



TOWN OF
BRECKENRIDGE

Town Council Regular Meeting
Tuesday, December 13, 2022, 7:00 PM
Town Hall Council Chambers
150 Ski Hill Road
Breckenridge, Colorado

THE TOWN OF BRECKENRIDGE IS HOLDING HYBRID MEETINGS. THIS MEETING WILL BE HELD IN PERSON AT BRECKENRIDGE TOWN HALL. ALL MEMBERS OF THE PUBLIC ARE INVITED TO ATTEND. IN PERSON ATTENDEES MUST NOT ACCESS THE VIRTUAL MEETING WHILE IN COUNCIL CHAMBERS.

This meeting will also be broadcast live over Zoom. Log-in information is available in the calendar section of our website: www.townofbreckenridge.com. All public comments must be delivered in person in Council Chambers during designated public comment times, by email to mayor@townofbreckenridge.com, or by mailed letter, prior to the meeting.

I. CALL TO ORDER, ROLL CALL

II. COMMUNITY MEMBER LEADERSHIP AWARD

III. APPROVAL OF MINUTES

A. TOWN COUNCIL MINUTES - NOVEMBER 22, 2022

IV. APPROVAL OF AGENDA

V. COMMUNICATIONS TO COUNCIL

A. PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

B. BRECKENRIDGE CREATIVE ARTS QUARTERLY UPDATE

VI. CONTINUED BUSINESS

A. SECOND READING OF COUNCIL BILLS, SERIES 2022

1. *COUNCIL BILL NO. 37, SERIES 2022 - A BILL FOR AN ORDINANCE ESTABLISHING A REGULATORY FEE IN CONNECTION WITH THE COMMERCIAL MATERIALS MANAGEMENT PROGRAM*
2. *COUNCIL BILL NO. 38, SERIES 2022 - AN ORDINANCE AMENDING CHAPTER 13 PERTAINING TO THE PROCESS FOR BRECKENRIDGE SPECIAL EVENTS AND THE BRECKENRIDGE EVENTS COMMITTEE*

VII. NEW BUSINESS

A. FIRST READING OF COUNCIL BILLS, SERIES 2022

1. *COUNCIL BILL NO. 39, SERIES 2022 - A BILL FOR AN ORDINANCE AMENDING POLICY 5A AND POLICY 5R PERTAINING TO ARCHITECTURAL COMPATIBILITY*

AND MAKING CONFORMING AMENDMENTS

2. *COUNCIL BILL NO. 40, SERIES 2022 - A BILL FOR AN ORDINANCE CONFORMING POLICY 24 (ABSOLUTE) TO THE WORKFORCE HOUSING DIVISION ADMINISTRATIVE RULES AND REGULATIONS*

B. RESOLUTIONS, SERIES 2022

1. *RESOLUTION NO. 23, SERIES 2022 - A RESOLUTION MAKING SUPPLEMENTAL AND REDUCED APPROPRIATIONS TO THE 2022 TOWN BUDGET*
2. *RESOLUTION NO. 24, SERIES 2022 - A RESOLUTION CREATING A TEMPORARY ADVISORY COMMISSION KNOWN AS THE "TOWN OF BRECKENRIDGE SOCIAL EQUITY ADVISORY COMMISSION"*

C. OTHER

1. *REAPPOINTMENT OF TAHJA GRIER TO BRECKENRIDGE SOCIAL EQUITY ADVISORY COMMISSION*

VIII. PLANNING MATTERS

- A. PLANNING COMMISSION DECISIONS

IX. REPORT OF TOWN MANAGER AND STAFF

X. REPORT OF MAYOR AND COUNCIL MEMBERS

- A. CAST/MMC (Mayor/Town Manager)
B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE (Mr. Bergeron)
C. BRECKENRIDGE TOURISM OFFICE (Mr. Carleton)
D. BRECKENRIDGE HISTORY (Ms. Saade)
E. BRECKENRIDGE CREATIVE ARTS (Mr. Rankin)
F. BRECKENRIDGE EVENTS COMMITTEE (Ms. Owens)
G. CHILD CARE ADVISORY COMMITTEE (Mr. Beckerman)
H. WORKFORCE HOUSING COMMITTEE (Mr. Carleton/Mr. Rankin)
I. SOCIAL EQUITY ADVISORY COMMISSION (Ms. Saade)

XI. OTHER MATTERS

XII. SCHEDULED MEETINGS

- A. SCHEDULED MEETINGS FOR DECEMBER, JANUARY AND FEBRUARY

XIII. ADJOURNMENT

I) CALL TO ORDER, ROLL CALL

Mayor Mamula called the meeting of November 22, 2022, to order at 7:00pm. The following members answered roll call: Mr. Rankin, Ms. Owens, Ms. Saade, Mr. Bergeron, Mr. Carleton, Mr. Beckerman and Mayor Mamula.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – NOVEMBER 8, 2022

With no changes or corrections to the meeting minutes of November 8, 2022, Mayor Mamula declared they would stand approved as presented.

III) APPROVAL OF AGENDA

Mr. Holman stated there was one change to the agenda, which was to add a proclamation in support of the victims of the Colorado Springs shooting. Mayor Mamula declared the agenda approved as amended.

IV) COMMUNICATIONS TO COUNCIL

A) PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)

Mayor Mamula opened Public Comment.

Ms. Lyudmila Babayko, a Breckenridge resident, stated she has been a resident since 2021. She asked Council to read a letter she submitted regarding her property and then she requested a short-term rental license exception for her property. Council thanked her for the letter.

There were no additional comments and Public Comment was closed.

B) BRECKENRIDGE TOURISM OFFICE UPDATE

Ms. Lucy Kay, Director of the BTO, stated the Colorado Tourism Office has decided to pause social media for the week in honor of the victims of the Colorado Springs shooting. She stated the Town's occupancy is comparable to 2019 and Christmas is flat to 2019, with ADRs up 47% compared to 2019. She also stated every month is comparable or slightly down to 2019 for the winter season, and February is up. She then presented sample branding for "B Like Breckenridge" and marketing ideas around that campaign. Ms. Kay mentioned the Santa Race on December 3rd and a toy drive taking place during that event. She also stated Snow Sculpture is coming in January and we'll continue to do reservations for the Saturday viewing. Mr. Beckerman asked about moving the Lighting of Breckenridge to Thanksgiving, specific to lighting the trees in Blue River Plaza.

V) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2022 - PUBLIC HEARINGS
1) COUNCIL BILL NO. 35, SERIES 2022 - AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2023

Mayor Mamula read the title into the minutes. Ms. Pam Ness, Revenue Manager, stated there were no changes to this ordinance from first reading.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 35, SERIES 2022 - AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2023. Mr. Beckerman seconded the motion.

The motion passed 7-0.

2) COUNCIL BILL NO. 36, SERIES 2022 - A BILL FOR AN ORDINANCE REPEALING POLICY 4A PERTAINING TO MASS AND MAKING CONFORMING AMENDMENTS

Mayor Mamula read the title into the minutes. Ms. Stefi Szrek, Planner, stated changes to this ordinance from first reading include minor code policy clean up related to sections of code that still mentioned massing or referred to Policy 4.

Mr. Beckerman asked about feedback from the public, and Ms. Szrek said they had a few letters and comments, but some of it was misinformed.
Mayor Mamula stated he is going to vote yes and we can come back to this ordinance in the future.

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

Mr. Carleton moved to approve COUNCIL BILL NO. 36, SERIES 2022 - A BILL FOR AN ORDINANCE REPEALING POLICY 4A PERTAINING TO MASS AND MAKING CONFORMING AMENDMENTS. Ms. Owens seconded the motion.

The motion passed 5-2. Mr. Bergeron and Mr. Beckerman voted no.

VI) NEW BUSINESS

A) FIRST READING OF COUNCIL BILLS, SERIES 2022

1) COUNCIL BILL NO. 37, SERIES 2022 - A BILL FOR AN ORDINANCE ESTABLISHING A REGULATORY FEE IN CONNECTION WITH THE COMMERCIAL MATERIALS MANAGEMENT PROGRAM

Mayor Mamula read the title into the minutes. Mr. Matt Hulsey stated this ordinance will create a fee that will cover the implementation of this program.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 37, SERIES 2022 - A BILL FOR AN ORDINANCE ESTABLISHING A REGULATORY FEE IN CONNECTION WITH THE COMMERCIAL MATERIALS MANAGEMENT PROGRAM. Mr. Beckerman seconded the motion.

The motion passed 7-0.

2) COUNCIL BILL NO. 38, SERIES 2022 - AN ORDINANCE AMENDING CHAPTER 13 PERTAINING TO THE PROCESS FOR BRECKENRIDGE SPECIAL EVENTS AND THE BRECKENRIDGE EVENTS COMMITTEE

Mayor Mamula read the title into the minutes. Ms. Kirsten Crawford stated this ordinance would make the Events Committee permanent and create an appeal process in regard to permits.

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

Mr. Bergeron moved to approve COUNCIL BILL NO. 38, SERIES 2022 - AN ORDINANCE AMENDING CHAPTER 13 PERTAINING TO THE PROCESS FOR BRECKENRIDGE SPECIAL EVENTS AND THE BRECKENRIDGE EVENTS COMMITTEE. Ms. Saade seconded the motion.

The motion passed 7-0.

B) RESOLUTIONS, SERIES 2022

1) RESOLUTION NO. 21, SERIES 2022 - A RESOLUTION ADOPTING THE 2023 BUDGET AND MAKING APPROPRIATIONS THEREFOR; AND APPROVING THE 2023-2027 CAPITAL IMPROVEMENT PLAN

Mayor Mamula read the title into the minutes. Ms. Pam Ness stated this resolution will adopt the Town of Breckenridge 2023 Budget and Capital Improvement Plan. She also noted this is the first budget with this new Finance team.

