



**TOWN OF  
BRECKENRIDGE**

**Town Council Work Session**  
Tuesday, August 27, 2024, 3:00 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. Join the live broadcast available by computer or phone: <https://us02web.zoom.us/j/83997302161> (Telephone: 1-719-359-4580; Webinar ID: 839 9730 2161).

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. EMPLOYEE GENERATION STUDY - EPS (3:00-3:30pm)**

Employee Generation Study Work Session

**II. COLORADO COMMUNITIES FOR CLIMATE ACTION (CC4CA) LEGISLATIVE UPDATE (3:30-4:00pm)**

Colorado Communities for Climate Action – 2024 Legislative Recap

**III. PLANNING COMMISSION DECISIONS (4:00-4:05pm)**

Planning Commission Decisions

**IV. LEGISLATIVE REVIEW (4:05-4:10pm)**

Copper Baron Development Agreement (First Reading)

**V. MANAGERS REPORT (4:10-4:30pm)**

Public Projects

Mobility Update

Sustainability Update

Housing Update

Open Space Update

Committee Reports

Financials

**VI. OTHER (4:30-5:10pm)**

BTO Board of Directors Annual Discussion

Breck History Capital Projects

**VII. PLANNING MATTERS (5:10-6:15pm)**

Housing Helps Update

Neighborhood Preservation Discussion

**VIII. EXECUTIVE SESSION - LAND ACQUISITION (6:15pm)**

# Memo

To: Town Council  
From: Julia Puester, AICP, Assistant Community Development Director  
Date: August 20, 2024 (for meeting of August 27, 2024)  
Subject: Employee Generation Nexus Study

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## Summary

The Town has been working to address the gap of attainable workforce housing in the community through multiple programs including: constructing housing, engaging in public/private partnerships, developing a market buy down program, offering a Lease to Locals program, and providing Housing Helps funding. In addition to these programs, the Town's Development Code also contains policies to assist in a multi-pronged approach to creating workforce housing. The employee generation policy (Policy 24A. B of the Development Code) was adopted in 2020. This policy requires all new development projects to mitigate a percentage of the employees generated by the new development or by the increase in intensity of use in existing spaces (e.g. conversion of retail to restaurant). When the policy was adopted, impacts to businesses from COVID were ongoing and an accurate reflection of employee generation could not be realized through a nexus study at that time. The adopted policy included the employee generation numbers established by a Town of Vail nexus study completed in 2016. Now that the effects of the pandemic have subsided and employment rates in businesses have stabilized, best practice dictates a Town specific nexus study be conducted and adopted.

The Town has recently engaged Economic and Planning Systems Inc. (EPS) out of Denver, who completed the employee generation nexus study for in-Town businesses in 2024. Staff presented the nexus study results at the June 11<sup>th</sup> Town Council meeting. At the meeting, there were numerous questions on: the methodology of the study, restaurant subcategories with outdoor dining, mitigation rate change, and proposed exemptions for small businesses. In response, staff has prioritized addressing the study's approach as the first step to a more in-depth discussion. Staff has asked EPS to present the study and explain the methodology at the meeting with the goal of solidifying the proposed employee generation numbers with the Town Council.

*Staff seeks to answer any questions from Council on the nexus study, ensure the Council agrees with the study's approach, gain support for the proposed employee generation categories and numbers, and receive direction to proceed with a policy revision.*

## Background

The Town always intended to conduct its own legal nexus study with our businesses when service levels returned to "normal". A legal nexus that is Breckenridge-specific is crucial for creating an accurate and defensible policy. Having a nexus ensures that the employee generation policy is implemented in a lawful manner which balances the community goal of workforce housing creation from new development or intensity of uses with accurate regulatory requirements.

The proposed employee generation numbers differ from the current code based on Vail's 2016 study. While the new nexus study shows some employee generation numbers have decreased such as restaurant sit down with outdoor space <25% of indoor area and hospitality; Other categories such as restaurant sit down with outdoor space >25% of indoor area, office, retail, personal service, health and wellness have increased employee generation. New categories proposed including tap house/brewery/bar (without food) and fast food/counter service have lower employee generation rates than the current restaurant category (which is applied to all food and beverage service uses under the

current code). Staff requested EPS study new categories based on past challenges for businesses considering a change of use. A few of these businesses formally challenged and gained support from the Planning Commission to reduce their employee generation numbers based on their business model. Staff is encouraged that the new categories will more accurately reflect the employee generation for different types of commercial uses.

Staff emphasizes that although the numbers differ, a valid nexus needs to be Breckenridge-specific. There are many variables that can reflect differing results when compared to other communities including smaller historic buildings, higher pedestrian traffic areas of the historic district, more visitation, service levels, and longer high tourism seasons. Other mountain towns' employee generation numbers are referenced in the attached power point. For example, the level of service in Vail's lodging businesses is higher than in Breckenridge (e.g. more 4 and 5 star properties that require more employees), thus Breckenridge's employee mitigation rate for hospitality use is a lower number than in Vail.

Below is a chart of EPS's recommended categories with employee generation numbers based on the Breckenridge business surveys. The EPS study and presentation is attached in full for further review.

Description	Recommended Employee Generation Rate
Restaurant (majority of staffing is food service)	
Fast food/counter service	3.26 employees per 1,000 sq. ft.
Sit down/table service - outdoor space at up to 25% of indoor size <sup>1</sup>	8.34 employees per 1,000 sq. ft.
Sit down/table service - outdoor space greater than 25% of indoor size <sup>1</sup>	12.78 employees per 1,000 sq. ft.
Outdoor additions <sup>2</sup>	4.44 employees per 1,000 sq. ft.
Taphouse/Brewery/Bar (without food service)	2.73 employees per 1,000 sq. ft.
Health and wellness (e.g. yoga, fitness/gym, physical therapy)	3.41 employees per 1,000 sq. ft.
Maintenance, automotive, service, and/or repair (including warehouse and showroom space)	2.88 employees per 1,000 sq. ft.
Personal services (e.g. salon, spa, nailcare, skincare)	5.54 employees per 1,000 sq. ft.
Retail	2.95 employees per 1,000 sq. ft.
Office	6.26 employees per 1,000 sq. ft.
Hospitality	0.23 employees per room/unit

<sup>1</sup>Rate applied to indoor square footage

<sup>2</sup>Rate applied only if previous outdoor space was <25% of indoor, addition crosses threshold to ≥25% of indoor size

Source: Economic & Planning Systems

**Recommendation**

*Staff recommends that the Council move forward with adopting new proposed employee generation rates which reflect Breckenridge-specific rates determined through a statistically accurate survey effort. EPS will be in attendance at the work session and will be able to answer questions regarding the nexus study, the methodology, the different business categories, and mitigation rates. Based on these discussions, staff will work with EPS to fine-tune the information in the nexus study and draft an ordinance to amend Policy 24 A.*

Staff understands that based on the June work session, there are additional questions on the mitigation rate, potential small business exemption and challenge process. Due to the complexity of those topics, staff will return at a future work session for further discussion. If time allows however, the Council may

seek answers from EPS on best practices. Further, staff would like to hear from the Council if there is any specific information desired in preparation for the following work session.

Attachments:

- EPS Powerpoint Presentation
- EPS Nexus Study

# EMPLOYEE GENERATION RATE STUDY

Council Presentation  
August 27, 2024



Economic & Planning Systems, Inc.  
*The Economics of Land Use*

730 17<sup>th</sup> Street, Suite 630 ■ Denver, CO 80202  
303.623.3557 ■ [www.epsys.com](http://www.epsys.com)

# STUDY OVERVIEW

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- Establish a “reasonable relationship” between the linkage fee and the impact of new non-residential development
  - Ensure that the commercial linkage fee program meets legal standards
  - Use locally calibrated data
- Provide current, local data on employee generation rates for nonresidential land uses to enable the Town to update Policy 24
- Linkage fee is a one-time charge on new development only
- Analysis accounts for the ongoing employment resulting from operating the businesses in each category
  - Construction jobs occur one time when a project is built and are not included in this analysis
- The scope did not include updating residential employment generation rates
- Recommended rates are different than the current rates
  - Based on more up-to-date and locally derived data

# METHODOLOGY

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- Online survey of local businesses
- Distributed to 442 businesses
  - Phone and email follow-up to 42 businesses (bars, restaurants, and hotels)
  - Total of 144 businesses responded to the survey and follow up
  - 109 usable responses after removing partial responses, errors, and businesses without physical space
  - Response rates ranged from 10% to 83% among the various business categories

## **Full-time vs. part-time employment**

Self-defined in survey responses

Analysis considers full-time to be 1.0 FTE, part-time to be 0.5 FTE

## **Seasonal Employment**

Total employment based on weighted average of winter (6 months), summer (4 months), and low (2 months) seasons

This data is sufficient to establish a **reasonable relationship** between the size of a business, the number of employees generated, and the Town's employee housing mitigation requirements



# SURVEY RESPONDENTS

Description	Number of Respondents	Pct Respondents	Average Square Footage
Health and wellness (e.g. yoga, fitness/gym, physical therapy)	3	3%	1,550
Maintenance, automotive, service, and/or repair (including warehouse and showroom space)	3	3%	2,483
Personal services (e.g. salon, spa, nailcare, skincare)	5	5%	840
Recreation (e.g. tours, guiding services)	1	1%	5,000
Taphouse/Brewery/Bar (without food service)	6	6%	3,933
Restaurant (majority of staffing is food service)	25	23%	2,602
Retail (e.g. grocery, gas station/convenience, other retail)	31	28%	1,669
Office (e.g. medical, professional, real estate, nonprofit, consulting)	25	23%	1,525
Hospitality (hotel, motel, lodge, condominium, timeshare, divisible unit, boarding hous)	10	9%	180
<b>Total</b>	<b>109</b>	<b>100%</b>	

Source: Economic & Planning Systems

# BUSINESS/LAND USE CATEGORIES

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**Office** business types were consolidated into a single category - there was no significant variation in employee generation rates across business types in office space

**Recreation** businesses and **grocery** stores were excluded from the analysis because there were insufficient responses

Within **restaurants**, the presence of separate bar space is not considered to be a differentiator - it did not have an impact on employee generation

**Fast food/counter service** businesses were found to have significantly lower employee generation rates from **sit down/table service** restaurants

The **size of outdoor space** at sit down/table service restaurants was found to affect employee generation rates

# BAR/RESTAURANT OUTDOOR SPACE

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Does the presence of outdoor space at restaurants and bars affect employee generation?

How do we best account for outdoor space within the policy?

- Restaurants and bars were asked on the survey whether they had outdoor space
- Businesses were asked what type of outdoor space they have
  - Seating only
  - Bar service only
  - Food service
- All but two respondents (one bar and one restaurant) reported having outdoor space
- There is insufficient data to differentiate between restaurants with and without outdoor space (only 2 reported no outdoor space)

# OUTDOOR SPACE CONSIDERATIONS

## Distinctions that can be made from the data

### Staffed or unstaffed space

- For **bars**, no distinction in employee generation based on the size or presence of outdoor space
- For **fast food/counter service restaurants**, the only outdoor space was for seating only
- Because this is not “staffed” space, employee generation rates do not need to account for the size or presence of outdoor space

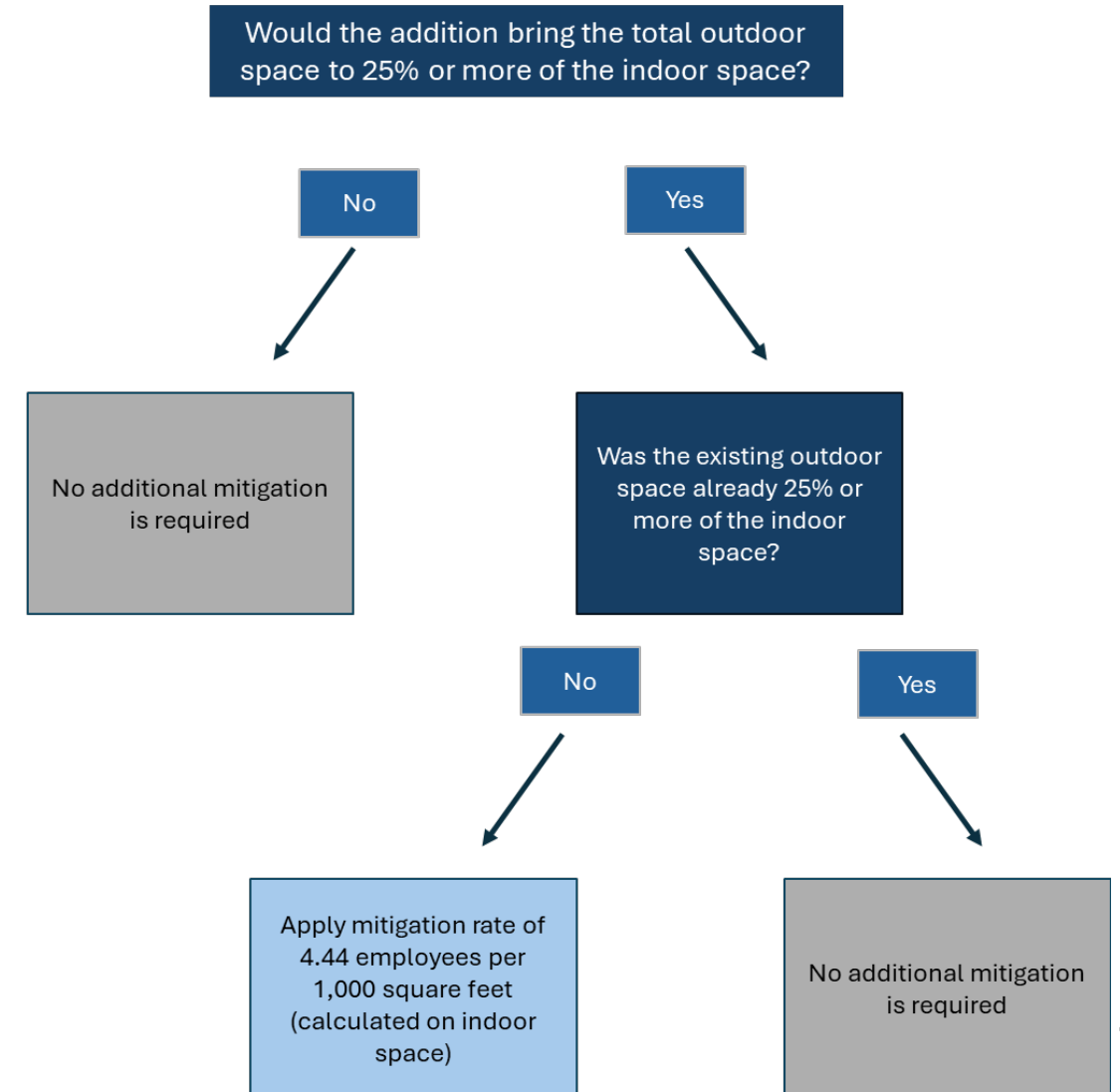
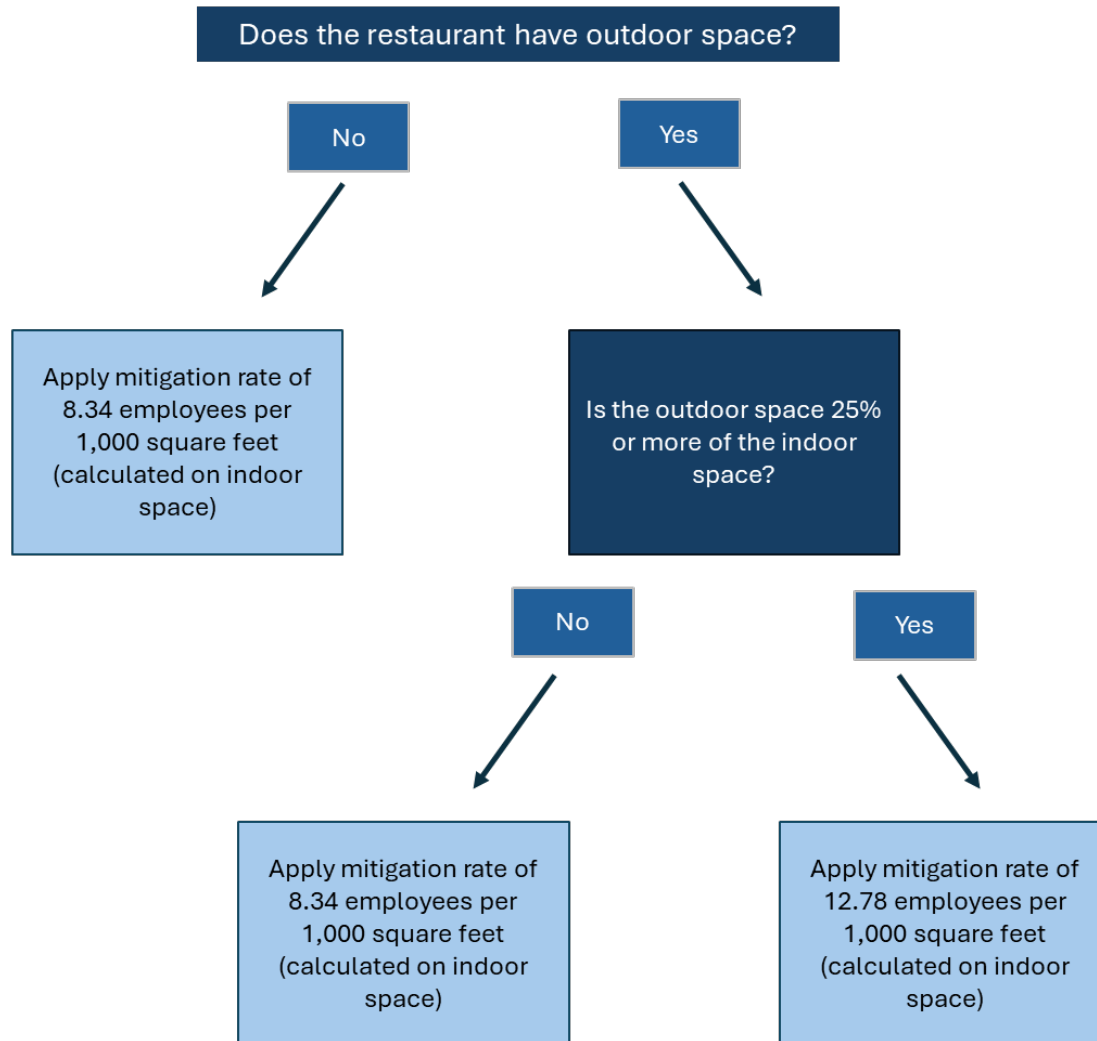
### Size of outdoor space

- For **sit-down/table service restaurants**, there are higher generation rates when the outdoor space is 25% or greater of the indoor space
  - E.g., more than 500 sq. ft. of outdoor space in a 2,000 sq. ft. restaurant has a higher generation rate than same restaurant with <500 sq. ft outdoor space

# SIT-DOWN RESTAURANT EMPLOYEE GENERATION

## Initial Construction

## Outdoor Space Addition



# OPTIONS FOR SIT-DOWN RESTAURANTS

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1. Recommended approach from Study
  - Lower mitigation rate for restaurants with little to no outdoor space
  - Higher mitigation rate for restaurants with significant outdoor space
2. Single generation number, calculated on indoor square footage
  - No distinction between businesses with/without outdoor space
  - Likely under-estimate employee generation for businesses with outdoor space
3. Single generation number, calculated on total space (indoor + outdoor)
  - Businesses with more space (indoor + outdoor) will have higher employee generation than those with only indoor space
  - Likely over-estimate employee generation for businesses with little to no outdoor space

Cannot calculate employee generation for outdoor space only

# RECOMMENDED EMPLOYEE GENERATION RATES

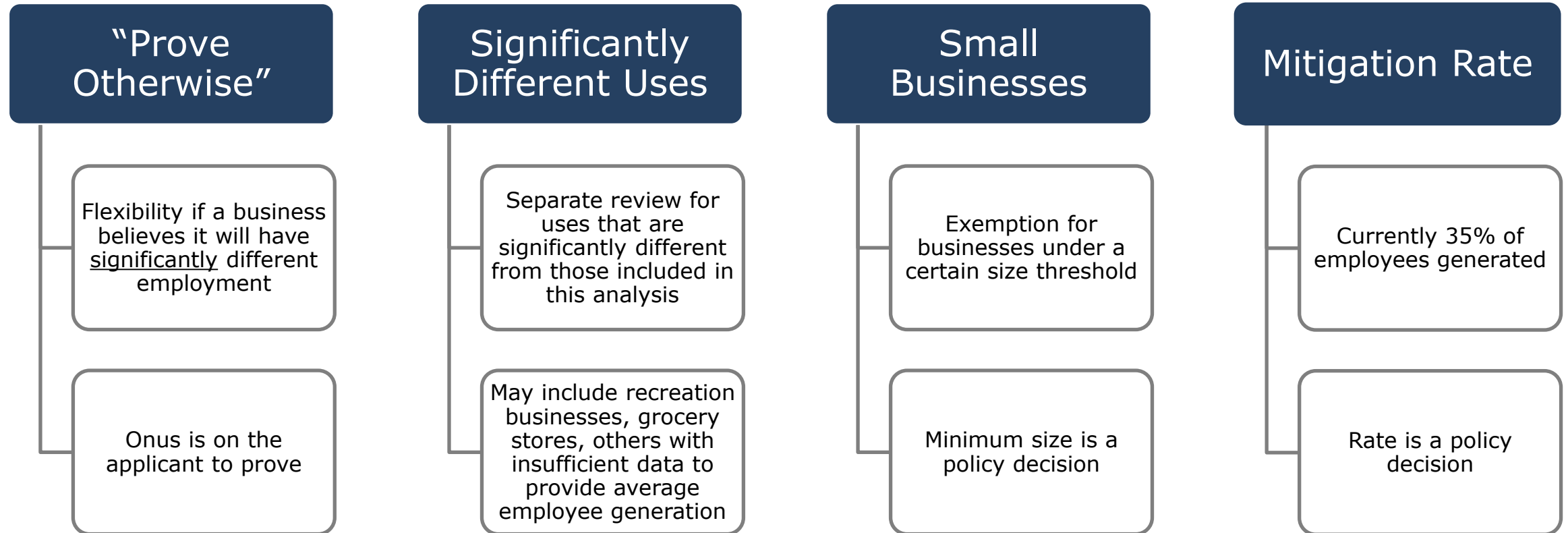
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Sit down/table service - outdoor space greater than 25% of indoor size <sup>1</sup>	12.78 employees per 1,000 sq. ft.
Outdoor additions <sup>2</sup>	4.44 employees per 1,000 sq. ft.
Taphouse/Brewery/Bar (without food service)	2.73 employees per 1,000 sq. ft.
Health and wellness (e.g. yoga, fitness/gym, physical therapy)	3.41 employees per 1,000 sq. ft.
Maintenance, automotive, service, and/or repair (including warehouse and showroom space)	2.88 employees per 1,000 sq. ft.
Personal services (e.g. salon, spa, nailcare, skincare)	5.54 employees per 1,000 sq. ft.
Retail	2.95 employees per 1,000 sq. ft.
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Source: Economic & Planning Systems

# IMPLEMENTATION CONSIDERATIONS





# PEER COMMUNITY GENERATION AND MITIGATION RATES

Communities use a variety of categories and have different building stock, leading to differentiation in rates

**Aspen** (65% mitigation)  
Commercial: 4.7/1,000sf  
Mixed-Use: 3.6/1,000sf  
Service Commercial Industrial: 3.9/1,000sf  
Lodging: 0.60/room

**Crested Butte** (20% mitigation\*)  
Bar/Restaurant: 8.15/1,000sf  
Office: 3.64/1,000sf  
Real Estate/Property Management: 5.0/1,000 sf  
Retail: 3.28/1,000sf  
Service: 3.94/1,000sf

**Telluride** (40% mitigation)  
Commercial: 4.5/1,000sf  
Lodging: 0.33/room

**Mountain Village** (40% mitigation)  
Commercial: 2.0/1,000sf  
Lodging: 0.50/room

**Vail** (20% mitigation)  
Eating & Drinking: 10.2/1,000sf  
Office: 3.2/1,000sf  
Retail/personal service: 2.4/1,000 sf  
Health Club: 0.96/1,000sf  
Lodging: 0.60/unit

**Summit County** (20% mitigation)  
Commercial/Retail: 3.3/1,000sf  
Restaurant/Bar: 6.5/1,000sf  
Lodging/Hotel: 0.60/room  
*[also includes high-intensity, medium-intensity, low-intensity, and general categories]*

# QUESTIONS

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## MEMORANDUM

To: Julia Puester, Laurie Best, Town of Breckenridge

From: Brian Duffany and Rachel Shindman  
Economic & Planning Systems (EPS)

Subject: Draft Breckenridge Employee Generation Rate Study;  
EPS #223144

Date: October 6, 2023; Revised January 24, 2024

*The Economics of Land Use*



The Town of Breckenridge hired EPS to conduct an employee generation study to support the Town's employee housing mitigation code. The intent of this study is to provide current local data on employee generation rates for nonresidential land uses to enable the Town to update Policy 24 of the Breckenridge Town Code regarding employee housing impact mitigation. The Town applies these employment generation rates to development proposals to calculate employee housing mitigation requirements.

The purpose of this memo is to:

- Quantify the number of employees generated by different types of commercial uses
- Provide current employee generation rates that can be incorporated into the Town's code

This memo outlines the methodology for determining the employee generation rates from a survey of local businesses. From the survey data and analysis, we recommend updated employee generation rates for inclusion in Town code. The survey instrument is included in **Appendix A**, and a summary of local housing needs and challenges reported by survey respondents is included in **Appendix B**.

The Town's current code requires housing mitigation for new construction in the following land use categories:

- Hotel/lodging/inn, boarding house, condominium, divisible unit, timeshare unit
- Multifamily housing and townhomes
- Office (including real estate and property management offices)
- Conference facilities
- Eating and drinking establishment/restaurants and bars (with outdoor dining areas included in area calculation)
- Health clubs
- Retail stores/personal services/service commercial/repair shops
- Spas

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303 623 9049 fax

Denver  
Los Angeles  
Oakland  
Sacramento

The study recommends revisions to these land use categories based on the survey analysis and similarities and differences between land use types. The analysis accounts for the ongoing employment resulting from operating the businesses in each land use category. Construction jobs occur one time when a project is built and are not included in this analysis.

