



**TOWN OF
BRECKENRIDGE**

Town Council Regular Meeting
Tuesday, April 23, 2024, 7:00 PM
Town Hall Council Chambers
150 Ski Hill Road
Breckenridge, Colorado

THE TOWN OF BRECKENRIDGE CONDUCTS HYBRID MEETINGS. This meeting will be held in person at Breckenridge Town Hall and will also be broadcast live over Zoom. Login information is available in the calendar section of our website: www.townofbreckenridge.com. If you will need special assistance in order to attend any of the Town's public meetings, please notify the Town Clerk's Office at (970) 547-3127, at least 72 hours in advance of the meeting.

I. CALL TO ORDER, ROLL CALL

II. APPROVAL OF MINUTES

A. TOWN COUNCIL MINUTES - APRIL 9, 2024

III. APPROVAL OF AGENDA

IV. COMMUNICATIONS TO COUNCIL

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

B. BRECKENRIDGE TOURISM OFFICE UPDATE

V. CONTINUED BUSINESS

A. SECOND READING OF COUNCIL BILLS, SERIES 2024

1. *COUNCIL BILL NO. 11, SERIES 2024 - A BILL FOR AN ORDINANCE PLACING THE ENTRADA PROPERTY THAT HAS BEEN ANNEXED TO THE TOWN OF BRECKENRIDGE INTO LAND USE DISTRICT 5*

2. *COUNCIL BILL NO. 12, SERIES 2024 - A BILL FOR AN ORDINANCE AMENDING THE MUNICIPAL CODE TO REGULATE OUTDOOR IRRIGATION BY ALTERNATING DAILY WATERING SCHEDULES BY EVEN AND ODD NUMBER ADDRESSES FOR CONSERVATION PURPOSES*

3. *COUNCIL BILL NO. 13, SERIES 2024 - A BILL FOR AN ORDINANCE ESTABLISHING CRITERIA FOR DETERIORATION OF LANDMARKS AND HISTORIC STRUCTURES IN A MANNER THAT CONSTITUTES DEMOLITION BY NEGLECT*

VI. NEW BUSINESS

A. FIRST READING OF COUNCIL BILLS, SERIES 2024

B. RESOLUTIONS, SERIES 2024

C. OTHER

VII. PLANNING MATTERS

A. PLANNING COMMISSION DECISIONS

VIII. REPORT OF TOWN MANAGER AND STAFF

IX. REPORT OF MAYOR AND COUNCIL MEMBERS

A. CAST/MMC

B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE

C. BRECKENRIDGE TOURISM OFFICE

D. BRECKENRIDGE HISTORY

E. BRECKENRIDGE CREATIVE ARTS

F. CML ADVISORY BOARD UPDATE

G. SOCIAL EQUITY ADVISORY COMMISSION

H. ARTS & CULTURE MASTER PLAN STEERING COMMITTEE

X. OTHER MATTERS

XI. SCHEDULED MEETINGS

A. SCHEDULED MEETINGS FOR APRIL, MAY AND JUNE

XII. ADJOURNMENT

I) CALL TO ORDER, ROLL CALL

Mayor Pro Tem Owens called the meeting of April 9, 2024, to order at 7:00pm. The following members answered roll call: Carol Saade, Todd Rankin, Jeffrey Bergeron, Dick Carleton, Jay Beckerman, and Mayor Pro Tem Kelly Owens.

II) APPROVAL OF MINUTES

A) TOWN COUNCIL MINUTES – March 26, 2024

With no changes or corrections to the meeting minutes of March 26, Mayor Pro Tem Owens declared they would stand approved as presented.

III) APPROVAL OF AGENDA

Town Manager Shannon Haynes stated there were no changes to the agenda. Mayor Pro Tem Owens declared the agenda approved as presented.

IV) COMMUNICATIONS TO COUNCIL

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

Mayor Pro Tem Owens opened Public Comment.
With no comments Mayor Pro Tem Owens closed public comment.

V) DISPATCHER WEEK PROCLAMATION

Mayor Pro Tem Owens read the proclamation into record and Council thanked our local dispatchers for their dedication to the community.

VI) CONTINUED BUSINESS

A) SECOND READING OF COUNCIL BILLS, SERIES 2024

1) COUNCIL BILL NO. 7, SERIES 2024 - A BILL FOR AN ORDINANCE AMENDING THE DEVELOPMENT CODE TO CREATE DEFENSIBLE SPACE FOR MITIGATION OF WILDFIRE

Mayor Pro Tem Owens read the title into the minutes. Clif Cross, Planner I, stated this ordinance would amend the development code to create a defensible space code for the purpose of mitigating wildfire in the Town. He further stated there were no changes to this ordinance from first reading.

Mayor Pro Tem Owens opened the public hearing.
There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 7, SERIES 2024 - A BILL FOR AN ORDINANCE AMENDING THE DEVELOPMENT CODE TO CREATE DEFENSIBLE SPACE FOR MITIGATION OF WILDFIRE. Council Member Beckerman seconded the motion.

The motion passed 6-0.

2) COUNCIL BILL NO. 9, SERIES 2024 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE AND GONDOLA PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY (“GONDOLA PROPERTIES”), BGV PARTNERS ENTRADA LLC, A COLORADO LIMITED LIABILITY COMPANY (“BGV ENTRADA”); VAIL SUMMIT RESORTS, INC., A COLORADO CORPORATION (“VSRI”); AND LC BRECKENRIDGE HOLDCO, LLC, A DELAWARE LIMITED LIABILITY COMPANY (“LC BRECKENRIDGE”)

Mayor Pro Tem Owens read the title into the minutes. Planning Manager Chris Kulick stated this ordinance would approve a development agreement with Breckenridge Grand Vacations. He further stated there were no changes to this ordinance from first reading.

Mayor Pro Tem Owens opened the public hearing.

Richard Himmelstein, a Breckenridge resident, stated he is concerned about traffic as part of this master plan, and he would like Council to consider removing the 200 additional parking spaces at the base of Peak 8. He further stated he does not believe the signage at the base of Peak 8 and the signage in front of Grand Colorado would be consistent with code, and he believes traffic would significantly increase with this development.

Himmelstein also stated it would be great to get a roundabout at Ski Hill Road and Park Avenue.

There were no additional public comments, and the hearing was closed.

Council Member Carleton stated he would like to recognize staff and the applicant for sticking through the process. He also stated he believes the benefits to Cucumber Gulch, BOEC, NRO, and Building Hope and FIRC through the Sol Center are significant. Council Member Carleton also stated he would like to recognize the personal gift to the Sol Center from the Dudick Family, and he agrees that a traffic circle would be useful at Ski Hill and Park, but it's not possible in that location.

Mayor Pro Tem Owens stated they will keep working on the traffic circle idea to see what can be done.

Council Member Bergeron stated he has been fighting development for many years, but this is a better and more beneficial project than we could have imagined.

Council Member Rankin thanked the applicant and staff for their time and investment in this project, especially because it benefits the community in the long run. He also stated he looks forward to having a relationship with BGV that will make the Town better in the future.

Council Member Bergeron moved to approve COUNCIL BILL NO. 9, SERIES 2024 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF BRECKENRIDGE AND GONDOLA PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY ("GONDOLA PROPERTIES"), BGV PARTNERS ENTRADA LLC, A COLORADO LIMITED LIABILITY COMPANY ("BGV ENTRADA"); VAIL SUMMIT RESORTS, INC., A COLORADO CORPORATION ("VSRI"); AND LC BRECKENRIDGE HOLDCO, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("LC BRECKENRIDGE"). Council Member Saade seconded the motion.

The motion passed 6-0.

- 3) COUNCIL BILL NO. 10, SERIES 2024 - A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE ENTRADA PROPERTY AND IN CONNECTION THEREWITH APPROVING AN ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE ENTRADA PROPERTY
Mayor Pro Tem Owens read the title into the minutes. Community Development Director Mark Truckey stated this ordinance would annex the property on the northeast side of Town. He further stated there were no changes to this ordinance from first reading.

Mayor Pro Tem Owens opened the public hearing.
There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 10, SERIES 2024 - A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE ENTRADA PROPERTY AND IN CONNECTION THEREWITH APPROVING AN ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE ENTRADA PROPERTY. Council Member Beckerman seconded the motion.

The motion passed 6-0.

Mike Dudick, of Breckenridge Grand Vacations, thanked staff for their efforts in a quick turnaround on this entire project. He also thanked Council Member Bergeron for his time serving the Town.