Mr. Beckerman asked if it's customary to budget for a net loss, and Mr. Holman stated it's not uncommon, and we try to always reinvest the tax dollars back into the community. Ms. Ness explained we also have money in restriction. Council thanked the team for their hard work this year. Mayor Mamula stated we collect tax money to use for the public's benefit.

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

Mr. Bergeron moved to approve RESOLUTION NO. 21, SERIES 2022 - A RESOLUTION ADOPTING THE 2023 BUDGET AND MAKING APPROPRIATIONS THEREFOR; AND APPROVING THE 2023-2027 CAPITAL IMPROVEMENT PLAN. Ms. Owens seconded the motion.

The motion passed 7-0.

- 2) RESOLUTION NO. 22, SERIES 2022 - A RESOLUTION APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE AND SUMMIT COUNTY, COLORADO TO DEVELOP WORKFORCE HOUSING ON REAL PROPERTY REFERRED TO AS "THE JUSTICE CENTER"

Mayor Mamula read the title into the minutes. Ms. Laurie Best stated this resolution would approve an amended IGA with Summit County for the Justice Center housing project. The three areas being amended include adding a part of Town-owned property to the site, financing the bulk of the project with a COP, and amending the insurance policy to require the Town to hold the policy.

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

Mr. Bergeron moved to approve RESOLUTION NO. 22, SERIES 2022 - A RESOLUTION APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE AND SUMMIT COUNTY, COLORADO TO DEVELOP WORKFORCE HOUSING ON REAL PROPERTY REFERRED TO AS "THE JUSTICE CENTER". Ms. Saade seconded the motion.

The motion passed 7-0.

- C) OTHER
1) BRECKENRIDGE SOCIAL EQUITY ADVISORY COMMISSION APPOINTMENT

Ms. Saade stated they had nine applicants for the seat on the committee and the committee recommends appointing Ms. June Walters to a 3-year term.

Mr. Bergeron moved to appoint Ms. June Walters to the BRECKENRIDGE SOCIAL EQUITY ADVISORY COMMISSION. Ms. Owens seconded the motion.

The motion passed 7-0.

- 2) PROCLAMATION IN SUPPORT OF THE VICTIMS OF THE COLORADO SPRINGS SHOOTING

Mayor Mamula asked the Council if they would like to donate to the fund created by the Governor's Office and Council agreed to donate \$5,000, which would support shooting victims and their families.

The Mayor read the Proclamation into record.

VII) PLANNING MATTERS

- A) PLANNING COMMISSION DECISIONS

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

VIII) REPORT OF TOWN MANAGER AND STAFF

Reports of Town Manager and Staff were covered as part of the afternoon Work Session.

Mr. Holman asked Council to let Ms. Peyton Rogers know if you plan on attending the employee Christmas Party on December 2nd, and stated CAST will take place at the end of January.

IX) REPORT OF MAYOR AND COUNCIL MEMBERS

Reports of Mayor and Council Members were covered as part of the afternoon Work Session.

- A. CAST/MMC

No report.

- B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE

No report.

C. BRECKENRIDGE TOURISM OFFICE

Mr. Carleton stated Oktoberfest didn't make much money this year, mostly due to new beer vendors and donations to volunteer organizations. Mayor Mamula stated the BTO is going to have to decide what this event is supposed to be, either a money-maker or an event for the Town. Mr. Carleton stated they are working on a dataset to measure town volume, including trail counts, traffic, occupancy and mobile phone data. He also stated they are planning for upcoming board retreats and working on the "B Like Breck" campaign, which is being noticed nationwide. Mr. Carleton stated we look to be up from 2019 in room nights, but flat to last year.

D. BRECKENRIDGE HISTORY

Ms. Saade stated Larry Crispell was honored with a philanthropic award. She further stated Larissa O'Neil spoke to the contractor for the Milne project, and they are willing to continue work on the second phase with a significant savings if Council is interested. Council agreed to look into numbers for Phase 2 with this contractor and move forward if possible to save money.

E. BRECKENRIDGE CREATIVE ARTS

No report.

F. BRECKENRIDGE EVENTS COMMITTEE

Mr. Bergeron asked about events on Town open space for under 50 people, and Mr. Carleton stated that is set by definition in the ordinance. He also stated that you have to balance the impact of the event with the work to manage it.

G. CHILD CARE ADVISORY COMMITTEE

No report.

H. WORKFORCE HOUSING COMMITTEE

No report.

I. SOCIAL EQUITY ADVISORY COMMISSION

No report.

X) OTHER MATTERS

There were no other matters presented at this meeting.

XI) SCHEDULED MEETINGS

A) SCHEDULED MEETINGS FOR NOVEMBER, DECEMBER AND JANUARY

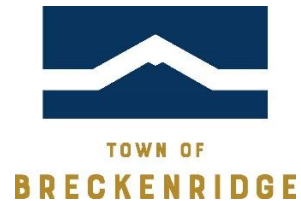
XII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 8:04pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Eric S. Mamula, Mayor



Memo

To: Town Council
From: Jessie Burley, Sustainability + Parking Manager
Date: 12/13/22
Subject: Section Reading Material Management Fee

At the November 22, 2022 Town Council Meeting, Staff presented a material management fee ordinance establishing a fee schedule and criteria to recover administrative, operational and maintenance costs of the shared commercial enclosure program. The ordinance before you has no changes from first reading.

Staff has sent a communication informing users in the program about the fee. The same communication is [posted on the website](#). Staff presented at the Breckenridge Restaurant Association Meeting on December 7, 2022 and has been reaching out individually to landlords and property managers about the changes.

It is Staff's recommendation that Council adopt the ordinance on second reading.

A BILL FOR AN ORDINANCE ESTABLISHING A REGULATORY FEE IN CONNECTION WITH THE COMMERCIAL MATERIALS MANAGEMENT PROGRAM.

WHEREAS, after an extensive outreach and stakeholder process taking place over a six month period, the SustainableBreck plan was updated in 2022 and identifies targets and strategies to achieve sustainability goals adopted by Town Council;

WHEREAS, one of the goals identified in the SustainableBreck plan was to manage and reduce materials going to the landfill by reducing waste at the source and divert what remains through recycling and composting with a target to achieve 40% landfill diversion by 2035;

WHEREAS, the Town Council has adopted universal recycling requirements for commercial entities and operates and maintains ten shared commercial enclosure facilities in the conservation district made available to approved residential units and businesses for the temporary collection of trash, single stream recycling, and glass; and,

WHEREAS, based on a study conducted by Town Staff to include 2021 operation and maintenance costs and based on business tiers, Staff has proposed a fee to be imposed on users of the material management program in an amount that bears a reasonable relationship to the direct and indirect costs of implementing the Town’s material management program established by this Chapter.

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

Section 1. That section 5-6-10 of the code is hereby amended to add the language underlined to read as follows:

5-6-10: ALLOWED USE OF COMMERCIAL SHARED TRASH ENCLOSURE:

A. A commercial shared trash enclosure may only be used for the temporary collection and storage of refuse, including recycling material.

B. The director shall adopt administrative rules and regulations to establish a program to manage the commercial shared trash enclosures and in connection therewith may determine appropriate users which can include commercial and residential generators.

1 1. In connection therewith, the director shall determine those persons who are
2 authorized to use a commercial shared trash enclosure, and which enclosure such person shall
3 be authorized to use.

4 2. In determining which enclosure a user shall be authorized to use the director
5 shall consider all relevant information, including, but limited to, the user's proximity to the
6 enclosure, and whether the enclosure has the capacity to accommodate the user's anticipated
7 volume of trash.

8 3. The director shall attempt to permit an authorized user to use the enclosure that
9 is nearest to the prospective user's property or business. However, there is no right to use a
10 particular trash enclosure, and a user's authorized trash enclosure may be changed by the
11 director at any time upon reasonable notice.

12 4. Establishment of material management regulatory fee and separate fund:

13 i. Commencing on the effective date of this ordinance, commercial and/or
14 residential users participating in the material management program shall pay an annual fee in
15 the amounts set forth in the table below:

<u>Tier</u>	<u>Type</u>	<u>Amount</u>
<u>1</u>	<u>Office/Beauty/Spa, Retail</u> <u>≤1,999 sq ft</u> <u>Residential</u>	<u>\$379.52</u>
<u>2</u>	<u>Cafes, Restaurants + Bars</u> <u>≤1,999 sq ft</u> <u>Retail ≥2,000 st ft</u>	<u>\$759.04</u>
<u>3</u>	<u>Restaurants + Bars ≥2,000</u> <u>sq ft</u> <u>Grocery</u>	<u>\$1138.55</u>

16
17 ii. Beginning with the town's 2024 fiscal year, the amount of the material
18 management fee described in this section shall be reviewed annually at the time of the budget
19 process. The director shall submit for review by council a report confirming that the fee amount
20 from the prior year is adequately and reasonably covering the direct and indirect costs of the
21 regulatory program or propose any increase or decrease in the amount of the fee for
22 administration of the program. If, for any reason, the amount of such fee is not fixed by the town
23 council as part of its annual budget process, the fee for the preceding year shall continue in full
24 force and effect until changed by the town council.

1 iii. The material management fee shall be paid annually on or before April 1 of each
2 calendar year. Failure to pay the fee in accordance with this section will result in the
3 nonissuance or nonrenewal of a license.

4 iv. All sums of money collected by the town per this section are intended exclusively
5 for use in the material management program.

6 The fees collected in accordance with this section shall not be used for general
7 municipal or governmental purposes or spending. Nor shall the fund ever be transferred to or
8 become part of the town's general fun

9 v. Fees collected in accordance with this section shall be accounted for by the
10 finance director in such a manner that the finance director can separately track the collection
11 and expenditure of such fees.