Residential land uses require a different type of analysis to determine employee generation rates, and were not included within the scope of this study. This analysis focuses on the direct employment generated by non-residential businesses. The employees generated from the occupancy of residential development is based on indirect and induced employment and utilizes a different methodology.

## **Methodology**

In the spring and summer of 2023, EPS and Town staff fielded a survey to businesses in the Town of Breckenridge. Following the online distribution of the survey, Town staff followed up directly with bar, restaurant, and hotel businesses to improve response rates from those categories.

The land use categories included within the survey were:

- Health and wellness (e.g., yoga, fitness/gym, physical therapy)
- Hospitality (hotel, motel, lodge, condominium, timeshare, divisible unit, boarding house)
- Maintenance, automotive, service, and/or repair (including warehouse and showroom space)
- Office, broken out into:
  - Business/professional (legal, accounting, architecture, etc.)
  - Finance/banking/insurance
  - Medical
  - Real estate/property management
- Personal services (e.g., salon, spa, nailcare, skincare)
- Recreation (e.g., tours, guiding services)
- Restaurant (majority of staffing is food service), broken out into:
  - Fast food/counter service (e.g., coffee shop, ice cream shop, deli, bakery)
  - Sit down/table service
- Retail (e.g., grocery, gas station/convenience, other retail), broken out into:
  - Grocery store
  - Other retail store (excluding grocery)
- Taphouse/brewery/bar (without food service)

Respondents were asked about the type of business they have or manage, the size of that business, and employment levels in a “typical week” during the winter high season, summer high season, and low season. Additional questions were asked about overall affordable housing needs and hiring/retention challenges employers are facing.

Restaurant respondents were asked about the presence and size of separate bar space. Restaurant and bar respondents were also asked about presence, size, and type of outdoor space (e.g., seating only, bar service, full service).

The survey was distributed to 442 businesses, with phone and email follow up to 42 business that did not originally respond. A total of 144 businesses responded to the survey and follow up. After cleaning the raw response data to remove partial responses, errors, and businesses that did not have physical space in the town, there were 109 usable responses. Response rates ranged from 10% to 83% among the various business categories. This data is sufficient to establish a reasonable relationship between the size of a business, the number of employees generated, and the Town’s employee housing mitigation requirements.

The data reported represents full time equivalent (FTE) jobs, accounting for both full time and part time employees (part time employees are considered 0.5 full time). Generation rates are reported as employees per 1,000 square feet, except for accommodations uses that are reported as employees per room/unit (per room for hotel/motel, per unit for timeshares).

### ***Seasonal Variation***

A key consideration in mountain resort communities is the seasonal variation of employment. To account for this, the survey asked for typical employment during winter high season, summer high season, and low season. Survey results were weighted based on 20 year seasonal employment trends, as shown in **Table 1**. This data shows the highest employment in winter, at 110 percent of yearly average, with summer employment at 93 percent of yearly average. October and May are the only months with employment less than 90 percent of the annual average.

Based on these trends, the winter high season is six months long (November through April), summer high season is four months (June through September), and low season is two months (May and October). Overall employment was calculated as a weighted average of the three seasonal employment metrics based on this distribution.

**Table 1. Summit County Seasonal Employment, 2000-2021**

Description	2000	2005	2010	2016	2017	2018	2019	2020	2021	Average
<b>Monthly Employment</b>										
January	21,349	20,300	19,864	23,553	24,027	24,455	24,825	25,262	22,677	21,924
February	21,521	20,380	19,982	23,650	23,943	24,288	24,793	25,245	22,953	21,942
March	21,697	20,698	19,961	23,534	23,963	24,242	24,620	24,763	22,961	21,988
April	20,509	18,381	17,994	21,143	21,893	22,108	22,489	13,404	21,779	19,562
May	16,225	15,019	14,194	17,334	17,658	18,236	18,868	14,138	18,834	15,982
June	17,315	16,236	15,184	19,411	20,000	20,402	20,756	16,202	19,656	17,421
July	17,926	16,803	16,138	20,028	20,557	20,909	21,329	18,305	20,286	18,155
August	18,045	16,693	16,069	19,972	20,505	20,490	21,118	18,799	20,113	18,117
September	17,170	16,033	15,326	19,346	19,783	19,712	20,164	18,465	19,344	17,366
October	17,289	15,846	14,854	18,620	19,187	19,199	19,885	18,205	18,914	16,902
November	19,318	17,419	16,548	20,233	21,011	22,022	22,512	19,930	21,001	18,818
December	22,322	20,638	19,907	23,842	24,165	24,586	24,978	22,386	23,299	21,724
<b>Average</b>	<b>19,224</b>	<b>17,871</b>	<b>17,168</b>	<b>20,889</b>	<b>21,391</b>	<b>21,721</b>	<b>22,195</b>	<b>19,592</b>	<b>20,985</b>	<b>19,158</b>
<b>Monthly Employment Indexed to Annual Average</b>										
January	1.11	1.14	1.16	1.13	1.12	1.13	1.12	1.29	1.08	1.15
February	1.12	1.14	1.16	1.13	1.12	1.12	1.12	1.29	1.09	1.15
March	1.13	1.16	1.16	1.13	1.12	1.12	1.11	1.26	1.09	1.15
April	1.07	1.03	1.05	1.01	1.02	1.02	1.01	0.68	1.04	1.02
May	0.84	0.84	0.83	0.83	0.83	0.84	0.85	0.72	0.90	0.83
June	0.90	0.91	0.88	0.93	0.93	0.94	0.94	0.83	0.94	0.91
July	0.93	0.94	0.94	0.96	0.96	0.96	0.96	0.93	0.97	0.95
August	0.94	0.93	0.94	0.96	0.96	0.94	0.95	0.96	0.96	0.95
September	0.89	0.90	0.89	0.93	0.92	0.91	0.91	0.94	0.92	0.91
October	0.90	0.89	0.87	0.89	0.90	0.88	0.90	0.93	0.90	0.88
November	1.00	0.97	0.96	0.97	0.98	1.01	1.01	1.02	1.00	0.98
December	1.16	1.15	1.16	1.14	1.13	1.13	1.13	1.14	1.11	1.13
<b>Average</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>

Source: QCEW; Economic & Planning Systems

## Survey Analysis and Results

EPS analyzed the survey data to determine the employee generation rates for the land use categories with usable responses from the survey. The number of responses by business and land use type are summarized in **Table 2**.

**Table 2. Survey Responses by Business Type**

Description	Number of Respondents	Pct Respondents
Health and wellness (e.g. yoga, fitness/gym, physical therapy)	3	3%
Maintenance, automotive, service, and/or repair (including warehouse and showroom space)	3	3%
Personal services (e.g. salon, spa, nailcare, skincare)	5	5%
Recreation (e.g. tours, guiding services)	1	1%
Taphouse/Brewery/Bar (without food service)	6	6%
Restaurant (majority of staffing is food service)	25	23%
<i>Fast food/counter service (e.g. coffee shop, ice cream shop, deli, bakery)</i>	4	4%
<i>Sit down/table service</i>	21	19%
Retail (e.g. grocery, gas station/convenience, other retail)	31	28%
Office (e.g. medical, professional, real estate, nonprofit, consulting)	25	23%
<i>Business/professional (legal, accounting, architecture, etc)</i>	5	5%
<i>Finance/banking/insurance</i>	3	3%
<i>Medical</i>	2	2%
<i>Real estate/property management</i>	15	14%
Hospitality (hotel, motel, lodge, condominium, timeshare, divisible unit, boarding hous)	10	9%
<b>Total</b>	<b>109</b>	<b>100%</b>

Source: Economic & Planning Systems

After the initial data cleaning, responses in each business and land use category were evaluated for the number of total responses and major similarities or differences. Some land use categories were then combined if they had similar employment generation rates. Some categories also had to be excluded for small sample sizes.

Office business types were consolidated into a single category because there was not any significant variation on employment generation rates across business types in office space. Recreation businesses and grocery stores were excluded from the analysis because there were insufficient responses. A process for addressing these cases and unique land uses is addressed in the Implementation Considerations section.

In restaurants, the presence of separate bar space is not considered to be a differentiator, as it was not found to have an impact on employee generation. Within restaurants, however, fast food/counter service businesses were found to have significantly lower employee generation rates from sit down/table service restaurants, and are thus differentiated within the analysis and recommendations. Additionally, as discussed below, the size of outdoor space at sit down/table service restaurants was found to impact employee generation rates and this is also differentiated within the analysis and recommendations.

### ***Employee Generation***

Employment and business size data from the survey was used to calculate employees per 1,000 square feet for all respondent businesses, and in aggregate for all business and/or land use types. The ranges, medians, and averages were all considered in determining the employment generation rates, as shown in **Table 3**. Data was analyzed for winter season, summer season, low season, and the weighted annual average (as described above). The weighted average employment was determined to be the most appropriate metric to determine overall employee generation rates. Based on this metric, employee generation rates range from 2.7 employees per 1,000 square feet for taphouse/brewery/bar uses to 12.8 employees per 1,000 square feet for sit down/table service restaurants with outdoor space that is greater than 25 percent of the size of indoor space.



**Table 3. Employee Generation Summary**

Land Use Category	Respondents	Winter Employees per 1,000sf				Summer Employees per 1,000sf				Employees per 1,000sf				Employees per 1,000sf			
		Low	High	Median	Average	Low	High	Median	Average	Low	High	Median	Average	Low	High	Median	Average
Health and wellness (e.g. yoga, fitness/gym, physical therapy)	3	1.0	7.6	2.0	3.5	1.0	7.6	2.0	3.5	1.0	5.5	2.0	2.8	1.0	7.2	2.0	3.4
Maintenance, automotive, service, and/or repair (including warehouse and showroom space)	3	1.5	6.5	2.1	3.4	1.5	4.5	2.1	2.7	1.5	2.1	2.0	1.9	1.5	5.1	2.1	2.9
Personal services (e.g. salon, spa, nailcare, skincare)	5	3.6	9.1	6.0	5.8	1.8	9.1	6.0	5.5	1.8	9.1	4.3	4.8	2.7	9.1	5.7	5.5
Taphouse/Brewery/Bar (without food service)	6	1.3	7.8	2.5	3.1	1.3	7.8	1.8	3.0	1.2	3.3	1.8	2.0	1.3	7.0	2.0	2.7
Restaurant (majority of staffing is food service)	25	2.6	21.0	10.4	10.1	1.7	21.0	9.6	10.0	1.7	16.9	7.0	7.4	2.2	20.3	9.1	9.6
<i>Fast food/counter service (e.g. coffee shop, ice cream shop, deli, bakery)</i>	4	2.6	4.1	3.5	3.4	1.7	4.5	3.9	3.5	1.7	2.9	2.2	2.2	2.2	3.9	3.5	3.3
<i>Sit down/table service</i>	21	4.9	21.0	10.6	11.6	4.9	21.0	10.8	11.4	1.7	16.9	7.7	8.5	4.6	20.3	10.8	11.0
<i>Outdoor space at up to 25% of indoor size</i>	8	4.9	13.1	7.8	9.2	4.9	13.6	7.5	8.6	1.7	10.5	4.5	5.5	4.6	12.6	7.4	8.3
<i>Outdoor space greater than 25% of indoor size</i>	12	6.4	21.0	12.7	13.3	6.4	21.0	12.5	13.1	2.1	16.9	10.3	10.6	5.7	20.3	12.0	12.8
Retail (e.g. grocery, gas station/convenience, other retail)	31	0.4	15.4	2.0	2.9	0.4	34.6	2.0	3.8	0.5	4.3	1.1	1.7	0.3	19.9	1.8	2.9
Office (e.g. medical, professional, real estate, nonprofit, consulting)	25	1.2	30.0	4.8	6.7	1.2	25.0	4.8	5.9	1.2	22.5	4.8	5.7	1.2	24.6	4.8	6.3
Hospitality (hotel, motel, lodge, condominium, timeshare, divisible unit, boarding house) <i>employees per room/unit</i>	10	0.14	0.47	0.22	0.25	0.14	0.38	0.20	0.23	0.09	0.31	0.16	0.19	0.14	0.39	0.20	0.23

Note: Hospitality employee generation rate is reported as employees per room/unit  
Source: Economic & Planning Systems

**Outdoor Space**

An objective of the survey was to determine if the presence of outdoor space at restaurants and bars affected employee generation rates, and how best to account for outdoor space within the mitigation policy.

As part of the business survey, restaurants and bars were asked whether they had outdoor space and if so, what type of space (seating only, bar service only, or food service). All but two respondent businesses (one bar and one restaurant) reported having outdoor space. Therefore, there is not enough data from the responses to differentiate between restaurants with and without outdoor space as the employment cannot be disaggregated between the indoor and outdoor space.

For bar space, a single employment generation metric, calculated based on indoor square footage, is appropriate and captures employment associated with both indoor and outdoor space. For fast food/counter service restaurants, the only reported outdoor space was for seating only – because this is not “staffed” space, the employment generation rates do not need to account for the size of outdoor space.

For sit-down/table service restaurants with outdoor staffed space, there is a difference in employment generation rates between those where the outdoor space is less than 25 percent the size of the indoor space (e.g., a maximum of 500 square feet of outdoor space for a 2,000 square foot restaurant) and those where the outdoor space is 25 percent or greater the size of the indoor space.

As shown in **Table 4**, when calculated based on indoor square footage, for restaurants where outdoor space is sized at up to 25 percent of the square footage of the indoor space, average employee generation is 8.34 employees per 1,000 square feet. For restaurants where outdoor space is sized at 25 percent or greater the size of indoor space, employee generation averages 12.78 employees per square foot.

**Table 4. Sit-Down Restaurant – Outdoor Space Detail**

Land Use Category	Respondents	Weighted Average Employees per 1,000sf			
		Low	High	Median	Average
<b>Sit down/table service restaurants</b>					
Outdoor space at up to 25% of indoor size	8	4.63	12.65	7.37	8.34
Outdoor space greater than 25% of indoor size	12	5.71	20.28	11.96	12.78

Source: Economic & Planning Systems

EPS recommends that the employee generation calculation be done on the indoor space only; the generation rate accounts for staffing across both indoor and outdoor space.

- For new restaurants with outdoor space up to 25 percent of the indoor space (including those with no outdoor space), employee generation should be calculated (based on indoor square footage) at 8.34 employees per 1,000 square feet.
- For new restaurants where outdoor space is 25 percent or more of the indoor floor area, the generation rate is 12.78 employees per 1,000 square feet.
- If outdoor space is added to an existing restaurant resulting in 25 percent or more of the indoor floor area, a rate of 4.44 employees per 1,000 square feet (12.78 minus 8.34) should be used to calculate the mitigation required for the outdoor expansion. The mitigation rate is applied to the indoor square footage to capture the difference in employment generation above the 25 percent threshold.

The application of these generation rates is shown in **Table 5**. Three example restaurants are shown – one with no indoor space, one with outdoor space that accounts for 25 percent or more of indoor space, and one with outdoor space that initially accounts for less than 25 percent of indoor space that then builds an outdoor addition.

- For a restaurant with no outdoor space, an employee generation rate of 8.34 employees per 1,000 square feet is applied. For a 5,000 square foot restaurant, this results in 41.70 employees generated.
- For a restaurant with outdoor space accounting for 25 percent or more of indoor space, a higher employee generation rate of 12.78 employees per 1,000 square feet is used. For a 5,000 square foot restaurant with 2,500 square feet of outdoor space, this results in 63.90 employees (employee generation is calculated on indoor space).
- For a restaurant with outdoor space accounting for less than 25 percent of indoor space, the same employee generation rate of 8.34 employees per 1,000 square feet is applied. For this 5,000 square foot restaurant with 1,000 square feet of outdoor space, this results in 41.70 employees (employee generation is calculated on indoor space). If this restaurant adds outdoor space that results in total outdoor space accounting for 25 percent or more of indoor space, a marginal employee generation rate of 4.44 employees per 1,000 square feet is applied to the indoor space. For this restaurant that adds 1,500 square feet of outdoor space, resulting in a total of 2,500 (50 percent of indoor space), this results in an additional 22.20 employees, for a total of 63.90 employees generated.

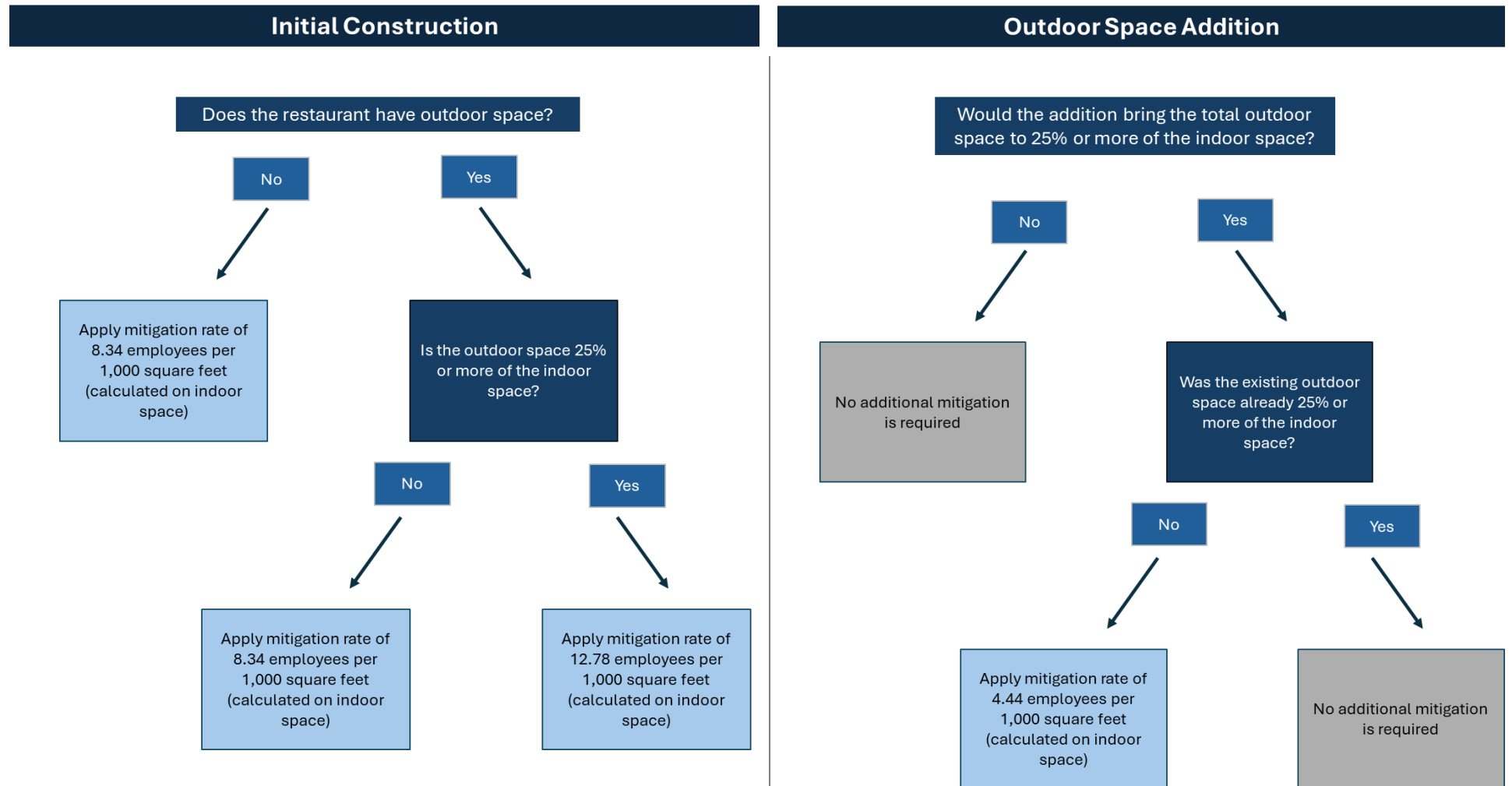
**Table 5. Restaurant Mitigation Example Calculation**

Description	Calculation	No Outdoor Space	Outdoor Space ≥25% of Indoor Space	Outdoor Space <25% of Indoor Space
<b>Initial construction</b>				
Restaurant Indoor Space	A	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Restaurant Outdoor Space	B	0 sq. ft.	2,500 sq. ft.	1,000 sq. ft.
outdoor space as % of indoor	$C = B / A$	0%	50%	20%
Employee generation rate	D	8.34	12.78	8.34
<b>Initial employees generated</b>	<b><math>E = D * (A/1000)</math></b>	<b>41.70</b>	<b>63.90</b>	<b>41.70</b>
<b>Addition of outdoor space to existing restaurant</b>				<u>Outdoor Addition</u>
Added space	F			1,500 sq. ft.
New total outdoor space	$G = B + F$			2,500 sq. ft.
Total outdoor as % of indoor	$H = G / A$			50%
Mitigation rate on additional outdoor space	$I = 12.8 - 8.3$			4.44
Additional employees generated	$J = I * (A/1000)$			22.20
<b>Total Employees Generated</b>	<b><math>E + J</math></b>	<b>41.70</b>	<b>63.90</b>	<b>63.90</b>

Source: Economic & Planning Systems

As outlined through this example, if a restaurant adds outdoor space additional mitigation would only be required if outdoor space had previously accounted for less than 25 percent of indoor space, and with the addition it crosses the threshold into 25 percent or more. In this case, a marginal employee generation rate of 4.44 employees per 1,000 square feet (12.78 – 8.34) is applied to the indoor space to account for the additional employment. If, with the additional outdoor space, the total outdoor space still accounts for less than 25 percent of indoor space then no additional mitigation is required. If existing outdoor space was already sized at 25 percent or more of indoor space, no additional mitigation is required. A flow chart outlining how this is applied is shown in **Figure 1**.

**Figure 1. Outdoor Restaurant Space Mitigation Rate Flow Chart**



## Recommended Employee Generation Rates

Based on the survey results reported above, EPS recommends the following employee generation rates for the Town of Breckenridge.

**Table 6. Recommended Employee Generation Rates**

Description	Recommended Employee Generation Rate
Restaurant (majority of staffing is food service)	
Fast food/counter service	3.26 employees per 1,000 sq. ft.
Sit down/table service - outdoor space at up to 25% of indoor size <sup>1</sup>	8.34 employees per 1,000 sq. ft.
Sit down/table service - outdoor space greater than 25% of indoor size <sup>1</sup>	12.78 employees per 1,000 sq. ft.
Outdoor additions <sup>2</sup>	4.44 employees per 1,000 sq. ft.
Taphouse/Brewery/Bar (without food service)	2.73 employees per 1,000 sq. ft.
Health and wellness (e.g. yoga, fitness/gym, physical therapy)	3.41 employees per 1,000 sq. ft.
Maintenance, automotive, service, and/or repair (including warehouse and showroom space)	2.88 employees per 1,000 sq. ft.
Personal services (e.g. salon, spa, nailcare, skincare)	5.54 employees per 1,000 sq. ft.
Retail	2.95 employees per 1,000 sq. ft.
Office	6.26 employees per 1,000 sq. ft.
Hospitality	0.23 employees per room/unit

<sup>1</sup> Rate applied to indoor square footage

<sup>2</sup> Rate applied only if previous outdoor space was <25% of indoor, addition crosses threshold to ≥25% of indoor size

Source: Economic & Planning Systems

### **Implementation Considerations**

This analysis has documented reasonable employee generation rates for the Town, based on local data for existing businesses. As with any policy, however, there will need to be various considerations for implementation, including:

- The Town should allow flexibility for an applicant to “prove otherwise” if they believe their business will have significantly different employment than what the generation calculation determines. The onus would be on the applicant to show this.
- Similarly, the Town should allow for separate review for uses that do not align with these townwide averages and/or are significantly different from those included in this analysis. This may include recreation businesses, grocery stores, and other uses without sufficient data to provide average generation rates.

## Appendix A: Survey



## Breckenridge Employee Generation Survey

### Breckenridge Employee Generation Survey

**The Town of Breckenridge is updating its policy on workforce housing and would like your assistance to update information on the amount of jobs hosted for different types of businesses in the Town.**

**You are being asked to complete this survey to provide information on the size of your business, number of employees, as well as to provide input on more general housing-related topics.**

**Survey results will only be reported in the aggregate. No individual business will be identified in the results. Business name, location, and contact information are collected at the end of the survey for data validation and/or follow-up purposes. No business will be individually identified in the reporting of results.**

**This survey is being conducted by Economic & Planning Systems on behalf of the Town of Breckenridge. If you have any questions, please contact [rshindman@epsdenver.com](mailto:rshindman@epsdenver.com)**

## Breckenridge Employee Generation Survey

1. Do you own or lease commercial space for a business in Breckenridge?

- Yes
- No (home based, mobile, or other business)

## Breckenridge Employee Generation Survey

\* 2. What type of business do you have? Please select the answer that best applies to the majority of your space.