VII) NEW BUSINESS

- A) FIRST READING OF COUNCIL BILLS, SERIES 2024
1) COUNCIL BILL NO. 12, SERIES 2024 - A BILL FOR AN ORDINANCE AMENDING THE MUNICIPAL CODE TO REGULATE OUTDOOR IRRIGATION BY

ALTERNATING DAILY WATERING SCHEDULES BY EVEN AND ODD NUMBER ADDRESSES FOR CONSERVATION PURPOSES

Mayor Pro Tem Owens read the title into the minutes. James Phelps, Director of Public Works, stated this ordinance will amend code to allow for outdoor watering on days specific to addresses. He also noted that there is one change to the published ordinance that is a typo, and the Town Attorney noted the change.

Mayor Pro Tem Owens opened the public hearing.
There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 12, SERIES 2024 - A BILL FOR AN ORDINANCE AMENDING THE MUNICIPAL CODE TO REGULATE OUTDOOR IRRIGATION BY ALTERNATING DAILY WATERING SCHEDULES BY EVEN AND ODD NUMBER ADDRESSES FOR CONSERVATION PURPOSES. Council Member Saade seconded the motion.

The motion passed 6-0.

- 2) **COUNCIL BILL NO. 13, SERIES 2024 - A BILL FOR AN ORDINANCE ESTABLISHING CRITERIA FOR DETERIORATION OF LANDMARKS AND HISTORIC STRUCTURES IN A MANNER THAT CONSTITUTES DEMOLITION BY NEGLECT**

Mayor Pro Tem Owens read the title into the minutes. Ellie Muncy, Planner I, stated this ordinance was created to address the lack of maintenance for some historic structures on private property. She further stated code requires owners to stabilize historic structures and this ordinance will increase the number of properties subject to demolition by neglect provisions.

Mayor Pro Tem Owens opened the public hearing.
There were no public comments, and the hearing was closed.

Council Member Bergeron moved to approve COUNCIL BILL NO. 13, SERIES 2024 - A BILL FOR AN ORDINANCE ESTABLISHING CRITERIA FOR DETERIORATION OF LANDMARKS AND HISTORIC STRUCTURES IN A MANNER THAT CONSTITUTES DEMOLITION BY NEGLECT. Council Member Rankin seconded the motion.

The motion passed 6-0.

- B) **RESOLUTIONS, SERIES 2024**
1) **RESOLUTION NO. 11, SERIES 2024 - A RESOLUTION APPOINTING THE PRESIDING JUDGE AND FIXING THEIR COMPENSATION**

Mayor Pro Tem Owens read the title into the minutes. Town Clerk Helen Cospolich stated this resolution would appoint the Municipal Judge for another two-year term. She also noted that the 5% increase in annual salary was included in the version of the ordinance presented to Council for the evening meeting.

Council Member Bergeron moved to approve RESOLUTION NO. 11, SERIES 2024 - A RESOLUTION APPOINTING THE PRESIDING JUDGE AND FIXING THEIR COMPENSATION. Council Member Saade seconded the motion.

The motion passed 6-0.

- C) **OTHER**

VIII) PLANNING MATTERS

- A) **PLANNING COMMISSION DECISIONS**

Mayor Pro Tem Owens declared the Planning Commission Decisions would stand approved as presented.

IX) REPORT OF TOWN MANAGER AND STAFF

Town Manager Shannon Haynes stated staff is planning a visit to the Stables Village housing project on July 9th, and also a Council Retreat on May 14th at Beaver Run Resort. She also stated the BCA fundraiser is July 20th at 5pm and to please let Town Manager Haynes know if any Council members would like to attend. She stated the new leisure

pool at the Recreation Center needs to be closed next week due to construction issues. Town Manager Haynes stated there is a Planning Commission seat open with the election of Steve Gerard to Council, and they are taking applications to appoint to his seat. She also stated next week she and Scott Reid will be away, and James Phelps will be Acting Town Manager. Reid stated we need to renew our Audubon certification at the Golf Course, and staff are looking at creating a bee colony by the maintenance facility will allow us to be recertified.

X) REPORT OF MAYOR AND COUNCIL MEMBERS

A. CAST/MMC

Mayor Pro Tem Owens stated the Town owes more than anticipated to Early Childhood Options. She further stated the new director is good, and the managers will be talking about the splits in funding for the future. She also stated Tony Byrd of the School District gave a preview of a large bond measure that the district plans to introduce in the fall, and we should be paying attention to this due to the impacts in our community, including improvements to Breck Elementary, housing for teachers, a community center and trade programs at the High School. Mayor Pro Tem Owens stated we need to pay attention and make sure the people we are talking to are understanding the impacts in our community.

B. BRECKENRIDGE OPEN SPACE ADVISORY COMMISSION

No update.

C. BRECKENRIDGE TOURISM OFFICE

No update.

D. BRECKENRIDGE HISTORY

No update

E. BRECKENRIDGE CREATIVE ARTS

Council Member Rankin stated BCA is looking to find their place in a new music landscape, and refining their goals.

F. CML ADVISORY BOARD UPDATE

No update.

G. SOCIAL EQUITY ADVISORY COMMISSION

No update.

H. ARTS AND CULTURAL MASTER PLAN STEERING COMMITTEE

Council Member Beckerman stated they are considering combining brands of the arts groups through a common thread, like a logo, and are exploring if people are coming here for arts and culture or enjoying the amenities while they are here for other reasons. He stated BIFA is a good example of a festival that used to be a destination event and it has evolved into an event that is organically discovered.

XI) OTHER MATTERS

Council Member Bergeron thanked everyone for their support of him throughout his years on Council and BOSAC. Council Member Beckerman stated Council Member Bergeron has been an impactful voice and he is skilled at boiling things down to the essence. He further stated he is honored to have spent the time with Council Member Bergeron on Council. Council Member Carleton stated he is glad to have been mentored by Council Member Bergeron, and he has a skill for asking the right questions at the right time. He further stated that for those who don't understand Council Member Bergeron's work for Open Space, he is grateful for the impact he has made. Council Member Saade thanked him for his mentorship and positive impact. Council Member Rankin thanked him for his humor, character and knowledge.

XII) SCHEDULED MEETINGS

A) SCHEDULED MEETINGS FOR MARCH, APRIL AND MAY

XIII) ADJOURNMENT

With no further business to discuss, the meeting adjourned at 7:46 pm. Submitted by Helen Cospolich, CMC, Town Clerk.

ATTEST:

Helen Cospolich, CMC, Town Clerk

Kelly Owens, Mayor Pro Tem

DRAFT



Memo

To: Town Council
From: Mark Truckey, Community Development Director
Date: April 16, 2024, for the meeting of April 23, 2024
Subject: Entrada Zoning Ordinance (Second Reading)

Attached is the Entrada Zoning Ordinance, which places the recently annexed Entrada property within Land Use District 5. There are no changes since First Reading.

COUNCIL BILL NO. ____

Series 2024

A BILL FOR AN ORDINANCE PLACING THE ENTRADA PROPERTY THAT HAS BEEN ANNEXED TO THE TOWN OF BRECKENRIDGE INTO LAND USE DISTRICT 5.

WHEREAS, Ordinance No. 13 Series 2024, approved and annexed to the Town of Breckenridge the real property described in **Exhibit A** (the “Property”) in accordance with the Municipal Annexation Act of 1965 (Part 1 of Article 12 of Title 31, C.R.S.), and approved and adopted an Annexation and Development Agreement establishing terms and conditions for the annexation and future use or development of the Property as Employee Housing as defined in the Breckenridge Town Code;

WHEREAS, the Town previously approved and adopted Resolution No. 9, Series 2024, entitled “A Resolution Adopting the Town Of Breckenridge Comprehensive Plan And Land Use Guidelines as The Town's Annexation Plan Pursuant To Section 31-12-105(1)(E), C.R.S.”;

WHEREAS, the Town is required by Section 31-12-115(2), C.R.S., to zone all newly annexed areas within ninety (90) days after the effective date of the annexation ordinance;

WHEREAS, on October 18, 2022, the Town Planning Commission reviewed the proposed zoning for the Property and unanimously recommended that the Town Council place the Property in Land Use District 5;

WHEREAS, the Town's Annexation Plan adopted pursuant to Section 31-12-105(1)(e), C.R.S., indicates that the Property should be placed in Land Use District 5;

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

Section 1. That the Property described in **Exhibit A** is placed in Land Use District 5. The Town Staff is directed to change the Town's Land Use District Map to indicate that the Property has been annexed to the Town and placed within Land Use District 5.

Section 2. The Town Council finds, determines, and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and its inhabitants.