12 C. Nothing in this section prohibits a person from constructing an approved private
13 trash enclosure upon such person's property (and not upon public property); provided, that legal
14 vehicular access for waste collection is available. All necessary development and building
15 permits must be obtained prior to the construction of the approved private trash enclosure.

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

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

22 **Section 4.** This ordinance shall be published and become effective as provided by
23 Section 5.9 of the Breckenridge Town Charter.

24
25 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
26 PUBLISHED IN FULL this ____ day of _____, 2022. A Public Hearing shall be held at the
27 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
28 _____, 2022, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
29 Town.

30
31 TOWN OF BRECKENRIDGE, a Colorado
32 municipal corporation
33

34
35 By: _____
36

Eric S. Mamula, Mayor

ATTEST:

Helen Cospolich, CMC,
Town Clerk



Memo

To: Breckenridge Town Council Members
From: Kirsten J. Crawford, Town Attorney
Date: 12/6/2022
Subject: Amendment to the SEPA Ordinance to Establish the Breckenridge Events Committee

Staff proposes that the amendments to the SEPA ordinance be approved on second reading. There were no changes since first reading.

1 COUNCIL BILL NO. ____

2
3 Series 2022

4
5 **AN ORDINANCE AMENDING CHAPTER 13 PERTAINING TO THE PROCESS**
6 **FOR BRECKENRIDGE SPECIAL EVENTS AND THE BRECKENRIDGE**
7 **EVENTS COMMITTEE.**
8

9 WHEREAS, by adoption of Resolution No. 14, Series 2018, the Town of Breckenridge
10 Town Council established a temporary committee known as the “Town of Breckenridge Events
11 Committee” and in connection therewith set forth the duties, composition and authority of the
12 committee;

13 WHEREAS, by adoption of Resolution No, 8, Series 2022, the Town Council made
14 amendments to the Town of Breckenridge Events Committee;

15 WHEREAS, the Town Council has determined that it is in the best interest of the health,
16 safety and welfare of the Town to more permanently established the Breckenridge Events
17 Committee by creating the committee by ordinance and superseding the 2018 and 2022
18 resolutions;

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

21
22 **Section 1.** That section 4-13-4, entitled “Definitions” be amended by deleting the
23 language stricken as follows:

24
25 ~~BRECKENRIDGE EVENTS COMMITTEE (or EVENTS COMMITTEE): The town of~~
26 ~~Breckenridge Events Committee created by Resolution No. 14, Series 2018, as amended from~~
27 ~~time to time.~~

28
29 **Section 2.** That section 4-13-8 shall be replaced with the below language creating a
30 special events committee and that the remaining sections of title 4, chapter 13 be renumbered
31 accordingly:

32 BRECKENRIDGE EVENTS COMMITTEE

33 A. Membership on the Committee.

34
35 1. The Committee shall consist of up to fourteen members approved from time
36 to time by the Town Council. A member may be an individual, or either a for profit or nonprofit

1 business entity. Membership on the Committee shall be based upon a member's relevance,
2 interest, and involvement with events within the Town, and/or the impact of events within
3 the community. Membership of the Committee will be based on the needs of the Committee
4 as determined by the Town Council, and may change over time.

5 2. Composition. The Committee shall be comprised of entities that have a
6 business office located within the corporate limits of the Town of Breckenridge, that may act
7 through one or more individuals to act as the member's representative on the Committee.
8 A member representative shall have full authority to act for such member with respect to all
9 decisions and other actions of the Committee.

10 3. Appointment and Removal of Member Entities. The Member entities shall be
11 appointed by and serve at the pleasure of Town Council. A member may change its
12 representative at any time in its sole and absolute discretion.

13 B. Duties and Responsibilities. The Committee shall have the following duties and
14 responsibilities:

15 1. To effectively function as the single, primary point of contact for evaluation of
16 potential events, as defined in Section 4-13-4 of the Breckenridge Town Code, against agreed
17 upon event strategies including, but not limited to attract destination visitation; branding/media;
18 animation/community goodwill; sustainable visitation; and quality of life for primary residents;

19 2. To identify potential impacts on Town and citizens requiring extra vetting; street
20 and parking closures, parking capacity, gridlock, trail use, noise, multiday events; and

21 3. To perform such other functions and duties regarding events as may, from time
22 to time, be delegated by the Town Council, or which are provided for by Town ordinance or
23 resolution.

24 C. Members of the Committee shall serve without compensation. Nothing herein
25 shall limit a member entity from compensating its designated representative for its service
26 on the Committee in the member's sole and absolute discretion.

27 **Section 3.** That section 4-13-18 entitled "APPEAL OF DENIAL OR CONDITIONAL
28 APPROVAL OF PERMIT" is hereby repealed and replaced with the following language
29 underlined to read as follows:
30

31 4-13-18: ADMINISTRATIVE REVIEW AND COURT PROCEEDINGS.

1 (a) An applicant for a special event permit who disputes any determination made by
2 or on behalf of the Town pursuant to the authority of the manager, which determination
3 adversely affects such person, may petition the manager for a hearing concerning such
4 determination no later than thirty (30) days after having been notified of any such determination.
5 Compliance with the provisions of this subsection shall be a jurisdictional prerequisite to any
6 action brought under the provisions of this section, and failure of compliance shall forever bar
7 any such action.

8 (b) The manager may hold such hearing themselves or they have the sole discretion
9 to designate a hearing officer to hold such hearing or such hearings

10 (c) Such petition shall be in writing, and the facts and figures submitted shall be
11 submitted under oath or affirmation either in writing or orally at a hearing scheduled by the
12 manager or the hearing officer. The hearing, if any, shall take place at Town Hall, and notice
13 thereof and the proceedings shall otherwise be in accordance with rules and regulations issued
14 by the manager.

15 (d) The burden of proof shall be on the proponent of a claim or issue to prove such
16 claim or issue by a preponderance of the evidence, and on the party raising any affirmative
17 defense or matter of mitigation to prove such affirmative defense or matter of mitigation by a
18 preponderance of the evidence. "Preponderance of the evidence" means to prove that
19 something is more probably true than not.

20 (e) Thereupon, the manager shall make a final determination. Such final
21 determination shall be considered a final order of the manager and may be reviewed under Rule
22 106(a)(4) of the state rules of civil procedure by the petitioner or by the town.

23 (f) The district court of the fifth judicial district of the State of Colorado shall have
24 original jurisdiction in proceedings to review all questions of law and fact determined by the
25 manager by order or writ under Rule 106(a)(4) of the state rules of civil procedure.

26
27 **Section 4.** The Town Council hereby finds, determines and declares that this ordinance
28 is necessary and proper to provide for the safety, preserve the health, promote the prosperity,
29 and improve the order, comfort and convenience of the Town of Breckenridge and the
30 inhabitants thereof.

31 **Section 5.** This ordinance shall be published and become effective as provided by
32 Section 5.9 of the Breckenridge Town Charter.

33

1 INTRODUCTION, READ ON FIRST READING, APPROVED AND ORDERED
2 PUBLISHED IN FULL this 22nd day of November, 2022. A Public Hearing shall be held at the
3 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 13th day of
4 December, 2022, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
5 Town.

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7 TOWN OF BRECKENRIDGE, a Colorado
8 municipal corporation
9

10
11
12 By: _____
13 Eric S. Mamula, Mayor
14

15 ATTEST:

16
17
18
19 _____
20 Helen Cospolich, CMC,
21 Town Clerk
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Memo

To: Town Council
From: Sarah Crump, Planner II
Date: December 7, 2022 (for meeting of December 13, 2022)
Subject: First Reading: Policy 5A and 5R Amendments- Exterior Building Materials

The Town Council recently reviewed Policies 5A and 5R: Architectural Compatibility, at a work session, and recommended proceeding with code amendments that would establish an exterior building materials matrix applicable to all building types outside the Conservation District. The Council also recommended disallowing structures with exterior facades comprised of entirely one material either brick, metal, or stucco, with the exception of brick for buildings with institutional uses.

Based on Council's direction, staff proposes the attached amendments to Policies 5A (Absolute) and 5R (Relative) from the Development Code. This includes the addition of a materials matrix in 5R and the clarification of point allocations for specific material usage.

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

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COUNCIL BILL NO. ____

Series 2022

**A BILL FOR AN ORDINANCE AMENDING POLICY 5A and POLICY 5R
PERTAINING TO ARCHITECTURAL COMPATIBILITY AND MAKING
CONFORMING AMENDMENTS.**

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

Section 1. That Section 9-1-19-5A, Policy 5 (Absolute) Architectural Compatibility, of
the Breckenridge Development Code shall be amended by deleting the language stricken and
adding the language underlined, to read as follows:

9-1-19-5A: POLICY 5 (ABSOLUTE) ARCHITECTURAL COMPATIBILITY:

A. Color Choices:

1. General - Painting: Color choices for all buildings within the town limits shall be made
from those allowed within the range delineated according to the Munsell color notation
system from the "Munsell Book of Color" on display in the Planning Office.

The Munsell system of color notation is broken into three (3) categories: hue, chroma
and value. Chroma is the only characteristic with a set limit, which is as follows:

Body color is limited to a maximum chroma of 4 (except that if yellow or red is used,
body color is limited to a maximum chroma of 6, trim color is limited to a maximum
chroma of 8 and accent color is limited to a maximum chroma of 10). Trim color is limited
to a maximum chroma of 6. Accent color is limited to a maximum chroma of 8.

The number of colors used on one structure is limited to three (3); this does not include
specifically appropriate additional colors as listed in the architectural color placement list
in the design guidelines for such elements as window sashes, porch floors, ceiling half
timbers, roof coverings, flashing, flues, brick, rusted metal, and unfinished natural
surfaces such as rock and stone.

1 If three (3) colors are used, the color that covers the most building area is the body, the
2 color covering the second most building area is the trim, and the color covering the least
3 building area is the accent color.