- Retail (e.g. grocery, gas station/convenience, other retail)
- Office (e.g. medical, professional, real estate, nonprofit, consulting)
- Health and wellness (e.g. yoga, fitness/gym, physical therapy)
- Personal services (e.g. salon, spa, nailcare, skincare)
- Maintenance, automotive, service, and/or repair (including warehouse and showroom space)
- Bar (with food, but majority of staffing is serving alcohol)
- Taphouse/Brewery/Bar (without food service)
- Restaurant (majority of staffing is food service)
- Hospitality (hotel, motel, lodge, condominium, timeshare, divisible unit, boarding hous)
- Conference
- Recreation (e.g. tours, guiding services)
- Other (please specify)

## Breckenridge Employee Generation Survey

### Retail Business Detail

3. Please select the type of retail business

- Gas station/convenience store
- Other retail store (excluding grocery)
- Grocery store

## Breckenridge Employee Generation Survey

### Office Business Detail

#### 4. Please select the type of office business

- Business/professional (legal, accounting, architecture, etc)
- Finance/banking/insurance
- Real estate/property management
- Nonprofit/civic use
- Medical
- Other (please specify)

## Breckenridge Employee Generation Survey

### Restaurant Business Detail

5. Please select the type of restaurant business

- Fast food/counter service (e.g. coffee shop, ice cream shop, deli, bakery)
- Sit down/table service

6. Does your restaurant have a separate bar area?

- Yes
- No

## Breckenridge Employee Generation Survey

### Restaurant/Bar Detail

7. Does your business include outdoor space?

Yes

No

8. If so, what type/what size? Please enter square footage for all outdoor space.

Square feet of outdoor seating only (no service)

Square feet of outdoor bar service only

Square feet of outdoor food service

## Breckenridge Employee Generation Survey

### Hospitality Business Detail

9. Please select the type of hospitality business

- Limited service (1-2 star)
- Mid-level (2-3 star)
- Luxury (4+ star)



## Breckenridge Employee Generation Survey

### Business Size

10. What is the size of **indoor** commercial space occupied?

Number of stores/locations in Breckenridge

Total square feet (all locations)

For lodging/timeshare businesses - number of rooms or units, including divisible/lock off rooms

## Breckenridge Employee Generation Survey

### Employment Detail

11. For a typical week during the **WINTER HIGH** season, how many employees do you have?

Full time

Part time

12. For a typical week during the **SUMMER HIGH** season, how many employees do you have?

Full time

Part time

13. For a typical week during the **LOW/SHOULDER** season, how many employees do you have?

Full time

Part time

## Breckenridge Employee Generation Survey

### Additional Business Information

14. How long has this business been operating in Breckenridge?

- Less than 2 years
- 2 to 5 years
- 6 to 10 years
- 11 to 20 years
- More than 20 years

15. How does the number of employees you have today compare to the number of employees you had 5 years ago?

- More employees
- Fewer employees
- No change
- N/A - not in business 5 years ago

If more or fewer employees, please indicate how many more or fewer

16. If you have changed the number of employees, please choose the main reason for the change

- Fewer customers/reduction in sales/less business
- More customers/increase in sales/more business
- Reduced the size of space in which you do business
- Increased the size of space in which you do business
- Labor shortage/challenges in hiring staff (cannot staff up to desired level)
- Other (please describe)

17. During the next year, do you expect the number of persons you employ will...

- Stay the same
- Increase
- Decrease

If increase or decrease, please indicate approximately how many more or fewer employees you expect

## Breckenridge Employee Generation Survey

### Additional Questions

**The Town would like to better understand what local businesses perceive as workforce housing needs related to current and future Town workforce housing programs and how best to outreach to employees.**

18. Do the majority of your employees live in the Breckenridge area?

- Yes - in Breckenridge
- Yes - in the surrounding area
- No
- Other (please specify)

19. To what degree does housing affect your ability to **hire** qualified staff?

- Not a factor
- A minor factor
- A major factor

20. To what degree does housing affect your ability to **retain** qualified staff?

- Not a factor
- A minor factor
- A major factor

21. If housing is a factor, is this primarily due to: (select all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Lack of available housing <u>to rent</u>    | <input type="checkbox"/> Cost of housing <u>to buy</u> |
| <input type="checkbox"/> Lack of available housing <u>to buy</u>     | <input type="checkbox"/> Lack of pet friendly housing  |
| <input type="checkbox"/> Quality of available housing <u>to rent</u> | <input type="checkbox"/> Size of available housing     |
| <input type="checkbox"/> Quality of available housing <u>to buy</u>  | <input type="checkbox"/> Location of available housing |
| <input type="checkbox"/> Cost of housing <u>to rent</u>              |  |
| <input type="checkbox"/> Other (please specify)                      |  |

22. What are the most common ways your employees adjust when they cannot find housing to meet their affordability needs and/or preferences? (select all that apply)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Tolerate a long commute                | <input type="checkbox"/> Use credit cards to pay for expenses                    | <input type="checkbox"/> Rent a room in someone's house |
| <input type="checkbox"/> Pick up an extra job                   | <input type="checkbox"/> Pay more than what they can afford/become cost burdened | <input type="checkbox"/> Live in a car                  |
| <input type="checkbox"/> Ask family members to help financially | <input type="checkbox"/> Get more roommates/live in crowded conditions           | <input type="checkbox"/> Camp                           |
| <input type="checkbox"/> Live with family                       | <input type="checkbox"/> Live in housing in poor condition/in need of repair     |   |
| <input type="checkbox"/> Other (please specify)                 |  |   |

23. Do you provide any housing assistance programs for your employees? (select all that apply)

- Rental security deposits
- Downpayment assistance
- Maintain and rent units for employees
- Subsidize employee rental costs (i.e., pay a portion of the rent)
- Negotiate lower rents for your employees with local housing providers/landlords
- No, I do not provide any housing assistance programs
- Other (please specify)

24. Are you aware of your employees working multiple jobs?

- Yes
- No

25. If yes, please estimate the percentage of employees working additional jobs

26. What would be the most effective ways to reach out to your employees about future workforce housing programs and opportunities? Select all that apply (and include any additional strategies through the "other" answer)

- Social media
- Radio
- Town website
- Fliers at business
- Spanish language outreach
- Outreach in other language(s)

Other (please specify)

27. Do you have any other feedback you'd like to share?

## Breckenridge Employee Generation Survey

28. Please enter your contact information (note that all data collected will be reported anonymously - contact information is requested for any follow-ups that may be required)

<b>Contact Person</b>	<input type="text"/>
<b>Name of Business</b>	<input type="text"/>
<b>Business Address</b>	<input type="text"/>
<b>Business Address 2</b>	<input type="text"/>
<b>City/Town</b>	<input type="text"/>
<b>ZIP/Postal Code</b>	<input type="text"/>
<b>Email Address</b>	<input type="text"/>
<b>Phone Number</b>	<input type="text"/>

Thank you for your participation! We encourage you to send this link on the Town's existing workforce housing programs and interested parties list to your employees  
<https://www.townofbreckhousing.com/programs>

## Appendix B: Housing Impacts

The survey also asked employers about housing impacts seen in recruitment and retention. These responses are summarized below. Note that not all respondents answered each question, and many questions were structured for respondents to select all answers that apply, so data is provided in absolute numbers rather than percentages or distributions.

**How long has your business been operating?** Two-thirds of respondents who answered this question have been in business 11 years or longer.

How long has this business been operating in Breckenridge?	Number of Respondents
Less than 2 years	3
2 to 5 years	10
6 to 10 years	17
11 to 20 years	23
More than 20 years	36

**How has your employment changed compared to 5 years ago?** One-quarter of respondents who answered this question have fewer employees than 5 years ago; one-third of respondents have more employees, and another one-third have seen no change.

How does the number of employees you have today compare to the number of employees you had 5 years ago?	Number of Respondents
Fewer employees	21
More employees	30
No change	31
N/A - not in business 5 years ago	7

**Why has the number of employees changed?** The two most common responses were more employees as a result of an increase in customers/sales, and fewer employees as a result of labor shortages and challenges in hiring.

If you have changed the number of employees, please choose the main reason for the change	Number of Respondents
Fewer customers/reduction in sales/less business	4
More customers/increase in sales/more business	24
Reduced the size of space in which you do business	2
Increased the size of space in which you do business	1
Labor shortage/challenges in hiring staff (cannot staff up to desired level)	18
Other (please describe)	6



**How will employment change in the next year?** Most respondents expect their employment to stay the same; of those that expect a change, more expect employment to increase than decrease.

During the next year, do you expect the number of persons you employ will...	Number of Respondents
Decrease	12
Increase	22
Stay the same	55

**Where do employees live?** Nearly all respondents indicated that the majority of their employees live in Breckenridge or the surrounding area.

Do the majority of your employees live in the Breckenridge area?	Number of Respondents
Yes - in Breckenridge	36
Yes - in the surrounding area	38
No	9

**How does housing affect hiring?** Two-thirds of those who responded to this question indicated that housing is a major factor in hiring qualified staff.

To what degree does housing affect your ability to hire qualified staff?	Number of Respondents
A major factor	57
A minor factor	18
Not a factor	10

**How does hiring affect retention?** 62% of those who responded to this question indicated that housing is a major factor in retaining qualified staff.

To what degree does housing affect your ability to retain qualified staff?	Number of Respondents
A major factor	53
A minor factor	21
Not a factor	11

**How is housing a factor?** The most common responses to this question were (1) lack of available housing to rent, (2) cost of housing to rent, (3) cost of housing to buy, (4) lack of available housing to buy, and (5) lack of pet friendly housing.

If housing is a factor, is this primarily due to: (select all that apply)	Number of Respondents
Lack of available housing to rent	58
Lack of available housing to buy	32
Quality of available housing to rent	18
Quality of available housing to buy	8
Cost of housing to rent	58
Cost of housing to buy	40
Lack of pet friendly housing	28
Size of available housing	8
Location of available housing	22

**How do employees adjust?** The most common responses to this question were (1) get more roommates/live in crowded conditions, (2) tolerate a long commute, (3) pick up an extra job, (4) pay more than what they can afford, and (5) rent a room in someone’s house.

What are the most common ways your employees adjust when they cannot find housing to meet their affordability needs and/or preferences? (select all that apply)	Number of Respondents
Tolerate a long commute	37
Pick up an extra job	36
Ask family members to help financially	15
Live with family	13
Use credit cards to pay for expenses	10
Pay more than what they can afford/become cost burdened	34
Get more roommates/live in crowded conditions	38
Live in housing in poor condition/in need of repair	23
Rent a room in someone's house	26
Live in a car	16
Camp	10

**Do you provide housing assistance?** Most respondents do not provide housing assistance for their employees. Of those that do, the most common assistance is to maintain and rent units for employees.

Do you provide any housing assistance programs for your employees? (select all that apply)	Number of Respondents
Rental security deposits	4
Downpayment assistance	7
Maintain and rent units for employees	12
Subsidize employee rental costs (i.e., pay a portion of the rent)	9
Negotiate lower rents for your employees with local housing providers/landlords	0
No, I do not provide any housing assistance programs	57

**Do your employees work multiple jobs?** 72% of those who responded to this question know that their employees work multiple jobs.

Are you aware of your employees working multiple jobs?	Number of Respondents
Yes	59
No	23

**What is the best way to reach out to employees?** The most common responses to this were (1) social media, (2) fliers at businesses, and (3) the Town website.

What would be the most effective ways to reach out to your employees about future workforce housing programs and opportunities? Select all that apply	Number of Respondents
Social media	58
Radio	14
Town website	31
Fliers at business	36
Spanish language outreach	13
Outreach in other language(s)	1



# Memo

To: Town Council  
From: Jessie Burley, Sustainability + Parking Manager  
Date: 8/27/24  
Subject: Colorado Communities for Climate Action – 2024 Legislative Recap

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The Town of Breckenridge is a member of the [Colorado Communities for Climate Action](#), a coalition of local governments advocating for state and federal climate policy. Since 2018, staff have served on the Board of Directors and Policy Committee to represent the Town’s climate interests.

Colorado Communities for Climate Action has adopted, by unanimous consent among its members, a policy statement that guides the coalition’s efforts. The Policy Statement includes promoting plans and actions to:

- Extend current authorities and provide new ones for local action.
- Set and achieve ambitious state climate-protection goals.
- Reduce carbon pollution through strengthened policies on electricity generation, energy efficiency, transportation, and waste management.
- Ensure that all of Colorado benefits from the clean energy transformation.

The Policy Statement is adopted every two years by the Board of Directors, the makeup of which represents every community in the coalition. The Policy Statement is the guiding document directing CC4CA staff, members of the Legislative Committee, and lobbyists Elisabeth Rosen of Political Advocacy, Inc. and Eliza Schultz of Schultz Public Affairs during the Colorado legislative session. This robust and effective framework has allowed CC4CA to become a leading climate advocacy group at both the General Assembly and in the regulatory environment.

CC4CA relies on the participation of its membership through committees, legislative and rulemaking testimony, opinion pieces, and public comment. Should members of Council wish to become more actively involved with CC4CA, there are opportunities to do so.

Staff from CC4CA will be at the August 27, 2024 meeting to recap the highlights of the 2024 legislative session and answer any questions from Council.

There is no Council action requested at this time.

**References:**

[CC4CA Description June 2024](#)

[Policy Statement Effective July 1, 2023](#)



Breckenridge  
Town Council  
August 27, 2024

# What CC4CA Does

- Policy Advocacy
  - Colorado General Assembly
  - State agencies & rulemaking commissions
  - Federal Congressional delegation
- Workshops & trainings
- Science & policy updates/briefings
- Other resources

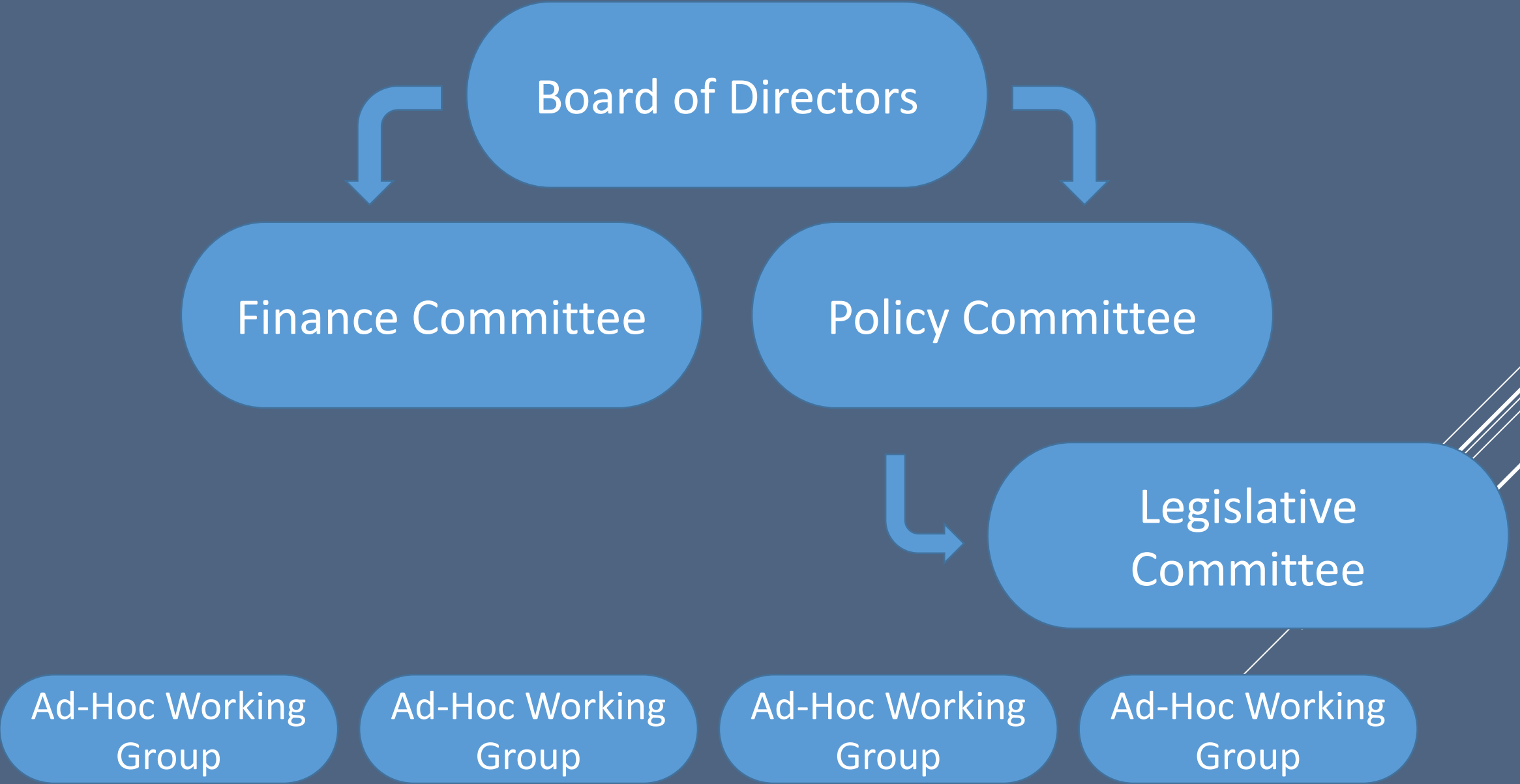


# CC4CA Welcomes its 43rd Member!

- Adams County
- Aspen
- Avon
- Basalt
- Boulder
- Boulder County
- Breckenridge
- Broomfield
- Carbondale
- Clear Creek County
- Crested Butte
- Dillon
- Durango
- Eagle County
- Edgewater
- Erie
- Fort Collins
- Frisco
- Gilpin County
- Glenwood Springs
- Golden
- Lafayette
- Lake County
- Larimer County
- Longmont
- Louisville
- Lyons
- Mountain Village
- Nederland
- Northglenn
- Ouray County
- Pitkin County
- Ridgway
- Routt County
- Salida
- San Miguel County
- Snowmass Village
- Summit County
- Superior
- Telluride
- Vail
- Wheat Ridge
- Winter Park



2023 Annual Retreat





# 2024 Leg Session Overarching Themes:

- Budget constraints
- Acrimony at the Capitol
- Active Governor and Administration
- Industry and labor on the offense
- Ozone and air quality – The perennial fight and the grand bargain
- Standing in the shadow of SB23-213
- Amendments were key



**THE GOOD THE BAD AND THE UGLY**

less-

# 2024 Legislative Session Major Policy Areas

- Air Quality
- Transportation Reform / Transit Funding
- Land Use
- Utility Reform
- Carbon Management Regulation
- Solid Waste / Circular Economy

# 2024 Session At-a-Glance

## Session at a Glance

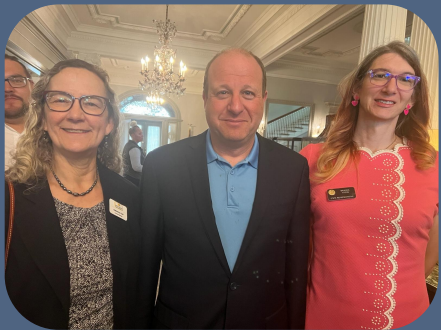
# of bills introduced this session	705
# of bills CC4CA reviewed	78
# of bills CC4CA took a position on	61
# of witnesses CC4CA supported	91
# of committee hearings	44
Latest hearing this session	2:00 AM

# Legislation – Breakdown on CC4CA Bill Positions

	# Bills	Favorable Result	Partially Favorable Result
Active Support	3	0	3
Support	31	22	4
Oppose	4	4	0
Amend	12	3	9

# 2024 Legislative Session

- Extended Producer Responsibility passed by JBC
- “Grand Bargain” (ozone, transit funding, ballot measures)
- Land use legislation
  - Sustainable Affordable Housing Assistance
  - Transit Oriented Communities
  - EV Charging Permitting
- Electric utility reform
- ECMC – cumulative impacts



# Policy & Regulatory Advocacy: Recent Highlights

- Advanced Clean Cars II
- Advanced Clean Trucks
- GHG Intensity Rulemaking
- GHG Emissions Reduction Roadmap
- Building Performance Standards
- Accelerated Xcel coal plant retirements
- Xcel Clean Heat Plan (not yet finalized)
- IRA/BIL funding and CC4CA's Funding Concierge program
- Hosted numerous webinars & briefings



# Looking Ahead

- Extended Producer Responsibility implementation
- ECMC Cumulative Impacts rulemaking
- Emissions from oil and gas development (“Midstream Rulemaking”)
- Air Toxics Permitting in Disproportionately Impacted Communities
- Xcel Clean Heat Plan & Transportation Electrification Plans
- Colorado Microgrid Roadmap
- Continued focus on funding through Inflation Reduction Act & Bipartisan Infrastructure Law
- Preparing for the 2025 legislative session
- Special Legislative Session



# Engagement Opportunities

- Legislative testimony
- Regulatory hearing testimony & public comment
- Written comments for regulatory hearings
- Outreach to & meeting with state and federal legislators
- Publish LTEs and guest editorials

**Hope for the future of recycling in this state | OPINION**

By Trida Cornejo · Mar 1, 2024 · 0

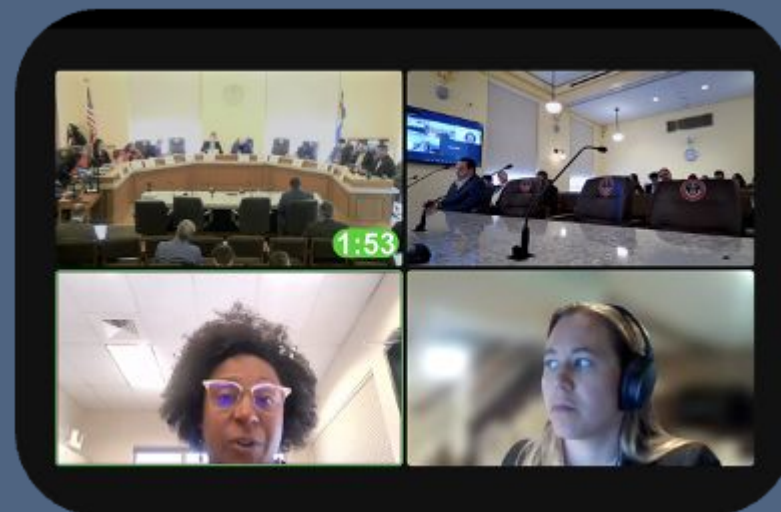
Join the conversation

Colorado's Extended Producer Responsibility (EPR) Needs Assessment was recently released, confirming there is reason to be hopeful recycling will improve in Colorado. This is encouraging news. The Colorado Producer Responsibility Program was passed by the state legislature in 2022 with the intent of improving our state's disappointing low recycling rates. The Needs Assessment shows simply by implementing EPR, the state could increase our recycling rates from about 20% to a minimum of 33%, or as much as 60% by 2035.

The law requires all Colorado residents, whether they live in a single-family or multi-family home, will have recycling service for no additional charge, and has the complementary benefits of providing incentives for manufacturers to improve the recyclability of packaging. A



Trida Cornejo



**Producer Responsibility Program makes Colorado recycling easy | PODIUM**

By Jean Lim · Feb 7, 2024 · 0

Join the conversation

Submit Your Feedback

Columnists

CU's Hamas so  
CALDARA  
May 24, 2024

Op Ed

65

As the Council-appointed representative to Broomfield's Advisory Committee on Environmental Sustainability (ACES), I had the opportunity to work in our Broomfield Days booth where we had a game involving spinning a wheel, answering a question and winning a small prize. When a young family came up to the booth, the nine-year-old took charge in answering for the family, quickly recyling a long list of recyclable items and impressing us all. Then the parents looked at me and asked,

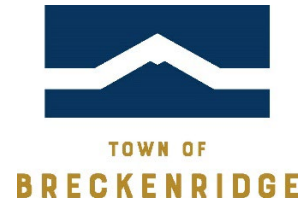


Jean Lim



Colorado Communities  
*for Climate Action*

Anita Seitz, Advocacy Director, [aseitz@cc4ca.org](mailto:aseitz@cc4ca.org)  
Jacob Smith, Executive Director, [jsmith@cc4ca.org](mailto:jsmith@cc4ca.org)



# Memo

**To:** Breckenridge Town Council Members  
**From:** Mark Truckey, Director of Community Development  
**Date:** August 21, 2024  
**Subject:** Planning Commission Decisions of the August 20, 2024 Meeting

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***DECISIONS FROM THE PLANNING COMMISSION MEETING, August 20, 2024:***

**CLASS A APPLICATIONS:**

1. Highlands Riverfront Tract E Deed-Restricted Condos, 13545 S. State Hwy 9, PL-2024-0089:  
A proposal to construct 44 deed-restricted workforce housing units in four condominium buildings on Highlands Riverfront Tract E, accessed from Stan Miller Drive. *Approved, see second memo.*

**CLASS B APPLICATIONS:** None.

**CLASS C APPLICATIONS:** None.

**TOWN PROJECT HEARINGS:** None.

**OTHER:** None.

# Memo

To: Town Council  
From: Sarah Crump, AICP, Planner III  
Date: August 21, 2024 (for meeting of August 27, 2024)  
Subject: Highlands Riverfront Tract E Condos - Class A Development Planning Commission Approval Summary

---

This Class A application proposes construction of 44 deed-restricted workforce housing units in four condominium buildings on Highlands Riverfront Tract E, accessed from Stan Miller Drive. Each building will be three stories, stepping down to two stories at the edges, with 11 one-bedroom units. An existing 2,344 sq. ft. professional office building located on the southeast corner of the lot and is proposed for demolition with this project.

The development of Highlands Riverfront Tract E was outlined as part of Phase II of the Braddock Annexation Agreement and is subject to the Miller Master Plan. The developer is required to provide 83 deed-restricted units as part of Phase II. Tract E was assigned 40 SFEs of deed-restricted unit density during the 2010 Miller Master Plan Amendment.

The entirety of the project is intended to be deed-restricted for-sale units. This is the first privately developed workforce housing project to take advantage of positive four (+4) points for producing an all-electric development. The project will provide 67 surface parking spaces and paved connections to the Town's rec path and private open space.

The Planning Commission reviewed this proposal at a preliminary hearing on May 21, 2024 and at a final hearing on August 20, 2024. The project has been found to meet all absolute policies of the development code and has been assigned a passing score of positive two (+2) points under the relative policies. The Commission approved the application with a vote of 6-0.

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

[Planning Commission packet and additional information here.](#)



VIEW FROM THE NORTHWEST

Highlands Riverfront  
Tract E Deed-Restricted Condos  
13545 S. CO State Highway 9



## PLANNING COMMISSION MEETING

The regular meeting was called to order at 5:35 pm by Chair Leas.

### ROLL CALL

Mike Giller                      Mark Leas                      Allen Frechter                      Keely Ambrose **absent**  
Ethan Guerra **remote**      Elaine Gort                      Susan Propper **remote**

### APPROVAL OF MINUTES

With no changes, the August 6, 2024 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With no changes, the August 20, 2024 Planning Commission Agenda was approved.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None

### FINAL HEARINGS:

1. Highlands Riverfront Tract E Deed-Restricted Condos (SVC), 13545 S. State Hwy 9, PL-2024-0089  
Ms. Crump presented a proposal to construct 44 deed-restricted workforce housing units in four condominium buildings on Highlands Riverfront Tract E, accessed from Stan Miller Drive. Each building will be three stories with 11 one-bedroom units. The entirety of the project is intended to be deed-restricted for-sale units. The project will provide 67 surface parking spaces. An existing 2,344 sq. ft. professional office building is located on the southeast corner of the lot and is proposed for demolition with this project.