Section 3. The Town Council finds, determines, and declares that it has the power to adopt this ordinance pursuant to: (i) Section 31-12-115(2), C.R.S.; (ii) the Local Government

1 Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (iii) Part 3 of Article 23 of Title 31,
2 C.R.S. (concerning municipal zoning powers); (iv) Section 31-15-103, C.R.S. (concerning
3 municipal police powers); (v) Section 31-15-401, C.R.S.(concerning municipal police powers);
4 (vi) the authority granted to home rule municipalities by Article XX of the Colorado Constitution;
5 and (vii) the powers contained in the Breckenridge Town Charter.

6 **Section 4.** This Ordinance shall be published and become effective as provided by
7 Section 5.9 of the Breckenridge Town Charter.

8 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
9 PUBLISHED IN FULL this 26th day of March 2024.

10 READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN
11 FULL ON THE TOWN'S WEBSITE this 23rd day of April 2024. A copy of this Ordinance is
12 available for inspection in the office of the Town Clerk.

13

14 TOWN OF BRECKENRIDGE, a Colorado
15 municipal corporation

16

17

18

19

20

21

22

23

24

25

26

27

28

29

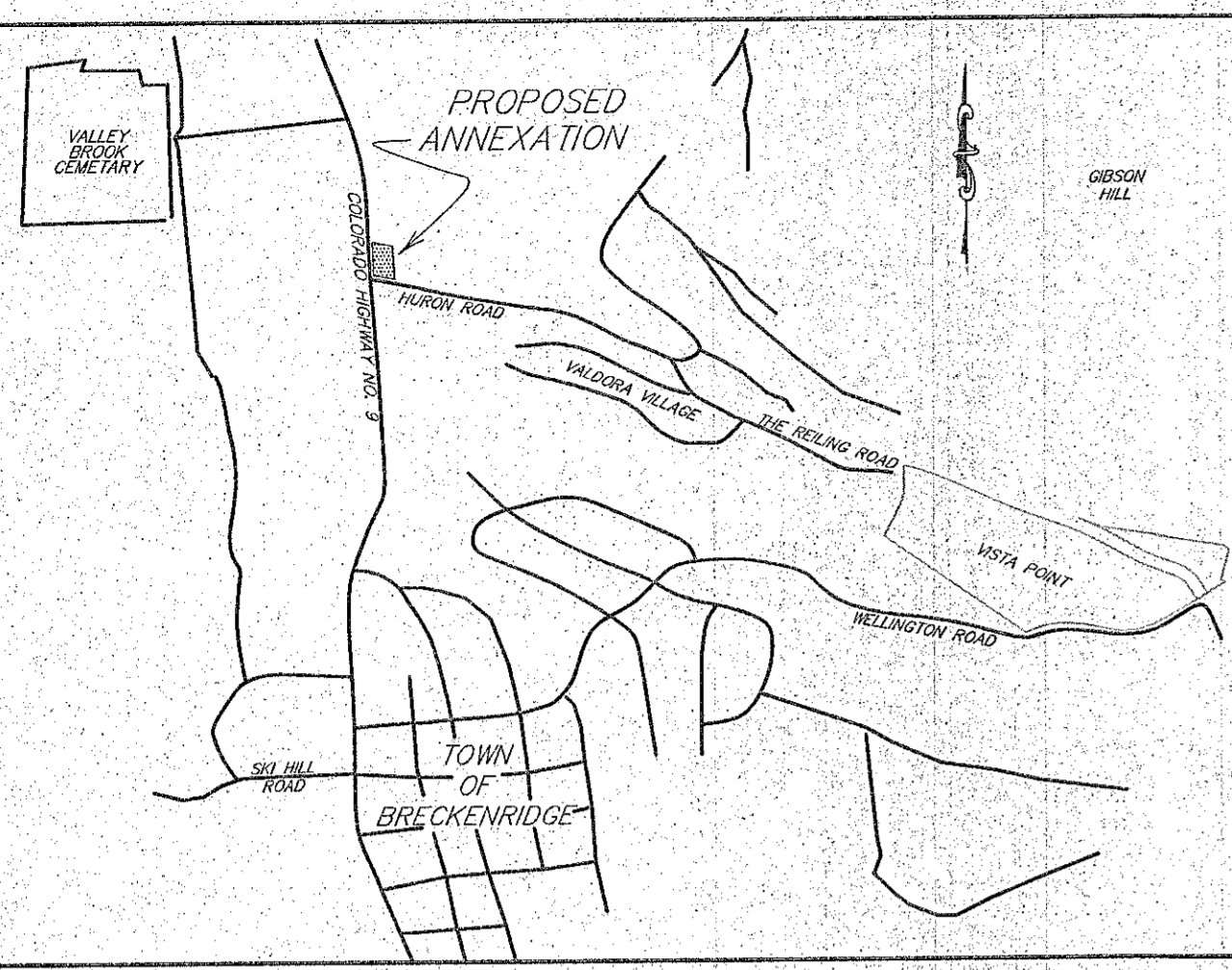
By _____
Kelly Owens, Mayor Pro Tem

ATTEST:

Town Clerk

**AN ANNEXATION MAP TO THE TOWN OF BRECKENRIDGE
TRACT A2, ENTRADA AT BRECKENRIDGE
SUMMIT COUNTY, COLORADO**

"Exhibit A"



VICINITY MAP

LEGEND

- EXISTING TOWN BOUNDARY
- ANNEXATION BOUNDARY
- FOUND REBAR & STEEL CAP (ILLEGIBLE)
- FOUND REBAR & PLASTIC CAP (PLS 9939)
- ⊙ FOUND REBAR & PLASTIC CAP (PLS 27924)
- FOUND REBAR & PLASTIC CAP (ILLEGIBLE)
- FOUND #4 REBAR
- FOUND REBAR & PLASTIC CAP (PLS 23901)

TOTAL AREA TO BE ANNEXED=1.718 ACRES
PERIPHERY OF AREA TO BE ANNEXED=1,129.45'
1/6 OF TOTAL PERIPHERY=188.24'
CONTIGUOUS BOUNDARY OF ANNEXATION PARCEL=786.09'

PROPERTY DESCRIPTION:

TRACT A2, ENTRADA AT BRECKENRIDGE, A REPLAT OF TRACTS A1, B1 & C, ENTRADA AT BRECKENRIDGE, SUMMIT COUNTY, COLORADO ACCORDING TO THE PLAT RECORDED UNDER RECEPTION NO. 1146781, CONTAINING A TOTAL OF 61,655 SQUARE FEET OR 1.415 ACRES.

TRACT D, ENTRADA AT BRECKENRIDGE, A REPLAT OF TRACTS A1, B1 & C, ENTRADA AT BRECKENRIDGE, SUMMIT COUNTY, COLORADO ACCORDING TO THE PLAT RECORDED UNDER RECEPTION NO. 1146781, CONTAINING A TOTAL OF 255 SQUARE FEET OR 0.006 ACRE.

A PORTION OF TRACT C, ENTRADA AT BRECKENRIDGE, A REPLAT OF TRACTS A1, B1 & C, ENTRADA AT BRECKENRIDGE, SUMMIT COUNTY, COLORADO ACCORDING TO THE PLAT RECORDED UNDER RECEPTION NO. 1146781, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST PROPERTY CORNER OF TRACT A2, ENTRADA AT BRECKENRIDGE; THENCE S21°49'20"W A DISTANCE OF 14.17 FEET; THENCE N77°04'50"W A DISTANCE OF 211.57 FEET; THENCE 25.30 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 14.00 FEET, A CENTRAL ANGLE OF 103°32'52" AND A CHORD WHICH BEARS N51°08'42"E 22.00 FEET DISTANT; THENCE S77°04'50"E A DISTANCE OF 149.62 FEET; THENCE 12.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 62.00 FEET, A CENTRAL ANGLE OF 11°18'36" AND A CHORD WHICH BEARS S71°59'52"E 12.22 FEET DISTANT; THENCE S65°46'14"E A DISTANCE OF 19.70 FEET; THENCE 9.61 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 48.00 FEET, A CENTRAL ANGLE OF 11°28'05" AND A CHORD WHICH BEARS S71°30'16"E 9.59 FEET DISTANT; THENCE S77°04'50"E A DISTANCE OF 20.77 FEET TO THE POINT OF BEGINNING, CONTAINING 4,047 SQUARE FEET, OR 0.093 ACRE MORE OR LESS.

A PORTION OF HURON ROAD, CO. RD. NO. 450, SUMMIT COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST PROPERTY CORNER OF TRACT A2, ENTRADA AT BRECKENRIDGE; THENCE S 71°59'52"W A DISTANCE OF 14.17 FEET TO THE POINT OF BEGINNING; THENCE S 21°49'20"W A DISTANCE OF 43.23 FEET; THENCE N77°04'50"W A DISTANCE OF 189.05 FEET; THENCE N18°50'53"W A DISTANCE OF 50.82 FEET; THENCE N77°04'50"W A DISTANCE OF 211.57 FEET TO THE POINT OF BEGINNING, CONTAINING 8,891 SQUARE FEET OR 0.204 ACRE MORE OR LESS.

