviewing current Town code, staff has included a definition for “Street Art” in the Special Event ordinance revision. The current ordinance provides for the permitting of murals. However, the definition of mural, found in Section 9-5-1 of the Breckenridge Development Code, does not include art applied to the surface of a roadway. The addition of this definition will allow street art to be handling in the same fashion as murals.

Staff will be available at your work session on August 11 to answer questions.

1 **FOR WORKSESSION/FIRST READING** – _____

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

5
6 COUNCIL BILL NO. ____

7
8 Series 2020

9
10 AN ORDINANCE AMENDING CHAPTER 13 OF TITLE 4 OF THE BRECKENRIDGE
11 TOWN CODE CONCERNING SPECIAL EVENTS

12
13 BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
14 COLORADO:

15
16 Section 1. The definition of “Special Event or Event” in Section 4-13-4 of the
17 Breckenridge Town Code is amended to read as follows:

SPECIAL EVENT OR EVENT:	<p>A planned or organized occurrence that:</p> <p>A. Includes an expected gathering of fifty (50) or more people if: 1) the primary purpose of the occurrence is entertainment; 2) the public or a substantial portion of the public is invited to the occurrence, either by express invitation or by implication; and 3) the occurrence is expected to have a visual, noise, or environmental impact, or to cause disruption of the normal routine of the community or the affected neighborhood; or</p> <p><u>B. Is a virtually held event regardless of the duration if: 1) expected participation is fifty (50) or more people at once or over a period of time; 2) the primary purpose of the occurrence is entertainment; 3) the public or a substantial portion of the public is invited to the occurrence, either by express invitation or by implication; and 4) the occurrence is expected to have a visual, noise, or environmental impact, or to cause disruption of the normal routine of the community or the affected neighborhood; or</u></p> <p>BC. involves filming.</p>
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1 Section 2. Section 4-13-4 of the Breckenridge Town Code is amended by the addition of
2 the following definitions:
3

<u>RECREATIONAL PATHWAY:</u>	<u>Has the meaning provided in Section 1412 of the Town’s Traffic Code adopted and amended in chapter 1, title 7 of this Code.</u>
<u>STREET ART:</u>	<u>Temporary visual art created on the surface of a Town street for public display in connection with an approved special event.</u>
<u>VIRTUAL EVENT:</u>	<u>A online event that involves people interacting both in person and in a virtual environment on the world wide web or via a mobile application.</u>

4
5 Section 3. Section 4-3-11 of the Breckenridge Town Code is amended to read as follows:
6

7 4-13-11: RELATIONSHIP TO OTHER TOWN ORDINANCES:
8

9 Notwithstanding anything contained in this Code to the contrary:
10

11 A. A permit issued under this chapter is not a special events liquor license. If
12 alcoholic beverages are to be served at the special event, the permittee must
13 obtain the required permit or approval from the Town Clerk or the Town of
14 Breckenridge liquor and marijuana licensing authority. (Ord. 4, Series 2017)
15

16 B. A permit issued under this chapter may authorize the permittee to exceed the
17 maximum noise levels provided in title 5, chapter 8 of this Code in connection
18 with the holding of the special event for which the permit is issued; and the Town
19 Manager may establish specific maximum noise levels for any such event. The
20 Town Manager shall apply the standards set forth in subsection 5-8-12A of this
21 Code in connection with any request for permission to exceed the maximum noise
22 levels provided in title 5, chapter 8 of this Code.
23

24 C. A permit issued under this chapter shall be treated as a special event permit
25 within the meaning of section 9-1-19-44A, “Policy 44 (Absolute) Radio
26 Broadcasts”, of this Code. No Class D minor development permit shall be
27 required to authorize any radio broadcast conducted as a special event.
28

29 D. Except as specifically provided in this section, in addition to a permit a
30 permittee must obtain all other required Town permits and approvals before

1 holding the special event authorized by the permit, including, but not limited to, a
2 development permit and building permit.

3
4 E. Notwithstanding section 9-1-19-43A, “Policy 43 (Absolute) Public Art”, of this
5 Code, a permit issued under this chapter may authorize the permittee to display a
6 mural in connection with the holding of the special event for which the permit is
7 issued.

8
9 **F. A permit issued under this chapter may authorize the permittee to create**
10 **and display street art.**

11
12 **FG.** Notwithstanding chapter 2 of title 8 of this Code, a permit issued under this
13 chapter may authorize the permittee to display signage in connection with the
14 holding of the special event for which the permit is issued.

15
16 Section 3. Section 4-13-12A of the Breckenridge Town Code is amended to read as
17 follows:

18
19 A. The Town Manager shall deny an application for a special event permit if the
20 Town Manager determines that:

- 21
22 1. The application conflicts with another event as described in subsection 4-13-
23 10A8 of this chapter;
- 24
25 2. Information contained in the application, or supplemental information
26 requested from the applicant, is found to be false in any material respect;
27
- 28 3. The application fails to meet any of the standards set forth in section 4-13-10 of
29 this chapter;
- 30
31 4. The time, route, or size of the event will substantially interrupt the safe and
32 orderly movement of traffic on or contiguous to the event site or route or will
33 disrupt the use of a street or highway at a time when it is usually subject to heavy
34 traffic congestion;
- 35
36 5. The location of the event will substantially interfere with any construction or
37 maintenance work scheduled to take place upon or along the Town streets or
38 property;

39
40 **6. The time, route, physical size, or the anticipated number of participants of**
41 **the proposed event will substantially interrupt the safe and orderly**
42 **movement of users on a recreational pathway that is on or adjacent to the**
43 **event site, or the proposed route will disrupt the use of a recreational trail at**
44 **a time when such trail is reasonably expected to be heavily used.**

1
2 67. The applicant has failed to pay costs, fees, or deposits for a previous special
3 event permit within the preceding five (5) years; or the applicant has failed to pay
4 the Town for damages arising from a previous special event held by the applicant,
5 regardless of when such event was held; or
6

7 78. The applicant has failed to abide by the requirements or conditions of previous
8 special event permits within the preceding five (5) years.
9

10 Section 4. Except as specifically amended by this ordinance, the Breckenridge Town Code,
11 and the various secondary codes adopted by reference therein, shall continue in full force and
12 effect.