4 If two (2) colors are used, the color covering the lesser area is the trim color for purposes
5 of regulating of maximum chroma.

6 If a different value or chroma of the same hue is used, this is considered a separate
7 color.

8 All exterior elements of a building that are metal, such as flues, flashings, etc., shall be
9 painted a flat, dark color or one that is a compatible color with the building and not be left
10 nor allowed to become bare metal. The color choices shall be as determined between
11 the staff and applicant. Exceptions to this policy may occur such as for copper roofs,
12 etc., which do not require painting.

13 2. Painting Of Contemporary Landmark: Notwithstanding provisions of subsection A(1)
14 of this section, a contemporary landmark may be painted a color with a chroma different
15 from that required by subsection A(1) of this section under the following conditions:

16 a. The Planning Commission determines on the basis of credible evidence that
17 requiring a change in the chroma of the color of the structure would significantly
18 impair or impede the recognition of the structure by the public;

19 b. The chroma of the color which the structure is to be painted is the same as
20 the chroma of the historic color which the structure has been continuously
21 painted for the twenty five (25) years immediately preceding the adoption of the
22 color requirements set forth in subsection A(1) of this section on April 24, 1990;
23 and

24 c. Any Class B development permit which authorizes the painting of a
25 contemporary landmark pursuant to the provisions of this subsection A(2) shall
26 provide that the chroma of the color of the structure may not be altered without
27 the structure losing its designation as a contemporary landmark.

28 B. Building Materials: Structures shall not be constructed so that any facade, when measured
29 from the fascia board to finished grade, is greater than 75 percent brick, metal, nor stucco.

1 Excepting when brick is used for institutional uses as defined under 9-1-5: DEFINITIONS,
2 “INSTITUTIONAL USE.” This subsection B only applies to areas outside of the Historic District.
3 Architecture within the Historic District is regulated by the Handbook of Design Standards for the
4 Historic and Conservation Districts.

5 ~~B. Conservation District: (Rep. by Ord. 15, Series 2013)~~

6 ~~C. Aboveground Density In Historic District: (Rep. by Ord. 1, Series 2019)~~

7 ~~D. C. Within The Cucumber Gulch Overlay Protection District: Within the Cucumber Gulch~~
8 ~~Overlay Protection District building materials and exterior colors shall blend with the natural~~
9 ~~landscape. Structures shall be constructed of wood, stone and other natural materials. The use~~
10 ~~of highly reflective materials is prohibited.~~

11 ~~E. D. Solar Devices:~~

12 ~~1. Within The Conservation District: The preservation of the character of the~~
13 ~~Conservation District and the historic structures and sites within the Conservation District~~
14 ~~are of the utmost importance. The town encourages the installation of solar devices as~~
15 ~~an alternative energy source. It is a goal of this policy to balance sustainability and~~
16 ~~historic preservation goals of the town.~~

17 ~~There may be instances where solar devices are not appropriate on a particular building~~
18 ~~or site if such a device is determined by the town to be detrimental to the character of~~
19 ~~the Conservation District or would result in a reduced State, Federal or local historic~~
20 ~~rating of a historic structure or district.~~

21 ~~The town allows for solar device placement that is sensitive to the character of the~~
22 ~~Conservation District and located away from the public street.~~

23 ~~Within the Conservation District a solar device shall be located to reduce the visibility of~~
24 ~~the solar device from a public street (as opposed to an alley) to the greatest extent~~
25 ~~practical and to reduce negative impacts to historic structures. In most cases, preference~~
26 ~~1 will reduce visibility and is the highest and most preferred; preference 5 is the lowest~~
27 ~~and least preferred. A solar device shall be located in the highest preference possible.~~

28 ~~The order of preference for the location of a solar device within the Conservation District~~
29 ~~is as follows, unless a less visual option is available on site: 1) as a building integrated~~

1 photovoltaic device; 2) on non-historic structures or additions; 3) on an accessory
2 structure; 4) on the primary structure; and 5) highly visible from the public street.

3 2. Class C Development Permit: Within the Conservation District, no solar device shall
4 be installed on a structure or site without first obtaining a Class C development permit.
5 The application must include photographic and/or three-dimensional visual aspects from
6 public streets and alleys within a one block radius or four hundred feet (400') (whichever
7 is greater) of the building or site. Solar devices are encouraged to be installed on a
8 nonhistoric building or building addition and integrated into the building design. To
9 ensure that the character of the Conservation District and its historic structures and sites
10 are protected, an application for a development permit to install a solar device within the
11 Conservation District will be reviewed under the following requirements:

12 a. General Requirements For All Installations: Solar devices on roofs shall be
13 placed on a noncharacter defining roofline of a nonprimary elevation (not highly
14 visible from a street). For lots which have exhausted the preferred placement
15 options as set forth above, solar devices that are visible from the street may be
16 appropriate if they are designed to have minimal visual impacts from the street
17 and do not result in detrimental character to the Conservation District, or a
18 reduced State, Federal or local historic rating for the structure or surrounding
19 structures, as determined by the town.

20 Solar devices and related mechanical equipment and mounting structures shall
21 be nonreflective such as an anodized finish. Mechanical equipment associated
22 with the solar device such as invertors, convertors and tubing attached to the
23 building fascia shall be painted to match the building color to blend into the
24 building. Solar devices shall be located so as not to alter a historic roofline or
25 character defining features such as dormers or chimneys.

26 b. Sloped Roof Installations: All solar devices on sloped roofs must run parallel
27 to the roofline. Roof mounted solar devices shall not break the existing ridgeline
28 of the roof to which the solar device is mounted. All solar devices shall run
29 parallel to the original roofline and shall not extend beyond the edge of the roof
30 on which the device is installed.

1 c. Flat Roof Installations: Solar devices and mounting structures shall not be
2 visible from any public street or alley within the Conservation District.

3 d. Building Integrated Solar Devices For New Structures: Applications for new
4 structures within the Conservation District are encouraged to include building
5 integrated solar devices into the initial design, including a similar roof color,
6 rather than as a later addition. Solar devices which contrast with the color of the
7 roof of new or historic structures are inappropriate and are not allowed if found to
8 be detrimental to the character of the Conservation District.

9 e. Detached Solar Devices: Detached arrays of solar devices are prohibited.

10 f. Historic Buildings: On historic buildings, character defining elements such as
11 historic windows, walls, siding or shutters which face a public street or contribute
12 to the character of the building shall not be altered in connection with the
13 installation of solar devices. Solar devices in nonhistoric windows, walls, siding or
14 shutters which are not visible from a public street are encouraged.

15 3. Outside The Conservation District: The town encourages the installation of solar
16 devices on structures or sites located outside the Conservation District as an alternative
17 energy source. The following regulations shall apply to the installation of solar devices
18 outside the Conservation District:

19 a. No solar device shall be installed on a structure or site without first obtaining a
20 Class D minor development permit. The Director shall have the authority to
21 reclassify an application as a Class C application, and to require review by the
22 Planning Commission, if he feels the purpose of this code would be best served
23 by the reclassification. Reclassification shall be done pursuant to the definition of
24 "classification" in section [9-1-5](#) of this chapter.

25 Outside of the Conservation District a solar device shall be located based upon
26 the following order of preference. Preference 1 is the highest and most preferred;
27 preference 6 is the lowest and least preferred. A solar device shall be located in
28 the highest preference possible. The order of preference for the location of a
29 solar device outside of the Conservation District is as follows: 1) as a building
30 integrated photovoltaic device; 2) flush mounted (9 inches above the roofline)

1 panel on an accessory structure roof, or as a detached array of solar devices; 3)
2 flush mounted roof panel on the primary structure or screened detached array; 4)
3 a tilted roof mounted panel that is not highly visible from the public right-of-way;
4 5) a tilted or angled and tilted roof mounted panel that is not highly visible from
5 the public right-of-way; and 6) a tilted or angled and tilted roof mounted panel
6 that is highly visible from the public right-of-way.

7 b. Roof mounted solar devices shall run as closely parallel to the roofline as
8 possible while still maintaining efficient solar access. Solar devices and related
9 mechanical equipment and mounting structures shall be nonreflective such as an
10 anodized finish. Mechanical equipment associated with the solar device such as
11 invertors, convertors and tubing attached to the building fascia shall be painted to
12 match the building color to blend into the building. New structures are
13 encouraged to include building integrated solar devices into the initial design,
14 rather than as a later addition.

15 c. Roof mounted solar devices shall not break the existing ridgeline of the roof to
16 which the panels are mounted. All mounting structures shall be on the same
17 roofline as the panels. Elevated solar arrays which follow the orientation of the
18 roofline are allowed. An east or west facing roof may have an angled orientation
19 in relation to the existing roofline. A maximum tilt angle of forty five degrees (45°)
20 is allowed for electrical solar devices. An elevated array for a solar hot water
21 heating system may have a maximum tilt angle of fifty degrees (50°) and a
22 maximum tilt angle of fifty five degrees (55°) for a solar heating system.

23 d. Solar devices which appear as an awning may be mounted onto building
24 facades or decks.

25 e. The location of detached solar devices shall also consider visibility from
26 adjacent properties and public right-of-way, which shall be reduced to the extent
27 possible while still maintaining solar access. Detached solar devices which serve
28 the structure on the site may be located outside of the building or disturbance
29 envelope if no significant existing vegetation must be removed for the installation
30 and an adequate buffer is provided to adjacent properties.

1 4. Removal: Any solar devices that fall into a state of disrepair or that cease to be fully
2 operational for more than ninety (90) days shall be removed and properly discarded. The
3 landowner's obligation to comply with this requirement shall be contained in a recorded
4 restrictive covenant acceptable in form and substance to the town attorney.