TOWN OF BRECKENRIDGE CERTIFICATE:

THIS MAP IS APPROVED THIS _____ DAY OF _____ 2022.

BY: _____
DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT

NOTICE:
PUBLIC NOTICE IS HEREBY GIVEN THAT THE TOWN OF BRECKENRIDGE HEREBY ACCEPTS ALL OF THE OFFERS OF DEDICATION MADE BY THIS MAP. HOWEVER, SUCH ACCEPTANCE DOES NOT CONSTITUTE AN ACCEPTANCE OF THE ROADS AND RIGHT OF WAY REFLECTED HEREON FOR MAINTENANCE BY THE TOWN.

UNTIL SUCH ROADS AND RIGHT OF WAY MEET TOWN ROAD SPECIFICATIONS AND ARE SPECIFICALLY ACCEPTED BY THE TOWN, THE MAINTENANCE, CONSTRUCTION, AND ALL OTHER MATTERS PERTAINING TO OR AFFECTING SAID ROADS AND RIGHT OF WAY ARE THE SOLE RESPONSIBILITY OF THE OWNERS OF THE LAND EMERGED WITHIN THIS MAP.

SURVEYOR'S CERTIFICATE:

I, ROBERT R. JOHNS, A COLORADO REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME AND UNDER MY SUPERVISION, AND THAT BOTH THIS MAP AND THE SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THE MONUMENTS WERE PLACED PURSUANT TO CHS 38-51-105.

DATED THIS 24th DAY OF August, A.D., 2022.

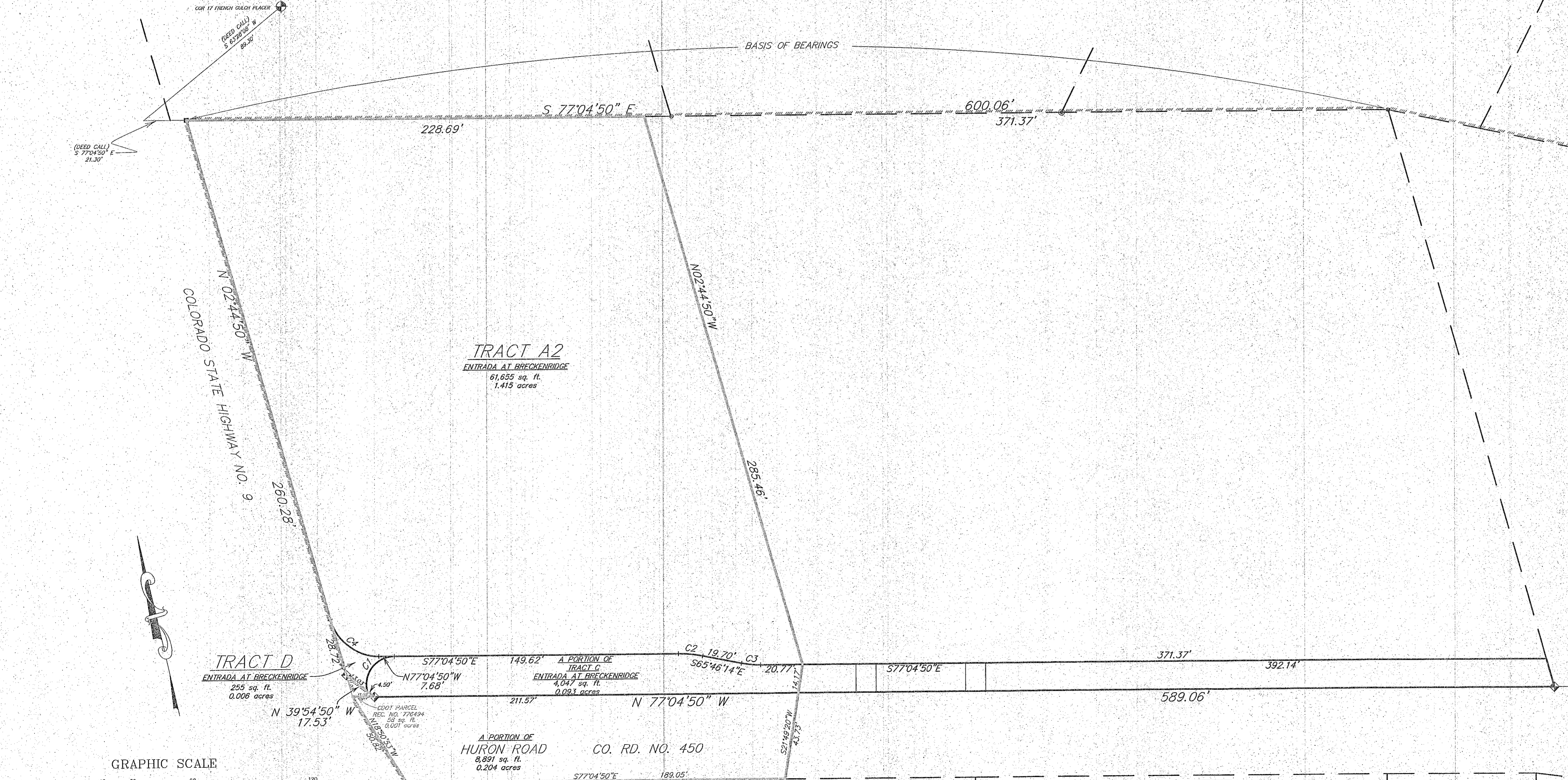
Robert R. Johns
ROBERT R. JOHNS, P.L.S. NO. 26292



CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO)
)SS
COUNTY OF SUMMIT)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK,
M., THIS _____ DAY OF _____, 20____, AND FILED UNDER RECEPTION
NUMBER _____

SUMMIT COUNTY CLERK AND RECORDER

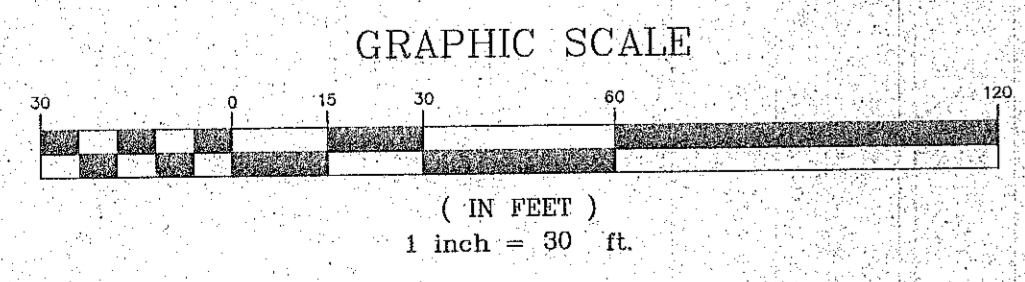


TRACT A2
ENTRADA AT BRECKENRIDGE
61,655 sq. ft.
1.415 acres

TRACT D
ENTRADA AT BRECKENRIDGE
255 sq. ft.
0.006 acres

A PORTION OF
HURON ROAD
8,891 sq. ft.
0.204 acres

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	25.30'	14.00'	103°32'52"	N51°08'42"E	22.00'
C2	12.24'	62.00'	11°18'36"	S71°59'52"E	12.22'
C3	9.61'	48.00'	11°28'05"	S71°30'16"E	9.59'
C4	32.41'	25.00'	74°20'00"	S39°54'50"E	30.21'
C5	69.58'	59.01'	66°35'30"	S53°19'59"W	64.79'
C6	41.14'	70.00'	33°40'24"	N60°14'38"W	40.55'
C7	51.14'	114.03'	25°41'38"	S59°53'02"E	50.77'
C8	71.37'	55.00'	74°20'53"	N39°25'17"W	66.47'



NOTE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drawn RW/LK Dwg ANNEXPLAT_A2 Project 17324
Checked RW Date 08/24/2022 Sheet 1 of 1

RANGEWEST
ENGINEERS & SURVEYORS INC.

P.O. Box 589
Silverthorne, CO 80498 970-468-6281

Memo

To: Breckenridge Town Council Members
Cc: Shannon Haynes – Town Manager
From: James Phelps – Director Public Works
Date: 4/16/2024 (for April 23rd, TC meeting)
Subject: Outdoor Watering - A Bill for Ordinance (Second Reading) Amending Title 12-1-21:
Permanent Conservation Measures.