13 Section 5. The Town Council finds, determines, and declares that this ordinance is necessary
14 and proper to provide for the safety, preserve the health, promote the prosperity, and improve the
15 order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.
16

17 Section 6. The Town Council finds, determines, and declares that it has the power to adopt
18 this ordinance pursuant to the provisions of Section 31-15-501, C.R.S., and the powers possessed
19 by home rule municipalities in Colorado.
20

21 Section 7. This ordinance shall be published and become effective as provided by Section 5.9
22 of the Breckenridge Town Charter.
23

24 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
25 PUBLISHED IN FULL this ____ day of _____, 2020. A Public Hearing shall be held at the
26 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
27 _____, 2020, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
28 Town.
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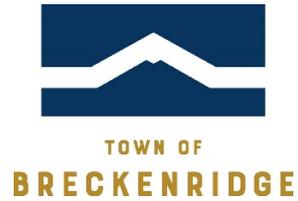
30 TOWN OF BRECKENRIDGE, a Colorado
31 municipal corporation
32

33
34 By: _____
35 Eric s. Mamula, Mayor
36

37 ATTEST:
38
39

40 _____
41 Helen Cospolich, CMC,
42 Town Clerk
43
44

45 500-272\2020\ Special Events Ordinance Amendment (07-23-20)



Memo

To: Town Council
From: Julia Puester, AICP, Assistant Community Development Director
Date: 8/5/2020 (for August 11, 2020 meeting)
Subject: Exterior Lighting Policy Conformance Date Modifications-First Reading

The Exterior Lighting Chapter currently has a July 1, 2022 conformance date, when all exterior light fixtures must be brought into conformance with the Code intent to be Dark Sky compliant. The July 1, 2022 date was set fifteen years after the adoption of the ordinance, based on the timeline from the IRS Depreciation Table for a light fixture, thought to be toward the end of the useful lifetime of the light fixtures in place at the time of adoption. Staff has received recent input from concerned property owners of the approaching deadline regarding cost of replacement fixtures and environmental concerns regarding increased waste from disposing of non-compliant working fixtures.

Staff presented the issue at the July 28 Town Council work session. The Town Council found that the deadline could be extended and that retrofitting existing fixtures was acceptable if the fixtures met the intent of the code. The Town Council also voiced that lighting conformance remained an important goal to achieve a more Dark Sky friendly community. At that work session, the Town Council gave staff direction to draft an ordinance to:

- Adjust the conformance date of non-conforming exterior light fixtures to allow for three additional years (July 1, 2025); and
- Allow for permanent retrofits of existing exterior light fixtures such as metal lining applied to the interior sides of a fixture. This metal lining meets current code and can be utilized on decorative fixture types, including semi-opaque fixtures that are present at many properties. Staff also included general language to allow for other permanent retrofit solutions as approved by the Director that would result in a similar effect.

If passed, staff will plan to send property owners notification three years prior to the conformance date deadline and again one year prior. Staff will be available at the meeting to answer any questions.

1 **FOR WORKSESSION/FIRST READING – AUG. 11**

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 2020

9
10 AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE
11 TOWN CODE, KNOWN AS THE “BRECKENRIDGE DEVELOPMENT CODE,”
12 CONCERNING EXTERIOR LIGHTING

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

16
17 Section 1. Section 9-12-4B of the Breckenridge Town Code is amended to read as
18 follows:

19
20 B. The required period for the eventual elimination of nonconforming lighting
21 fixtures contained in this chapter, which is based upon the formula that is used by
22 the United States internal revenue service to depreciate fixtures attached to real
23 property over a fifteen (15) year period, is reasonable and provides a rational basis
24 for the deadline of ~~July 1, 2022~~, for the elimination of nonconforming lighting
25 fixtures established by this chapter.

26
27 Section 2. Section 9-12-6B of the Breckenridge Town Code is amended to read as
28 follows

29
30 B. All commercial and residential outdoor lighting fixtures that were lawfully
31 installed prior to July 1, 2007 but that do not comply with the requirements of this
32 Chapter are declared to be legal nonconforming fixtures. All legal nonconforming
33 fixtures may continue to be used and maintained after the adoption of this
34 Chapter, but shall be brought into compliance with the requirements of this
35 Chapter upon the first to occur of:

- 36
37 1. a determination by the Director that the legal nonconforming fixture
38 constitutes a public hazard or nuisance;
39 2. the replacement of the legal nonconforming fixture; or
40 3. July 1, ~~2022~~2025.

41
42 Notwithstanding any other provision of this Chapter, all legal nonconforming
43 fixtures shall be brought into compliance with the requirements of this Chapter
44 not later than July 1, ~~2022~~2025.

1 Section 3. Section 9-12-6 of the Breckenridge Town Code is amended by the addition of
2 a new Section B.5 which shall read as follows:

3
4 **B.5 Prior to July 1, 2025 a legal nonconforming fixture described in Section**
5 **9-12-6B may be brought into compliance with the requirements of this**
6 **Chapter by the approval of such fixture as a retrofit fixture as defined in**
7 **Section 9-12-7. Once approved as a retrofit fixture by the Director pursuant**
8 **to Section 9-12-6B, the fixture shall be deemed to be in compliance with the**
9 **requirements of this Chapter.**

10
11 Section 4. Section 9-12-7 of the Breckenridge Town Code is amended by the addition of
12 the following definition:

<u>RETROFIT FIXTURE:</u>	<u>A legal non-conforming fixture as described in Section 9-12-6B that has a permanent opaque lining applied to it which extends to the lowest portion of the bulb, or other permanent modification to the fixture approved by the Director that brings such fixture into compliance with the requirements of this Section.</u>
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14
15 Section 5. Except as specifically amended hereby, the Breckenridge Town Code, and the
16 various secondary codes adopted by reference therein, shall continue in full force and effect.

17
18 Section 6. The Town Council hereby finds, determines, and declares that this ordinance is
19 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
20 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
21 thereof.

22
23 Section 7. The Town Council hereby finds, determines and declares that it has the power
24 to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act,
25 Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal
26 zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv)
27 Section 31-15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to
28 home rule municipalities by Article XX of the Colorado Constitution; and (vi) the powers
29 contained in the Breckenridge Town Charter.

30
31 Section 8. This ordinance shall be published and become effective as provided by Section
32 5.9 of the Breckenridge Town Charter.