5 **Section 2.** That Section 9-1-19-5R: POLICY 5 (RELATIVE) ARCHITECTURAL
6 COMPATIBILITY be amended by deleting the language stricken and adding the language
7 underlined to read as follows:

8 **9-1-19-5R: POLICY 5 (RELATIVE) ARCHITECTURAL COMPATIBILITY:**

9 The town hereby finds that excessive similarity, dissimilarity, or poor quality design of any
10 building adversely affects the desirability of the immediate area and the community as a whole,
11 and by so doing impairs the benefits of existing property owners, the stability and value of real
12 property, produces degeneration of property with attendant deterioration of conditions affecting
13 health, safety, and general welfare of the community, and destroys a proper relationship
14 between the taxable value of real property and the cost of Municipal services provided therefor.
15 Features of design include, but are not limited to, size, shape, scale, proportions, solid to void
16 ratios, texture, pattern and color of materials, and architectural elements and details.

17 3 x (-2/+2) A. General Architectural And Aesthetic Compatibility: All proposed
18 new developments, alterations, or additions are strongly encouraged to be architecturally
19 compatible with the general design criteria specified in the land use guidelines. It is
20 strongly encouraged that cut and fill slopes be kept to a minimum, and that the site,
21 when viewed from adjacent properties, be integrated into its natural surroundings as
22 much as possible. In addition, excessive similarity or dissimilarity to other structures
23 existing, or for which a permit has been issued, or to any other structure included in the
24 same permit application, facing upon the same or intersecting streets within the same or
25 adjacent land use districts is discouraged. This subsection A only applies to areas
26 outside of the Historic District. Architecture within the Historic District is regulated by the
27 Handbook of Design Standards for the Historic and Conservation Districts.

28 Exterior building materials and colors should not unduly contrast with the site's background. The
29 use of natural materials, such as logs, timbers, wood siding and stone, are strongly encouraged
30 because they weather well and reflect the area's indigenous architecture. ~~Brick is an acceptable~~
31 ~~building material on smaller building elements, provided an earth tone color is selected. Stucco~~

1 is an acceptable building material so long as an earth tone color is selected, but its use is
 2 discouraged and negative points shall be assessed if the application exceeds twenty five
 3 percent (25%) on any elevation as measured from the bottom of the fascia board to finished
 4 grade. Such measurement shall include column elements, windows and chimneys, but shall not
 5 include decks and railing elements. Fiber cement siding may be used without the assignment of
 6 negative points only if there are natural materials on each elevation of the structure (such as
 7 accents or a natural stone base) and the fiber cement siding is compatible with the general
 8 design criteria listed in the land use guidelines. Roof materials should be nonreflective and
 9 blend into the site's backdrop as much as possible. Inappropriate exterior building materials
 10 include, but are not limited to, untextured exposed concrete, untextured or unfinished unit
 11 masonry, highly reflective glass, reflective metal roof, and unpainted aluminum window frames.
 12 This subsection A applies only to areas outside of the Conservation District, but does not apply
 13 to the Cucumber Gulch Overlay Protection District (see section [9-1-19-5A](#), "Policy 5 (Absolute)
 14 Architectural Compatibility", subsection D C, of this chapter).

15 B. Exterior building materials listed in the table below are regulated per façade. Exterior
 16 building materials not considered in this Development Code will be considered on a
 17 case-by-case basis and may require input from the Planning Commission regarding their
 18 use. This subsection B only applies to areas outside of the Historic District. Architecture
 19 within the Historic District is regulated by the Handbook of Design Standards for the
 20 Historic and Conservation Districts.

21

<u>Material</u>	<u>Points*</u>	<u>Notes</u>
<u>Brick</u>	<u>Allowed as an accent or on smaller elements up to 25% of each façade with no negative points</u> <u>>25-50% of any façade warrants negative two (-2) points</u>	<u>Bricks should be a natural earth-tone color and brick style that is appropriate for the historical and mountain context of Breckenridge. Additional points under Section A. may be assigned for bricks that are of a color or dimension not typical of the historic or mountain context of Breckenridge.</u>

	<p><u>>50-75% of any façade warrants negative four (-4) points</u></p> <p><u>>75-100% of any façade is prohibited with some exceptions per section 9-1-19-5A-B</u></p>	<p><u>Buildings defined as an institutional use may be constructed of brick without the assignment of negative points.</u></p>
<p><u>Composite wood siding</u></p>	<p><u>>0-33% of any façade warrants negative two (-2) points</u></p> <p><u>>33-66% of any façade warrants negative four (-4) points</u></p> <p><u>>66-100% of any façade warrants negative six (-6) points</u></p>	
<p><u>Metal siding</u></p>	<p><u>Up to 25% per façade warrants no negative points</u></p> <p><u>>25-50% of any façade warrants negative two (-2) points</u></p> <p><u>>50-75% of any façade warrants negative four (-4) points</u></p> <p><u>>75-100% of any façade is prohibited per section 9-1-19-5A-B</u></p>	<p><u>Per 9-1-19-5A Section A. 1. all exterior metal elements must be non-reflective.</u></p>

<u>Fiber cement siding</u>	<u>Warrants negative three (-3) points when applied with no supplemental natural materials.</u>	<u>No negative points will be assigned when applied with natural materials such as natural wood accents or a natural stone base on each elevation and provided the fiber cement siding is compatible with the general design criteria listed in the land use guidelines.**</u>
<u>Stucco</u>	<u>Up to 25% per façade warrants no negative points</u> <u>>25-50% of any façade warrants negative two (-2) points</u> <u>>50-75% of any façade warrants negative four (-4) points</u> <u>>75-100% > of any façade is prohibited per section 9-1-19-5A-B</u>	<u>Natural earth-tone colors are recommended. Additional negative points could be assigned under Section A. of the Policy if non-natural colors are applied.</u>

1 *To determine the allocation of points, façade area is measured from the fascia board to
2 finished grade. Such measurement shall include column elements, windows, and
3 chimneys, but shall not include decks and railing elements.

4 **Natural materials for the purpose of offsetting the application of fiber cement siding can
5 include elements such as railings, decking, or other architectural details not included in
6 the calculation of the façade area as long as these natural material elements are applied
7 on the same elevations as the fiber cement siding.

8 B. C. Historic And Conservation Districts: For all projects within the Historic or
9 Conservation Districts, see section [9-1-19-24A](#), "Policy 24 (Absolute) The Social
10 Community", and section [9-1-19-24R](#), "Policy 24 (Relative) Social Community", of this
11 chapter.
12

1 **Section 3.** This ordinance shall be published and become effective as provided by
2 Section 5.9 of the Breckenridge Town Charter.

3 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
4 PUBLISHED IN FULL this ____ day of _____, 2022. A Public Hearing shall be held at the
5 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
6 _____, 2022, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
7 Town.

8
9 TOWN OF BRECKENRIDGE, a Colorado

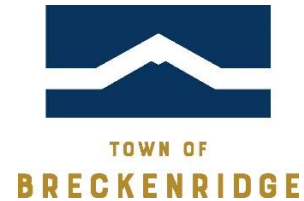
10 municipal corporation

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14 By: _____

15 Eric S. Mamula, Mayor

16
17 ATTEST:

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21 _____
22 Helen Cospolich, CMC,
23 Town Clerk



Memo

To: Breckenridge Town Council Members
From: Laurie Best, Housing Manager
Date: 12/7/2022 (for December 13, 2022)
Subject: A BILL FOR AN ORDINANCE CONFORMING POLICY 24 (ABSOLUTE) TO THE WORKFORCE HOUSING DIVISION ADMINISTRATIVE RULES AND REGULATIONS

In 2020, the Council adopted new regulations within Policy 24 of the Development Code establishing an absolute housing policy. That policy requires new development provide deed restricted employee housing (or in some cases a fee in lieu). The amount of housing required is based on a formula contained in the Policy24 which is based on the number of employees generated by the development.

When this policy was established in 2020 the Town had not yet adopted Administrative Rules and Regulations for workforce housing and had not codified the Division of Housing. Therefore, the terms of the deed restriction and administrative processes related to enforcement of the deed restriction were included in Policy 24 of the Development Code. But, with the codification of the Division of Housing and the adoption of Administrative Rules in 2022, the language in the Development Code became duplicative. Having such regulations in two places can create confusion and creates risk of contradictory language. Staff has prepared this Ordinance to amend Policy 24 to strike the duplicative language. If approved, the terms of the deed restriction and the administrative processes will be pursuant to recently adopted Administrative Rules.

It should be noted that the terms of the deed restriction described in Policy 24 and the deed restriction described in the Administrative Rules were substantially the same with only one exception. The Policy 24 language prohibited any lease of an employee housing unit for a term less than 120 days. The Administrative Rules allows seasonal leases of 90 days. Unless the Council specifically intended for the longer lease term, staff recommends the standard 90 day lease be applied. It should also be noted that the enforcement options now available as a result of the housing division codification are better than those that were included in Policy 24.

Summary/Recommendations:

Staff recommends approval of this Ordinance to amend Policy 24 of the Development Code, specifically to strike language that is better addressed in the recently adopted Administrative Rules and Regulations. This will impact only the nature of the deed restriction and the administrative enforcement processes. All other elements of Policy 24, which include the amount of housing required, will remain unchanged. Staff will be available to answer questions at your meeting.

A BILL FOR AN ORDINANCE CONFORMING POLICY 24 (ABSOLUTE) TO THE WORKFORCE HOUSING DIVISION ADMINISTRATIVE RULES AND REGULATIONS.