#### *Commissioner Questions / Comments:*

Mr. Giller:                      Which units will be the accessible units and will they be in close proximity to the accessible parking spaces? (Ms. Crump: I will let the applicant answer that but most likely the entire first floor of each building will be considered accessible units.)

Mr. Leas:                      How was the applicant able to work around the negative points initially received for the non-natural siding, did they add wood accents? (Ms. Crump: That is correct, they added natural wood fascia, trim, and posts. The code under Policy 5/R does not specify an amount of natural accent material needed to avoid receive negative points for fiber cement siding, only that some natural material must be present, and Staff feels the proposal aligns with an amount that would be expected.) And who owns the Tract W to the west? (Ms. Crump: Tract W to the west is private open space and part of the overall Highlands Riverfront HOA ownership. This tract has a pedestrian access easement across it for access to the rec path.)

#### Applicant, Tom Begley, Breckenridge Lands:

I want to thank Mark Truckey and Chris Kulick for allowing the project to have a combined final hearing. After the feedback from the preliminary hearing for the project we felt we were in a good position to make the needed changes and have a single final hearing. This will help us meet the project goal of breaking ground on the first building foundation this fall. We will adjust the accessible parking spots to be consistent with the location of the accessible units, but we will need to make sure we meet the building code with where those accessible units are located, I believe it is five percent accessible units required and we will need to spread that across all buildings but most of the lower-level units will likely be accessible.

Mr. Giller:                      I understand, and I encourage you to make the route to those spots as short as possible and consider all the facets of accessibility beyond what is required by the code.

Ms. Gort: How many accessible units are required?  
Mr. Begley: I believe it's 5%, and we may provide more than that because it is only an incremental cost change to make additional accessible units on the ground floor.

The hearing was opened to public comment; there were no comments and the comment period was closed.

Mr. Giller made a motion to approve the Highlands Riverfront Tract E Deed-Restricted Condos, seconded by Ms. Gort. The motion passed unanimously, 6-0.

**OTHER MATTERS:**

1. Town Council Summary

**ADJOURNMENT:**

The meeting was adjourned at 6:08 pm.

---

Mark Leas, Chair



# Memo

**To:** Town Council  
**From:** Ellie Muncy, Planner I  
**Date:** 8/22/2024, for the meeting of August 27, 2024  
**Subject:** First reading of an Ordinance establishing a Development Agreement with Craig Campbell for conversion of Copper Baron Condo Unit 2 from commercial use to employee housing

---

Craig Campbell, owner of the 1043 sq. ft. Copper Baron Condo Unit 2 located at 217 S. Ridge Street Alley, has applied for a Development Agreement regarding converting the unit from commercial use to employee housing. This proposal was brought before Town Council on July 23<sup>rd</sup> and again on August 13<sup>th</sup> where, after the addition of an Area Median Income (AMI) rental restriction, the Council was supportive of moving forward with the development agreement. There have been no changes since the August 13<sup>th</sup> work session.

### Development Code Compliance

**Density (Policy 3/A & 3/R):** The proposed conversion would increase the building's residential density to 1,938 sq. ft., which exceeds the density of 912 sq. ft. recommended by the LUGs by 1026 sq. ft., or 53%. The 1,026 sq. ft. of additional density would need to be transferred to the site using Transferable Development Rights (TDRs). However, the property is located within the Historic District, and Development Code section 9-1-17-12 prohibits additional density from being transferred into the Historic District. As noted above, although the residential density allocation would change on the property, no new square footage is being constructed and the proposal is to convert existing commercial space to residential space for workforce housing. Therefore, the proposed Development Agreement would exempt the project from the density transfer restriction within the Historic District and, as proposed, the Town would transfer the 1,026 sq ft of residential density to the site to accommodate the conversion.

**Parking:** There would not be an increase in the parking space requirement with the proposed conversion because the parking requirement for residential use is less than the requirement for commercial use per sq. ft.

### Proposal

The following items are requested of the Town by the applicant:

1. Exempt the project from compliance with Development Code section 9-1-17-12 which prohibits density transfer into the Historic District,
2. Town to transfer 1026 sq. ft. (0.86 SFEs) of density to the property (\$228,173.85 value), and
3. Waiver of the following fees, totaling approximately \$9,000. These estimates are provided using rates for the year 2024 and are subject to increase annually.



- Planning Division fees:
  - Development Agreement application fee (\$7,140), and
  - Class C Minor Development Permit application fee (\$2,105).

The following items are proposed by the applicant as public benefits:

1. The applicant proposes to record a Restrictive Covenant and Agreement for the unit, restricting the occupancy of the unit to Employee Housing, with a 110% Area Median Income (AMI) rental restriction, including utilities. Employee Housing is defined by the Development Code as *“A dwelling unit the occupancy of which is restricted to a person eighteen (18) years of age or older who, during the entire period of his or her occupancy of the property, 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. All employee housing units shall be a minimum of three hundred fifty (350) square feet of density in size and shall each have a living area containing at a minimum: a kitchen sink; cooking appliance and refrigeration facilities, each having a clear working space; sleeping accommodations; a closet with a door; and a bathroom with a door, sink, toilet, and a bathtub or shower. Each employee housing unit shall have its own entrance. There shall be no interior access from any employee housing unit to any dwelling unit to which it is attached.”* It should be noted that this restrictive covenant also allows for owner occupancy, provided the occupant meets the employment requirement, but in the event it is rented, then the rental cap is triggered.
2. The applicant has agreed that the 110% AMI rental restriction will include monthly HOA fees, which include utility costs.

#### **Staff Analysis**

Staff supports the proposed terms of the Development Agreement with the 110% AMI rental restriction, finding that the Town core is an ideal location for employee housing. During the previous work session Council also suggested that an appreciation cap might be considered. The rules and regulations as adopted do suggest appreciation caps, but only for the full deed restrictions that require owner occupancy, but not necessarily properties that allow for rental. Staff finds an appreciation cap may not be beneficial as it could reduce the desirability to do similar conversions and the rental cap will control resale price to some degree. Although staff does not want to set a precedent of transferring density into the Historic District, this project will not result in any new constructed floor area. There is also previous precedent for this type of Development Agreement proposal with the other conversion completed in Adams Ridge Condos.

#### **Staff Recommendation**

Staff recommends the Town Council approve the first reading of an Ordinance establishing a Development Agreement with Craig Campbell for conversion of Copper Baron Condo Unit 2 from commercial use to employee housing.

**AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH CRAIG CAMPBELL.**

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

**Section 1. Findings.** The Town Council of the Town of Breckenridge finds and determines as follows:

A. Owner is the owner of a condominium unit located at 217 S Ridge St., Copper Baron Condominiums Unit 2, according to the Plat thereof recorded January 20, 1992 at Reception No. 416201, Summit County, Colorado ("Property").

B. Owner intends to submit a Development Permit application to the Town proposing to change the approved use of the Property from commercial office use to residential condominium use.

C. The Town's Community Development Department has determined the proposed change of use would increase the density of the Property by 0.86 SFEs in excess of what is recommended by the Land Use District Guidelines. The excess density warrants negative points under Breckenridge Town Code section 9-1-19-3R and necessitates a transfer of density to the Property. The Property is located within the Town's Historic District. Section 9-1-17-12:A of the Breckenridge Town Code prohibits the transfer of density to the Historic District.

D. Owner has requested Town approval for exemptions from Breckenridge Town Code Section 9-1-19-3R regarding excess density and Section 9-1-17-12 regarding transfer of density into the Historic District. Owner has requested that the Town thereafter transfer density to the Property.

E. The Town finds no new square footage is proposed to be constructed in the Historic District to accomplish the change of use.

F. Section 9-9-5 of the Breckenridge Town Code states the Town Council has the authority to enter into a Development Agreement. Further, there is no process in the Town's Development Code for approval of a transfer of density to the Historic District. Per Section 9-1-17-12: A of the Breckenridge Town Code, a transfer of density from one lot or parcel within the Town to another lot or parcel within the Town may be approved by the Town Council only in connection with the approval of a Development Agreement and, therefore, a Development Agreement provides a means for such an approval and transfer.

G. As the commitment encouraged to be made in connection with an application for a development agreement in accordance with Section 9-9-4 of the Breckenridge Town Code, Owner has proposed recording a Restrictive Covenant and Agreement on the Property restricting the unit for employee housing and prohibiting short term rental in the form and substance attached hereto as **Exhibit A**.

1 H. The Town has received a completed application and all required submittals for a  
2 Development Agreement, had a preliminary discussion of the application and the term of this  
3 proposed Development Agreement, and determined that it should commence proceedings for the  
4 approval of this Development Agreement. In accordance with the procedures set forth in  
5 Subsection 9-9-10:C of the Breckenridge Town Code, Town Council has approved this  
6 Agreement by non-emergency ordinance.  
7

8 **Section 2. Approval of Development Agreement.** The Development Agreement  
9 between the Town and Craig Campbell is attached to this Ordinance as **Exhibit 1**, Development  
10 Agreement with attachments A- Restrictive Covenant and Agreement and B – Density Sunset  
11 Covenant, is approved, and the Town Manager is authorized, empowered, and directed to  
12 execute such agreement for and on behalf of the Town of Breckenridge.  
13

14 **Section 3. Notice of Approval.** The Development Agreement shall contain a notice in  
15 the form provided in Section 9-9-13 of the Breckenridge Town Code. In addition, a notice in  
16 compliance with the requirements of Section 9-9-13 of the Breckenridge Town Code shall be  
17 published by the Town Clerk one time in a newspaper of general circulation in the Town within  
18 fourteen days after the adoption of this ordinance. Such notice shall satisfy the requirement of  
19 Section 24-68-103, C.R.S.  
20

21 **Section 4. Police Power Finding.** The Town Council finds, determines, and declares  
22 that this ordinance is necessary and proper to provide for the safety, preserve the health,  
23 promote the prosperity, and improve the order, comfort, and convenience of the Town of  
24 Breckenridge and the inhabitants thereof.  
25

26 **Section 5. Authority.** The Town Council finds, determines, and declares that it has the  
27 power to adopt this ordinance pursuant to the authority granted to home rule municipalities by  
28 Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town  
29 Charter.  
30

31 **Section 6. Effective Date.** This ordinance shall be published and become effective as  
32 provided by Section 5.9 of the Breckenridge Town Charter.  
33

34 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
35 PUBLISHED IN FULL this 27th day of August, 2024. A Public Hearing shall be held at the regular  
36 meeting of the Town Council of the Town of Breckenridge, Colorado on the \_\_\_ day of \_\_\_\_,  
37 2024, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.  
38  
39

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:

TOWN OF BRECKENRIDGE

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

\_\_\_\_\_  
Kelly Owens, Mayor

APPROVED IN FORM

\_\_\_\_\_  
Town Attorney

## DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made as of the \_\_\_\_ day of \_\_\_\_\_, 2024 among the TOWN OF BRECKENRIDGE, a municipal corporation of the State of Colorado (the "Town"), and Craig Campbell (the "Owner").

### Recitals

- A. Owner is the owner of a condominium unit located at 217 S Ridge St., Copper Baron Condominiums Unit 2, according to the Plat thereof recorded January 20, 1992 at Reception No. 416201, Summit County, Colorado ("Property").
- B. Owner intends to submit a Development Permit application to the Town proposing to change the approved use of the Property from commercial office use to residential condominium use.
- C. The Town's Community Development Department has determined the proposed change of use would increase the density of the Property by 0.86 SFEs in excess of what is recommended by the Land Use District Guidelines. The excess density warrants negative points under Breckenridge Town Code section 9-1-19-3R and necessitates a transfer of density to the Property. The Property is located within the Town's Historic District. Section 9-1-17-12:A of the Breckenridge Town Code prohibits the transfer of density to the Historic District.
- D. Owner has requested Town approval for exemptions from Breckenridge Town Code Section 9-1-19-3R regarding excess density and Section 9-1-17-12 regarding transfer of density into the Historic District. Owner has requested that the Town thereafter transfer density to the Property.
- E. The Town finds no new square footage is proposed to be constructed in the Historic District to accomplish the change of use.
- F. Section 9-9-5 of the Breckenridge Town Code states the Town Council has the authority to enter into a Development Agreement. Further, there is no process in the Town's Development Code for approval of a transfer of density to the Historic District. Per Section 9-1-17-12: A of the Breckenridge Town Code, a transfer of density from one lot or parcel within the Town to another lot or parcel within the Town may be approved by the Town Council only in connection with the approval of a Development Agreement and, therefore, a Development Agreement provides a means for such an approval and transfer.
- G. As the commitment encouraged to be made in connection with an application for a development agreement in accordance with Section 9-9-4 of the Breckenridge Town Code, Owner has proposed recording a Restrictive Covenant and Agreement on the Property restricting the unit for employee housing and prohibiting short term rental in the form and substance attached hereto as **Exhibit A**.
- H. The Town has received a completed application and all required submittals for a Development Agreement, had a preliminary discussion of the application and the term of this proposed Development Agreement, determined that it should commence proceedings for the approval of this Development Agreement. In accordance with the procedures set forth in

Subsection 9-9-10:C of the Breckenridge Town Code, Town Council has approved this Agreement by non-emergency ordinance.

### Agreement

1. Without requiring additional reviews by the Town's Planning Commission, Town Council has determined that the Owner's Development Permit application for change of use of the property shall be exempt from negative points under Breckenridge Town Code, Section 9-1-19-3R, for the 0.86 SFEs of excess density.

2. Without requiring additional reviews from the Town's Planning Commission, Town Council has determined that Owner's Development Permit application for change of use of the property shall be exempt from Breckenridge Town Code, Section 9-1-17-12, which prohibits transfer of density into the Historic District.

3. The Town shall waive the fees for the Owner's Development Agreement application and Development Permit application.

4. The Town shall transfer 0.86 SFEs of density to the Property from property owned by the Town. The transfer of density shall be evidenced by the Written Covenant, **Exhibit B**, attached hereto and incorporated by reference.

5. After the passage of any time periods within which any referendums, appeals or other challenges to such approvals must be brought, without any such referendums, appeals or other challenges having been filed, commenced or asserted, and prior to the issuance of a Certificate of Occupancy for the proposed change of use, Owner acknowledges they have read and understands the terms of the Restrictive Covenant in the form of Exhibit A and further agrees to record the Restrictive Covenant in the real property records of the Clerk and Recorder of Summit County, Colorado.

6. This Development Agreement creates vested rights for a period of eighteen (18) months, during which time the Owner shall submit to the Town and receive Town approval of a Development Permit application for the proposed change of use. The vested rights shall expire eighteen (18) months from the date of Town Council approval of this Development Agreement, unless substantial construction pursuant to such Development Permit has been completed. Density shall be transferred to the Property by the Town after the Development Permit has been issued and fully executed, and prior to issuance of a certificate of occupancy.

7. Except for a development agreement to extend vested property rights pursuant to section 9-1-17-11 of this title and except as provided in Section 24-68-105, C.R.S. and except as specifically provided for herein, the execution of this Development Agreement shall not preclude the current or future application of municipal, state or federal ordinances, laws, rules or regulations to the Property (collectively, "laws"), including, but not limited to, building, fire, plumbing, engineering, electrical and mechanical codes, and the Town's Development Code, Subdivision Standards and other land use laws, as the same may be in effect from time to time throughout the term of this Development Agreement. Except to the extent the Town otherwise specifically agrees, any development of the Property which is the subject of this Development Agreement and the Development Permit shall be done in compliance with the then-current laws of the Town.

8. Nothing in this Agreement shall preclude or otherwise limit the lawful authority of the Town to adopt or amend any Town law, including, but not limited to the Town's: (i) Development Code, (ii) Master Plan, (iii) Land Use Guidelines and (iv) Subdivision Standards.

9. The Town shall not be responsible for and the applicant shall have no remedy against the Town if development of the real property which is the subject of the development agreement is prevented or delayed for reasons beyond the control of the Town.

10. Actual development of the real property which is the subject of this development agreement shall require the issuance of such other and further permits and approvals by the town as may be required from time to time by applicable town ordinances.

11. In connection with an application for a development permit to develop the real property that is the subject of this Development Agreement the application shall not receive an award of positive points under the Development Code for any commitment offered to the Town by the applicant pursuant to Section 9-9-4, or any other obligation or requirement of the applicant under the Development Agreement.

12. This Development Agreement shall be binding upon and inure to the benefit of Town, Owner and their successors and assigns.

13. Prior to any action against the Town for breach of this Agreement, Owner shall give the Town a sixty (60) day written notice of any claim by the Owner of a breach or default by the Town, and the Town shall have the opportunity to cure such alleged default within such time period.

14. No official or employee of the Town shall be personally responsible for any actual or alleged breach of this Agreement by the Town.

15. Owner with respect to its interests or benefits provided for in this Development Agreement agrees to indemnify and hold the Town, its officers, employees, insurers, and self-insurance pool, harmless from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with such benefits under this Agreement, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the negligence or wrongful intentional act or omission of Owner; any subcontractor of Owner, or any officer, employee, representative, or agent of Owner or of any subcontractor of Owner, or which arise out of any worker's compensation claim of any employee of Owner, or of any employee of any subcontractor of Owner; except to the extent such liability, claim or demand arises through the negligence or intentional act or omission of Town, its officers, employees, or agents. Owner agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims, or demands at the sole expense of the Owner. Owner also agrees to bear all other costs and expenses related thereto, including court costs and attorney's fees.

16. Owner with respect to its interests or benefits provided for in this Development Agreement agrees to indemnify and hold the Town, its officers, employees, insurers, and self-

insurance pool, harmless from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with such benefits under this Agreement, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the negligence or wrongful intentional act or omission of Owner; any subcontractor of Owner, or any officer, employee, representative, or agent of Owner or of any subcontractor of Owner, or which arise out of any worker's compensation claim of any employee of Owner, or of any employee of any subcontractor of Owner; except to the extent such liability, claim or demand arises through the negligence or intentional act or omission of Town, its officers, employees, or agents. Owner agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims, or demands at the sole expense of the Owner. Owner also agrees to bear all other costs and expenses related thereto, including court costs and attorney's fees.

17. If any provision of this Agreement shall be invalid, illegal or unenforceable, it shall not affect or impair the validity, legality or enforceability of the remaining provisions of the Agreement.

18. No waiver of any provision of this Agreement shall be deemed or constitute a waiver of any other provision, nor shall it be deemed to constitute a continuing waiver unless expressly provided for by a written amendment to this Agreement signed by both Town and Owner; nor shall the waiver of any default under this Agreement be deemed a waiver of any subsequent default or defaults of the same type. The Town's failure to exercise any right under this Agreement shall not constitute the approval of any wrongful act by the Owner or the acceptance of any improvements.

19. This Development Agreement shall run with title to the land and be binding on the Owners, heirs, successors, and assigns and shall be recorded in the office of the Clerk and Recorder of Summit County, Colorado.

20. Nothing contained in this Agreement shall constitute a waiver of the Town's sovereign immunity under any applicable state or federal law.

21. Personal jurisdiction and venue for any civil action commenced by either party to this Agreement shall be deemed to be proper only if such action is commenced in District Court of Summit County, Colorado. The Owner expressly waive their right to bring such action in or to remove such action to any other court, whether state or federal.

22. Any notice required or permitted hereunder shall be in writing and shall be sufficient if personally delivered or mailed by certified mail, return receipt requested, addressed as follows:

If To The Town:

Shannon Haynes, Town Manager  
Town of Breckenridge  
P.O. Box 168  
Breckenridge, CO 80424



With A Copy (which shall not constitute notice to the Town) to:

Kirsten J. Crawford, Town Attorney

If To The Owner:

Craig Campbell  
PO Box 227  
Breckenridge, CO 80424

Notices mailed in accordance with the provisions of this paragraph shall be deemed to have been given upon delivery. Notices personally delivered shall be deemed to have been given upon delivery. Nothing herein shall prohibit the giving of notice in the manner provided for in the Colorado Rules of Civil Procedure for service of civil process.

23. This Agreement constitutes the entire agreement and understanding between the parties relating to the subject matter of this Agreement and supersedes any prior agreement or understanding relating to such subject matter.

24. This Agreement shall be interpreted in accordance with the laws of the State of Colorado.

**[SEPARATE SIGNATURE PAGES TO FOLLOW]**

TOWN OF BRECKENRIDGE

Attest:

\_\_\_\_\_  
\_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Shannon Haynes, Manager

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF SUMMIT     )

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024  
by Shannon Haynes as Town Manager and \_\_\_\_\_, of the Town of  
Breckenridge.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Craig Campbell

By:

\_\_\_\_\_

Owner

STATE OF COLORADO     )  
  ) ss.  
COUNTY OF SUMMIT     )

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024  
by Craig Campbell.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_

Notary Public

**RESTRICTIVE COVENANT AND AGREEMENT  
(Employee Housing- Development Agreement)**

THIS RESTRICTIVE COVENANT AND AGREEMENT (“**Restrictive Covenant**”) is dated \_\_\_\_\_, 2024 and is between \_\_\_\_\_ (“**Owner**”) and TOWN OF BRECKENRIDGE, a Colorado municipal corporation (“**Town**”). Town and Owner are sometimes collectively referred to in this Restrictive Covenant as the “**Parties**,” and individually as a “**Party**.”

Recitals

A. The Owner owns the real property described in Section 1 of this Restrictive Covenant.

B. The Owner intends to convert existing office space into employee housing.

C. The Owner and the Town entered into that Development Agreement dated \_\_\_\_\_ and recorded \_\_\_\_\_ at Reception No. \_\_\_\_\_ of the real property records of the Clerk and Recorder of Summit County, Colorado (“**Development Agreement**”).

D. It is a condition of the Development Agreement that the Owner create a valid and enforceable covenant running with the land assuring that the real property described in Section 1 shall be used solely by a “Qualified Occupant” as defined in this Restrictive Covenant.

E. The Owner declares and covenants that the regulatory and restrictive covenants contained in this Restrictive Covenant are covenants running with the land and are binding upon the Owner and all subsequent owners of the real property described in Section 1 unless this Restrictive Covenant is released and terminated by the Town.

NOW, THEREFORE, in consideration of the issuance of the Development Permit, and other good and valuable consideration, the sufficiency of which is hereby acknowledged by the Owner, the Owner and the Town agree as follows:

1. Property Subject to Covenant. This Restrictive Covenant applies to the following real property located in Summit County, Colorado:  
(insert legal)

Town of Breckenridge, County of Summit, State of Colorado

also known as: \_\_\_\_\_, Breckenridge, CO 80424.

2. Definitions. As used in this Restrictive Covenant:

“**AMI**” means the Summit County Area Median Income as published by the Summit Combined Housing Authority or another index acceptable to the Town.

“**Person**” means a natural person, and excludes any type of entity.

“**Principal Place of Residence**” means the home or place in which one’s habitation is fixed and to which one has a present intention of returning after a departure or absence therefrom. To determine a person’s Principal Place of Residence, the criteria set forth in § 31-10-201(3), C.R.S., or any successor statute, shall apply.

“**Qualified Occupant**” means a person 18 years of age or older who, during the entire period of his or her occupancy of the Unit, earns his or her living by working in Summit County, Colorado for a business located in and serving the County at least 30 hours per week, together with such person’s spouse and minor children, if any.

“**Short Term Rental**” means any rental, lease, or occupancy of a Unit for a term of less than three (3) consecutive months.

“**Unit**” means the unit described in Paragraph 1 of this Restrictive Covenant.

“**Utilities**” means the following utilities and services, to the extent such utilities or services are paid or provided for by Owner for the Units: electric, gas, water, sewer, trash, & snow removal.

3. Occupancy Restriction. Except as provided in Section 4, the Unit shall at all times be occupied by Qualified Occupant (s) as their Principal Place of Residence. Owners are prohibited from using the unit as a short term rental.

4. Exceptions. Notwithstanding Section 3, it is not a violation of this Restrictive Covenant if the Unit is occupied or used as the Principal Place of Residence by:

- A. A person who is partially or fully retired as described in the Town’s Administrative Rules and Regulations (see Section 18, below); or
- B. A person otherwise authorized to occupy a Unit pursuant to this Restrictive Covenant who becomes disabled after commencing lawful occupancy of a Unit such that he or she cannot work the required number of hours each week required by this Restrictive Covenant; provided, however, that such person is permitted to occupy a Unit only for a maximum period of one year following the commencement of such person’s disability unless a longer period of occupancy is authorized by Town.

5. Rent or Lease of the Unit. Owner may rent or lease the Unit provided that: (i) the Unit is rented or leased only to a Qualified Occupant(s); (ii) Owner may not permit or consent to any sublease of all or any portion of the Unit; (iii) the Unit may not be rented or leased for a term of less than 3 months (no short term rental) and (iv) the maximum monthly rent for the Unit (including Utilities) may not exceed 110% AMI. All leases or rentals of the Unit not in

compliance with the requirements of this Section 5 are void, and a violation of this Restrictive Covenant.

6. Annual Verification; Other Information.

- A. Owner shall submit to Town upon request any information, documents, or certificate regarding the occupancy and use of the Unit that Town reasonably deems to be necessary to confirm Owner's compliance with the provisions of this Restrictive Covenant.
- B. At the time of purchase, any prospective or new Owner shall execute a Memorandum of Understanding indicating that he or she has read this Covenant in its entirety and agrees to abide by the terms set forth herein.

7. Inspection of the Unit. Owner agrees that Town may enter the Unit to determine compliance with this Restrictive Covenant without an inspection warrant or other legal authorization, subject to the following requirements: (i) entry may be made by Town only between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday; and (ii) Town shall provide Owner and the occupant of the Unit with not less than 24 hours' prior written notice before entering a Unit. If Town complies with these requirements the Owner shall permit Town's entry into each Unit. Town's rights under this Section 7 may also be exercised by Town's authorized agent. If Owner fails or refuses to comply with the requirements of this Section 7 Town shall have the right to obtain access to the Unit in the manner provided by law.

8. Payment of Taxes and Prior Encumbrances. During the term of this Restrictive Covenant Owner shall pay, prior to delinquency, all taxes and assessments levied against each of the Unit, and all amounts due or to become due on account of principal and interest on any prior encumbrance against each of the Unit.