33
34 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
35 PUBLISHED IN FULL this ____ day of _____, 2020. A Public Hearing shall be held at the
36 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
37 _____, 2020, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
38 Town.

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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: Open Space & Trails Staff
Date: 8/5/2020
Subject: PSCo request for two easements on Town open spaces

These two ordinances would allow the Town to grant two approximately 15-foot wide easements to PSCo/Xcel of Colorado for underground gas lines that would ultimately connect Blue Ridge Road to Airport Road, and Tiger Road to Long Ridge Drive through Town open spaces.

The purpose of the gas lines is for reinforcement, essentially creating looped systems, allowing PSCo to back feed their existing services. This involves typical intermediate pressure line (or less) distribution lines and not transmission lines. The easements would be for 4" PE gas lines that would be directionally bored into place. Disturbance to hillsides would be minimal. The lines would typically be installed at a depth of 24 inches, but because of the bore and the slope, the lines will likely be deeper for much of the alignment.

According to PSCo, they have looked at a number of alternatives alignments and none of them are very attractive. PSCo is limited in where they tie the pipelines together. If they go too far north or too far south, it defeats the purpose of the reinforcement pipeline. The reinforcement in general terms is a looped system where PSCo can provide more consistent service in those areas where new demand has outpaced the infrastructure.

Tim Berry has drafted the easements to contain a provision that PSCo seek prior approval for any cutting of trees. Once approved, the easements would be amended to further describe and define the easement areas on the basis of an as-built drawings and descriptions.

Staff will be available for questions.

1 INTRODUCTION, READ ON FIRST READING, APPROVED AND ORDERED
2 PUBLISHED IN FULL this ____ day of _____, 2020. A Public Hearing shall be held at the
3 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
4 _____, 2020, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
5 Town.

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

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12 By: _____
13 Eric S. Mamula, Mayor
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15 ATTEST:

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19 _____
20 Helen Cospolich, CMC,
21 Town Clerk
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23 APPROVED IN FORM

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28 Town Attorney
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GRANT OF EASEMENT

This GRANT OF EASEMENT (“**Grant**”) dated _____, 2020 is between the TOWN OF BRECKENRIDGE, a Colorado municipal corporation, whose address is P. O. Box 168, Breckenridge, CO 80424 (“**Grantor**”) and PUBLIC SERVICE COMPANY OF COLORADO, whose address is 1800 Larimer Street, Suite 1100, Denver, CO 80202 (“**Grantee**”).

WITNESSETH THAT:

For Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor has this date bargained, conveyed, delivered, transferred, and sold, and by these presents does bargain, convey, deliver, transfer and sell to Grantee, its successors and assigns, a perpetual, non-exclusive easement fifteen (15) feet in width to construct, operate, maintain, repair, and replace utility lines, and all fixtures and devices used or useful in the operation of said lines, through, over, under, across, and along a course as said lines may be hereafter constructed in the SW¼ SE¼ of Section 25, Township 6 South, Range 78 West of the 6th Principal Meridian in the County of Summit, State of Colorado, the easement being described as follows:

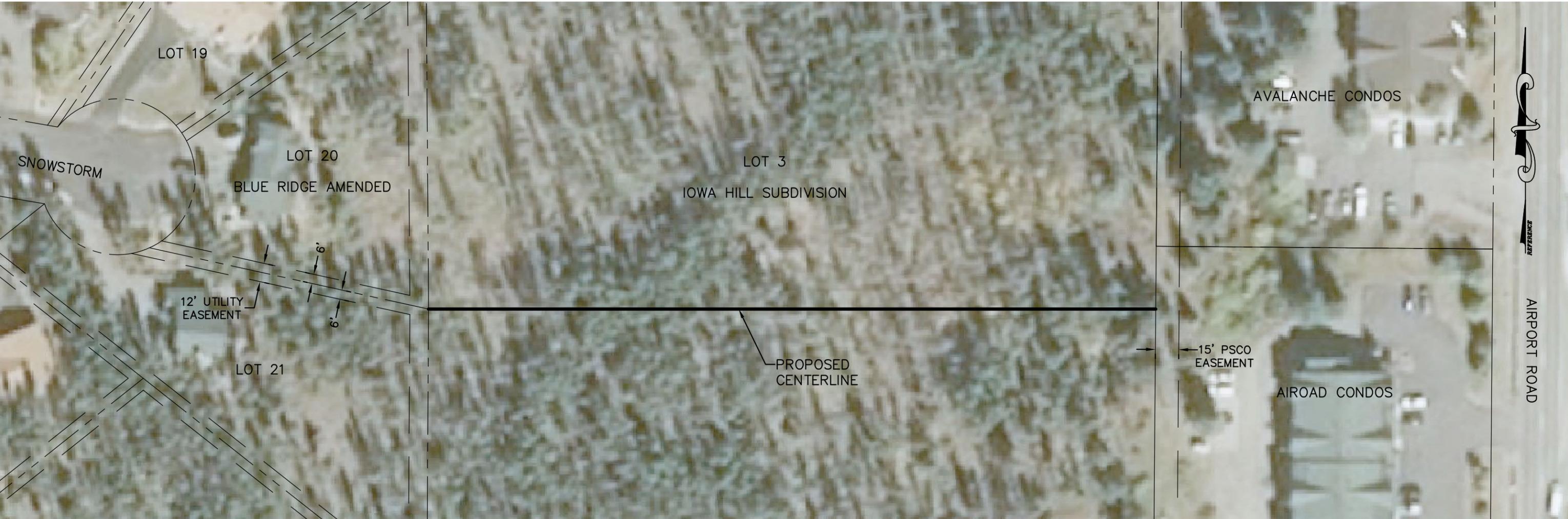
See the attached **Exhibit “A”** which is incorporated herein by reference (the “**Easement Area**”).

Together with the right to enter upon said premises, to survey, construct, maintain, operate, repair, replace, control, and use said utility lines and related fixtures and devices, and to remove objects interfering therewith, and together with the right to use so much of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal, or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The Grantor reserves the right to use and occupy the easement for any purpose consistent with the rights and privileges above granted and which will not interfere with or endanger any of the Grantee’s facilities therein or use thereof. Such reservations by Grantor shall in no event include the right to erect or cause to be erected any buildings or structures upon the easement granted or to locate any mobile home or trailer units thereon. In case of the permanent abandonment of the easement, all right, privilege, and interest granted shall terminate.