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

Section 1. That subsection H of section 9-1-19-24A:POLICY 24 (ABSOLUTE) entitled "THE SOCIAL COMMUNITY" of the code is hereby amended by adding the language underlined and deleting the language stricken as follows:

H. Occupancy And Deed Restrictions:

~~1. Each employee housing unit provided pursuant to this policy shall be encumbered by a properly recorded restrictive covenant in a form acceptable to the town attorney. The terms of such restrictive covenant shall be consistent with the Administrative Rules and Regulations Pertaining to Workforce Housing, as amended from time to time this policy, and such restrictive covenant shall not be subordinate to any senior lien or encumbrance, except the lien of the general property taxes.~~

~~2. Employee Housing shall not be leased or rented for a period less than one hundred twenty (120) consecutive days.~~

~~3. Employee housing may be sold or transferred as a separate unit on the site.~~

~~4. Employee housing shall not remain vacant for a period in excess of three (3) consecutive months unless, despite the owner's reasonable and documented efforts to fill the vacancy, the employee housing remains unoccupied.~~

~~5. Employee housing shall be occupied at all times by a person eighteen (18) years of age or older who, during the entire period of his or her occupancy of the employee housing, earns his or her living by working for a business located in and serving in Summit County, Colorado, an average of at least thirty (30) hours per week, together with such person's spouse and minor children, if any.~~

~~6. Each year, the owner of an employee housing unit shall submit an affidavit of compliance to the town, or its assignee, containing the following information:~~

~~a. Evidence to establish that the employee housing unit has been occupied throughout the year by an employee;~~

~~b. The rental rate (unless owner occupied);~~

~~c. The employee's employer; and~~

1 ~~d. Evidence to demonstrate that at least one person residing in the employee housing is an~~
2 ~~employee as defined in subsection (5), above.~~

3 ~~I. Timing: All employee housing required by this policy shall be provided prior to the issuance~~
4 ~~of a Certificate of Occupancy for the affected development.~~

5 ~~J. No Taking: The town council intends that the application of this policy not result in an~~
6 ~~unlawful taking of private property without the payment of just compensation.~~

7 ~~K. Acknowledgement Of Summit County Housing Authority Impact Fee: In connection with the~~
8 ~~adoption of this policy the town council considered the contributions made by the "Housing~~
9 ~~Development Impact Fee For Affordable Housing Purposes" adopted by the Summit Combined~~
10 ~~Housing Authority on December 6, 2006.~~

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

13 **Section 3.** The Town Council hereby finds, determines and declares that this ordinance
14 is necessary and proper to provide for the safety, preserve the health, promote the prosperity,
15 and improve the order, comfort and convenience of the Town of Breckenridge and the
16 inhabitants thereof.

17 **Section 4.** This ordinance shall be published and become effective as provided by
18 Section 5.9 of the Breckenridge Town Charter.

19
20 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
21 PUBLISHED IN FULL this ____ day of _____, 2022. A Public Hearing shall be held at the
22 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
23 _____, 2022, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the
24 Town.

25
26 TOWN OF BRECKENRIDGE, a Colorado
27 municipal corporation
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31 By: _____
32 Eric S. Mamula, Mayor
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34 ATTEST:

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38 _____
39 Helen Cospolich, CMC,

1 Town Clerk
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Memo

To: Breckenridge Town Council
 From: Dave Byrd, Director of Finance
 Date: 12.13.22
 Subject: 2022 Supplemental Appropriations

Background

The Town Council approves a budget each year. From time to time, it is necessary to make changes to the budget as circumstances necessitate. These changes must be adopted by Council resolution.

Below is a list of those changes and attached is the official resolution submitted for approval.

Supplemental Appropriations to the 2022 Budget

After review of November YTD Expenses and estimates for December by fund, we are recommending the following changes for the 2022 Budget.

#	Fund	Expense	Notes
1	General Fund #1	\$ 1,225,571	Washington Lot Purchase
2	Cemetery Fund #15	\$ 4,500	Tree services higher than budget
3	Parking & Transportation Fund #17	\$ 1,508,713	Parking Structure \$679K, Parking Management related to Parking structure \$405K, Reusable Bag, \$107K, Sustainability \$174K*
4	Health care Plan Fund #18	\$ 1,066,373	YTD is \$3.7 M, based on historical \$1M has been added for Nov and December
5	Accommodation Unit Compliance Fund #20	\$ 3,803,576	Newly created fund in 2022*
		<u>\$ 7,608,733</u>	
		\$ 174,000	Originally Budgeted in General Fund
		\$ 420,243	Originally budgeted in General Fund
		<u>\$ 1,300,000</u>	Originally budgeted in Housing Fund
		\$ 1,894,243	
Total New Expense		<u>\$ 5,714,490</u>	

RESOLUTION NO. 2023

SERIES 2022

A RESOLUTION MAKING SUPPLEMENTAL AND REDUCED APPROPRIATIONS TO THE
2022 TOWN BUDGET

WHEREAS the Town Council of the Town of Breckenridge desires to amend the Town's 2022 budget by making appropriations in the amount of \$7,608,733 in expenditures, and

WHEREAS, pursuant to Section 10.12(a) of the Breckenridge Town Charter, the Finance Department, on behalf of the Town Manager, has certified that there are available for appropriation expenses more than those estimated in the Town's 2022 budget not previously appropriated in an amount sufficient for the proposed supplemental appropriations: and

WHEREAS, pursuant to Section 10.12(c) of the Breckenridge Town Charter, the Town Council determines that it is necessary and appropriate to approve certain appropriations previously made in the adopted 2022 budget, all as more fully set forth hereafter: and

WHEREAS a public hearing on the proposed revised appropriations was held on December 13, 2022, in accordance with the requirements of Section 10.12(a) of the Breckenridge Town Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO that:

Section 1. The 2022 budget is amended, and revised appropriations for the amended 2022 Town budget are made as follows:

#	Fund	Expense	Notes
1	General Fund #1	\$ 1,225,571	Washington Lot Purchase
2	Cemetery Fund #15	\$ 4,500	Tree services higher than budget
3	Parking & Transportation Fund #17	\$ 1,508,713	Parking Structure \$679K, Parking Management related to parking structure \$405K, Reusable Bag, \$107K, Sustainability \$174K*
4	Health care Plan Fund #18	\$ 1,066,373	YTD is \$3.7 M, based on historical \$1M has been added for Nov and December
5	Accommodation Unit Compliance Fund #20	\$ 3,803,576	Newly created fund in 2022*
		<u>\$ 7,608,733</u>	

Section 2. This Resolution shall become effective upon its adoption.

RESOLUTION APPROVED AND ADOPTED THIS 13th DAY OF DECEMBER 2022.

ATTEST

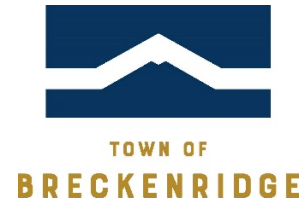
TOWN OF BRECKENRIDGE

By _____
Helen Cospolich, Town Clerk

By _____
Eric Mamula, Mayor

APPROVED IN FORM

By _____
Town Attorney Date



Memo

To: Breckenridge Town Council Members
From: Shannon Haynes, Assistant Town Manager
Date: 12/8/2022
Subject: Breckenridge Social Equity Advisory Commission Resolution Revision

The Breckenridge Social Equity Advisory Commission was created by resolution on June 9, 2020. A resolution allowing for commission compensation was passed by Council on December 8, 2020. Staff in conjunction with the Town Attorney have recently reviewed the provisions included in both resolutions and are recommending changes intended to simplify the language of the resolution, bring the commission provisions in line with the Town Charter, and move meeting specific details to the Commission Bylaws.

The Resolution presented for Council consideration includes the following substantive changes:

- Removes the provision for multiple Council members to be part of the commission. This aligns with the Charter provision that allows only one Council member to participate in a commission.
- Removes the description of staggered terms. The commission is now well established, and all terms are set at 3 years.
- Removes language specific to filling the Council member position on the Commission as the Mayor makes commission/committee assignments.
- Removes unnecessary language defining a "vacancy".
- Moves details specific to the operation of meetings, such as the selection of Chair and Vice Chair positions, recording minutes, etc. to the commission bylaws.

Staff will be available at the December 13 work session to answer any questions.

1 RESOLUTION NO.

2 SERIES 2022

3 A RESOLUTION CREATING A TEMPORARY ADVISORY COMMISSION KNOWN AS THE
4 "TOWN OF BRECKENRIDGE SOCIAL EQUITY ADVISORY COMMISSION"

5 WHEREAS, the Town Council of the Town of Breckenridge created a temporary
6 advisory commission to be known as the "Town of Breckenridge Social Equity Advisory
7 Commission" in 2020 by the adoption of Resolution No. 17 Series 2020; and Resolution
8 No. 32 Series 2020.

9 WHEREAS, the Town of Breckenridge Social Equity Commission shall be organized
10 and shall operate as provided in this resolution.

11 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
12 BRECKENRIDGE, COLORADO, as follows:

13 Section 1. Creation. Town Council hereby amends the organization and structure of the
14 temporary advisory commission of the Town known as the "Town of Breckenridge Social Equity
15 Advisory Commission" ("Commission"). The Commission shall operate in accordance with and
16 subject to the terms, conditions, and limitations of this resolution.

17 Section 2. Appointment: Qualification.

18 A. The Commission shall consist of not more than nine (9) members who shall be
19 appointed by the Town Council based upon such member's knowledge, experience, interest,
20 and involvement with social equity issues within the Town.

21 B. Members of the Commission shall serve at the pleasure of the Town Council. Any
22 member of the Commission may be removed at the pleasure of the Town Council.

23 Section 3. Term of Commissioners; Vacancies.

24 A member of Town Council serving on the Commission shall serve until the Mayor of the Town
25 of Breckenridge reappoints another member of Town Council. All other Commissioners shall
26 serve a three-year term and any vacancy whether due to resignation, removal or expiration of
27 their term, shall be filled by a vote of the Town Council.

28 Section 4. Compensation. Except for a Town Council member serving on the
29 Commission, Commissioners shall receive a stipend in the amount of \$200 dollars per month.
30 Any member of the Commission may, in their discretion, elect not to receive the compensation
31 provided in this Section 4.