9. Default; Notice. If Owner fails to comply with this Restrictive Covenant, Town may inform Owner by written notice of such failure and provide Owner a period of time to correct such failure. If the failure is not corrected to the satisfaction of Town within the specified time, which shall be at least 30 days after Town mails written notice to Owner, or within such further time as Town determines is necessary to correct the violation (but not to exceed any limitation set by applicable law), Town may without further notice declare a default under this Restrictive Covenant effective on the date of such declaration of default. Town may then proceed to enforce this Restrictive Covenant.

10. Equitable Relief. Town may specifically enforce this Restrictive Covenant. Town may obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction, and permanent injunction to obtain specific performance. Any equitable relief provided for in this Section 11 may be sought singly or in combination with such legal remedies as Town may be entitled to, any pursuant to the provisions of this Restrictive Covenant or under the laws of the State of Colorado.

11. Town Authority To Enforce. The restrictions, covenants, and limitations created by this Restrictive Covenant are only for the benefit of Town, and only Town may enforce this Restrictive Covenant. Provided, however, Town may assign its rights to Town of Breckenridge Housing Authority without prior notice to Owner.

12. Waiver; Termination; Modification of Covenant. The restrictions, covenants, and limitations of this Restrictive Covenant may be waived, terminated, or modified only with the written consent of Town and the then-current owner of the Unit as of the date of such waiver, termination, or modification. No waiver, modification, or termination shall be effective until the proper instrument is executed and recorded in the office of the Clerk and Recorder of Summit County, Colorado. Town may also terminate this instrument by recording a release in recordable form without the signature of the then-current owner of each of the Units.

13. Statute of Limitations. Owner hereby waives the benefit of and agrees not to assert in any action brought by Town to enforce this Restrictive Covenant any applicable statute of limitation, including, but not limited to, the provisions of §38-41-119, C.R.S. If any statute of limitation may be lawfully asserted by Owner in connection with an action brought by Town to enforce this Restrictive Covenant, each and every day during which any violation of this Restrictive Covenant occurs shall be deemed to be a separate breach of this Restrictive Covenant for the purposes of determining the commencement of the applicable statute of limitations period.

14. Attorney's Fees. If any action is brought in a court of law by any Party concerning the enforcement, interpretation, or construction of this Restrictive Covenant, the prevailing Party, any at trial or upon appeal, shall be entitled to reasonable attorney's fees, as well as costs, including expert witness fees, incurred in the prosecution or defense of such action.

15. Notices. All notices provided for or required under this Restrictive Covenant must be in writing, signed by the Party giving the notice, and shall be deemed properly given when actually received or two (2) days after having been mailed, postage prepaid, certified, return receipt requested, addressed to the other Party at such Party's addresses appearing on the signature pages. Each Party, by written notice to the other Party, may specify any other address for the receipt of such instruments or communications. A notice to any owner of a Unit subsequent to Owner may be sent to the address to which tax notices are sent according to the records of the Summit County Treasurer.

16. Recording; Covenant Running With the Land. The Restrictive Covenant is to be recorded in the real property records of the Clerk and Recorder of Summit County, Colorado, and shall run with the land and shall be binding upon Owner and all subsequent owners of the real property described in Section 1 until this Restrictive Covenant is lawfully terminated in the manner provided in this Restrictive Covenant.

17. Town's Administrative Rules and Regulations. This Restrictive Covenant shall be interpreted in accordance with, and Owner shall comply with, the Town of Breckenridge Division of Housing Administrative Rules and Regulations in effect from time to time throughout the term of this Restrictive Covenant; provided, however, that in the event of a

conflict between the restrictions, terms and conditions of this Restrictive Covenant and the Administrative Rules and Regulations, this Restrictive Covenant shall control.

18. Owner To Give Town Notice Of Default Under Other Encumbrance: Owner shall: (i) immediately notify the Town in writing of the receipt of any notice claiming a default under any mortgage, deed of trust, or other lien or encumbrance against the Unit, or a default under any debt or other obligation secured by a mortgage, deed of trust, or other lien or encumbrance against the Unit; and (ii) promptly forward to the Town a copy of any written notice of such default or foreclosure notice received by the Owner.

19. Miscellaneous.

A. Applicable Law. This Restrictive Covenant shall be interpreted in accordance with the laws of the State of Colorado regardless of any law that might require to be interpreted under the laws of any other state.

B. Vesting and Term. Town's rights under this Restrictive Covenant vest upon the execution of this Restrictive Covenant. This Restrictive Covenant shall remain in full force and effect in perpetuity unless terminated in accordance with Section 13. Provided, however, if any of the terms, covenants, conditions, restrictions, uses, limitations, or obligations created by this Restrictive Covenant are held to be unlawful or void for violation of: (i) the rule against perpetuities or some analogous statutory provision; (ii) the rule restricting restraints on alienation; or (iii) any other statutory or common law rule imposing like or similar time limits, then such provision shall continue only for the period of the lives of the duly elected and seated members of the Breckenridge Town Council in office on the date of the execution of this Restrictive Covenant, their now living descendants, if any, and the survivor of them, plus 21 years.

C. Section Headings. Section headings are inserted for convenience only and in no way limit or define the interpretation to be placed upon this Restrictive Covenant.

D. Terminology. This Restrictive Covenant applies to all genders. Unless the context clearly requires otherwise, the singular includes the plural, and the plural includes the singular.

E. Severability. If any provision of this Restrictive Covenant is finally determined to be invalid, illegal, or unenforceable, the Parties shall negotiate in good faith to modify this Restrictive Covenant to fulfill as closely as possible the original intents and purposes of this Restrictive Covenant.

F. Construction. The rule of strict construction does not apply to this Restrictive Covenant. This Restrictive Covenant is to be given a reasonable construction so that the intention of the Parties as expressed in this Restrictive Covenant is carried out.



G. Entire Agreement. This Restrictive Covenant constitutes the entire agreement and understanding between the Parties relating to the subject matter of this Restrictive Covenant, and supersedes any prior agreement or understanding relating thereto.

H. Binding Effect. This Restrictive Covenant is binding upon, and inures to the benefit of, the Parties and their respective heirs, successors, assigns, legal representatives, and personal representatives, and to all subsequent owners of the Unit, or any interest therein.

[SIGNATURE PAGES FOLLOW]

This Restrictive Covenant and Agreement is executed by:

OWNER:

\_\_\_\_\_

Owner's Address:

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024, by \_\_\_\_\_

WITNESS my hand and official seal.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

This Restrictive Covenant and Agreement is executed by:

TOWN OF BRECKENRIDGE

By: \_\_\_\_\_  
Shannon B. Haynes, Town Manager

ATTEST:

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

Town's Address:

P.O. Box 168  
150 Ski Hill Road  
Breckenridge, Colorado 80424

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Shannon B. Haynes, Town Manager, and Helen Cospolich, CMC, Town Clerk, of Town of Breckenridge, a Colorado municipal corporation.

WITNESS my hand and official seal.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

1 **EXHIBIT B**

2  
3 **DENSITY SUNSET COVENANT**

4  
5 This Covenant (“Covenant”) is made \_\_\_\_\_, 2024 by the TOWN OF  
6 BRECKENRIDGE, a Colorado municipal corporation (“Town”).  
7

8 1. Town owns the following described real property situate in the Town of  
9 Breckenridge, Summit County, Colorado:

10  
11 **Block 2, Rodeo Grounds Subdivision (AKA Rodeo Grounds Future Development)**  
12 **(commonly known as the Town’s “Stephen C. West Ice Arena”) (hereinafter referred**  
13 **to as “Town’s Property”).**  
14

15 2. Pursuant to Section 9-1-17-12: A of the Breckenridge Town Code, a transfer of  
16 density from one lot or parcel within the Town to another lot or parcel within the Town may be  
17 approved by the Town Council only in connection with the approval of a Development Agreement.  
18

19 3. Based on the terms and conditions in the Development Agreement, the use of the  
20 Property necessitates a transfer of 0.86 single family equivalents (“SFEs”) of density from the  
21 Town’s “Stephen C. West Ice Arena” property to the Property located in the Historic District and  
22 described in the Development Agreement as the condominium unit located at 217 S Ridge St.,  
23 Copper Baron Condominiums Unit 2, according to the Plat thereof recorded January 20, 1992 at  
24 Reception No. 416201, Summit County, Colorado.  
25

26 4. The 0.86 of single family equivalents of density previously allocated to Town’s  
27 Property are forever extinguished. Following the execution of this Covenant, there will be 70.2  
28 SFEs of density remaining on the Town’s Property, of which 44.73 SFEs are assigned to the  
29 existing Stephen C. West Ice Arena building.  
30

31 4. Following the execution of this Covenant, there will be 0 SFEs of density remaining  
32 on Copper Baron Condominiums.  
33

34 5. This Covenant shall be placed on record in the real property records of Summit  
35 County, Colorado, and the covenants contained herein shall run with the land and shall bind the  
36 Town and all subsequent owners of Town’s Property, or any interest therein.  
37

38 6. Town’s Acknowledgment of Covenant Validity. Town agrees that any and all  
39 requirements of the laws of the State of Colorado to be satisfied in order for the provisions of this  
40 Covenant to constitute a restrictive covenant running with the land shall be deemed to be satisfied  
41 in full, and that any requirements of privity of estate are intended to be satisfied, or, in the

42 alternative, that an equitable servitude has been created to insure that the covenant herein contained  
43 shall run with the land. This covenant shall survive and be effective as to successors and/or assigns  
44 of all or any portion of Town's Property, regardless of whether such contract, deed or other  
45 instrument hereafter executed conveying Town's Property or portion thereof provides that such  
46 conveyance is subject to this Covenant.

47  
48 7. Owner Acknowledgment of Use Restriction. The Owner of the receiving parcel  
49 acknowledge that the density which has been transferred may be used on the receiving parcel only  
50 in accordance with a separate development permit obtained in accordance with the requirements  
51 of Chapter 1 of the Breckenridge Development Code.

52  
53 9. The execution and recording of this Covenant was authorized by Town of  
54 Breckenridge Ordinance No. \_\_\_\_\_, Series 2024, adopted \_\_\_\_\_, 2024.

55  
56  
57 TOWN OF BRECKENRIDGE, a Colorado  
58 municipal corporation

59  
60  
61  
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63 By: \_\_\_\_\_  
64  
65 Shannon Haynes, Town Manager

66 OWNER

67  
68 By: \_\_\_\_\_  
69 Craig Campbell

70  
71 ATTEST:

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73  
74  
75 \_\_\_\_\_  
76 Helen Cospolich CMC,  
77 Town Clerk

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80 STATE OF COLORADO )  
81 ) ss.  
82 COUNTY OF SUMMIT )

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The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Shannon Haynes, Town Manager, and Helen Cospolich CMC, Town Clerk, of the Town of Breckenridge, a Colorado municipal corporation.

WITNESS my hand and official seal.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

# Memo

To: Breckenridge Town Council Members  
From: Town Staff  
Date: 8/20/2024 8/20/24 (for the 08/27/24 worksession)  
Subject: Public Projects Update

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## **Asphalt and Concrete Repair**

Columbine Hills Construction has completed overlay paving operations on Boreas Pass Road, Watson Avenue, Highlands Drive, Adams Avenue, Reiling Road, High Street, Valley Brook Street, and Westerman Road. Snowflake Drive is being paved August 21<sup>st</sup>. Royal Tiger Road has been paved and the speed humps will be re-installed in the coming weeks when the crews mobilize for patching work throughout town, including the patching at the Adams Avenue/French Street intersection. Concrete work in other locations around town is planned to be completed prior to the end of construction season.

Silver Circle full depth reclamation began August 13<sup>th</sup> and may continue through mid-September. Paving is expected to start the week of August 26. Schedule updates can be found at [www.BreckRoads.com](http://www.BreckRoads.com).



Photos of full depth reclamation and grading along Silver Circle.

## **Blue River Project Repairs**

Crews mobilized last week to complete the minor repairs to the riverbanks that were damaged with this year's high spring runoff. Weed mitigation will commence in the coming weeks with hand work where small patches of noxious weeds have reemerged after last year's extensive weed control efforts. The functionality of the river remains intact post runoff as evidenced by the constructed pools maintaining depth and sediment deposition occurring along bars as designed. The project will continue to be monitored for the next two years as dictated by the Army Corps of Engineers permit.



Material is replaced at an upstream bank.



View of the bank repair looking west.



**Schoonover Deconstruction**

The asbestos removal is ongoing and is projected to be completed in approximately two weeks. Building demolition is tentatively scheduled for the end of August following the completion of the asbestos mitigation.

Project Funding	
2024 CIP	\$350,000
Living Lab budget	\$100,000
TOTAL	\$450,000

**E-Delivery F&B Pilot**

The sprung structure has been erected for the Food & Beverage Pilot program at the Parkway Center site adjacent to City Market. The team is awaiting the delivery of the office trailer to complete the building construction and open for deliveries.



The temporary sprung structure framing is in place and the fabric roof and walls are currently being installed.

Project Funding	
2024 CIP	\$2,000,000
TOTAL	\$2,000,000



# Memo

To: Town Council  
 From: Mobility Staff  
 Date: 8/27/24  
 Subject: Mobility Update

## July Traffic Data

July traffic counts at the EJ Tunnels saw a slight decrease compared to the same month last year, while both the Hwy 9/Tiger Rd and Hwy 9/River Park Dr counters saw slight increases from the year prior. The two latter counters set the record highs for the month of July.

### CDOT Eisenhower Tunnel, Average Daily Total Traffic Counts (EB & WB)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2024	35798	37577	38582	30192	30401	38344	43348					
2023	37290	<b>39671</b>	38648	31414	30132	37837	43623	39279	38860	33169	29571	34688
2022	35851	38394	38795	30636	29665	37365	41946	39936	<b>39582</b>	32790	30145	34528
2021	34470	35126	37618	31250	<b>31204</b>	39513	41774	35557	38799	32166	<b>31015</b>	34600
2020	37669	35303	23910	11390	21442	33539	40756	34938	36790	<b>33901</b>	26787	32224
2019	<b>38244</b>	36034	38436	<b>31567</b>	30318	37402	<b>44100</b>	<b>41526</b>	38335	33214	29141	34553
2018	36771	36596	38333	29045	29940	38818	43998	40649	38010	29761	30153	<b>36008</b>
2017	33269	36718	<b>39162</b>	31483	N/A	<b>40217</b>	44022	39719	35614	30216	29087	32690

### CDOT Hwy 9 & Tiger Rd, Average Daily Total Traffic Counts (NB & SB)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2024	24223	24914	25075	19321	17805	23097	<b>26984</b>					
2023	25561	26129	25423	<b>20266</b>	17932	22107	26085	24365	23106	19796	18253	23473
2022	25343	<b>26314</b>	<b>25528</b>	19385	17755	22419	25576	25157	23340	20126	19542	23392
2021	23613	23681	24455	19981	<b>18729</b>	<b>23885</b>	26569	24052	22303	19357	<b>19779</b>	<b>23740</b>
2020	26091	24334	16206	8459	12873	20096	25398	24184	<b>23870</b>	<b>21272</b>	18851	22557
2019	<b>26864</b>	25558	25043	19475	17420	19707	22715	<b>25287</b>	23769	18932	19522	23106
2018	24454	23112	23746	17638	16681	21491	25586	23805	21848	17993	19613	24572
2017	22314	22238	22640	16863	15739	20133	23872	22365	20694	17736	17914	22213

### Hwy 9/River Park Drive CDOT Average Daily Total Traffic Counts (NB & SB)\*

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2024	9046	Not Available		6618	6598	<b>9813</b>	<b>11708</b>					
2023	9677	9770	9490	<b>6945</b>	6884	9139	11402	10178	9055	7810	7167	9094
2022	Not Available			6692	<b>6947</b>	9358	11132	10272	9763	7034	7525	9217

\*Note: CDOT installed the River Park Dr counter in April 2022. On April 3<sup>rd</sup>, 2023, CDOT adjusted the counter to exclude counting vehicles turning in/out of River Park Dr, to get a more accurate count of through-traffic. This unit suffered an electrical failure Feb-Mar 24 which is why we are missing data for those months.

## Breck Free Ride



The Breckenridge Free Ride has purchased three 40-foot buses from the Town of Vail. The buses will be wrapped in Breck Free Ride colors the first week of September and should be on route shortly thereafter. These buses will help us maintain service through the winter as we continue working on our electric fleet. The buses being five feet longer than our current fleet not only ensures we can continue to meet the community demand for transit service but will also allow us to transport more riders during peak times, reducing the chance of overloads and leaving riders behind.

Ridership for August is averaging roughly 2,000 riders per day, which is a normal average for this time of year. Year to date ridership is still 40% above last year. The Main Street Trolley is moving record numbers averaging more than 360 riders per day, even outpacing peak winter ridership levels.

## Breck E-Ride

Results from the mid-season survey (193 responses) showed that 88% of respondents either agreed or strongly agreed with the statement “*Breck E-Ride is a convenient way for people to get around Breckenridge in the summer.*” In responding to the question “*What percentage of your Breck E-Ride trips would you estimate replaced trips you would have otherwise used a private vehicle for?*” the response average was 68% (up from 58% last year). There was also great feedback provided on suggestions for potential future expansion hub locations, and that feedback will be incorporated into the planning process. Staff intends to propose adding 4-6 expansion hub locations next year and is compiling a list of vetted locations to bring to council to consider and prioritize.

Monsoonal rain patterns that set in in August, in combination with the departure of the NRO musicians on 8/11, are likely factors influencing some slowing ridership coming off our peak month of July. But it should also be noted that overall ridership for the season (21,285 trips) has already surpassed the total season ridership from 2023 (19,574 trips), with 11-weeks of riding still remaining.

Total ridership through 8/4/2024: **21,285 trips**

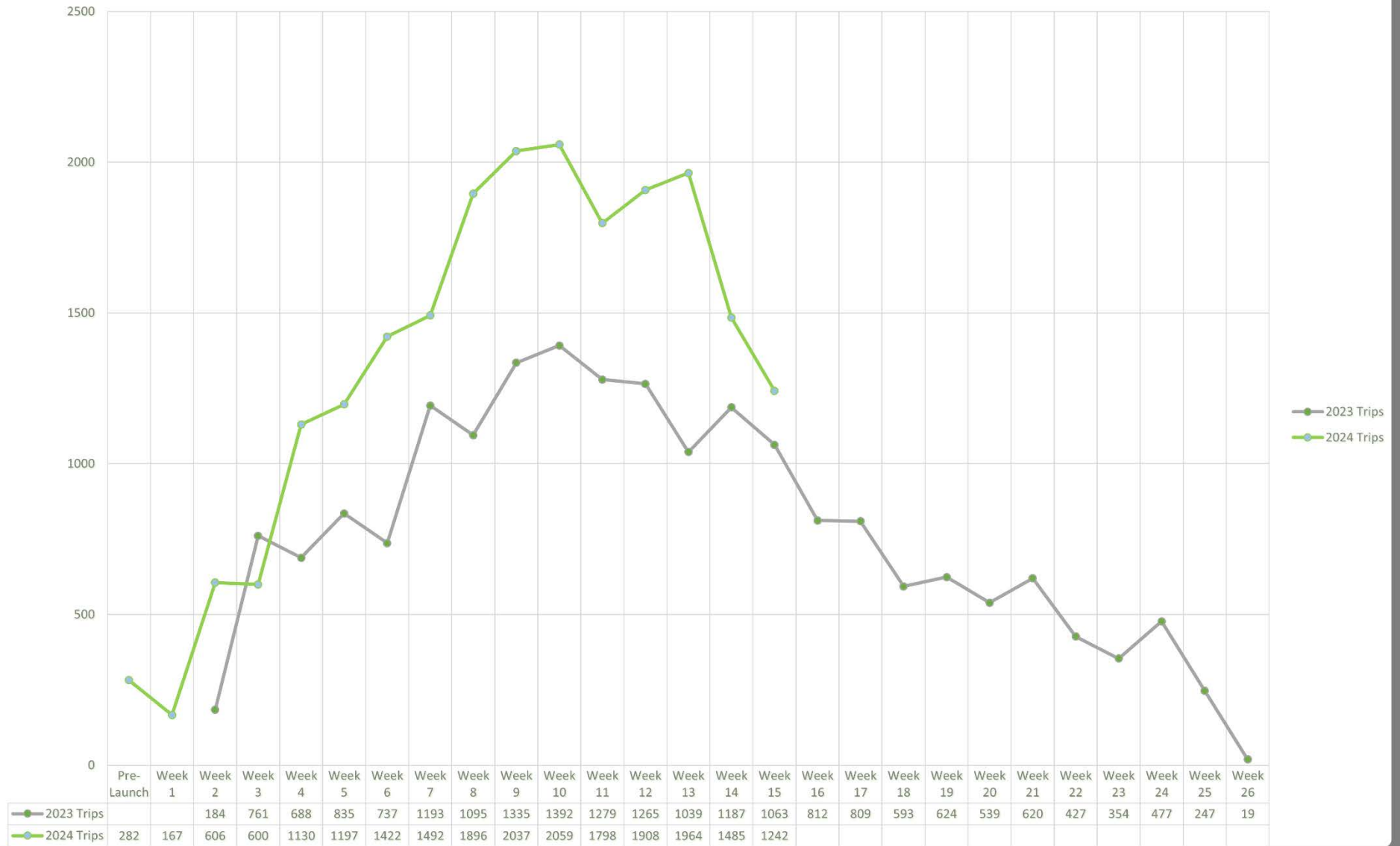
Average Trip Distance: 1.49 miles

Average Trip Length: 15.9 minutes

Week	2023 Trips	2024 Trips	% Change	2023 Dates	2024 Dates
<i>Pre-Launch</i>		282			5/1 - 5/5*
<i>Week 1</i>		167			5/6 - 5/12
<i>Week 2</i>	184	606	229%	5/19 - 5/21*	5/13 - 5/19
<i>Week 3</i>	761	600	-21%	5/22 - 5/28	5/20 - 5/26
<i>Week 4</i>	688	1130	64%	5/29 - 6/4	5/27 - 6/2
<i>Week 5</i>	835	1197	43%	6/5 - 6/11	6/3 - 6/9
<i>Week 6</i>	737	1422	93%	6/12 - 6/18	6/10 - 6/16
<i>Week 7</i>	1193	1492	25%	6/19 - 6/25	6/17 - 6/23
<i>Week 8</i>	1095	1896	73%	6/26 - 7/2	6/24 - 6/30
<i>Week 9</i>	1335	2037	53%	7/3 - 7/9	7/1 - 7/7
<i>Week 10</i>	1392	2059	48%	7/10 - 7/16	7/8 - 7/14
<i>Week 11</i>	1279	1798	41%	7/17 - 7/23	7/15 - 7/21
<i>Week 12</i>	1265	1908	51%	7/24 - 7/30	7/22 - 7/28
<i>Week 13</i>	1039	1964	89%	7/31 - 8/6	7/29 - 8/4
<i>Week 14</i>	1187	1485	25%	8/7 - 8/13	8/5 - 8/11
<i>Week 15</i>	1063	1242	17%	8/14 - 8/20	8/12 - 8/18

\*Not full 7-day weeks

## Breck E-Ride Ridership





# Memo

To: Town Council  
From: Sustainability Staff  
Date: 8/27/24  
Subject: Sustainability Update

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## Materials Management

### Universal Recycling (URO) Assistance:

- 2 HOAs
- 13 business with outreach
- 6 grant applications have been awarded reimbursement totaling \$10,545.09 in distributed funds.
  - Added recycling with new trash/recycling container at HOA pool.
  - Reusable kids cups and lids to eliminate single-use items.
  - New glassware washer and additional glassware to eliminate single-use cups
  - Reusable kids cups and lids to eliminate single-use items.
  - Reusable to-go silverware for customers to keep and use while traveling.
  - Reusable cups that eliminate single-use items in the outdoor dining area.

### Plastics Enforcement Update

- Staff have spoken with almost all food-service businesses in town limits and shared resources with them.
- There have been four official warnings issued but no fines.
- Outreach and education continues with weekly site visits.

## E-Delivery Program

Town and 106West staff have been meeting with state Department of Revenue (DOR) officials to work through the State's permitting process for liquor deliveries under this new model. Once construction of the new E-Delivery dock is completed, DOR will need to conduct an inspection prior to issuing any permits. Staff anticipates this may delay the roll out of liquor deliveries by a few weeks while we work through the permitting process. 106West has met with the local health department and they will come out to inspect and license the walk-in cooler after it has been installed and powered on. 106West will commence delivering goods as soon as all required inspections/licenses are complete. The four electric carts used by the program are getting "*Breck E-Delivery*" decals installed on 8/21 and will soon be seen out and about in town. 106West has been continuing their staff training by working alongside participating distributors with deliveries into restaurants.

## Water

### Irrigation + Turf Replacement

HC3 has a **FREE professional virtual workshop September 10<sup>th</sup> (9-10am)**, for local landscapers and irrigation professionals. This workshop has been shared with Parks staff.

Both Sustainability and Water divisions work closely with HC3 on water conservation programming with HC3 serving as the facilitator of projects identified in the Blue River and Breckenridge Water Efficiency Plans. To that end, HC3 received a \$12,000 grant from the Town of Breckenridge in 2024 to fund and develop the turf replacement program that helps residents transition from water-intensive grass lawns to climate-appropriate landscaping. Attached is the 2024 grant report describing the results of the project.

Parks staff has been replacing irrigated turf adjacent to Rotary Park with native grasses and landscaping. Signs educating the public describe the project which began in early August. A team from ResourceCentral helped remove and haul off turf to approximately 2,000 sq/ft of area. ResourceCentral donated 14 varieties of native and drought resistant perennial plants (total of 393 plants). Topsoil, berms, and boulders were placed and High Mountain Pollinator Native flower and grass seed mix were sown August 21. The Town will receive \$2,000 in grant funding to complete this water saving project.



## Water Refill Stations

The portable water refill stations were deployed during Breck Bike week. Staff is collaborating on the best way to deploy these units for events. They require a power source and water source, so the available locations for deployment are limited. They were recently wrapped with the Breck Tap Water campaign, the images of which can be seen here. This continues to be a work in progress as staff irons out SOPs.