There is one addition/correction from First Reading, in the Council Bill, on line 30 of page 1. The words added now read: “whose last full number in the address is odd”. This was verbally communicated and read into the record at First Reading.

The Town of Breckenridge Municipal Code currently defines outdoor watering regulations as part of Title 12-1-21: Permanent Conservation Measures.

The proposed outdoor watering changes would amend the Municipal Code to regulate outdoor watering (irrigation) by alternating daily watering schedules based on the last whole number of the property address. The days of watering would be permitted by the last number of the address being a “even or odd” number.

Example: 1095 Airport Road would be permitted to outdoor water nights of: Wednesday, Friday, and Sunday. 150 Ski Hill Road would be permitted, Tuesday, Thursday, and Saturday. Watering (irrigation) is still permitted six days/week (no Mondays). One additional proposed change would be to move the outdoor watering time back by one hour (or 6:00pm – 9:00am). The attached Council Bill shows the proposed changes to 12-1-21.

Water policies outlined in the SustainableBreck Plan and Water Efficiency Plan help to conserve natural resources, reduce operational and energy costs, and illustrate best practices that help influence water conservation at local and regional levels. Collaborative resource management policies like this one help to reduce confusion, establish common systems, and amplify our community’s impact across the region. In addition to potential conservation benefits, an operational benefit for the water division will be the reduction of the water demand of the distribution pressure zones. The water demand during summer watering periods is challenging for water plant production.

Staff recommend adopting the proposed outdoor watering changes and will be present to answer questions of the Town Council.

COUNCIL BILL NO. ____

Series 2024

A BILL FOR AN ORDINANCE AMENDING THE MUNICIPAL CODE TO REGULATE OUTDOOR IRRIGATION BY ALTERNATING DAILY WATERING SCHEDULES BY EVEN AND ODD NUMBER ADDRESSES FOR CONSERVATION PURPOSES.

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

Section 1. That subsection C. of 12-1-21 entitled "Permanent Conservation Measures" be amended by deleting the language stricken and adding the language underlined to read as follows:

12-1-21: PERMANENT CONSERVATION MEASURES:

C. Subsection B1 of this section shall not apply to the following uses of water from the water system:

1. Outdoor watering when done in accordance with the following permanent conservation measures:

a. Outdoor watering is permitted only three (3) days each calendar week (Monday through the next Sunday) as described in subsections C1b and C1c of this section.

~~b. Outdoor watering on properties located east of the centerline of: 1) Main Street; or 2) Colorado Highway 9 north of Park Avenue and Colorado Highway 9 south of Park Avenue, whichever is applicable, whose last full number in the address is even~~ may lawfully occur only on Sundays, Wednesdays, and Fridays ~~Tuesday, Thursday, and Saturday~~ of each week.

~~c. Outdoor watering on properties located west of the centerline of: 1) Main Street; or 2) Colorado Highway 9 north of Park Avenue and Colorado Highway 9 south of Park Avenue, whichever is applicable, whose last full number in the address is odd~~ may lawfully occur only on Tuesdays, Thursdays, and Saturdays ~~Wednesday, Friday, and Sunday~~ of each week.

d. Addresses ending with .5 or 1/2 shall constitute an even address. For example, 132.5 Main shall be considered an even number address.

~~e.~~ No outdoor watering is permitted on any property within the town on Mondays of each week.

~~f.~~ On days when outdoor watering is permitted, it may occur only between the hours of ~~five~~ six o'clock (56:00) P.M. and nine o'clock (9:00) A.M. of the following day.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

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

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this ____ day of _____, 2024. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of _____, 2024, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

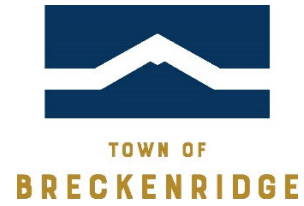
TOWN OF BRECKENRIDGE, a Colorado municipal corporation

By: _____
Kelly Owens, Mayor

ATTEST:

Helen Cospolich, CMC,
Town Clerk

ATTEST:



Memo

To: Town Council
From: Ellie Muncy, Planner I
Date: April 17, 2024 (for April 23, 2024 Meeting)
Subject: Demolition By Neglect Code Amendments (Second Reading)

In the packet is a Bill for Second Reading amending *Title 9 Chapter 11: Historic Preservation*. Since First Reading there have been no changes to the proposed amendments. The proposed amendments add demolition by neglect provisions and extend those provisions to all historic structures. Staff supports the adoption of the Bill as drafted.

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

COUNCIL BILL NO. ____

Series 2024

**A BILL FOR AN ORDINANCE ESTABLISHING CRITERIA FOR
DETERIORATION OF LANDMARKS AND HISTORIC STRUCTURES
IN A MANNER THAT CONSTITUTES DEMOLITION BY NEGLECT.**

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

Section 1. That section 9-11-2 entitled "Definitions" be amended by deleting the language stricken and adding the language underlined maintaining alphabetical order to read as follows:

9-11-2: DEFINITIONS:

DEMOLITION: Any act or process which destroys, in whole or in part, any landmark or historic structure.

DEMOLITION BY NEGLECT: Failure to provide ordinary and necessary maintenance and repairs to a degree that compromises the structural integrity of any landmark or historic structure.

DIRECTOR: The director of the department of community development of the town or their designee.

LANDMARK: A designated individual building, structure, object, site or an integrated group of buildings, structures or objects having a special historical or architectural value. Unless otherwise indicated in this chapter, the term "landmark" shall include both federally designated landmarks and town designated landmarks.

STABILIZATION OR STABILIZE: Providing weather protection; ~~or repair or preservation of a roofing structure, roof rafter, load bearing wall or foundation,~~ shoring and/or bracing to ensure structural integrity and longevity of the structure and its historic fabric to a reasonable level defined by the use of the structure and as approved by the Town. Items contributing to the structural integrity that should be considered for stabilization, depending on the intensity of use (e.g. habitable space) or natural hazards on site (e.g. drainage or snow load impacts), may

1 include roofing, siding, roof structure, roof rafters, load bearing walls, drainage/grading and
2 foundation. The goal of stabilization is to keep the structure standing and prevent further
3 deterioration but it is not to achieve a complete restoration of the structure.
4

5 **Section 2.** That section 9-11-3 entitled “Designation of Landmarks, Landmark Sites,
6 Historic Districts, and Cultural Landscape Districts” be amended by deleting the language
7 stricken and adding the language underlined maintaining alphabetical order to read as follows:
8

9 **9-11-3: DESIGNATION OF LANDMARKS, LANDMARK SITES, HISTORIC**
10 **DISTRICTS AND CULTURAL LANDSCAPE DISTRICTS:**

11 A. Designation Authorized: Pursuant to the procedures hereinafter set forth in this section, and
12 subject to section [9-11-4](#) of this chapter, the town council may, by ordinance, designate a
13 landmark, landmark site, historic district or a cultural landscape district. The property included in
14 any such designation shall be subject to the controls and standards set forth in this chapter, and
15 eligible for such incentive programs as may be developed by the town.

16 B. Designation Procedures: The town shall follow the following procedures in connection with
17 any proposal to designate a landmark, landmark site, historic district or a cultural landscape
18 district:

19 1. Property Owner Consent:

20 a. Landmarks And Landmark Sites: No proposal for the designation of a landmark or a
21 landmark site shall be accepted by the director as complete and ready for town action
22 unless the property owner of the landmark or landmark site has consented to such
23 designation.

24 b. Historic Districts And Cultural Landscape Districts: No proposal for the designation
25 of a historic district or a cultural landscape district site shall be accepted by the director
26 as complete and ready for town action unless at least fifty one percent (51%) of the
27 property owners of the land within the proposed historic district or cultural landscape
28 district have consented to such designation.

1 c. Director To Give Notice: Within thirty (30) days following receipt of a historic district
2 or cultural landscape district designation proposal, and prior to accepting such proposal
3 as being complete and ready for town action, the director shall send written notice of
4 the submission of such designation proposal to the owner(s) of the land which is the
5 subject of the designation proposal as shown on the records of the Summit County
6 assessor. The notice provided by the director shall outline the reasons for and the
7 effects of the proposed designation. (Ord. [24](#), Series 2001)

8 2. Process To Be Followed: A proposal to designate a historic district or cultural landscape
9 district shall be processed by the town using the Class A development permit process as
10 set forth in the development code, except as otherwise expressly provided in this section. A
11 proposal to designate a landmark or landmark site shall be processed by the town using the
12 Class BC minor development permit process as set forth in the development code, except
13 as otherwise expressly provided in subsections [B3](#) and [B4](#) of this section. Any application
14 submitted under this chapter may be processed concurrently with a development permit
15 application for the same property. In the event of the submission of an application under this
16 chapter and a concurrent development permit application for the same property, the
17 applications shall be processed jointly as a Class A and the applicant shall only be required
18 to pay one application fee which shall be calculated based on the higher development
19 permit classification of the two (2) applications as a Class A fee.