Notwithstanding anything contained in this Grant to the contrary, Grantee may not cut or otherwise damage any trees located within the Easement Area without the prior consent of Grantor.

Grantee shall exercise the rights herein granted to it with due care. Any liability for personal injury or property damage to Grantor, its employees, agents and invitees, or any third person, caused by the use or occupancy of the Easement Area by Grantee pursuant to this Grant shall be borne by Grantee to the extent caused by the negligence of Grantee, its officers, employees and agents.

Exhibit A
Open Space Parcel



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2 PUBLISHED IN FULL this ____ day of _____, 2020. A Public Hearing shall be held at the
3 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
4 _____, 2020, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
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7 TOWN OF BRECKENRIDGE, a Colorado
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12 By: _____
13 Eric S. Mamula, Mayor
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15 ATTEST:

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19 _____
20 Helen Cospolich, CMC,
21 Town Clerk
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23 APPROVED IN FORM

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Grantee shall exercise the rights herein granted to it with due care. Any liability for personal injury or property damage to Grantor, its employees, agents and invitees, or any third person, caused by the use or occupancy of the Easement Area by Grantee pursuant to this Grant shall be borne by Grantee to the extent caused by the negligence of Grantee, its officers, employees and agents.

The Easement Area shall be further described and defined on the basis of an as-built drawing and description to be provided by Grantee at its cost following the installation of Grantee's utility lines. Upon the approval by Grantor and Grantee of the as-built drawing and description of the Easement Area this Grant shall be amended or replaced to incorporate the as-built drawing and description of the Easement Area

Executed at Breckenridge, Colorado the date first written above.

GRANTOR:

TOWN OF BRECKENRIDGE, a Colorado municipal corporation

By: _____
Rick G. Holman, Town Manager

ATTEST:

Helen Cospolich, CMC,
Town Clerk

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020 by Rick G. Holman, Town Manager, and Helen Cospolich, CMC, Town Clerk, of the Town of Breckenridge, a Colorado municipal corporation.

WITNESS my hand and official seal.

My commission expires: _____.

Notary Public

Exhibit A Tiger Run

NE, SW, Sec. 17, T 6 S, R 77 W, 6th
39.529270, -106.026382

(Extending between Revett Drive and 411 Long Ridge Drive)



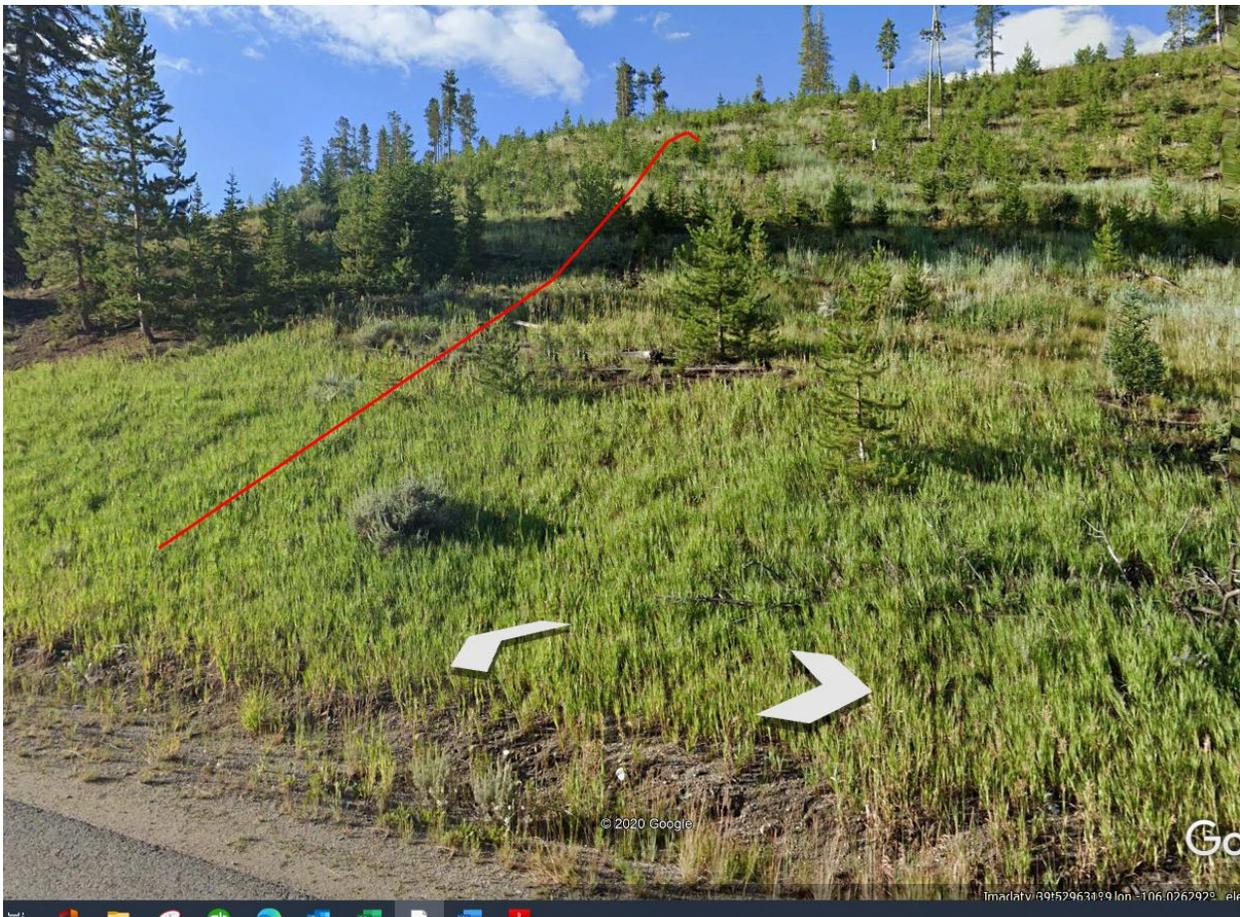
SCHEDULE: 6507553

Get Detail Data

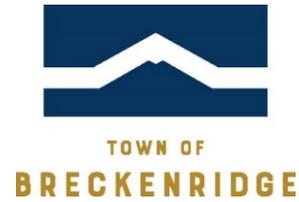
PPI: 2211-1730-07-002

Property Info		Mailing Address	
OWNER:	BRECKENRIDGE TOWN OF	NAME/CO:	BRECKENRIDGE TOWN OF
PROP. DESC:	TRACT B HIGHLANDS AT BRECK-HIGHLANDS PARK OPEN SPACE	STREET:	PO BOX 168
PHYS. ADD:		CSZ:	BRECKENRIDGE CO 804240168
JURISDICTION:	BRECKENRIDGE		









Memo

TO: Town Council

FROM: Town Attorney

RE: Ordinance Making New “Breckenridge Free Ride Transit Plan (July 2020)” A Correlative Document Under the Development Code

DATE: August 3, 2020 (for August 11th meeting)

Enclosed with this memo is an ordinance making the new “Breckenridge Free Ride Transit Plan (July 2020)” a “correlative document” under the Development Code. Jennifer Pullen presented the new transit plan to the Council on July 28th.