A new water refill station was installed by Facilities in the Blue River Plaza on the exterior of the Welcome Center. This seasonal location is now listed on the [water refill station map](#) and the BTO's guest app. Wayfinding and campaign branding will be installed in coming weeks.



**Energy**

**Electrify Breck Pilot**

The [Energy Smart program](#) is a longstanding residential energy efficiency program geared at providing low-cost home energy assessments and retrofit rebates for properties located in Breckenridge. In recent years, rebate offerings have reflected the growing interest in beneficial electrification, providing incentives for appliance fuel switching and other upgrades. Paired with rebates from Xcel Energy and tax credits through the Inflation Reduction Act, the incentives for electrification are unprecedented.

The 2024 budget included \$75,000 for rebates earmarked for large-scale electrification projects. Midway through the year, no projects had been proposed. Considering the success of the Solarize Summit program over the past five years, staff collaborated with HC3 to design an electrification pilot program that mirrored the characteristics of Solarize Summit including bulk-buy discounts, streamlined administration, grassroots marketing, and community incentives. From this, the Electrify Breck pilot was born. There are eight projects available for the 2024 pilot with additional funding proposed in the 2025 budget. Staff focused the pilot on the Wellington and Lincoln Park neighborhoods because homes were built to a similar size with similar heating systems. This allows for streamlining design of the retrofits. Homes that have completed a recent energy audit and/or insulation improvements are good candidates for this program. Four leads have been submitted since the launch on August 12. Interested parties can email [sustainablebreck@townofbreckenridge.com](mailto:sustainablebreck@townofbreckenridge.com) for more information.



## High Country Conservation Center Town of Breckenridge Final Grant Report | 2024

**Overview:** In 2024, HC3 received \$12,000 from the Town of Breckenridge to fund the development of a turf replacement program that helps residents transition from water-intensive grass lawns to climate-appropriate wildflowers, shrubs, and perennials.

Already this year, HC3 staff developed a turf replacement program and built community momentum around the new program. We are on track to achieve all grant deliverables. Town of Breckenridge support has been instrumental in allowing HC3 to secure additional matching funds through [the State Turf Replacement Program](#).

**Create Online Resources for Turf Replacement:** Staff built out an [entire section of the HC3 website](#) dedicated to replacing thirsty grass lawns with low-water wildflowers, shrubs and perennials.

The website includes all key details a property owner would need to make landscape transformations, including: resources on removing grass; [locally-designed planting plans](#) for full sun, part-shade and full shade lawn areas; irrigation retrofitting; plant maintenance; soil amendments; and more. The development of this new program, combined with HC3's past work, has positioned our community as a leader in municipal water efficiency on the West Slope. HC3 staff will present this work in a panel discussion at a Sept. 5 industry conference.



### More Plants, Less Water

Turn your yard into a mountain oasis. Consider replacing unused grassy areas with drought-resistant plants that conserve water, support pollinators, and look beautiful all summer long.

*HC3 developed new illustrations to promote low-water landscaping in Breckenridge. And, by securing State funds to match the Town Grant, HC3 is helping 8 properties transition from grass to low-water plants.*

**Identify and Plant Low-Water Demonstration Sites:**

HC3 partnered with Town staff to support a turf replacement project at the Ice Arena. This included helping staff navigate grant opportunities, and providing cash from a State grant to help make this project a reality. HC3 is also providing funds for a Wellington homeowner to complete a turf replacement project. This is in addition to 8 other properties (countywide) that will transition from thirsty grass to low-water landscapes. These properties will be featured as case studies and in photos to build on the growing momentum we've built around turf replacement. We also captured photos of existing low water landscapes in the community to help residents see the beauty and variety of low-water gardens.

**Reduce Water Use Through Irrigation Assessments:** Outside the scope of Town grant funding, HC3 in 2024 helped 10 Breckenridge properties (including 8 large HOAs) use less water on their lawns through irrigation assessments and rebates for efficient irrigation equipment. Funded by the State of Colorado and the Colorado River District, irrigation assessments and rebates drive tangible water savings and directly support SustainableBreck goals.

## Educate the Community through Events & Outreach

### Events

- On June 19, HC3 hosted a sold-out panel discussion at Mi Casa to help the community understand the logistics of replacing thirsty grass lawns with low-water landscaping. More than 50 people attended and continued the event with a tour of the Breckenridge Alpine Garden. This was the first in a series of four public events educating the community on many different aspects of local water resources. One of the panelists included the Town’s Water Division Manager Laura Lynch, who was specifically noted in the event survey as bringing excellent perspective on water use in the town.
- Additionally, HC3 hosted two workshops (one in Breckenridge) targeted to homeowners associations (HOAs). The presentation educated attendees on where our water comes from, while also helping them enroll in irrigation assessments and other water savings opportunities.
- In May 2024, HC3 hosted experts from Irrigation Analysis to offer a virtual workshop helping irrigation professionals prepare for spring system startups. The 90-minute course provided continuing education credits for Town parks staff and other professionals to maintain certification as Qualified Water Efficient Landscapers (QWEL). HC3 has a [second workshop](#) scheduled for Sept. 10 – the event addresses topics previously requested by irrigation professionals and provides necessary education credits for maintaining QWEL certification.



*More than 50 people attended a sold-out discussion on how to replace thirsty grass with low water landscapes. The event was followed by informal Q&A in the Breckenridge Alpine Garden.*

**Watering Schedules:** Although outside the scope of this grant project, HC3 worked with water providers across the county – including Breckenridge – to align local watering schedules. This work simplified schedules for residents and provided another touchpoint for us to engage with landscapers, HOAs, and residents. HC3 has produced [newspaper columns](#), advertisements, newsletters and more to help communicate the schedules. Staff has connected local landscapers with irrigation experts to help them comply with the schedules and promotion of the schedules generates multiple calls and positive engagements with residents each week.

**Marketing & Other Outreach:** To promote the new turf replacement program, community events and watering schedules, HC3 worked with a marketing agency to develop new creative assets and language. Not only does HC3 promote these programs, all content has been [shared with Town partners](#) to use in their own communications.

Grant funding from the Town of Breckenridge has been instrumental in expanding the Water Smart program. We appreciate your support!



**Breckenridge Social Equity Advisory Commission**

July 15, 2024, 7:30am

Breckenridge Town Hall  
Council Chambers  
150 Ski Hill Road  
Breckenridge, CO

*Striving for racial and social equity for all by removing barriers and  
facilitating opportunities to thrive*

**I. Call to Order**

Chair Jordan Burns called the meeting to order at 7:34am.

Roll Call

Present: Silvia Vicuna, June Walters, Jotwan Daniels, Ujala Vatas, Dick Carleton

Virtual: Jordan Burns, Tahja Grier,

Absent: Laurie Moroco, Isaura Cirillo

Discussion/Approval of Agenda

Motion to Approve: Commissioner Vicuna, Seconded: Commissioner Walters

Discussion/Approval of the Minutes

Motion to Approve: Commissioner Walters, Seconded: Commissioner Vicuna

**II. Staff Summary**

**i. Welcome Ujala Vatas**

The Commission welcomed Ujala Vatas as the new member. Commissioner Vatas stated that she was very excited to join the group. Commissioners introduced themselves and shared how long they have been on the Commission. Chair Burns thanked Ujala for her time and future contributions. Town Council member Dick Carleton introduced himself and expressed his excitement for the Commission's work.

**ii. Accessible Breckenridge Update**

Flor Cruz introduced the Accessible Breckenridge website which will host the town's ADA Transition Plan and progress made on the plan. Cruz highlighted the Public Input Survey,

Modification Request Form, and the Grievance Form available to the public through the website. Cruz also encouraged the team to share the website with friends and family who would like to participate and provide feedback.

Town Council Member Dick Carleton emphasized the significance of the project from a Town Council perspective, highlighting its importance and the need for accessibility for all. He cautioned against focusing solely on ADA compliance, stressing that the broader goal is accessibility. Council Member Carleton also acknowledged the financial investment required and note that the work will span multiple years. He also stated that the Commission can play a key role in helping prioritize the efforts.

**iii. Equity Lens Training Update**

Flor Cruz discussed the introduction of the Equity Lens Training for Town Leadership, Town Council, and Breckenridge Open Space & Trails Advisory Commission (BOSAC). Cruz described the training as a quick presentation covering key terminology, reflection on self-identity, and quick scenarios to help the audience navigate the Equity Lens. Commissioner Walters asked about presentations times where commissioners could be present to support. Town staff recommended BOSAC at 5:30pm or Town Council Tuesday July 23<sup>rd</sup> around 4:30pm.

Commissioner Vatas asked about the Equity Lens. Flor Cruz explained that the document was developed by the Commission and aims to ensure that decisions and policies are made with an equitable perspective. Flor also informed the Commission of a recent change to the Equity Lens after a recent meeting with Community That Cares, where the difficulty of understanding the term "equity" in Spanish was addressed. To address this, the subcommittee decided to add clear definitions to their documents to ensure everyone was on the same page and felt included.

Commissioner Vicuna stated this was an opportunity to educate people about these terms and to promote understanding. By frequently using these words and providing definitions, the subcommittee hopes to integrate them into common language and foster more awareness and movement around these concepts. Commissioners Daniels stated that town staff did a great job maintaining the flow of the document.

**iv. Meet Up with the Mayor & Breckenridge Social Equity Advisory Commission**

Flor Cruz informed the Commission about a joint gathering at Carter Park Pavilion on Tuesday August 20<sup>th</sup>, 2024, from 4:30pm to 5:30pm and a Bilingual (Spanish & English) Guided Mindfulness Hike from 6:00pm to 8:00pm. She also discussed the opportunity to reach Spanish speaking community members through the hike. Commissioner Vicuna suggested partnering with Oso Outdoors to seek family participation. Commissioner Daniels offered more Pocketaalk devices from CMC for the event.

**III. Presenter**

**i. Breckenridge Tourism Office**

Melissa Andrews, Public Relations Director for the Breckenridge Tourism Office, highlighted the success of the second annual 10 Mile Pride event, which featured activities from June 13-19 focused on allyship and community celebration. The event included a fireside chat, an art exhibit, yoga, crafts, and performances by notable drag queens. Andrews shared that the event was well-attended and received positive feedback, emphasizing inclusivity and visibility. Media coverage was extensive, with articles in various outlets, and there are plans to develop a five-

year strategy to strengthen Breckenridge's reputation as a welcoming destination for the LGBTQ+ community.

Andrews also emphasized the importance of gradually growing the 10 Mile Pride event over the next five years without losing its community focus. They plan to enhance the quality of performers and maintain credibility, ensuring the event remains community centered. The goal is to evolve the event thoughtfully, incorporating elements true to Breckenridge, such as family-friendly activities and mountain town themes. Andrews also shared that her and her team are working on acquiring the name "Breck Pride" from the ski resort for future branding. She also expressed excitement about the event's future and appreciation for community participation.

Commissioner Daniels thanked Melissa for the update and highlighted the success of the event. He also stated that the location at the Riverwalk Center allowed people to engage easily. Daniels also stated that he enjoyed seeing children participate in activities like jewelry-making and face painting. He also suggested QR codes for the schedule to help participants know what to expect throughout the day. Commissioner Walters suggested changing the date to match Father's Day weekend. Andrews informed the Commission that the second week of June was part of the plan for next year but could take the feedback back to the Events Committee as they consider future dates for the 5-year plan. Commissioner Grier expressed her enjoyment of the event, highlighting its engaging and comfortable atmosphere where everyone seemed to be enjoying themselves. Grier also suggested umbrellas or places with shade where people can take coverage from the sun or rain. Commissioner Walters asked how the reading of the land acknowledgement went. Andrews stated that it went well and was appreciated by the community. Chair Burns also suggested more community events after the main event to allow people to unwind and plan for a longer stay.

Andrews also shared PR updates, mentioning that she will host a bilingual journalist from "Diario de Las Americas," South Florida's largest Spanish daily newspaper, for a Breckenridge feature in their travel section.

#### **IV. Social Equity Discussion**

##### **I. Equity Lens Update**

The commissioners agreed with the changes previously discussed and felt comfortable moving forward with sharing the Equity Lens with the public.

##### **II. Land Acknowledgement Discussion**

Flor Cruz provided an update on a productive meeting with Executive Director of Breck History, Larissa O'Neill, and Commissioner June Walters. During the meeting, Larissa shared insights from Ernest House, who suggested the Commission act as the main point of contact for various organizations in Town. Cruz stated that the land acknowledgment is just one aspect of their approach, which should focus on a broader philosophy of respect, engagement, and gratitude towards Indigenous history and contributions. Commissioner Walters also highlighted the importance of not overtaxing community groups and agreed that the Commission is the right place to guide and steward actionable and educational opportunities. The Commission agreed to continue the conversation and have Larissa communicate with Ernest for a meeting.

##### **III. Subcommittee Updates**

*Celebrate Diversity / Community Outreach & Engagement /Community Education & Influence*

Flor Cruz stated that the subcommittee is working on the “Show Us Your Breck Campaign” which will allow the subcommittee to highlight equity champions in the community who demonstrate equity throughout Breckenridge. Cruz also reminded the commissioners to submit names to contact individuals to highlight through social media and newspaper articles. Cruz also stated that the subcommittee is working on a Senior Citizen Appreciation Day for August 21<sup>st</sup>.

#### *Immigration Rights and Advocacy*

Commissioner Vicuna recapped subcommittee work on a rec center open house event, a video to highlight immigrant community contributions, and continued efforts to communicate with the Mexican Consulate for a visit to Breckenridge. Commissioner Walters suggested the subcommittee work on ways to assist with immigration legal fees. Commissioner Vicuna stated that Mountain Dreamers already supports the community with those efforts and does a great job assisting with process navigation and financial support.

#### *Civic Engagement*

Commissioner Daniels stated that the subcommittee agreed to postpone the Equity Grant release to September to avoid confusion and competition with the mayor’s office grant application deadline. He also mentioned an upcoming joint activity with the Mayor at Carter Park on August 20th, involving a meetup and a mindfulness hike. Additionally, he stated that the subcommittee explored volunteering opportunities to increase community visibility. Daniels also discussed addressing food insecurity through local organizations like FIRC, Smart Bellies, Rotary Club Meal Night, and Father Dyer’s weekly meals. Lastly, he noted that Laurie would not be available until the following week.

### **V. *Upcoming Council Items***

Deputy Town Manager Reid outlined the agenda for the upcoming Town Council meeting, focusing heavily on housing. Reid stated that the meeting will start with site visits to the Stables Village Workforce Housing Project, McCain property, and Block 11 property to explore housing options. Reid stated that the meeting will feature a presentation from MERJE on signage plans for the Open Space and Trails division, second reading of midyear appropriations, and a presentation on the Blueprint and Equity Lens training. Discussions will include the Runway development on Block 11, requiring relocation of ski area parking, and the Runway Neighborhood concept, emphasizing density and accessory dwelling units. Reid also stated that the successful Housing Helps program, which buys deed restrictions to reserve properties for workforce housing, will be reviewed, along with a brief discussion on converting office space into residential use.

Commissioner Daniels asked Town Council member Dick Carleton how the Commission could align their work with the current housing conversations and help reinforce the Town’s efforts in this area. Carleton emphasized the longstanding and increasing demand for housing, highlighting the need to help the community understand the housing lottery process. He also suggested that a member from the committee join the Housing Working Committee to provide valuable input. Carleton also noted the importance of early involvement in the planning process to ensure appropriate housing development. He also stressed the Commission’s role in educating Town

Council on unknown issues and improving the inclusivity and accessibility of housing opportunities.

**VI. *Upcoming Agenda Topics***

There were no other agenda topics.

**VII. *Other Matters***

Deputy Town Manager Reid also reminded the Commission of the Boards & Commission Training with Kirsten Crawford which will provide an overview of roles for the Commissions within the Town

**VIII. *Public Comment (Non-Agenda Items)***

There was no public comment.

Chair Burns adjourned the meeting at 8:54am.



TOWN OF  
**BRECKENRIDGE**

**July 31st, 2024**

**Department of Finance**



## Executive Summary

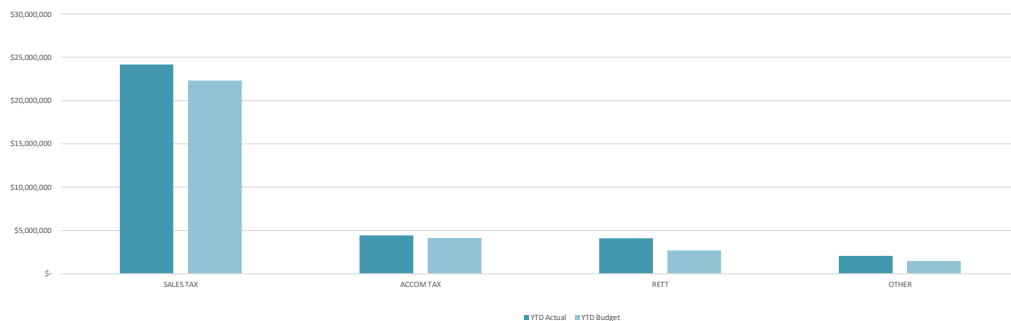
July 31, 2024

This report covers the 7 months of 2024. July is largely reflective of June tax collections.

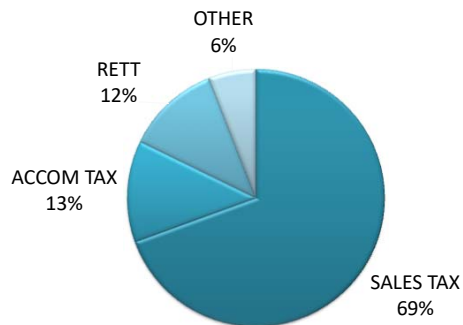
Overall, we are approximately \$4.1M above 2024 budgeted revenues in the Excise fund and \$1.4M ahead of prior year. Sales tax is currently \$1.8M over YTD budget, and flat in comparison with prior year. Accommodations tax is ahead \$.3M in comparison with YTD budget and \$.1M behind of prior year. Real Estate Transfer Tax is ahead \$1.4M in comparison with YTD budget and ahead \$1M in comparison with prior year.

See the Tax Basics section of these financial reports for more detail on the sales, accommodations, and real estate transfer taxes.

**Excise YTD Actual vs. Budget - by Source**



**YTD Actual Revenues - Excise**



	YTD Actual	YTD Budget	% of Budget	Annual Budget	Prior YTD Actual	Prior Annual Actual
SALES TAX	\$ 24,164,733	\$ 22,323,000	108%	\$ 35,700,000	\$ 24,179,869	\$ 36,424,495
ACCOMMODATIONS TAX	4,439,985	4,150,000	107%	6,000,000	4,544,423	6,314,016
REAL ESTATE TRANSFER	4,113,068	2,675,000	154%	5,000,000	3,074,315	6,225,510
OTHER*	2,073,815	1,488,232	139%	2,352,953	1,602,038	2,979,403
<b>TOTAL</b>	<b>\$ 34,791,601</b>	<b>\$ 30,636,232</b>	<b>114%</b>	<b>\$ 49,052,953</b>	<b>\$ 33,400,645</b>	<b>\$ 51,943,424</b>

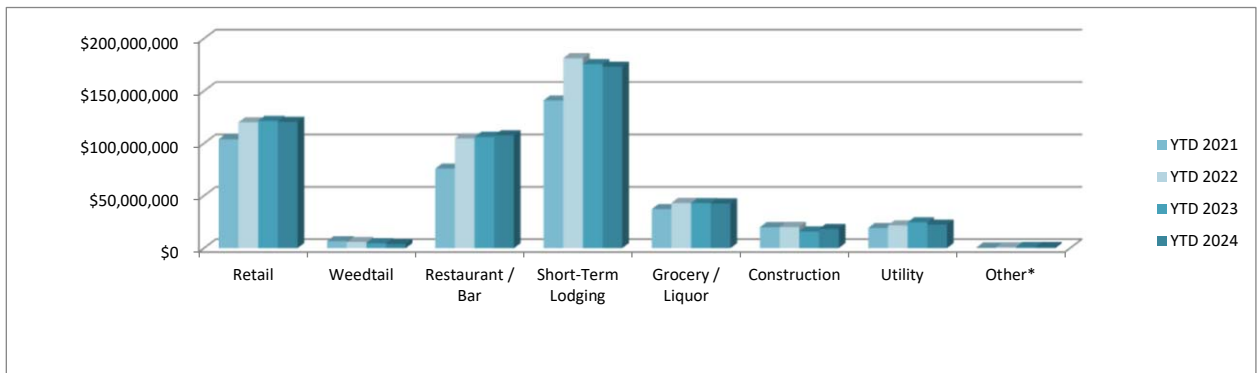
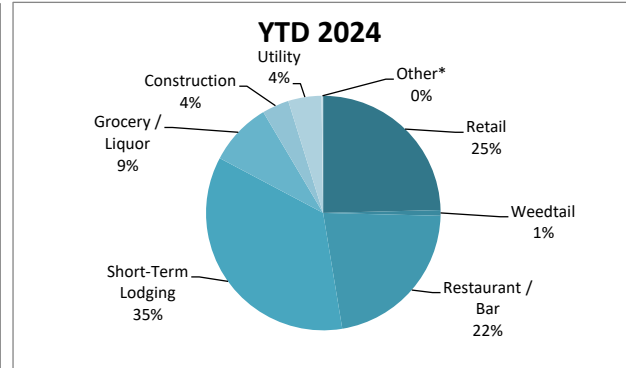
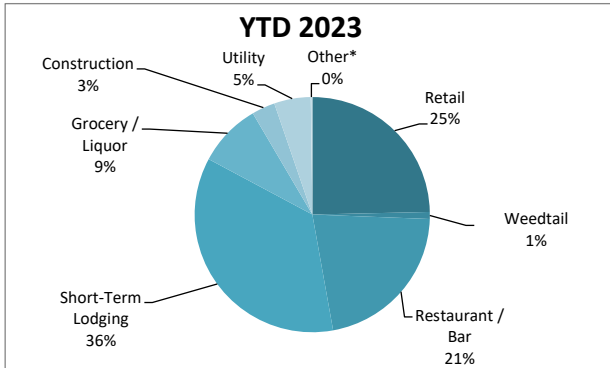
\* Other includes Franchise Fees (Telephone, Public Service and Cable), Cigarette Tax, and Investment Income

## The Tax Basics: June 2023

### Net Taxable Sales by Industry-YTD

Description	YTD 2021	YTD 2022	YTD 2023	2023		2023/2024		2024
				% of Total	YTD 2024	\$ Change	% Change	
Retail	\$103,934,784	\$120,033,347	\$121,466,712	24.66%	\$120,490,808	(\$975,904)	-0.80%	24.61%
Weedtail	\$6,694,191	\$5,894,716	\$4,651,693	0.94%	\$3,853,860	(\$797,833)	-17.15%	0.79%
Restaurant / Bar	\$75,890,598	\$104,727,692	\$106,199,058	21.56%	\$107,670,221	\$1,471,163	1.39%	21.99%
Short-Term Lodging	\$140,928,264	\$181,252,150	\$175,644,772	35.65%	\$173,083,320	(\$2,561,452)	-1.46%	35.35%
Grocery / Liquor	\$37,221,941	\$43,123,654	\$43,014,647	8.73%	\$42,649,821	(\$364,826)	-0.85%	8.71%
Construction	\$20,030,948	\$20,260,526	\$15,892,705	3.23%	\$18,313,210	\$2,420,506	15.23%	3.74%
Utility	\$19,271,393	\$21,776,819	\$24,737,623	5.02%	\$22,349,822	(\$2,387,801)	-9.65%	4.57%
Other*	\$584,956	\$856,702	\$1,023,106	0.21%	\$1,174,859	\$151,753	14.83%	0.24%
<b>Total</b>	<b>\$404,557,075</b>	<b>\$497,925,606</b>	<b>\$492,630,316</b>	<b>100.00%</b>	<b>\$489,585,922</b>	<b>(\$3,044,394)</b>	<b>-0.62%</b>	<b>100.00%</b>

\* Other includes activities in Automobiles and Undefined Sales.



#### New Items of Note:

- June YTD net taxable sales are currently behind of YTD June 2023 by .62%.
- For June YTD 2024, there were increases in Restaurant/Bar (1.39%), Construction (15.23%) and decline in Retail (-.80%), Weedtail (-17.15%), Short-Term Lodging (-1.46%), Grocery/Liquor (-.85%) and Utilities (-9.65%), compared to June YTD 2023.

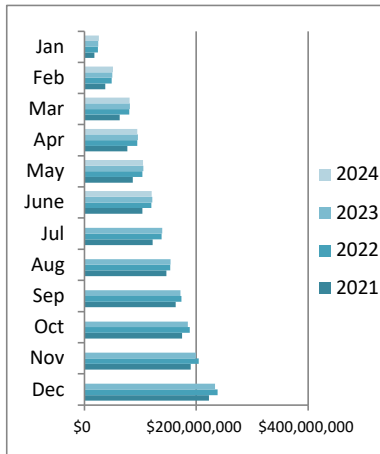
#### Notes:

- Short Term Lodging taxes are generally remitted based on reservation date.
- Taxes collected from the customer by the vendor are remitted to the Town on the 20<sup>th</sup> of the following month.
- Quarterly taxes are reported in the last month of the period. For example, taxes collected in the first quarter of the year (January – March), are included on the report for the period of March.
- Net Taxable Sales are continually updated as late tax returns are submitted to the Town of Breckenridge. Therefore, you may notice slight changes in prior months, in addition to the reporting for the current month.
- "Other" sales relate to returns that have yet to be classified. Much of this category will be reclassified to other sectors as more information becomes available.