20 **Section 3.** That section 9-11-7 be retitled and amended to delete the language stricken
21 and add the language underlined to read as follows:

22 **9-11-7: ~~PROPERTY STABILIZATION REQUIRED~~ CRITERIA FOR ESTABLISHING**
23 **LACK OF MAINTENANCE AND REPAIRS CONSTITUTING DEMOLITION BY**
24 **NEGLECT:**

25 A. The town intends to preserve from deliberate or inadvertent neglect of any landmark or
26 historic structure whose stabilization is necessary to prevent the landmark's or historic
27 structure's deterioration that constitutes demolition without a permit.

28 B. No owner, lessee, or occupant of any landmark or historic structure shall neglect or fail to
29 prevent stabilization of the landmark or any historic structure.

1 C. No owner, lessee or occupant of any landmark or any historic structure shall neglect or fail
2 to comply with all applicable provisions of this chapter and other ordinances of the town
3 regulating property maintenance of the landmark or any historic structure.

4 ~~D. Before the town attorney files a complaint for failure to stabilize a property as required by~~
5 ~~this section, Where~~ the director identifies a case of demolition by neglect, they shall notify the
6 property owner, lessee, or occupant of the need to stabilize the property, shall endeavor to
7 assist the owner, lessee, or occupant in determining how to stabilize the property, and shall give
8 the owner a reasonable time, not less than thirty (30) days, to perform the required stabilization.

9 E. Stabilization of a secondary structure shall be processed under a Class D Minor permit with a
10 waived permit fee. The required documents shall be reduced to the following: description of
11 work, basic site plan, altered photos or drawings on graph paper to show proposed changes,
12 and before and after photos of the structure. As part of the permit a pre-construction meeting is
13 required.

14 **Section 4.** . That section 9-11-9 be amended to delete the language stricken and add
15 the language underlined to read as follows:

16

17 **9-11-9:DEMOLITION CRITERIA:**

18 No "historic structure" as defined in section 9-1-5 of this title, or landmark shall be demolished
19 without the owner first having obtained a demolition permit from the town. A demolition permit
20 shall not be approved by the town until a replacement/reuse plan for the property has been
21 approved by the town. An application for a demolition permit pursuant to this section shall be
22 processed as a Class B major development permit application in accordance with the
23 development code, but shall be evaluated only under the following criteria. As part of the
24 development permit application, the town may require that a cultural survey be prepared by a
25 qualified person at the applicant's cost.

26 A. Review Criteria For Total Demolition: A permit for demolition shall only be approved if all of
27 the following criteria are met:

28 1. The building, structure or object proposed for demolition is not structurally sound
29 despite evidence of the owner's efforts to properly maintain it;

1 2. The building, structure or object cannot be rehabilitated or reused on site to provide for
2 any reasonable economical use of the property;

3 3. The building or structure that has been relocated from the historic site and ~~The building,~~
4 ~~structure or object~~ cannot be practically moved to another site in the town;

5 4. The applicant demonstrates that the demolition proposal mitigates to the greatest extent
6 practical the following:

7 a. Any impact(s) that will occur to the visual character of the neighborhood where
8 demolition is proposed to occur.

9 b. Any impact(s) that will occur to the historic importance of the buildings, structures or
10 objects located on the property and adjacent properties.

11 c. Any impact that will occur to the architectural integrity of the buildings, structures or
12 objects located on the property and adjacent properties.

13 Consideration will be given to whether materials can be recycled for use as part of
14 another building, structure or object.

15 In the case of archaeological sites, consideration will be given to whether information
16 can be recovered as part of the demolition process.

17 B. Review Criteria For Partial Demolition: A permit for partial demolition shall only be approved
18 if all of the following criteria are met:

19 1. The partial demolition is required for the renovation, restoration or rehabilitation of the
20 building, structure or object;

21 2. The applicant has mitigated, to the greatest extent possible:

22 a. Impacts on the historic importance of the buildings, structures or objects located on
23 the property.

24 b. Impacts on the architectural integrity of the buildings, structures or objects located
25 on the property; and

26 Consideration will be given to whether materials can be recycled for use as part of another
27 building, structure or object.

1 **Section 5.** That section 9-11-12 is hereby repealed and replaced with the following
2 language underlined to read as follows:

3 **9-11-12: ENFORCEMENT AND PENALTIES; APPEALS:**

4 A. Anyone who is found to have violated this chapter is subject to criminal and civil
5 penalties as set forth below and in the Town code.

6 1. Criminal penalties. Failure to comply with the requirements of this chapter may
7 result in a summons and complaint and subject to the general penalty under section 1-4-1
8 and/or an infraction under 1-4-1-1 of the municipal code.

9 2. Civil penalties. Failure to comply with the requirements of this chapter may result
10 in the imposition of a fine not to exceed one hundred dollars (\$100.00) for each day of
11 continuing violation.

12 3. In addition to the civil and criminal penalties provided above, neglect of a
13 landmark, landmark site, or building in the historic district may result in up to a one-year
14 moratorium on all building and development permits being issued for the subject property or
15 imposed on the same owner or same developer on other properties as provided under section
16 9-1-6 of the development code.

17 B. Continuing Violations: A person shall be guilty of a separate offense for each and
18 every day during any portion of which any violation of this chapter is committed, continued or
19 permitted by such person, and such person shall be punished accordingly.

20 1. An alteration which is made to a landmark or historic structure without an approved
21 development permit issued under the development code may result in up to a one-year
22 moratorium on all building and development permits for the subject property.

23 2. The relocating or demolition of a landmark or historic structure without an approved
24 permit issued under this chapter may result in up to a five (5) year moratorium on all relocation,
25 demolition, or building permits for the structure and for the property at the structure's original
26 location.

27 C. Fines and penalties under this section may be imposed separately or
28 cumulatively.

29 D. Warnings and Notice.

1 1. Prior to imposing any fines or administrative penalties under this chapter,
2 community development will issue a first warning and an opportunity to cure the violation.

3 2. If the violation is not cured within thirty (30) days of the date of the notice, which
4 time period may be extended in writing by the director or their designee for good cause shown,
5 the director shall send written notice of an administrative penalty by first class United States
6 mail to such person at such person's last known address.

7 E. Appeals.

8 1. Any party found in violation of this chapter or who disputes the demand for
9 stabilization has a right to appeal to the planning commission by submitting a complaint to the
10 director within thirty (30) days of the notice of violation. A complaint shall be in writing and set
11 forth both the grounds for the appeal and supporting facts next regularly scheduled planning
12 commission meeting, or as soon thereafter as reasonably practical.

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

18 3. The finding or decision of planning commission in connection with any appeal
19 shall be delivered in writing within thirty (30) days following the hearing on the matter. The
20 decision of the planning commission shall be final, subject to the right of any aggrieved party to
21 contest the matter in an appropriate court action commenced under rule 106(a)(4) of the
22 Colorado Rules of Civil Procedure. For purposes of determining the time limit for the
23 commencement of an action under rule 106(a)(4) of the Colorado Rules of Civil Procedure, the
24 decision of the planning commission shall be deemed to be final upon the issuance of the
25 written finding or decision.

26 **Section 6.** That chapter 1 of the Breckenridge Development Code be amended to
27 delete the language stricken and add the language underlined to read as follows:

28 **9-1-5: DEFINITIONS:**

29 CLASS A DEVELOPMENT: Any development which includes any of the following activities or
30 elements:

- 1 A. Residential uses which include three (3) units or more.
- 2 B. Lodging and hotel uses.
- 3 C. Any site work or landscaping which is in excess of two hundred thousand dollars
4 (\$200,000.00) in value, to include ski lifts and parking lots.
- 5 D. Commercial and industrial uses, additions and remodels thereto which are one
6 thousand (1,000) square feet in size or greater.
- 7 E. Approval of a master plan on a site five (5) acres or more in size.
- 8 F. Major amendment to a master plan pursuant to section [9-1-19-39A](#), "Policy 39
9 (Absolute) Master Plan", subsection L, of this chapter.
- 10 G. Those wireless communication facilities permit applications described in section [9-1-19-
11 50A](#), subsection D(1), of this chapter.
- 12 H. Remodel or addition to any historic residential structure within the Historic District or the
13 Conservation District.
- 14 I. Demolition or moving of a landmark or historic structure or any portion of the same.