A “correlative document” is a document that is ancillary to the Development Code. A correlative document is treated as an absolute development policy under Section 9-1-19-1A “Policy 1 (Absolute) Codes, Correlative Documents and Plat Notes,” of the Town’s Development Code. To the extent a correlative document is relevant to a development permit application, the application must comply with that correlative document.

The updated Breckenridge Free Ride Transit Plan (July 2020) will also be incorporated into the Town’s Comprehensive (Master Plan). The resolution required to do this will be brought to you at your August 25 regular meeting.

I will be happy to discuss this ordinance with you.

1 **FOR WORKSESSION/FIRST READING – AUG. 11**

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 2020

9
10 AN ORDINANCE AMENDING SECTION 9-1-21 OF THE BRECKENRIDGE TOWN CODE
11 CONCERNING CORRELATIVE DOCUMENTS TO THE BRECKENRIDGE
12 DEVELOPMENT CODE

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

16
17 Section 1. Section 9-1-21 of the Breckenridge Town Code is amended to read as follows:

18 9-1-21: CORRELATIVE DOCUMENTS:

- 19 Town of Breckenridge land use guidelines.
- 20
- 21 Town of Breckenridge design standards¹.
- 22
- 23 Town of Breckenridge water quality and sediment transport control
- 24 standards².
- 25
- 26 Town of Breckenridge street standards³.
- 27
- 28 ~~Breckenridge 2009 transit operations plan.~~
- 29 **Breckenridge Free Ride Transit Plan (July 2020)**
- 30
- 31 Town of Breckenridge off street parking regulations⁴.
- 32
- 33 Town of Breckenridge landscaping guide (revised May 2012).
- 34
- 35 American standard for nursery stock.
- 36
- 37 Town of Breckenridge goals and objectives report.
- 38
- 39 Town of Breckenridge Capital Improvements Program.
- 40
- 41 Town of Breckenridge storm drainage standards⁵.
- 42
- 43 Wildfire hazards: guidelines for their prevention in subdivision and
- 44 developments.

- 1
- 2 Town of Breckenridge flood damage prevention ordinance⁶.
- 3
- 4 Breckenridge subdivision ordinance⁷.
- 5
- 6 Blue River walkway improvements plan.
- 7
- 8 Town of Breckenridge trails plan (revised August 2008).
- 9
- 10 Upper Blue Nordic master plan (revised 2011).
- 11
- 12 Cucumber Gulch recreation master plan.
- 13
- 14 The Arts District of Breckenridge master plan.
- 15
- 16 The Breckenridge Public Art Program master plan plus policy 2016. (Ord.
- 17 24, Series 2017)

18
19
20 Footnote 1: See chapter 5 of this title.
21 Footnote 2: See title 10, chapter 4 of this code.
22 Footnote 3: See title 10, chapter 1 of this code.
23 Footnote 4: See chapter 3 of this title.
24 Footnote 5: See title 10, chapter 2 of this code.
25 Footnote 6: See title 10, chapter 3 of this code.
26 Footnote 7: See chapter 2 of this title.

27
28 Section 2. Except as specifically amended hereby, the Breckenridge Town Code, and the
29 various secondary codes adopted by reference therein, shall continue in full force and effect.

30 Section 3. The Town Council hereby finds, determines, and declares that this ordinance
31 is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
32 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
33 thereof.

34 Section 4. The Town Council hereby finds, determines, and declares that it has the
35 power to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling
36 Act, Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning
37 municipal zoning powers); (iii) Chapter 4 of Title 9 of the Breckenridge Town Code; (iv) the
38 authority granted to home rule municipalities by Article XX of the Colorado Constitution; and
39 (v) the powers contained in the Breckenridge Town Charter.

40 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
41 PUBLISHED IN FULL this ____ day of _____, 2020. A Public Hearing shall be held at the
42 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
43 _____, 2020, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
44 Town.

TOWN OF BRECKENRIDGE, a Colorado
municipal corporation

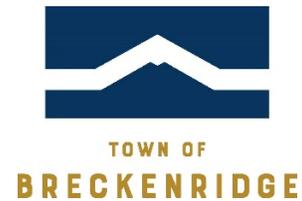
By _____
Eric S. Mamula, Mayor

ATTEST:

Helen Cospolich , CMC,
Town Clerk

500-269\2020\Correlative Document Ordinance (08-03-20)(First Reading)

500-384\Correlative Document Ordinance (06-15-17)(Second Reading)



Memo

To: Breckenridge Town Council
From: Jessie Burley, Sustainability Coordinator
Date: 8/4/2020
Subject: American Wind Week Proclamation

Background: [American Wind Week](#) is an annual nation-wide celebration of America's accomplishments in advancing wind energy, technology, and green job creation. American Wind Week takes place August 9-15, 2020 and marks the fourth annual celebration.

Summary: The Town of Breckenridge has committed to municipal buildings being powered 100% by renewable electricity by 2025 and community-wide by 2030. While the majority of the effort toward these goals to date has focused on solar power, wind is the primary renewable source for our partner utility, Xcel Energy, making up [21% of their Colorado power supply](#). In order to achieve the Town's goals, wind will need to make up a significant portion of the portfolio mix, even if not produced locally.

The American Wind Energy Association (AWEA) hosts the annual American Wind Week and is the national trade organization for the U.S. wind industry. AWEA actively promotes wind energy development and is supportive of all renewable development across the U.S. Colorado is eighth overall in wind power production and third overall in wind industry employment. Nineteen percent of the state's overall energy comes from wind power.