32 Section 5. Duties and Responsibilities. The Commission shall have the following duties
33 and responsibilities:

34 1. To build culturally responsive strategies and leadership for social justice by generating
35 inclusive ideas and information to promote initiatives that advance race, social equity and social
36 justice in the organization and the larger community.

37 2. To broadly examine and identify social inequity, to work in partnership with local
38 organizations to find solutions to social inequity, and to make recommendations to the Town
39 Council on policies, practices, programs, and initiatives to achieve social equity and create
40 equitable outcomes within the Town government and the community.

41 3. To perform such other functions and duties regarding social equity as may, from time
42 to time, be delegated by the Town Council, or which are provided for by Town ordinance or
43 resolution.

44 Section 6 Rules of Procedure; Bylaws. The Commission may adopt rules or bylaws
45 governing its operating procedures.

46 Section 7. Meetings. The Commission shall meet at Town Hall, or such other location
47 designated by Town staff. Meetings of the Commission are governed by state and local open
48 meetings and open records laws and rules.

49 Section 8. Dissolution of Commission. The Commission may only be dissolved by
50 resolution duly adopted by the Town Council.

51 Section 9. Effective Date. This resolution is effective upon adoption.

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RESOLUTION APPROVED AND ADOPTED this XXth day of XX, 2022.

TOWN OF BRECKENRIDGE

By _____

Eric S. Mamula, Mayor

ATTEST:

Helen Cospolich, CMC, Town Clerk

APPROVED IN FORM

Town Attorney Date

RESOLUTION NO. 17

SERIES 2020

A RESOLUTION CREATING A TEMPORARY ADVISORY COMMISSION KNOWN AS THE
"TOWN OF BRECKENRIDGE SOCIAL EQUITY ADVISORY COMMISSION"

WHEREAS, the Town Council of the Town of Breckenridge desires to create a temporary advisory commission to be known as the "Town of Breckenridge Social Equity Advisory Commission;" and

WHEREAS, the Town of Breckenridge Social Equity Commission shall be organized and shall operate as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO, as follows:

Section 1. Creation. Pursuant to Section 9.5 of Breckenridge Town Charter there is hereby created and established a temporary advisory commission of the Town to be known as the "Town of Breckenridge Social Equity Advisory Commission" ("Commission"). The Commission shall operate in accordance with and subject to the terms, conditions, and limitations of this resolution.

Section 2. Appointment; Qualification.

A. The Commission shall consist of not more than nine (9) members who shall be appointed by the Town Council based upon such member's knowledge, experience, interest, and involvement with social equity issues within the Town. Any member of the Town Council appointed to the Commission counts against the total membership of the Commission.

B. Because the Commission is temporary (and not permanent) members of the Commission need not be residents or electors of the Town.

C. Because the Commission is temporary (and not permanent) there is no limitation on the number of members of the Town Council that may be members of the Commission; provided, however, that the Mayor may not be a member of the Commission. A member of the Town Council appointed to serve on the Commission counts when determining the presence of a quorum at a meeting and may vote on all matters that come before the Commission.

D. Members of the Commission shall serve at the pleasure of the Town Council. Any member of the Commission may be removed at the pleasure of the Town Council.

Section 3. Term of Office; Vacancies.

A. The term of office of the non-Town Council members of the Commission shall be three (3) years, or until the functions and duties of the Commission have been completed and the Commission has been dissolved and terminated by action of the Town Council as provided in Section 9 of this resolution, whichever shall first occur; except that in order to obtain staggered terms the term of office four (4) of the non-Town Council members initially appointed to the Commission following the adoption of this resolution shall be three (3) years, and the term of office of the remaining non-Town Council members initially appointed to the Commission following the adoption of this resolution shall be only two (2) years.

B. The term of office of a Town Council member of the Commission shall expire:

1. if the Town Council member ceases to be a member of the Town Council; or
2. when the term of the appointed Town Council member expires.

In the event that a vacancy shall occur during the term of any Town Council member of the Commission, a successor shall be appointed by the Town Council. Without limiting the generality of the preceding sentences, membership on the Commission may be rotated between members of the Town Council in such manner as may be determined by the Town Council.

C. A vacancy on the Commission shall exist upon the occurrence of any of the following events:

1. a member's term expires;
2. a member resigns;
3. a member is removed by the Town Council pursuant to Section 2 of this resolution;
4. a member dies; or
5. a member misses three consecutive meetings of the Commission, or five meetings of the Commission in any twelve month period, regardless of whether such meetings are regular or special meetings. However, within 15 days of missing the meeting which causes the vacancy to occur the member may submit to the Town Council a written request to be retained on the Commission. The Town Council shall have the authority to retain a member who demonstrates good and sufficient cause for retention. Upon receipt of the member's timely written request, the Town Council, at its next regular meeting, shall determine whether retain the member on the Commission.

D. In the event that a vacancy shall occur during the term of any non-Town Council member of the Commission, a successor shall be appointed by the Town Council to serve the unexpired portion of the term.

Section 4. Compensation. Members of the Commission serve without compensation; except that each member is entitled to be reimbursed for necessary expenses incurred in connection with the performance of his or her duties.

Section 5. Duties and Responsibilities. The Commission shall have the following duties and responsibilities:

1. To build culturally responsive strategies and leadership for social justice by generating inclusive ideas and information to support organizational and community cultures that promote racial equity.
2. To broadly examine and identify social inequity, to work in partnership with local organizations to find solutions to social inequity, and to make recommendations to the Town Council on policies, practices, programs and initiatives to achieve racial equity and create equitable outcomes within the Town government and the community.
3. To perform such other functions and duties regarding social equity as may, from time to time, be delegated by the Town Council, or which are provided for by Town ordinance or resolution.

Section 6. Operation. The Commission shall elect a chair and a vice-chair from its members, together with such other officers as the Commission shall deem appropriate. The Commission shall keep an electronic record of its meetings and shall further keep written minutes thereof as required by the Colorado Open Meetings law. A majority of the current members of the Commission shall constitute a quorum for the transaction of business.

Section 7. Meetings. The Commission shall meet at Town Hall, or such other location within or outside of the Town as the Commission shall determine. The Commission shall meet on such dates as the Commission may determine. All meetings of the Commission shall be subject to the same open meeting laws and requirements as are applicable to the meetings of the Town Council.

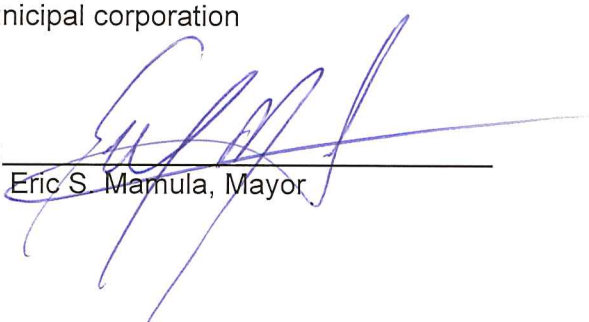
Section 8. Rules and Regulations. The Commission may adopt rules and regulations governing its operation; provided, however, that no such rule or regulation, or any amendment thereto, shall become effective until such rule, regulation or amendment has been approved by the Town Council.

Section 9. Dissolution of Commission. The Commission may only be dissolved by resolution duly adopted by the Town Council.

Section 10. Effective Date. This resolution is effective upon adoption.

RESOLUTION APPROVED AND ADOPTED this 9th day of June, 2020.


TOWN OF BRECKENRIDGE, a Colorado
municipal corporation

By: 
Eric S. Mamula, Mayor

ATTEST:


Helen Cospolich, CMC,
Town Clerk

APPROVED IN FORM

 6/9/20
Town Attorney Date

RESOLUTION NO. 32

Series 2020

A RESOLUTION AMENDING RESOLUTION NO. 17, SERIES 2020 TO PROVIDE COMPENSATION TO THE MEMBERS OF THE TOWN OF BRECKENRIDGE SOCIAL EQUITY ADVISORY COMMISSION

WHEREAS, on June 9, 2020, the Town Council of the Town of Breckenridge adopted Resolution No. 17, Series 2020; and

WHEREAS, Resolution No. 17, Series 2020 created the "Town of Breckenridge Social Equity Advisory Commission"; and

WHEREAS, Section 4 of Resolution No. 17, Series 2020 provides that the members of the Town of Breckenridge Social Equity Advisory Commission shall serve without compensation; and

WHEREAS, the Town Council has determined that compensation should be provided to the members of the Town of Breckenridge Social Equity Advisory Commission.

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

Section 1. Section 4 of Resolution No. 17, Series 2020 is amended to read as follows:

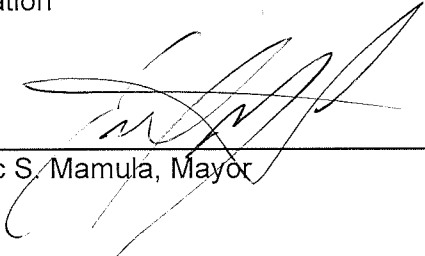
Section 4. Compensation. Each member of the Commission shall receive compensation for serving on the Commission at the rate of \$200 dollars per month. In addition to such compensation, each member is entitled to be reimbursed for necessary expenses incurred in connection with the performance of his or her duties. The member of the commission who is also a member of the Town Council shall not receive any additional compensation for serving on the commission. Any member of the commission who fails to attend a majority of the meetings of the commission in a given month shall forfeit any entitlement to compensation for such month. Any member of the Commission may, in her or her discretion, elect not to receive the compensation provided in this Section 4.

Section 2. Except as provided in Section 1 of this resolution, Resolution No. 17, Series 2020 shall remain in full force and effect.

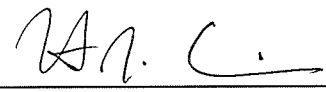
Section 3. This resolution is effective upon adoption.

RESOLUTION APPROVED AND ADOPTED this 8th day of December, 2020.