15 CLASS B DEVELOPMENT: Any development which includes any of the following activities or
16 elements:

17 Class B - Major:

- 18 A. New single-family nonhistoric residential within the Historic District or the
19 Conservation District.
- 20 B. New duplex residential within the Historic District or Conservation District.
- 21 C. Bed and breakfasts, and boarding houses.
- 22 D. Commercial and industrial uses and additions which are less than one thousand
23 (1,000) square feet in size or ten percent (10%) of the existing square footage (unless
24 classified as a Class A development).
- 25 E. Approval of a master plan on a site of less than five (5) acres.

1 ~~F. Demolition or moving of a landmark or historic structure (including any portion of~~
2 ~~the structure).~~

3 Class B - Minor:

4 A. Change of use within a Residential District.

5 B. Site work, landscaping, grading, and utility installations on steep slopes (greater
6 than 15 percent) or within environmentally sensitive areas.

7 C. Operation of a home childcare business.

8 D. Vendor carts, large.

9 E. Application for exempt large vendor cart designation.

10 Class B development is divided into major and minor categories for purposes of payment of
11 application fees¹ only. The procedures set forth in this chapter for the processing of Class B
12 development permit applications apply to both major and minor categories.

13 CLASS C DEVELOPMENT: Any development which includes any of the following activities or
14 elements:

15 A. Change of use outside of a Residential District.

16 B. Master sign plans.

17 C. Temporary structures to be used for longer than three (3) days.

18 D. Additions to commercial, office or industrial structures of less than ten percent (10%) of
19 the existing square footage.

20 E. Matters relating to nonconforming uses.

21 F. Minor amendment to a master plan pursuant to section 9-1-19-39A, subsection L, of this
22 chapter.

23 G. Installation of solar device within the Conservation District.

24 H. *Vendor Carts, Small:* A small vendor cart shall be processed as a Class C development
25 permit with public notice requirements per a Class B development permit.

- 1 I. Major remodel to residential condominium, lodging, or hotel structure.
- 2 J. Temporary tents meeting the special requirements set forth in section [9-1-19-36A](#),
- 3 subsection F(2), of this chapter.
- 4 K. Exterior loudspeakers associated with a commercial use.
- 5 L. Any exterior food and beverage area.
- 6 M. A proposal to designate a landmark or landmark site pursuant to section 9-11-3(B)(2)
- 7 except when processed concurrently with a rehabilitation development permit.

8 CLASS D DEVELOPMENT: Any development which includes any of the following activities and
9 elements:

10 *Class D - Major:*

11 1. New single-family, duplex structure, or major remodel outside of the Historic
12 District, with or without an accessory dwelling unit, including, without limitation, master
13 planned property with multiple single-family and duplex structures, except where the
14 proposed development either:

15 a. Warrants the assessment of any negative points based upon the director's
16 preliminary assessment at the time the application is initially filed; or

17 b. Is located on a lot, tract, or parcel without a platted building or disturbance
18 envelope outside of the conservation district as defined in section [9-1-19-3A](#) of this
19 chapter (density).

20 A Class D - Major permit application that meets the conditions described in subsection
21 1(a) or 1(b) of this definition shall be reclassified as a Class C development permit
22 application.

23 2. Those wireless communication facilities permit applications described in section [9-](#)
24 [1-19-50A\(D\)\(2\)](#) of this chapter.

25 3. Accessory dwelling units except when the permit application meets the conditions
26 described in subsection 1(a) or 1(b) of this definition, in which case the application shall
27 be reclassified as a Class C development permit application.

1 *Class D - Minor:*

- 2 1. Banners and sponsor banners (all).
- 3 2. Individual signs (all).
- 4 3. Demolition or moving of any structure outside of the historic or conservation district.
- 5 4. Demolition of nonhistoric structure within the historic or conservation district.
- 6 5. Fencing (all).
- 7 6. Home occupation.
- 8 7. Minor remodel² of any residential structure.
- 9 8. Temporary structures to be used for three (3) days or less.
- 10 9. Operation of a chalet house.
- 11 10. Any painting of a structure within the historic or conservation district, except for
- 12 paint maintenance.
- 13 11. Any painting of a structure with a commercial or lodging use outside of the historic
- 14 district in land use districts 3, 4, 5, 6, 9, 13, 20, 23, 25, 28, 31, 32, 33, 35 or 39; except
- 15 for paint maintenance.
- 16 12. The painting of a contemporary landmark as provided in section [9-1-19-5A](#), "Policy
- 17 5 (Absolute) Architectural Compatibility," subsection A(2), of this chapter.
- 18 13. The placement of a commercial handbill dispenser outside of a fully enclosed
- 19 building as provided in section [11-5-6](#) of this Code.
- 20 14. Construction of approved private trash enclosure or conversion of nonconforming
- 21 private trash enclosure to approved private trash enclosure.
- 22 15. Placement of public art.
- 23 16. Substitution of employee housing unit or modification to unit floor plan.
- 24 17. Summer seasonal occupancy of employee housing unit as provided in section [9-](#)
- 25 [1-19-24R](#), "Policy 24 (Relative) Social Community," subsection A(5), of this chapter.

- 1 18. Placement of a satellite earth station larger than 2 meters in diameter in land use
2 districts where industrial or commercial uses are recommended, or larger than 1 meter
3 in diameter in land use districts where any other use is recommended.
- 4 19. Site work, landscaping, grading, and utility installations unless done on steep
5 slopes or within environmentally sensitive areas.
- 6 20. The outdoor display or storage of bicycles as provided in section [9-7-6C](#) of this
7 Code.
- 8 21. Any other development described as a Class D minor development in any town
9 ordinance.
- 10 22. Installation of swimming pool, spa or hot tub.
- 11 23. Seasonal noncommercial greenhouse.
- 12 24. Installation of solar device outside the Conservation District.
- 13 25. Creation of voluntary defensible space around a building or structure, or on a
14 parcel of land.
- 15 26. Application for a renewable energy mechanical system.
- 16 27. Master sign plan modification.
- 17 28. Radio broadcast.
- 18 29. Temporary tents to be used for five (5) days or less.
- 19 30. Those small cell facilities applications described in section [9-1-19-50A\(D\)\(3\)](#) of
20 this chapter.
- 21 31. Stabilization of a historic secondary structure.

22 Class D development is divided into major and minor categories for purposes of payment of
23 application fees only. The procedures set forth in this chapter for the processing of Class D
24 development permit applications apply to both major and minor categories.

25 * Major remodel - Additional residential square footage of more than ten percent (10%) of
26 existing structure square footage and/or change of character to the exterior of the structure.

1 * Minor remodel - Additional residential square footage of ten percent (10%) or less of the
2 existing structure's square footage.

3
4 **Section 7.** This ordinance shall be published and become effective as provided by
5 Section 5.9 of the Breckenridge Town Charter.

6
7 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
8 PUBLISHED IN FULL this 9th day of April, 2024.

9 READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON
10 THE TOWN'S WEBSITE this 23rd day of April 2024. A copy of this Ordinance is available for
11 inspection in the office of the Town Clerk.

12
13 TOWN OF BRECKENRIDGE, a Colorado
14 municipal corporation

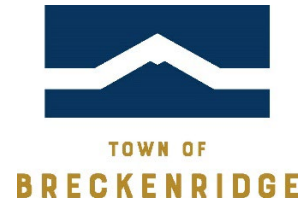
15
16
17
18 By: _____
19 Kelly Owens, Mayor Pro Tem

20
21 ATTEST:

22
23
24
25 _____
26 Helen Cospolich, CMC,
27 Town Clerk

28
29 ATTEST:

30
31
32



Memo

To: Breckenridge Town Council Members
From: Mark Truckey, Director of Community Development
Date: April 17, 2024
Subject: Planning Commission Decisions of the April 16, 2024 Meeting

DECISIONS FROM THE PLANNING COMMISSION MEETING, APRIL 16, 2024:

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 Leas.

ROLL CALL

Mike Giller	Mark Leas	Allen Frechter	Susan Propper
Ethan Guerra - Online	Steve Gerard	Elaine Gort	

APPROVAL OF MINUTES

With no changes, the April 2, 2024 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the April 16, 2024 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

WORK SESSIONS:

1. State of the Open Space Report

Anne Lowe, Open Space and Trails Manager, presented the State of the Open Space Report which reviews the work completed by the Open Space Division during 2023.