By issuing this proclamation, the Town can acknowledge the need for wind energy to achieve the Town's renewable goals, and support the added benefits it provides across the state.

There is no financial impact.



A PROCLAMATION IN SUPPORT AMERICAN WIND WEEK

August 9-15, 2020

WHEREAS, wind energy is the largest provider of renewable energy in the country; and although wind energy is typically not installed in Breckenridge it plays a major role at the state-wide level in cleaning up the Xcel Energy grid that powers our Town; and

WHEREAS, the wind industry is a major economic driver in towns and counties all across Colorado, driving \$7.6 billion in total capital investments to date and providing \$14 million in annual lease payments to rural landowners in 2019 alone; and

WHEREAS, our state is home to 18 wind-related manufacturing facilities and 26 wind projects, providing more than 7,000 jobs for Coloradans; and

WHEREAS, Colorado ranks eighth in the nation for installed wind capacity, and with continued investments in renewable energy, can continue to power local communities and businesses for years to come; and

WHEREAS, wind energy is a primary source of renewable power for our local utility and will help them to achieve a carbon free grid by 2035;

WHEREAS, the Town of Breckenridge has a goal to have municipal buildings powered by 100% renewable electricity by 2025, and the broader community powered by 100% renewable electricity by 2035; and

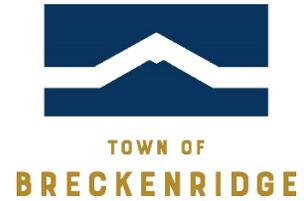
WHEREAS, the energy portfolio for achieving those goals will need to include wind, solar, and battery storage in the Town of Breckenridge;

NOW, THEREFORE, BE IT RESOLVED THAT I, Mayor Pro Tem Jeffery Bergeron, do hereby proclaim the week of August 9-15, 2020 as American Wind Week, and call upon all residents of Breckenridge to join me in supporting the aims and goals of this effort.
Adopted this 11th day of August 2020.

_____/s/_____
Mayor Pro Tem, Jeffery Bergeron

Attest:

_____/s/_____
Helen Cospolich, CMC, Town Clerk



Memo

To: Breckenridge Town Council Members
From: Mark Truckey, Director of Community Development
Date: August 5, 2020
Subject: Planning Commission Decisions of the August 4, 2020 Meeting

DECISIONS FROM THE PLANNING COMMISSION MEETING, August 4, 2020:

CLASS A APPLICATIONS: None.

CLASS B APPLICATIONS:

1. Ridge Street Retreat, 208 N. Ridge Street, PL-2020-0266

A proposal to construct a new 1,762 sq. ft. single family residence with 3 bedrooms, 3.5 bathrooms, and a 2 car garage. *Approved, see second memo.*

CLASS C APPLICATIONS: None.

TOWN PROJECT HEARINGS: None.

OTHER:

1. Transportation Master Plan

The final Transit Master Plan was reviewed with the Commission.

PLANNING COMMISSION MEETING

The meeting was called to order at 5:32 p.m. by Chair Gerard. The meeting was a virtual electronic meeting through the Zoom platform, as a result of the COVID-19 crisis.

ROLL CALL

Christie Mathews-Leidal	Jim Lamb-absent	Ron Schuman	Jay Beckerman
Mike Giller	Steve Gerard	Lowell Moore	

APPROVAL OF MINUTES

With no changes, the July 21, 2020 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the August 4, 2020 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None.

OTHER MATTERS:

1. Transportation Master Plan

Jennifer Pullen, Assistant Public Works Director, presented an overview of the Transit Master Plan and asked the Commission for their feedback.

Commissioner Questions / Comments:

- Mr. Moore: I have read this. I have no comment. Consistent with what I am seeing around town. I support it.
- Ms. Leidal: No questions. I support this. I like the idea with all the uncertainty going on that there are some things that are on hold. I appreciate all the work staff and consultant did.
- Mr. Giller: No questions. No comments. I support it.
- Mr. Schuman: This is a bit of a selfish question. Warriors Mark was slated for elimination but the Town Council has decided to keep that in place. Asking because of my profession. My assumption is that will stay on schedule and other services minimized? Thought Free Ride was going to be limited but not eliminated, is that correct? (Ms. Pullen: We added it back for the winter schedule. It will run from Dec. 18 -April 4.) All bets are off for next summer? (Ms. Pullen: We usually don't have that for summer). This is just looking at through winter, correct? (Pullen: That is the proposal, due to reduction in staffing and cost savings.) I want to thank you for opportunity to see it. I support it.
- Mr. Gerard: Last meeting we discussed the Alta Verde workforce housing project. We did some question regarding what kind of service would be provided to that area. Is that something that you feel fits well into Master Plan? (Ms. Pullen: I do. We recommend coordination with Summit Stage. Be able to provide pretty good transit service for that area.)
- Mr. Beckerman: I support adding this to the Town's Master Plan.
- Mr. Gerard: Very well written. Very flexible. Outstanding system in place for helping people move around the community. I support it.

Mr. Schuman made a motion to recommend support for the final transit Master Plan for adoption to the Town Council, seconded by Mr. Moore. The motion passed 6-0.

COMBINED HEARINGS:

1. Ridge Street Retreat (CK), 208 N. Ridge Street, PL-2020-0266

Mr. Kulick presented a proposal to construct a 1,762 sq. ft. single family residence with a 2 car garage. The applicant waived their right to continue the Hearing to an in-person Hearing. The following specific questions were asked of the Commission:

1. Building Scale - Staff believes the proposed building scale complies with Priority Policies 36, 80 and 144. Does the Commission Agree?
2. Windows - Staff believes the proposed windows abide with Priority Design Standards 95, 96 and 148. Does the Commission agree?
3. Does the Commission have any additional comments on the proposed project design?

Commissioner Questions / Comments:

Mr. Moore: I have no questions. Thank you Chris.