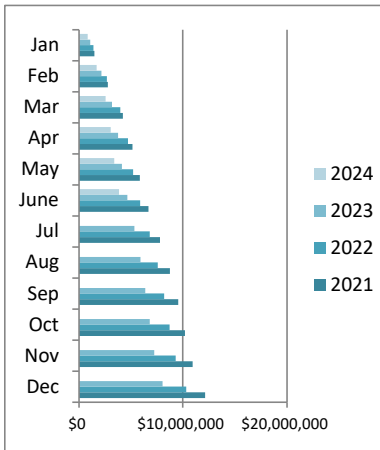
## Net Taxable Sales by Sector-Town of Breckenridge Tax Base



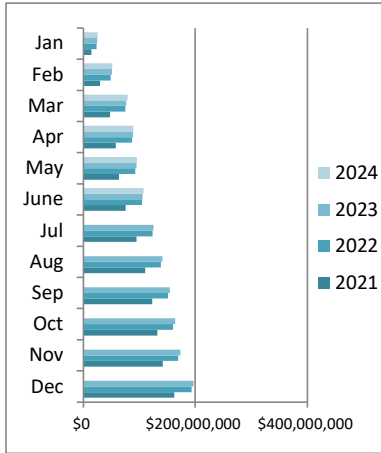
Total Net Taxable Sales					
	2021	2022	2023	2024	% change
					2024 from PY
Jan	\$79,027,402	\$113,608,812	\$115,043,406	\$115,259,222	0.19%
Feb	\$79,746,002	\$111,339,364	\$113,875,778	\$113,202,768	-0.59%
Mar	\$100,241,682	\$125,732,322	\$122,821,316	\$121,279,319	-1.26%
Apr	\$51,103,750	\$56,513,132	\$53,629,790	\$49,395,987	-7.89%
May	\$35,695,612	\$34,486,488	\$32,489,533	\$35,507,575	9.29%
Jun	\$58,742,627	\$56,245,487	\$54,770,493	\$54,941,050	0.31%
Jul	\$77,843,979	\$73,092,507	\$75,058,760	\$0	n/a
Aug	\$74,686,135	\$64,945,853	\$63,641,424	\$0	n/a
Sep	\$60,909,734	\$63,907,524	\$62,244,589	\$0	n/a
Oct	\$48,335,563	\$51,440,045	\$55,269,453	\$0	n/a
Nov	\$55,558,313	\$53,843,451	\$55,294,564	\$0	n/a
Dec	\$124,985,485	\$131,745,788	\$123,687,816	\$0	n/a
<b>YTD</b>	<b>\$404,557,075</b>	<b>\$497,925,606</b>	<b>\$492,630,316</b>	<b>\$489,585,922</b>	<b>-0.62%</b>
<b>Total</b>	<b>\$846,876,284</b>	<b>\$936,900,773</b>	<b>\$927,826,921</b>	<b>\$489,585,922</b>	<b>-47.23%</b>



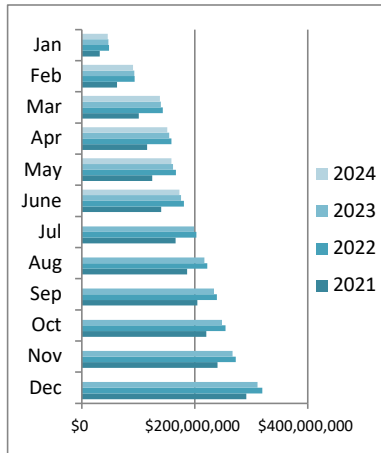
Retail					
	2021	2022	2023	2024	% change
Jan	\$18,305,690	\$24,262,621	\$25,137,246	\$26,354,719	4.84%
Feb	\$19,249,534	\$24,766,608	\$25,031,790	\$24,731,853	-1.20%
Mar	\$25,917,653	\$31,218,657	\$31,698,031	\$29,763,847	-6.10%
Apr	\$13,501,948	\$14,384,718	\$14,291,346	\$13,861,911	-3.00%
May	\$9,956,309	\$9,126,632	\$9,248,264	\$10,354,866	11.97%
Jun	\$17,003,650	\$16,274,110	\$16,060,035	\$15,423,613	-3.96%
Jul	\$18,186,484	\$18,039,832	\$17,793,298	\$0	n/a
Aug	\$24,569,798	\$15,818,364	\$15,054,441	\$0	n/a
Sep	\$16,716,094	\$19,889,235	\$17,993,152	\$0	n/a
Oct	\$11,743,323	\$15,028,452	\$12,956,568	\$0	n/a
Nov	\$15,456,230	\$15,587,630	\$14,390,617	\$0	n/a
Dec	\$32,337,366	\$33,961,298	\$34,143,556	\$0	n/a
<b>YTD</b>	<b>\$103,934,784</b>	<b>\$120,033,347</b>	<b>\$121,466,712</b>	<b>\$120,490,808</b>	<b>-0.80%</b>
<b>Total</b>	<b>\$222,944,077</b>	<b>\$238,358,158</b>	<b>\$233,798,344</b>	<b>\$120,490,808</b>	<b>-48.46%</b>



Weedtail					
	2021	2022	2023	2024	% change
Jan	\$1,478,465	\$1,390,691	\$1,085,499	\$835,116	-23.07%
Feb	\$1,294,638	\$1,290,570	\$1,071,374	\$866,966	-19.08%
Mar	\$1,441,196	\$1,310,491	\$1,021,416	\$854,323	-16.36%
Apr	\$942,276	\$732,968	\$577,496	\$490,607	-15.05%
May	\$695,750	\$499,512	\$382,445	\$339,210	-11.30%
Jun	\$841,867	\$670,484	\$513,462	\$467,638	-8.92%
Jul	\$1,116,858	\$912,870	\$697,911	\$0	n/a
Aug	\$936,140	\$777,363	\$578,590	\$0	n/a
Sep	\$802,336	\$611,456	\$463,014	\$0	n/a
Oct	\$665,889	\$529,983	\$413,804	\$0	n/a
Nov	\$737,780	\$581,583	\$447,069	\$0	n/a
Dec	\$1,195,620	\$1,014,636	\$785,178	\$0	n/a
<b>YTD</b>	<b>\$6,694,191</b>	<b>\$5,894,716</b>	<b>\$4,651,693</b>	<b>\$3,853,860</b>	<b>-17.15%</b>
<b>Total</b>	<b>\$12,148,814</b>	<b>\$10,322,606</b>	<b>\$8,037,258</b>	<b>\$3,853,860</b>	<b>-52.05%</b>



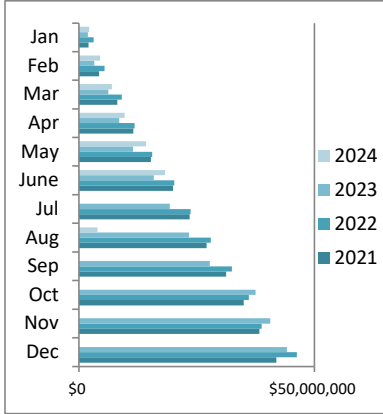
Restaurant / Bar					
	2021	2022	2023	2024	% change
Jan	\$14,372,467	\$23,591,432	\$25,009,257	\$25,042,953	0.13%
Feb	\$15,293,976	\$24,974,867	\$25,965,915	\$26,685,736	2.77%
Mar	\$18,001,752	\$26,280,138	\$25,821,441	\$27,277,628	5.64%
Apr	\$10,082,518	\$12,415,528	\$12,209,139	\$10,610,820	-13.09%
May	\$6,065,196	\$5,669,343	\$5,883,754	\$5,797,807	-1.46%
Jun	\$12,074,689	\$11,796,384	\$11,309,552	\$12,255,277	8.36%
Jul	\$19,085,898	\$18,692,700	\$19,294,325	\$0	n/a
Aug	\$15,737,756	\$14,956,807	\$15,634,593	\$0	n/a
Sep	\$12,545,273	\$12,668,238	\$13,197,620	\$0	n/a
Oct	\$9,073,163	\$9,309,000	\$9,879,709	\$0	n/a
Nov	\$9,429,392	\$9,038,337	\$9,285,260	\$0	n/a
Dec	\$20,911,542	\$24,150,159	\$23,302,685	\$0	n/a
<b>YTD</b>	<b>\$75,890,598</b>	<b>\$104,727,692</b>	<b>\$106,199,058</b>	<b>\$107,670,221</b>	<b>1.39%</b>
<b>Total</b>	<b>\$162,673,623</b>	<b>\$193,542,933</b>	<b>\$196,793,250</b>	<b>\$107,670,221</b>	<b>-45.29%</b>



Short-Term Lodging					
	2021	2022	2023	2024	% change
Jan	\$31,756,647	\$48,613,697	\$47,461,191	\$45,947,762	-3.19%
Feb	\$30,597,409	\$45,169,344	\$45,736,673	\$45,182,230	-1.21%
Mar	\$38,833,139	\$49,665,680	\$47,143,257	\$47,172,582	0.06%
Apr	\$14,789,371	\$15,604,892	\$14,582,565	\$12,979,085	-11.00%
May	\$8,839,587	\$7,736,666	\$6,909,765	\$7,558,600	9.39%
Jun	\$16,112,111	\$14,461,872	\$13,811,321	\$14,243,061	3.13%
Jul	\$25,496,173	\$21,720,310	\$23,247,770	\$0	n/a
Aug	\$20,248,079	\$19,219,232	\$18,159,361	\$0	n/a
Sep	\$17,984,544	\$17,238,667	\$16,972,505	\$0	n/a
Oct	\$16,267,787	\$15,303,928	\$14,660,010	\$0	n/a
Nov	\$19,659,292	\$18,013,772	\$18,661,078	\$0	n/a
Dec	\$50,715,125	\$46,904,200	\$43,986,908	\$0	n/a
<b>YTD</b>	<b>\$140,928,264</b>	<b>\$181,252,150</b>	<b>\$175,644,772</b>	<b>\$173,083,320</b>	<b>-1.46%</b>
<b>Total</b>	<b>\$291,299,264</b>	<b>\$319,652,259</b>	<b>\$311,332,404</b>	<b>\$173,083,320</b>	<b>-44.41%</b>



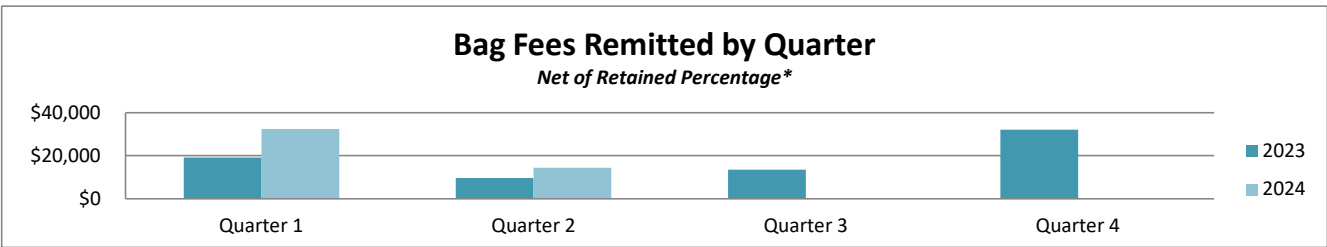
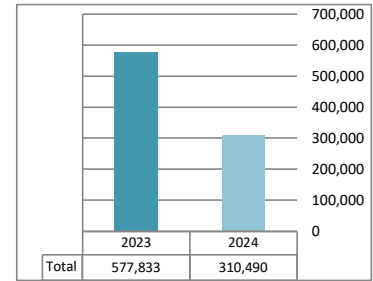
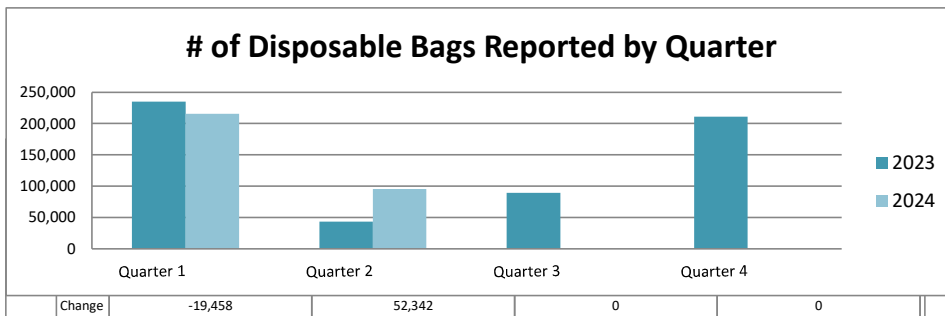
Grocery / Liquor					
	2021	2022	2023	2024	% change
Jan	\$7,287,839	\$8,170,578	\$8,997,217	\$10,314,078	14.64%
Feb	\$7,698,418	\$8,753,193	\$9,587,315	\$8,834,611	-7.85%
Mar	\$7,875,044	\$9,019,659	\$9,151,128	\$9,118,563	-0.36%
Apr	\$5,116,542	\$6,998,996	\$5,851,774	\$4,845,592	-17.19%
May	\$3,756,571	\$4,744,379	\$4,092,212	\$3,794,576	-7.27%
Jun	\$5,487,526	\$5,436,849	\$5,335,000	\$5,742,402	7.64%
Jul	\$7,596,984	\$7,431,072	\$7,828,316	\$0	n/a
Aug	\$7,082,310	\$7,177,335	\$7,441,155	\$0	n/a
Sep	\$5,595,731	\$5,816,776	\$5,964,152	\$0	n/a
Oct	\$4,452,681	\$4,953,494	\$5,140,210	\$0	n/a
Nov	\$4,209,254	\$4,692,648	\$6,579,348	\$0	n/a
Dec	\$12,158,623	\$12,887,729	\$13,094,821	\$0	n/a
<b>YTD</b>	<b>\$37,221,941</b>	<b>\$43,123,654</b>	<b>\$43,014,647</b>	<b>\$42,649,821</b>	<b>-0.85%</b>
<b>Total</b>	<b>\$78,317,524</b>	<b>\$86,082,707</b>	<b>\$89,062,650</b>	<b>\$42,649,821</b>	<b>-52.11%</b>



Construction					
	2021	2022	2023	2024	% change
Jan	\$2,092,188	\$3,154,550	\$1,938,465	\$2,224,327	14.75%
Feb	\$2,206,727	\$2,342,215	\$1,362,174	\$2,270,874	66.71%
Mar	\$3,902,586	\$3,640,672	\$3,009,560	\$2,501,518	-16.88%
Apr	\$3,348,850	\$2,708,904	\$2,254,746	\$2,761,140	22.46%
May	\$3,764,093	\$3,760,228	\$2,944,308	\$4,560,248	54.88%
Jun	\$4,716,503	\$4,653,957	\$4,383,451	\$3,995,103	-8.86%
Jul	\$3,478,732	\$3,495,198	\$3,452,440	\$0	n/a
Aug	\$3,628,978	\$4,279,115	\$4,029,428	\$0	n/a
Sep	\$4,120,325	\$4,470,842	\$4,439,649	\$0	n/a
Oct	\$3,755,576	\$3,622,360	\$9,721,777	\$0	n/a
Nov	\$3,322,188	\$2,699,544	\$3,100,401	\$0	n/a
Dec	\$3,608,688	\$7,480,999	\$3,562,642	\$0	n/a
YTD	\$20,030,948	\$20,260,526	\$15,892,705	\$18,313,210	15.23%
Total	\$41,945,433	\$46,308,584	\$44,199,041	\$18,313,210	-58.57%

### Disposable Bag Fees

The Town adopted an ordinance April 9, 2013 (effective October 15, 2013) to discourage the use of disposable bags, achieving a goal of the SustainableBreck Plan. The \$.10 fee applies to most plastic and paper bags given out at retail and grocery stores in Breckenridge. The program is intended to encourage the use of reusable bags and discourage the use of disposable bags, thereby furthering the Town's sustainability efforts. Revenues from the fee are used to provide public information about the program and promote the use of reusable bags. The fee was increased to \$.25 in 2023.

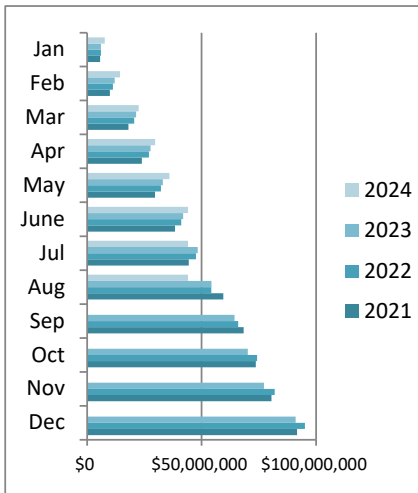


\*As of May 4th 2023 a change has taken into effect and retailers are permitted to retain 40% of the fee (up to a maximum of \$1000/month through October 31, 2014; changing to a maximum of \$100/month beginning November 1, 2014) in order to offset expenses incurred related to the program. The retained percent may be used by the retail store to provide educational information to customers; provide required signage; train staff; alter infrastructure; fee administration; develop/display informational signage; encourage the use of reusable bags or promote recycling of disposable bags; and improve infrastructure to increase disposable bag recycling. Filing changed to quarterly as of May 2023.

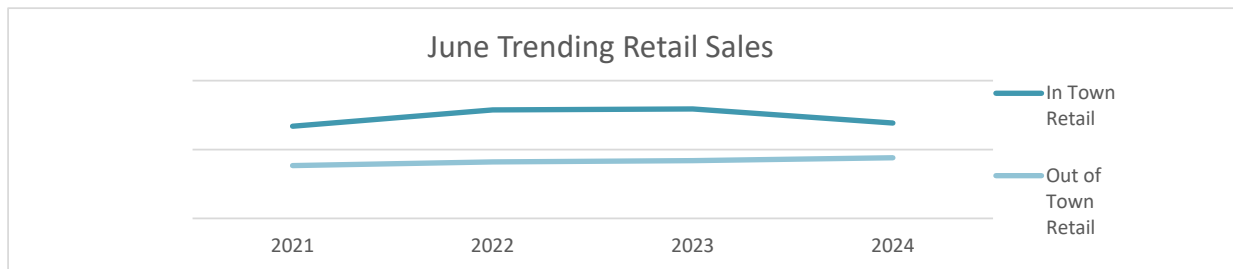
## The Tax Basics: Retail Sales Sector Analysis



Retail: In-Town					
	2021	2022	2023	2024	% change
					from PY
Jan	\$14,061,714	\$18,194,406	\$19,116,099	\$18,697,085	-2.19%
Feb	\$14,959,540	\$19,518,248	\$19,051,762	\$18,084,682	-5.08%
Mar	\$17,802,910	\$21,840,435	\$22,237,618	\$21,553,794	-3.08%
Apr	\$7,646,149	\$8,009,146	\$8,044,624	\$6,697,555	-16.74%
May	\$4,158,557	\$3,831,529	\$3,871,524	\$4,142,350	7.00%
Jun	\$8,269,058	\$7,375,440	\$7,118,941	\$7,285,450	2.34%
Jul	\$12,106,548	\$11,579,232	\$11,431,497	\$0	n/a
Aug	\$9,468,381	\$9,120,396	\$8,988,954	\$0	n/a
Sep	\$7,824,858	\$8,116,088	\$7,939,320	\$0	n/a
Oct	\$6,412,309	\$6,760,223	\$7,160,534	\$0	n/a
Nov	\$8,579,644	\$7,946,225	\$7,352,388	\$0	n/a
Dec	\$21,064,436	\$20,697,427	\$20,283,670	\$0	n/a
<b>YTD</b>	<b>\$58,628,870</b>	<b>\$71,393,764</b>	<b>\$72,321,628</b>	<b>\$69,175,465</b>	<b>-4.35%</b>
<b>Total</b>	<b>\$132,354,104</b>	<b>\$142,988,794</b>	<b>\$142,596,930</b>	<b>\$76,460,915</b>	



Retail: Out-of-Town					
	2021	2022	2023	2024	% change
Jan	\$5,698,046	\$6,039,154	\$6,021,148	\$7,657,634	27.18%
Feb	\$4,263,622	\$5,248,360	\$5,980,028	\$6,647,056	11.15%
Mar	\$8,078,472	\$9,294,425	\$9,413,479	\$8,209,805	-12.79%
Apr	\$5,828,735	\$6,375,572	\$6,246,722	\$7,164,356	14.69%
May	\$5,773,710	\$5,259,490	\$5,376,740	\$6,212,497	15.54%
June	\$8,697,769	\$8,858,259	\$8,894,157	\$8,138,163	-8.50%
Jul	\$6,052,059	\$6,460,600	\$6,329,784	\$0	n/a
Aug	\$15,077,180	\$6,697,968	\$6,065,488	\$0	n/a
Sep	\$8,846,310	\$11,732,378	\$10,053,832	\$0	n/a
Oct	\$5,304,794	\$8,268,229	\$5,796,034	\$0	n/a
Nov	\$6,852,359	\$7,641,404	\$7,038,229	\$0	n/a
Dec	\$11,236,773	\$13,219,783	\$13,859,887	\$0	n/a
<b>YTD</b>	<b>\$29,642,585</b>	<b>\$32,217,001</b>	<b>\$33,038,116</b>	<b>\$35,891,347</b>	<b>8.64%</b>
<b>Total</b>	<b>\$91,709,829</b>	<b>\$95,095,623</b>	<b>\$91,075,526</b>	<b>\$44,029,510</b>	



### New Items of Note:

- In-Town Retail sales comprise businesses that are in Town limits, the sector had an overall increase of 2.34% in June 2024 as compared to 2023. The Out-of-Town Retail Sales had a overall decrease in sales of 8.50% for June 2024 compared to 2023.

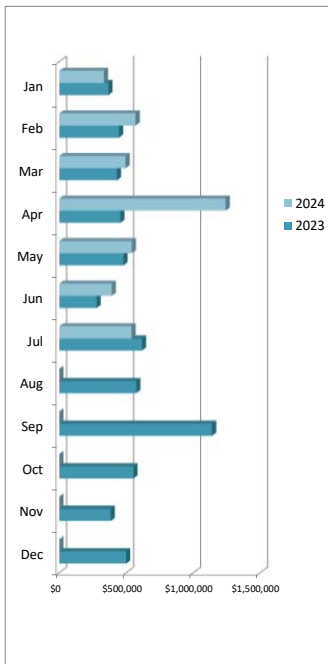
# Real Estate Transfer Tax

### New Items of Note:

- Revenue July is ahead \$1.4M to budget and ahead \$1M to prior year.
- Single Family sales account for the majority of the sales (29.94%), with condominium sales in the second position of highest sales (24.33%) subject to the tax. Timeshare sales are ahead YTD by (2.50%).

### Continuing Items of Note:

- 2024 Real Estate Transfer Tax budget is based upon a 5 year historical budget phasing.



Total RETT						
	2022	2023	2024	% change	2024 budget	+/- Budget
Jan	\$328,719	\$366,761	\$334,088	-8.91%	\$300,000	\$34,088
Feb	\$512,843	\$445,546	\$569,686	27.86%	\$400,000	\$169,686
Mar	\$551,693	\$431,380	\$495,625	14.89%	\$400,000	\$95,625
Apr	\$627,842	\$456,127	\$1,240,904	172.05%	\$425,000	\$815,904
May	\$851,657	\$478,584	\$540,842	13.01%	\$425,000	\$115,842
Jun	\$495,925	\$278,784	\$392,088	40.64%	\$275,000	\$117,088
Jul	\$765,641	\$617,133	\$539,835	-12.53%	\$450,000	\$89,835
Aug	\$484,573	\$574,378	\$0	n/a	\$550,000	n/a
Sep	\$742,908	\$1,139,485	\$0	n/a	\$550,000	n/a
Oct	\$732,723	\$553,836	\$0	n/a	\$525,000	n/a
Nov	\$384,336	\$384,307	\$0	n/a	\$300,000	n/a
Dec	\$393,620	\$499,188	\$0	n/a	\$400,000	n/a
YTD	\$4,134,320	\$3,074,315	\$4,113,068	33.79%	\$5,000,000	\$1,438,068
Total	\$6,872,481	\$6,225,510	\$4,113,068		\$5,000,000	

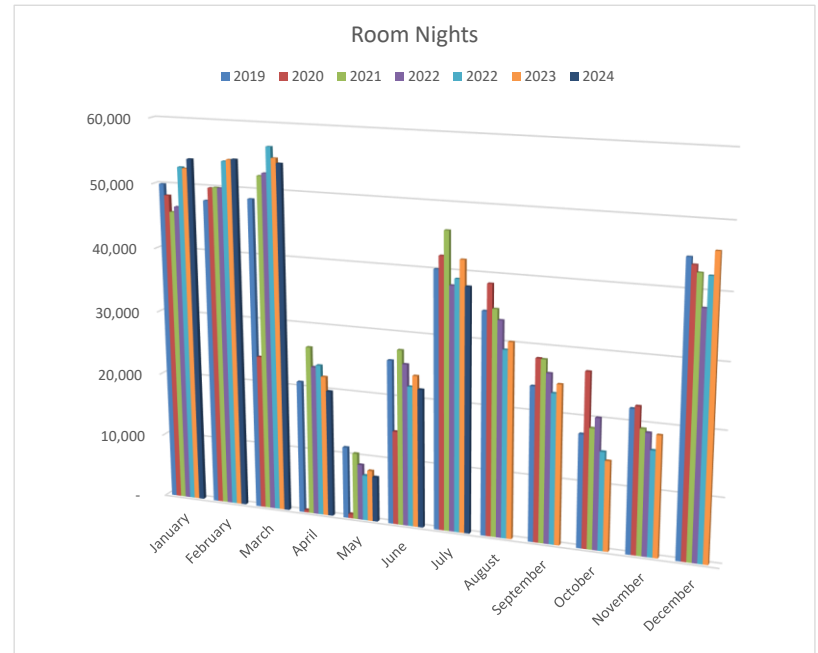


by Category					
Description	2023 YTD	2024 YTD	\$ change	% change	% of Total
Commercial	\$ 92,394	\$ 238,260	\$ 145,866	157.87%	5.79%
Condominium	\$ 793,968	\$ 1,000,569	\$ 206,600	26.02%	24.33%
Timeshare	\$ 933,405	\$ 956,748	\$ 23,343	2.50%	23.26%
Single Family	\$ 975,722	\$ 1,231,560	\$ 255,838	26.22%	29.94%
Townhome	\$ 227,828	\$ 370,666	\$ 142,839	62.70%	9.01%
Vacant Land	\$ 50,999	\$ 315,265	\$ 264,267	518.18%	7.66%
Total	\$ 3,074,315	\$ 4,113,068	\$ 1,038,753	33.79%	100.00%