Commissioner Questions / Comments:

- Mr. Giller: Are you using ODAAG, for outdoor trails? It's done by the forest service for more ADA accessibility.
- Ms. Lowe: I'm unfamiliar but I will look into that.
- Ms. Propper: Are you considering more areas for hiking only, with the mountain biking and hiking issues?
- Ms. Lowe: We are always looking for opportunities, we're trying to balance that with the people in our community that want multi-use trails, but we're open to all possibilities.
- Ms. Propper: In Boulder County there are some areas where mountain bikes are prohibited on certain days of the week, which could be something to consider.
- Ms. Lowe: We definitely have a lot to learn from the front range communities.
- Ms. Propper: Is there any consideration to reducing the Nordic trails through Cucumber Gluch?
- Ms. Lowe: That is something we're discussing, especially during the meeting on next Monday, but the Nordic trails were grandfathered into the preserve when it was created. We've proposed moving the trail and have had some pushback, so we will be having a community meeting with Colorado Parks and Wildlife and other representatives to discuss the issue.
- Ms. Propper: Something else to consider is bigger signs, to make them easier for people to see them.
- Ms. Lowe: That is something we're working on, we just sent out an RFP to review our signage as a whole.
- Ms. Propper: It may be helpful to do something similar to what the Forest Service does with volunteer rangers in the Friends of the Dillon Ranger District (FDRD), so there's more of a presence and ability to answer questions out on the trails.
- Mr. Guerra: No questions or comments other than the accolades for the work you do.
- Mr. Frechter: You should spread this presentation more and contact Summit Daily to spread the information. Does the Town now own Little Mountain?
- Ms. Lowe: As of earlier today we do own all of Little Mountain.
- Mr. Frechter: Adding additional signage and education for winter use etiquette would be really helpful to improve the experience for everyone.
- Ms. Lowe: We do our best but it's something we can work and improve on.

- Mr. Frechter: Something should also be added to the Sally Barber trailhead to say parallel parking is not allowed in the winter as there currently isn't anything to inform locals or visiting guests.
- Ms. Lowe: We have the Volpe Center, which is a part of the US Department of Transportation, helping us look at all of our trailheads to look into issues like that and make sure we are addressing them. They'll also be helping us with the planning efforts for the new national monument at Camp Hale.
- Ms. Gort: Do you track accidents, such as where they are?
- Ms. Lowe: We do not track that, I believe most of them are in the county and tracked by the county. We also have the issue of a lot of people not telling us about accidents like bike collisions. We're working on a new website and having a reporting feature integrated into that.
- Ms. Gort: To continue Susan's earlier point, would you consider adding any e-mountain bikes trails?
- Ms. Lowe: That was something the previous Town Council was against but we're seeing more of those trails appearing around Colorado so it's something we're keeping an eye on.
- Mr. Gerard: What's the plan for the use and management of the Dry Gulch area?
- Ms. Lowe: That's something we're working on. There's a lot of structures on the property which is unique for us and we've worked with Breckenridge History to determine what structures are a priority to keep. Their plan would be to interpret a little bit of both time periods of the site and maybe tie it into an interpretive loop throughout the Golden Horseshoe. They were also considering tours. We want to develop a management system once Breckenridge History has made a decision. We are open to community ideas currently.
- Mr. Gerard: How do the acquisitions come to the open space, are they sought out?
- Ms. Lowe: We have real estate agents that we work with that keep an eye out for properties for us. The county also cold calls/emails mining claim owners to let them know we're interested in buying if they're interested in selling.
- Mr. Gerard: I heard many comments during my Town Council campaign about the conflict between mountain bikers and hikers, primarily the desire for additional safety and coexistence. I heard many recommendations regarding closing Aspen Alley to bikers during the peak leaf season.
- Ms. Lowe: That's something we've been considering for years, what we would like to do is have an uphill route and downhill route but that land is in the national forest so we're working on collecting more trails that we want to redo before doing another round of the NEPA process.
- Mr. Leas: I commend you on your leadership and all of the work the Open Space Division has been doing. We should always be mindful of how much we restrict development so we're not pricing out all of the young people and losing opportunities for affordable housing.
- Mr. Truckey: The Open Space program initially started within the Community Development department and was moved over to the Recreation department around 2017. Last year, an opportunity opened to move it back to Community Development. Many of the points brought up tonight have been discussed at length by the BOSAC. I want to recognize Anne Lowe for the amazing job she has done leading the Open Space and Trails division the last seven years, and the strong environmental ethic that she has instilled in the program.

2. Planning Commission Rules of Procedure Update Regarding Virtual Attendance

Mr. Truckey presented a work session on proposed changes to the Planning Commission Rules of Procedure that would allow virtual attendance at up to five (5) meetings annually.

Commissioner Questions / Comments:

- Mr. Frechter: Would we want this to match the existing language for absences of a trailing twelve months? Or calendar year?
- Mr. Truckey: Yes, it should be the same as the existing attendance language.
- Mr. Leas: I would like to emphasize the importance of us being here in person.
- Mr. Guerra: I agree with that and will use my own virtual attendance sessions limitedly.

Mr. Giller made a motion to approve the proposed Resolution Amending the Planning Commission Rules of Procedure which increases the number of permitted meetings to virtually attend to five meetings within a year as designated by the existing attendance policy. Mr. Frechter seconded the motion. The motion passed 6 to 1.

OTHER MATTERS:

1. Town Council Summary
2. Class D Majors Q1 2024 (Memo Only)
3. Class C Subdivisions Q1 2024 (Memo Only)

ADJOURNMENT:

The meeting was adjourned at 6:56 pm.

Mark Leas, 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.

April 2024

Tuesday, April 23rd, 2024	Council Chambers	Second Meeting of the Month	3:00 pm / 7:00 pm
----------------------------------	-------------------------	------------------------------------	--------------------------

May 2024

Tuesday, May 14th, 2024	Council Chambers	First Meeting of the Month	3:00 pm / 7:00 pm
Tuesday, May 28th, 2024	Council Chambers	Second Meeting of the Month	3:00 pm / 7:00 pm

June 2024

Monday, June 3rd, 2024	Larkspur Apartments	Grand Opening with Summit County	11:00am
Tuesday, June 11th, 2024	Council Chambers	First Meeting of the Month	3:00 pm / 7:00 pm
Tuesday, June 25th, 2024	Council Chambers	Second Meeting of the Month	3:00 pm / 7:00 pm

Other Meetings

April 22nd, 2024	Open Space & Trails Meeting	5:30pm
April 23rd, 2024	Board of County Commissioners Meeting	9:00am / 1:30pm
April 25th, 2024	Summit Stage Transit Board Meeting	8:15am
	Breckenridge Tourism Office Board Meeting	8:30am
	NWCCOG Board Meeting	10:00am
	RW&B Board Meeting	3:00pm
May 1st, 2024	Police Advisory Committee	7:30am
	Breckenridge Events Committee	9:00am
	Childcare Advisory Committee	10:00am
	I-70 Coalition	11:30am
May 7th, 2024	Board of County Commissioners Meeting	9:00am
	Planning Commission Meeting	5:30pm
May 8th, 2024	Breckenridge History	Noon
May 9th, 2024	Upper Blue Sanitation District	5:30pm
May 14th, 2024	Board of County Commissioners Meeting	9:00am / 1:30pm
	Workforce Housing Committee	10:30am
May 20th, 2024	Social Equity Advisory Commission	7:30am
	Summit Combined Housing Authority	1:00pm
	Open Space & Trails Open House	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.

May 21st, 2024	Board of County Commissioners Meeting	9:00am
	Liquor & Marijuana Licensing Authority	9:00am
	Planning Commission Meeting	5:30pm
May 23rd, 2024	Summit Stage Transit Board Meeting	8:15am
	Breckenridge Tourism Office Board Meeting	8:30am
	RW&B Board Meeting	3:00pm
May 28th, 2024	Board of County Commissioners Meeting	9:00am / 1:30pm
June 4th, 2024	Board of County Commissioners Meeting	9:00am
	Planning Commission Meeting	5:30pm
June 5th, 2024	Breckenridge Events Committee	9:00am
	Childcare Advisory Committee	3:00pm
June 6th, 2024	NWCCOG Board Meeting	10:00am
June 11th, 2024	Board of County Commissioners Meeting	9:00am / 1:30pm
	Workforce Housing Committee	10:30am
June 13th, 2024	QQ - Quality and Quantity - Water District	10:00am
	Upper Blue Sanitation District	5:30pm
June 17th, 2024	Social Equity Advisory Commission	7:30am
	Summit Combined Housing Authority	1:00pm
June 18th, 2024	Board of County Commissioners Meeting	9:00am
	Liquor & Marijuana Licensing Authority	9:00am
	Planning Commission Meeting	5:30pm
June 27th, 2024	Breck Create	3:30pm
July 10th, 2024	Breckenridge History	Noon
TBD	Tourism Overlay District Advisory Committee Meeting	10:30am
	Transit Advisory Council Meeting	8:00am
	Water Task Force Meeting	9:30am