Ms. Leidal: Thank you for your presentation Chris. I was just reviewing the Historic District Standards. Priority Policy 142 calls for primary facades should be 1 or 1 and ½ stories tall. Some 2 stories are allowed if they are setback from the street. I think that was inadvertently overlooked, can you speak to that? (Mr. Kulick: The recommended height in character area is 23' and can go up to 26' with points. Proposed at 22'. Previous Cavanaugh project had very similar profile at 22.5' this is slightly less than what was previously approved so don't have any concerns with height.) Is the height measured from existing or proposed grade? Is there grading for drainage? (Ms. Sutterley: Filling 6" to keep level across garage.) Chris I understand how you are measuring, but that doesn't address Priority Design Standard 142. (Mr. Kulick: The design is based on feedback from previous project and therefore staff is comfortable with the design). Still concerned about precedent. On page 5 of the North End Residential Character Area Design Standards, Building Scale, Historically, residential structures were one or one-and-a-half stories in height. The staff report says that. Need to figure out how we are not creating precedent. Maybe because next to large building, finding. (Mr. Kulick: Consistent with precedent from other approvals in the North End Residential Character Area such as the Kelly Residence, Ploss Residence and Cavanaugh Residence.) Great, that is what we need to know. Thank you. We need to have a discussion. Also, a lot of vertical siding in relation to DS 142. Lower level is all vertical. (Mr. Kulick: Garage is designed to resemble an outbuilding and is dark stained and deliberately does not feature horizontal lap siding. Proportionally, there is still a lot of horizontal lap siding on the main residence.)

Mr. Giller: Nice project. I wondered about the easement in the original Development Agreement. There should be four parking spots on south side. The west most parking spot has a conflict with the HVAC equipment and corresponding fence that should be resolved. (Mr. Kulick: The Brown Hotel is under contract and this conflict will likely be addressed after the closing. The equipment was added through a mechanical plan review and ended up being C.O.'d with it in that location. Property owners would like to see the equipment go away. Staff has been in discussion with the realtors for both parties.) How should we address that? (Staff: During Building process, the mechanical engineer submitted mechanical plans showing the equipment but it was not shown on any of the other plans. The Town issued a C.O. so based on the Town Attorney's advice we have no authority for it to be removed.) Front elevation of garage, albeit setback a few feet, has gas and electric meter? (Mr. Kulick: Save that question for Janet. Xcel is very particular on where meters will be.)

Mr. Beckerman: No questions.

Mr. Schuman: No questions. We have seen this lot a number of times and I am comfortable with what we see now.

Mr. Gerard: I have a comment on the number of stories. What strikes me is different in terminology between height and stories. I remember this discussion when we were looking at the previously approved Cavanaugh Residence design. I think we took the design appearance of

1.5 stories. This is clearly 2 stories. Concerned about precedent. (Mr. Kulick: Presented Cavanaugh Residence plans.) Calling it height or design issue. Recall conversation about center window and roofline – had the appearance of a 1.5 story design as well as fitting into the height Standard. Wondering about two-story aspect, versus Design Standard 142. (Mr. Kulick: I see the consistency of other projects approved within this character area. Cross gable does go to full height. Absent that, it is less tall overall. The Cavanaugh Residence may give the appearance of being lower since the front façade is wider. In actuality it was taller. The current application is more broken up and has a more narrow profile in front so it looks more vertical. We have approved projects that have been 23' to the to mean within this district.)

Janet Sutterley, Architect: I wanted to go through Commissioner questions and comments. Two-story: if you look at the Cavanaugh Residence, the rule of thumb is if you have a gable such as on the Cavanaugh Residence, wider the gable, the lower the plate height. Windows are above plate line because of the width of the building. Front module is 13' wide. This is at least 10' skinnier. We are able to raise plate heights on either side, and that is where the big difference is. Plate heights are as far as you can take them. That is what is creating the appearance of the two stories, center section is so narrow. Does it look like 2 stories? I guess you could argue that it does. I hope that everybody understands what I am trying to explain. This is skinny vertical element causing it to look like it is higher. 7.5' plate height. Question on siding: Colored elevation would help. All vertical is random width on the garage, which would be oil finish. Little bit of vertical, semisolid color. More refined versus rough sawn. On north elevation, lower portion is rough sawn random width siding. The theme is that the siding material is that the main body are bevel lap, random width oiled on garage. On mechanical at Brown Hotel: The way project expired: 1 CO for building and then 1 CO for mechanical. It was supposed to go in basement and then they showed up and it went outside. There is a high likelihood that will come off with the conversion of the Brown Hotel into a residence. It is located in the middle of 2 parking spots so it will resolve itself. Meter location: Owner and contractor did all up front work with Xcel and based on where we are bringing utilities in, this is where excel wants the meters. Under rake roof. Proposed spruce tree and shrub in front for screen. Not really a place on north to do that.

Commissioner Questions / Comments:

Mr. Moore: No questions.

Ms. Leidal: Is there a walkway to north swooping and then to the west (Ms. Sutterley: Those are grading lines representing a grade difference of 2' right there. Keeping front flat, garage area sloping down for natural gully between two properties.) Any offsite improvements proposed? Specifically, 2' high rock wall. Is it there already? (Ms. Sutterley: The Brown has a site wall on the property line and is 2' tall. This allows the front of Brown to be level. We are continuing the site wall to line up with the Brown. Our highest point is 2'. Yes, we are doing similar thing but very low wall. Not retaining, a site wall. Not allowed to put it offsite the idea is to tie it visually across the two sites.

Mr. Giller: Janet answered my questions. No further questions.

Mr. Beckerman: No questions. Thanks for presentation.

Mr. Schuman: Not at this time.

Mr. Gerard: No further questions.

Kevin Shelden, Applicant: I think Janet presented everything correctly. Tried to work with staff and not make it too big. Mechanical: brought it up to the Town, it was an oversight on the Town's part. We would love to see that equipment gone. Hopefully the new owners (of the Brown) would be amicable to getting rid of that.

Mr. Gerard opened the hearing for public comment. There were none and public comment was closed.