TOWN OF BRECKENRIDGE, a Colorado municipal corporation

By: 
Eric S. Mamula, Mayor

ATTEST:


Helen Cospolich, CMC,
Town Clerk

APPROVED IN FORM


Town Attorney 12/8/20
Date



Memo

To: Breckenridge Town Council Members
From: Shannon Haynes, Assistant Town Manager
Date: 12/1/2022
Subject: Recommendation to Reappoint Tahja Grier to the Breckenridge Social Equity Advisory Commission (BSEAC)

The Breckenridge Social Equity Advisory Commission consists of nine (9) members who are appointed by the Town Council. At the time the Commission was established, in December 2020, new commissioners were appointed for either a two- or three-year term. Commissioner Tahja Grier was appointed for a two-year term, expiring in November 2022.

For the past year, Commissioner Grier has been the commission chair. She is actively engaged in the work of the commission, providing guidance and exceptional insight in their work. Further she heavily involved in the creation of the recently approved Black History Month banners, she has assisted with DEI messaging for the BTO, and is participating in several of the commissions sub-committees.

Staff has received a letter from Commissioner Grier expressing a desire to be reappointed to the Commission (attached). Based on her commitment to the BSEAC and interest in continuing the commission's work, staff recommends Council reappoint Tahja Grier the BSEAC for a term of three years. If Council agrees with staff's recommendation, an appointment may be made by motion during the Regular meeting. A sample motion follows:

Motion: "I move that we affirm staff's recommendation to reappoint Tahja Grier to the Breckenridge Social Equity Advisory Commission for a term of three years beginning in December 2022.

November 30, 2022

Town of Breckenridge
Social Equity Commission
Town Hall
150 Ski Hill Road
PO Box 168
Breckenridge, CO 80424

Dear Commission:

I am writing to express my desire to remain a member of the Town of Breckenridge Social Equity Commission.

My work on the commission over the last two years has been meaningful and productive, as I have had the pleasure of collaborating with fellow board members, local thought leaders, and community organizers to not only identify issues that affect the diverse community that is the Town of Breckenridge, but also to effect change in areas that allow for the economic and social growth of the town, at large. I am pleased to say that my efforts have been recognized by my fellow members, who elected me to lead the commission as Chair, and I am confident that my continued presence on the commission will allow me to continue the work that we – collectively, and I, individually – have started. I am excited about the possibility of adding to the accomplishments that we have achieved. It is my hope that I will have the opportunity to continue this work.

Please feel free to reach out with any questions that you may have regarding my interest in maintaining my seat on the Town of Breckenridge Social Equity Commission.

Respectfully,

Tahja R. Grier
Chair, Town of Breckenridge Social Equity Commission
(330) 685.3248
tahjagrier@gmail.com



Memo

To: Breckenridge Town Council Members
From: Mark Truckey, Director of Community Development
Date: December 7, 2022
Subject: Planning Commission Decisions of the December 6, 2022 Meeting

DECISIONS FROM THE PLANNING COMMISSION MEETING, December 6, 2022:

CLASS A APPLICATIONS: None.

CLASS B APPLICATIONS: None.

CLASS C APPLICATIONS: None.

TOWN PROJECT HEARINGS: None.

OTHER: None.

PLANNING COMMISSION MEETING

The meeting was called to order at 5:32 pm by Chair Frechter.

ROLL CALL

Mike Giller-remote	Mark Leas	Allen Frechter	Susan Propper
Tanya Delahoz	Ethan Guerra	Steve Gerard-absent	

APPROVAL OF MINUTES

With no changes, the November 15, 2022, Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the December 6, 2022, Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None.

WORK SESSIONS:

1. Handbook of Design Standards Update

Mr. Truckey and Ms. Szrek gave an overview of the Handbook of Design Standards and the updates to the handbook. The handbook content is not being updated; rather the handbook layout, formatting, and images. The document has been updated numerous times in the past and because not digital version was available all the changes were previously shown in different text fonts and colors, causing some confusion. This is an opportunity to have a new clean document to work with.

Commissioner Questions / Comments:

Ms. Delahoz: I suggest that we clarify with the map graphics the specific areas that are being discussed on each page. (Ms. Crump: We would like to add that as a layout and design feature when we complete each of the specific character area documents. Since the main handbook covers all character areas we will wait until we update the character area documents to incorporate that type of map).

Mr. Frechter: What is the process to change the handbook or add to the character areas? (Mr. Truckey: That is a legislative process. Every few years we have a cultural resource survey completed which considers blocks at a time and assesses the historical contribution. The last surveys were completed in 2018; some additions to historic homes were identified as being out of character and so we adjusted the standards to make sure additions meet the intended historic character.) What about the Briar Rose Transition Character Area which divides the street? (Mr. Kulick: That was an intentional division which was devised when the transition areas were created).

2. Code Enforcement Update

Mr. Cross gave the Commission an update on recent code enforcement, specifically regarding outdoor merchandise, exterior lighting, and signs on private property.

Commissioner Questions / Comments:

Mr. Frechter: Does this Code apply to commercial businesses on private property like within Main Street Station? (Mr. Truckey: This does apply to private property everywhere. There is not a limit on outdoor merchandise displays outside the Conservation District).

Ms. Delahoz: Is there a different fine schedule for repeat offenders? (Mr. Cross: Yes [cites Town Code].) I would say the fines seem low.

- Mr. Leas: How do you enforce lighting violations? (Mr. Cross: We do take complaints and investigate each violation. Mr. Kulick: Most of the summer violation walks are during the day.)
- Ms. Delahoz: For business that provide non-retail services, you see some businesses with outdoor furniture or other items those seem like a grey area? (Mr. Cross: There are allowances for specific business types, such as real-estate, that allow for informational displays. As long as, the furniture doesn't interfere with other sections of Code, such as exterior food and beverage, that would be allowed.)
- Ms. Propper: Do the lighting standards apply in residential areas? (Mr. Truckey: Yes, the decorative lighting standards apply in residential areas. There is another Code section that has standards for permanent residential lighting and accent lighting. I just wanted to mention that staff, particularly Clif and Stefi, have done an excellent job of enforcement this past summer. This was a difficult job because we had relaxed the standards for the last two years because of COVID, businesses got used to the lack of sign enforcement, and now we are enforcing again.)

OTHER MATTERS:

1. Town Council Summary

ADJOURNMENT:

The meeting was adjourned at 6:36pm.

Allen Frechter, Chair



TOWN OF BRECKENRIDGE
TOWN COUNCIL

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.

Tuesday, Dec. 13th, 2022 Council Chambers First Meeting of the Month 3:00 pm / 7:00 pm

January 2023

Tuesday, Jan. 10th, 2023 Council Chambers First Meeting of the Month 3:00 pm / 7:00 pm

Tuesday, Jan. 24th, 2023 Council Chambers Second Meeting of the Month 3:00 pm / 7:00 pm

Jan. 24th - Feb. 2nd, 2023 Riverwalk Center International Snow Sculpture Championships

Other Meetings

December 12th, 2022	Open Space & Trails Meeting	5:30pm
December 13th, 2022	Board of County Commissioners Meeting	9:00am / 1:30pm
	Workforce Housing Committee	10:30am
December 14th, 2022	Breckenridge Heritage Alliance	Noon
December 15th, 2022	Breckenridge Creative Arts	Noon
December 19th, 2022	Social Equity Advisory Commission	7:30am
December 20th, 2022	Board of County Commissioners Meeting	9:00am
	Liquor & Marijuana Licensing Authority	9:00am
	Water Task Force Meeting	9:30am
	Planning Commission Meeting	5:30pm
December 22nd, 2022	Summit Stage Transit Board Meeting	8:15am
	Breckenridge Tourism Office Board Meeting	8:30am
	Breckenridge Creative Arts	2:00pm
	RW&B Board Meeting	3:00pm
December 27th, 2022	Board of County Commissioners Meeting	9:00am / 1:30pm
January 3rd, 2023	Board of County Commissioners Meeting	9:00am
	Planning Commission Meeting	5:30pm
January 4th, 2023	Police Advisory Committee	7:30am
	Breckenridge Events Committee	9:00am
	Childcare Advisory Committee	10:00am
January 10th, 2023	Board of County Commissioners Meeting	9:00am / 1:30pm
	Workforce Housing Committee	10:30am
January 11th, 2023	Breckenridge Heritage Alliance	Noon
January 12th, 2023	I-70 Coalition	11:30am
	Upper Blue Sanitation District	5:30pm
January 16th, 2023	Social Equity Advisory Commission	7:30am



TOWN OF BRECKENRIDGE
TOWN COUNCIL

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.

January 17th, 2023	Board of County Commissioners Meeting	9:00am
	Liquor & Marijuana Licensing Authority	9:00am
	Planning Commission Meeting	5:30pm
January 18th, 2023	Summit Combined Housing Authority	9:00am
January 23rd, 2023	Open Space & Trails Meeting	5:30pm
January 24th, 2023	Board of County Commissioners Meeting	9:00am / 1:30pm
January 26th, 2023	Transit Advisory Council Meeting	8:10am
	Summit Stage Transit Board Meeting	8:15am
	Breckenridge Tourism Office Board Meeting	8:30am
	Northwest CO Council of Governments	10:00am
	RW&B Board Meeting	3:00pm
February 1st, 2023	Breckenridge Events Committee	9:00am
	Childcare Advisory Committee	3:00pm
February 7th, 2023	Board of County Commissioners Meeting	9:00am
	Planning Commission Meeting	5:30pm
February 9th, 2023	I-70 Coalition	3:30pm
	Upper Blue Sanitation District	5:30pm
TBD	Tourism Overlay District Advisory Committee Meeting	10:30am
	QQ - Quality and Quantity - Water District	1:15pm
	Transit Advisory Council Meeting	8:00am