Commissioner Comments:

- Mr. Moore: Glad questions were raised about the perceived two-stories, however Janet has done good job. Fits in with building scale and 180 and 144. Conforms to 95, 96 and 148. Agree with staff recommendations.
- Ms. Leidal: Very good looking building. Finding for a Combined hearing was overlooked. 1. No, the Priority Policy not met. 2. Comfortable that window Priority Policy have been met. 3. I do not believe Design Standard 142 has been met. Reads at 2 stories. Concerned about precedent. Love to see a finding added that says because of adjacency to a large structure it complies with the intent of Priority Design Standard 142 so that it does set unintentional precedent.
- Mr. Giller: Good looking project and will be a nice infill for the block. 1. Does not meet Design Standard 142. 2. Windows: Yes, complies. 3. Additional: Good fit for lot.
- Mr. Beckerman: Respect Christie's comments. Instead of scratching the project. Put a finding to solve the issue right here. 2. Complies. 3. No further comments.
- Mr. Schuman: 1. Complies, 2. Complies, 3. Good infill project. No additional finding needed. Happy to see move on.
- Mr. Gerard: 1. All about height and nothing about Priority Design Standard 142. Quoted policy. Remembered conversation about plate height of Cavanaugh Residence which brought down appearance to 1.5 stories. 1. Does not meet priority Design Standard 142. 2. Yes 3. Nice project. Should include Finding regarding Priority Design Standard 142.

Julia Puester, Assistant Director of Community Development: General policy of Priority Design Standard 142 says *"Building height should be similar to nearby historic buildings"*. Also, Priority Design Standard 81 states, *"Build to heights that are similar to those found historically. This is an important standard which should be met in all projects. Primary facades should be one or two stories high, no more, depending on the height recommended in the Town's Development Code and Character Area"*.

Ms. Leidal made a motion to approve the Ridge Street Retreat Combined Hearing, showing a passing point analysis of 0 points, with two additional Findings:

1. The issues involved in the proposed project are such that no useful purpose would be served by requiring two separate hearings.
2. Due to the proximity of Brown Hotel next door, this project complies with Priority Design Standard 142.

The motion was seconded by Mr. Schuman. The motion passed 6-0.

OTHER MATTERS:

1. Town Council Update: A written summary was provided in the packet.

Ms. Leidal: Is Walkable Main Street program being continued or stopped at the end of September? (Ms. Puester: It will be continued).

Mr. Schuman: Would the Walkable Main Street program be continued into the winter? (Ms. Puester: No, it would be open to cars.)

ADJOURNMENT:

The meeting was adjourned at 6:59 pm.

Steve Gerard, Chair



Memo

To: Town Council
From: Chris Kulick, AICP, Senior Planner
Date: August 5, 2020 for meeting of August 11, 2020
Subject: Ridge Street Retreat Class B Major Planning Commission Approval Summary

A Combined Hearing for the Ridge Street Retreat Single-Family Home, located at 305 North Ridge Street, was held by the Planning Commission on August 4, 2020. The project is proposed on a vacant lot immediately to the north of the Brown Hotel within the North End Residential Character Area of the Historic District. The development includes a new 1,762 sq. ft., 3 bedroom, 3.5 bathroom single-family residence with a 2-car garage along North Ridge Street.

The building's proposed height of 22' is below the recommended 23' for residences within the North End Residential Character Area. The Commission found the design complied with Priority Design Standard 142: *"Building height should be similar to nearby historic buildings"* because most buildings on the eastside of the 300 block of North French Street are two-stories. The Brown Hotel, immediately adjacent is two and a half stories.

The Commission found the proposal complied with all Priority Design Standards and Absolute Policies and did not assign any positive or negative points under the Relative Policies and approved the application 6-0.

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



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 2020

Tuesday, August 11, 2020	3:00 pm / 7:00 pm	Virtual	First Meeting of the Month
Tuesday, August 25, 2020	3:00 pm / 7:00 pm	Virtual	Second Meeting of the Month

September 2020

Tuesday, September 8, 2020	3:00 pm / 7:00 pm	Virtual	First Meeting of the Month
Tuesday, September 22, 2020	3:00 pm / 7:00 pm	Virtual	Second Meeting of the Month

Other Meetings

August 11th, 2020	Board of County Commissioners Meeting Workforce Housing Committee	9:00am / 1:30pm 1:30pm
August 12th, 2020	Breckenridge Heritage Alliance	Noon
August 13th, 2020	Upper Blue Sanitation District	5:30pm
August 18th, 2020	Board of County Commissioners Meeting Liquor & Marijuana Licensing Authority Planning Commission Meeting	9:00am 9:00am 5:30pm
August 20th, 2020	Transit Advisory Council Meeting Northwest CO Council of Governments	8:00am 10:00am
August 24th, 2020	Open Space & Trails Meeting	5:30pm
August 25th, 2020	Board of County Commissioners Meeting	9:00am / 1:30pm
August 26th, 2020	Summit Stage Transit Board Meeting Summit Combined Housing Authority	8:15am 9:00am
August 27th, 2020	Breckenridge Tourism Office Board Meeting RW&B Board Meeting	8:30am 3:00pm
September 1st, 2020	Board of County Commissioners Meeting Planning Commission Meeting	9:00am 5:30pm
September 2nd, 2020	Police Advisory Committee Breckenridge Events Committee Childcare Advisory Committee	7:30am 9:00am 3:00pm
September 8th, 2020	Board of County Commissioners Meeting Workforce Housing Committee	9:00am / 1:30pm 1:30pm
September 9th, 2020	Breckenridge Heritage Alliance	Noon
September 10th, 2020	Upper Blue Sanitation District	5:30pm
September 15th, 2020	Board of County Commissioners Meeting Liquor & Marijuana Licensing Authority Planning Commission Meeting	9:00am 9:00am 5:30pm



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.

September 17th, 2020	Transit Advisory Council Meeting	8:00am
September 21st, 2020	Open Space & Trails Meeting	5:30pm
September 22nd, 2020	Board of County Commissioners Meeting	9:00am / 1:30pm
September 23rd, 2020	Summit Stage Transit Board Meeting	8:15am
	Summit Combined Housing Authority	9:00am
September 24th, 2020	Breckenridge Tourism Office Board Meeting	8:30am
	RW&B Board Meeting	3:00pm
October 6th, 2020	Board of County Commissioners Meeting	9:00am
	Planning Commission Meeting	5:30pm
October 7th, 2020	Breckenridge Events Committee	9:00am
	Childcare Advisory Committee	3:00pm
October 8th, 2020	I-70 Coalition	1:00pm
October 15th, 2020	QQ - Quality and Quantity - Water District	1:15pm
October 22nd, 2020	Northwest CO Council of Governments	10:00am
TBD	Breckenridge Creative Arts	2:00pm
	Water Task Force Meeting	8:00am
	Art Installation Meeting	2:00pm