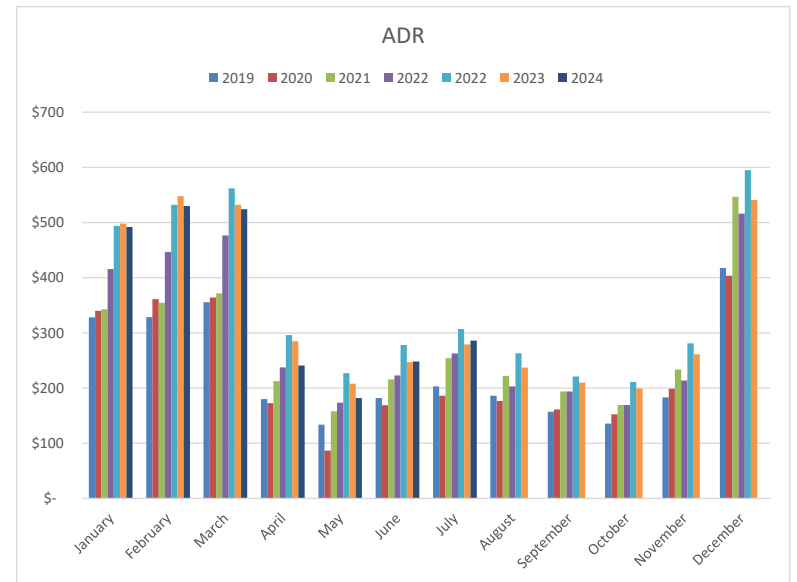
Breckenridge - Source DMX RAO

**Occupied Room**

Nights	DMX	DMX	DMX	DMX	Key Data	Key Data	Key Data
	2019	2020	2021	2022	2022	2023	2024
January	49,948	48,246	45,733	46,576	52,702	52,550	54,010
February	47,850	49,813	49,935	49,887	53,997	54,277	54,372
March	48,554	24,202	52,139	52,571	56,570	54,906	54,173
April	20,895	350	26,485	23,454	23,804	22,080	19,883
May	11,274	637	10,474	8,763	7,152	7,999	7,078
June	25,696	14,696	27,425	25,328	21,948	23,690	21,660
July	40,131	42,162	45,960	37,893	38,934	41,839	37,922
August	34,515	38,623	34,953	33,341	28,999	30,243	
September	23,973	28,205	28,132	26,125	23,217	24,641	
October	17,516	26,959	18,569	20,214	15,202	13,895	
November	22,132	22,574	19,304	18,795	16,252	18,613	
December	44,693	43,650	42,586	37,665	42,276	45,823	
<b>Total</b>	<b>387,177</b>	<b>340,117</b>	<b>401,695</b>	<b>380,612</b>	<b>381,053</b>	<b>390,556</b>	<b>249,098</b>



ADR	DMX	DMX	DMX	DMX	Key Data	Key Data	Key Data
	2019	2020	2021	2022	2022	2023	2024
January	\$ 328	\$ 340	\$ 343	\$ 416	\$ 494	\$ 498	\$ 492
February	\$ 329	\$ 361	\$ 355	\$ 447	\$ 532	\$ 548	\$ 530
March	\$ 356	\$ 364	\$ 372	\$ 477	\$ 562	\$ 532	\$ 524
April	\$ 180	\$ 173	\$ 213	\$ 237	\$ 296	\$ 285	\$ 241
May	\$ 134	\$ 87	\$ 158	\$ 173	\$ 227	\$ 208	\$ 182
June	\$ 182	\$ 169	\$ 216	\$ 223	\$ 278	\$ 247	\$ 248
July	\$ 203	\$ 186	\$ 254	\$ 263	\$ 307	\$ 279	\$ 286
August	\$ 186	\$ 177	\$ 222	\$ 203	\$ 263	\$ 237	
September	\$ 157	\$ 161	\$ 194	\$ 194	\$ 221	\$ 210	
October	\$ 136	\$ 152	\$ 169	\$ 169	\$ 211	\$ 199	
November	\$ 183	\$ 199	\$ 234	\$ 214	\$ 281	\$ 261	
December	\$ 418	\$ 404	\$ 547	\$ 516	\$ 595	\$ 541	
<b>Total</b>	<b>\$ 233</b>	<b>\$ 231</b>	<b>\$ 273</b>	<b>\$ 294</b>	<b>\$ 356</b>	<b>\$ 337</b>	<b>\$ 358</b>



May 2024 - Key Data 47 properties, 3,360 units





TOWN OF  
**BRECKENRIDGE**

**July 31, 2024**

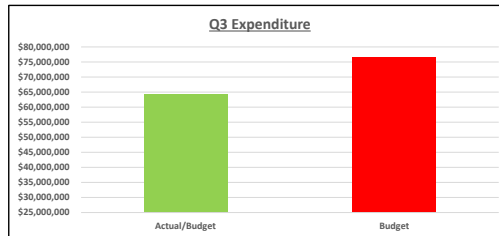
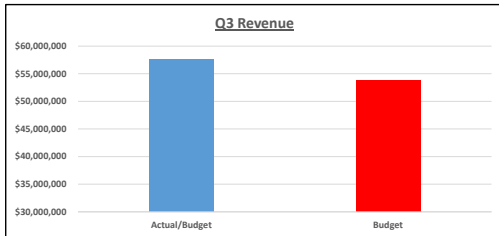
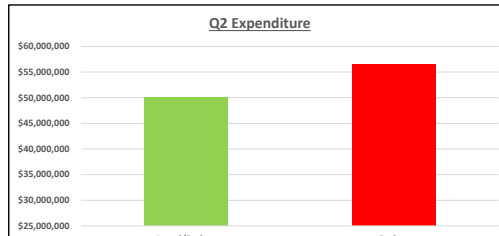
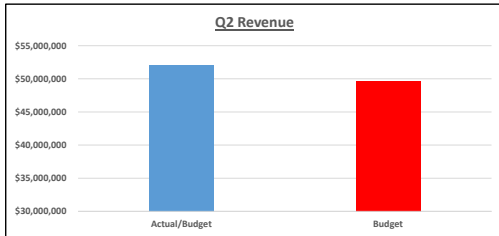
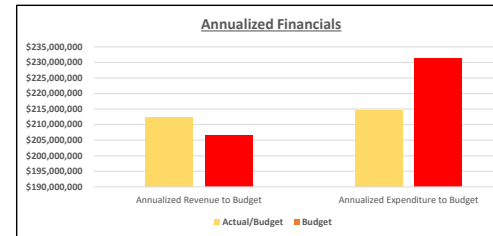
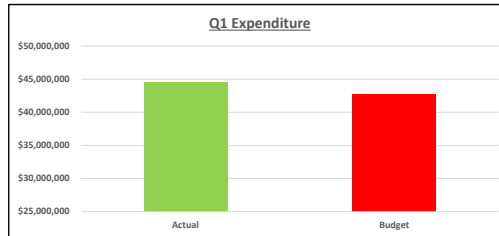
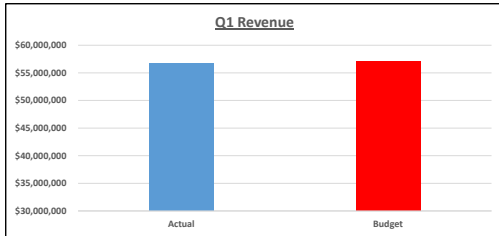
# **Financial Statement**

# Town of Breckenridge July 2024 Financial Review

**Budget Year Ending:** 12/31/2024

**Current Month Ending:** 7/31/2024

	Q1			Q2			Q3			Q4			FY2024		
	Actual/Budget	Budget	Variance	Actual/Budget	Budget	Variance	Actual/Budget	Budget	Variance	Actual/Budget	Budget	Variance	Actual/Budget	Budget	Variance
<b>Beg. Fund Balance</b>															
<b>Revenue</b>	\$ 56,691,208	\$ 57,146,987	\$ (455,779)	\$ 52,116,844	\$ 49,701,207	\$ 2,415,637	\$ 57,695,703	\$ 53,833,527	\$ 3,862,176	\$ 45,738,615	\$ 45,738,615	\$ -	\$ 212,242,369	\$ 206,420,336	\$ 5,822,033
<b>Expenditure</b>	\$ (44,614,653)	\$ (42,731,604)	\$ (1,883,050)	\$ (50,092,537)	\$ (56,448,191)	\$ 6,355,655	\$ (64,367,724)	\$ (76,735,473)	\$ 12,367,749	\$ (55,516,026)	\$ (55,516,026)	\$ -	\$ (214,590,940)	\$ (231,431,294)	\$ 16,840,354
<b>Net Income</b>	<u>\$ 12,076,554</u>	<u>\$ 14,415,383</u>	<u>\$ (2,338,829)</u>	<u>\$ 2,024,308</u>	<u>\$ (6,746,984)</u>	<u>\$ 8,771,292</u>	<u>\$ (6,672,022)</u>	<u>\$ (22,901,946)</u>	<u>\$ 16,229,924</u>	<u>\$ (9,777,411)</u>	<u>\$ (9,777,411)</u>	<u>\$ -</u>	<u>\$ (2,348,571)</u>	<u>\$ (25,010,958)</u>	<u>\$ 22,662,387</u>
<b>End. Fund Balance</b>															



**July YTD comments**

**Revenue**

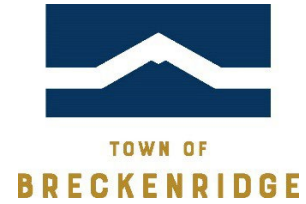
- CWCB/FEMA	\$ (2,994,545)	Reversal of accrued 2023 revenue (payment delayed but will be received)
- Investment Income	\$ 2,237,375	Favourable to budget
- RETT	\$ 1,438,068	City Market \$490K
- Stop Loss	\$ 128,475	
- Taxes	\$ 3,248,545	Budget phasing for sales tax and accommodation tax
- Taxes	\$ 277,280	Budget phasing for lift ticket tax
- Transfer	\$ 500,000	Transfer from Sustainability \$500k Temp E-Delivery structure
- Water Rent	\$ 666,907	2024 Rate increase
	<u>\$ 5,502,105</u>	

**Expenditure**

- Charges for Services	\$ (4,482,211)	Housing phasing for Comm Invest (Stables) \$2.4M, Buydowns \$495K, Housing Helps \$1.56M
- Charges for Services	\$ 2,968,000	Capital projects timing
- Minor Capital	\$ 16,851,000	Capital projects timing
- Personnel	\$ 356,000	Vacancy and Non impacting annualized merit increase
- Transfer	\$ (500,000)	Transfer to Capital \$500k Temp E-Delivery structure
	<u>\$ 15,192,789</u>	

**JULY**  
**ALL FUNDS**  
**REVENUE AND EXPENDITURE SUMMARY**  
**INCLUDES TRANSFERS AND FULL APPROPRIATIONS OF FUND BALANCES**

	BUDGET FY24	YTD			VARIANCE EXPLANATION
		ACTUAL FY24 YTD	BUDGET FY24 YTD	ACTUAL vs BUDGET FY24 YTD	
<b>FUND BALANCE, JANUARY 1, 2024</b>	\$ 254,857,536	\$ 254,857,536	\$ 254,857,536		
<b>REVENUE SUMMARY</b>					
GENERAL GOVERNMENT (GF)	\$ 142,000	\$ 26,721	\$ 82,187	\$ (55,466)	
EXECUTIVE MANAGEMENT (GF)	\$ 1,416,230	\$ 896,382	\$ 855,830	\$ 40,552	
MISCELLANEOUS (GF)	\$ 25,816,447	\$ 17,181,560	\$ 16,944,855	\$ 236,705	
FINANCE (GF)	\$ 12,000	\$ 13,857	\$ 12,000	\$ 1,857	
PUBLIC SAFETY (GF)	\$ 48,400	\$ 27,669	\$ 16,940	\$ 10,729	
COMMUNITY DEVELOPMENT (GF)	\$ 1,111,493	\$ 1,007,777	\$ 817,775	\$ 190,002	
PUBLIC WORKS (GF)	\$ 823,923	\$ 696,793	\$ 609,537	\$ 87,256	Permits & Plan Fees
RECREATION (GF)	\$ 4,509,277	\$ 3,056,833	\$ 2,802,552	\$ 254,281	
UTILITY FUND	\$ 10,204,055	\$ 4,212,129	\$ 6,139,146	\$ (1,927,017)	Reversed accrued revenue booked to Dec 23
CAPITAL FUND	\$ 22,842,297	\$ 13,762,703	\$ 13,066,564	\$ 696,139	Transfer from Sustainability \$500k Temp E-Delivery structure
MARKETING FUND	\$ 5,475,750	\$ 3,923,862	\$ 3,440,322	\$ 483,540	Accommodation tax phasing
GOLF COURSE FUND	\$ 4,374,604	\$ 3,417,098	\$ 3,033,925	\$ 383,173	
EXCISE TAX FUND	\$ 49,052,953	\$ 34,791,601	\$ 30,636,232	\$ 4,155,369	RETT & Sales tax phasing
HOUSING FUND	\$ 32,818,016	\$ 21,413,909	\$ 22,015,795	\$ (601,886)	Sales tax phasing
OPEN SPACE ACQUISITION FUND	\$ 4,017,339	\$ 3,459,582	\$ 2,452,793	\$ 1,006,789	Sales tax phasing
CONSERVATION TRUST FUND	\$ 55,437	\$ 33,437	\$ 27,752	\$ 5,685	
GARAGE SERVICES FUND	\$ 7,164,106	\$ 3,574,717	\$ 3,326,679	\$ 248,038	
INFORMATION TECHNOLOGY FUND	\$ 2,032,700	\$ 1,205,123	\$ 1,185,695	\$ 19,428	
FACILITIES MAINTENANCE FUND	\$ 1,233,184	\$ 800,395	\$ 747,431	\$ 52,964	
SPECIAL PROJECTS FUND	\$ 3,607,102	\$ 2,110,822	\$ 2,104,060	\$ 6,762	
MARIJUANA FUND	\$ 646,088	\$ 295,283	\$ 380,218	\$ (84,935)	
CEMETERY FUND	\$ 20,536	\$ 22,142	\$ 2,940	\$ 19,202	
CHILD CARE FUND	\$ 1,819,839	\$ 1,131,439	\$ 1,061,557	\$ 69,882	
PARKING & TRANSPORTATION FUND	\$ 11,605,228	\$ 9,171,774	\$ 8,757,459	\$ 414,315	Lift Ticket, Transit and Praking program phasing
HEALTH BENEFITS FUND	\$ 5,286,252	\$ 3,231,332	\$ 3,037,890	\$ 193,442	
SUSTAINABILITY FUND	\$ 3,028,552	\$ 1,795,804	\$ 1,725,490	\$ 70,314	
ACCOMMODATION UNIT COMPLIANCE FUND	\$ 7,256,528	\$ 7,000,591	\$ 7,155,677	\$ (155,086)	Accom regulatory fee below budget
<b>TOTAL REVENUES</b>	\$ 206,420,336	\$ 138,261,334	\$ 132,439,301	\$ 5,822,033	
<b>EXPENDITURES BY CATEGORY</b>					
PERSONNEL	\$ 36,776,086	\$ 20,388,570	\$ 20,745,103	\$ 356,533	
MATERIALS & SUPPLIES	\$ 5,211,159	\$ 3,003,795	\$ 2,935,660	\$ (68,135)	
CHARGES FOR SERVICES	\$ 43,018,073	\$ 26,042,745	\$ 26,182,047	\$ 139,302	
MINOR CAPITAL	\$ 52,494,061	\$ 20,210,920	\$ 37,062,931	\$ 16,851,949	
FIXED CHARGES	\$ 1,040,558	\$ 1,045,420	\$ 999,808	\$ (45,612)	
DEBT SERVICES	\$ 7,127,791	\$ 2,018,426	\$ 1,946,759	\$ (71,667)	
GRANTS/CONTINGENCIES	\$ 4,059,629	\$ 2,815,824	\$ 3,000,827	\$ 185,003	
ALLOCATION	\$ 7,819,516	\$ 4,561,384	\$ 4,561,193	\$ (191)	
TRANSFERS	\$ 73,884,421	\$ 46,023,785	\$ 45,516,958	\$ (506,827)	
<b>TOTAL EXPENDITURES BY CATEGORY</b>	\$ 231,431,294	\$ 126,110,932	\$ 142,951,286	\$ 16,840,354	
<b>EXPENDITURES BY PROGRAM</b>					
GENERAL GOVERNMENT (GF)	\$ 1,034,465	\$ 527,805	\$ 619,966	\$ 92,161	
EXECUTIVE MANAGEMENT (GF)	\$ 4,149,391	\$ 2,335,212	\$ 2,671,291	\$ 336,078	
MISCELLANEOUS (GF)	\$ 1,659,636	\$ 1,085,962	\$ 1,119,203	\$ 33,241	
FINANCE (GF)	\$ 1,400,423	\$ 819,304	\$ 791,812	\$ (27,492)	
PUBLIC SAFETY (GF)	\$ 5,058,431	\$ 3,135,414	\$ 2,923,922	\$ (211,493)	
COMMUNITY DEVELOPMENT (GF)	\$ 2,226,747	\$ 1,209,994	\$ 1,293,206	\$ 83,213	
PUBLIC WORKS (GF)	\$ 11,039,917	\$ 6,029,214	\$ 6,546,931	\$ 517,718	
RECREATION (GF)	\$ 8,633,081	\$ 4,588,869	\$ 5,064,337	\$ 475,468	
UTILITY FUND	\$ 8,264,135	\$ 2,476,521	\$ 4,406,430	\$ 1,929,909	
CAPITAL FUND	\$ 30,967,107	\$ 8,230,216	\$ 22,711,712	\$ 14,481,496	
MARKETING FUND	\$ 5,701,184	\$ 3,573,913	\$ 3,327,362	\$ (246,551)	BTO \$200K addition
GOLF COURSE FUND	\$ 3,936,347	\$ 1,892,373	\$ 1,893,057	\$ 684	
EXCISE TAX FUND	\$ 61,983,795	\$ 38,330,012	\$ 38,298,668	\$ (31,344)	
HOUSING FUND	\$ 28,744,643	\$ 20,502,246	\$ 17,143,560	\$ (3,358,685)	Community Investment, Housing helps, Buydown
OPEN SPACE ACQUISITION FUND	\$ 9,283,354	\$ 6,498,850	\$ 7,451,677	\$ 952,827	
CONSERVATION TRUST FUND	\$ 55,000	\$ 32,086	\$ 32,081	\$ (5)	
GARAGE SERVICES FUND	\$ 7,303,924	\$ 2,812,345	\$ 3,539,251	\$ 726,906	
INFORMATION TECHNOLOGY FUND	\$ 2,058,816	\$ 842,433	\$ 1,063,202	\$ 220,769	
FACILITIES MAINTENANCE FUND	\$ 1,018,466	\$ 357,791	\$ 252,267	\$ (105,524)	
SPECIAL PROJECTS FUND	\$ 3,668,209	\$ 2,556,588	\$ 2,773,656	\$ 217,068	
MARIJUANA FUND	\$ 672,361	\$ 401,168	\$ 405,892	\$ 4,724	
CEMETERY FUND	\$ 28,600	\$ 13,098	\$ 25,000	\$ 11,902	
CHILD CARE FUND	\$ 1,645,848	\$ 598,612	\$ 1,238,914	\$ 640,303	
PARKING & TRANSPORTATION FUND	\$ 15,594,128	\$ 8,578,269	\$ 8,869,534	\$ 291,265	
HEALTH BENEFITS FUND	\$ 5,200,000	\$ 2,633,370	\$ 2,469,404	\$ (163,966)	
SUSTAINABILITY FUND	\$ 2,616,606	\$ 1,695,705	\$ 1,649,978	\$ (45,728)	
ACCOMMODATION UNIT COMPLIANCE FUND	\$ 7,486,679	\$ 4,353,562	\$ 4,368,973	\$ 15,411	Transfer to Capital \$500k Temp E-Delivery structure
<b>TOTAL EXPENDITURES BY PROGRAM</b>	\$ 231,431,294	\$ 126,110,932	\$ 142,951,286	\$ 16,840,354	
<b>PROJECTED FUND BALANCE DECEMBER 31, 2024</b>	\$ 229,846,577	\$ 267,007,938	\$ 244,345,551		
<b>RESTRICTIONS</b>	\$ 164,884,685	\$ 164,884,685	\$ 164,884,685		
<b>NET FUND BALANCE</b>	\$ 64,961,892	\$ 102,123,253	\$ 79,460,866	\$ 22,662,387	
<b>FTYE FTE</b>	215.33		215.33	215.33	



# Memo

**To:** Breckenridge Town Council  
**From:** Dave Byrd, Director of Finance  
**Date:** August 27, 2024  
**Subject:** Breckenridge Professional Building Leases

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**Background:**

Currently, the Town Code (Ordinance 3, Series 2020, Section 3) requires an update to Town Council for new leases following the month of the execution of that lease.

**Update:**

The following are new lease updates for the Breckenridge Professional Building:

Tenant: BOK Financial: 3 optional one-year renewals beginning 1/1/2026 (Sept 2024 execution)

Tenant: Trinity Heritage Construction (new tenant): 2-Year Lease 6/1/2024-5/31/2026

Tenant: TreeTop Child Advocacy Center (new tenant): 2-Year Lease 8/1/2024-7/31/2026

# TOWN COUNCIL/BTO WORK SESSION

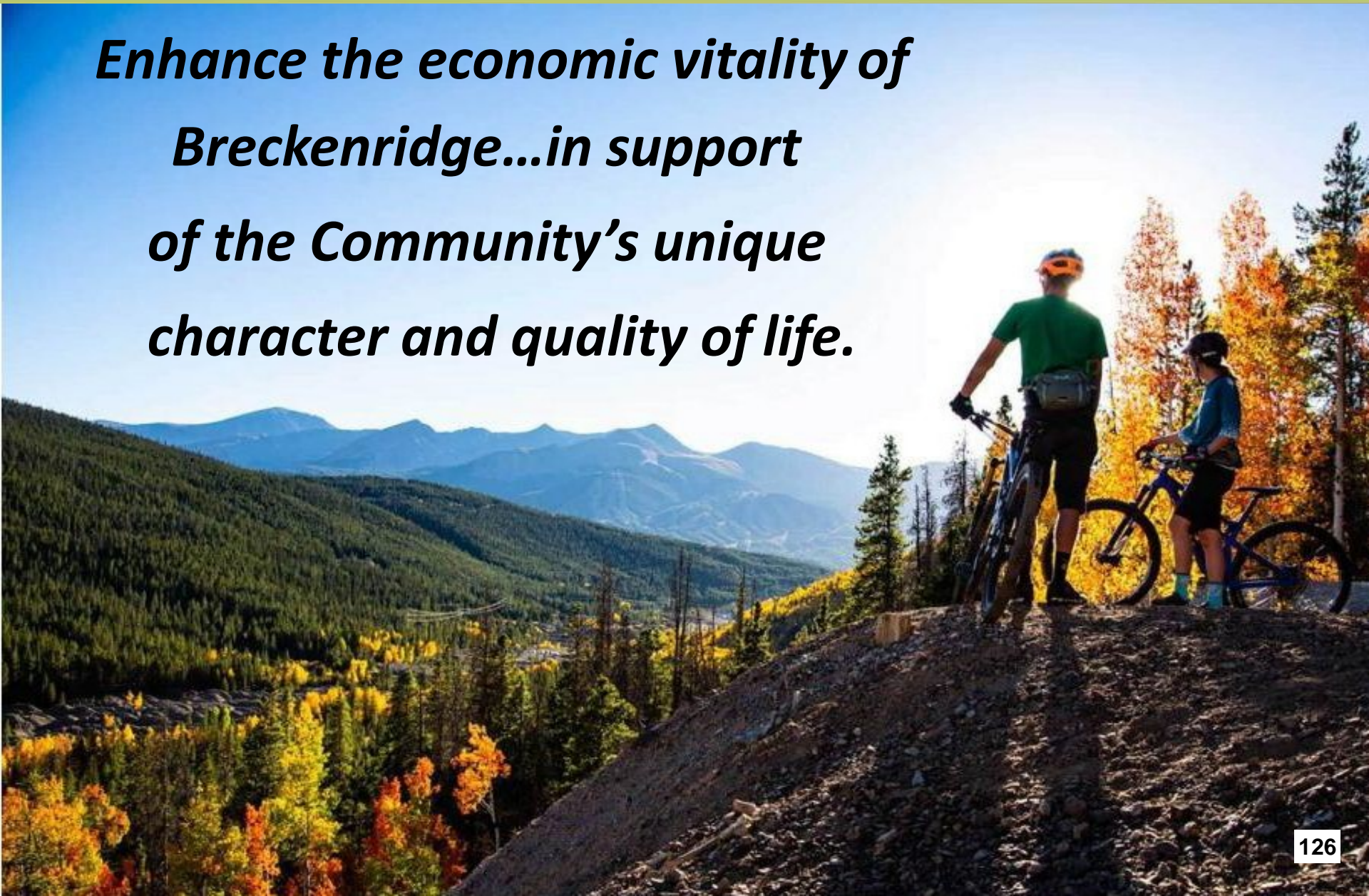
August 27, 2024

- REVIEW CURRENT PROGRESS/PRIORITIES
- DISCUSS 2025 STRATEGIC/GOALS



# BTO MISSION

***Enhance the economic vitality of Breckenridge...in support of the Community's unique character and quality of life.***



# VISION

BTO is a recognized industry leading DMMO. We elevate Breckenridge beyond the tourism lens by enhancing our image as a dynamic, welcoming place to live, work, and visit.



# BTO Strategic Plan / GOALS

**Drive business model for long-term viability in tandem with TC goals.**

**Elevate and protect integrity of Breckenridge's authentic character and brand. Reflect that our community is friendly and welcoming to all.**

**Provide baseline data and industry best practices to better understand how we can be a continually more welcoming community for all.**

**Develop Destination Management tools for continual improvement of the Breckenridge experience for guests and residents. Improve engagement, advocacy, and education within community.**

**Maintain Breckenridge Tourism Office as a highly regarded organization and employer of choice.**





# Destination Management Plan Goals

## STRATEGIC GOALS

The Breckenridge Town Council, Breckenridge Tourism Office, many key stakeholders, and a wide breadth of other local community and business members have aligned around these four strategic goals to realize the Vision:



Deliver a balanced year-round economy driven by destination tourism by 2024



Elevate and fiercely protect Breckenridge's authentic character and brand — our hometown feel and friendly atmosphere



More boots and bikes, less cars



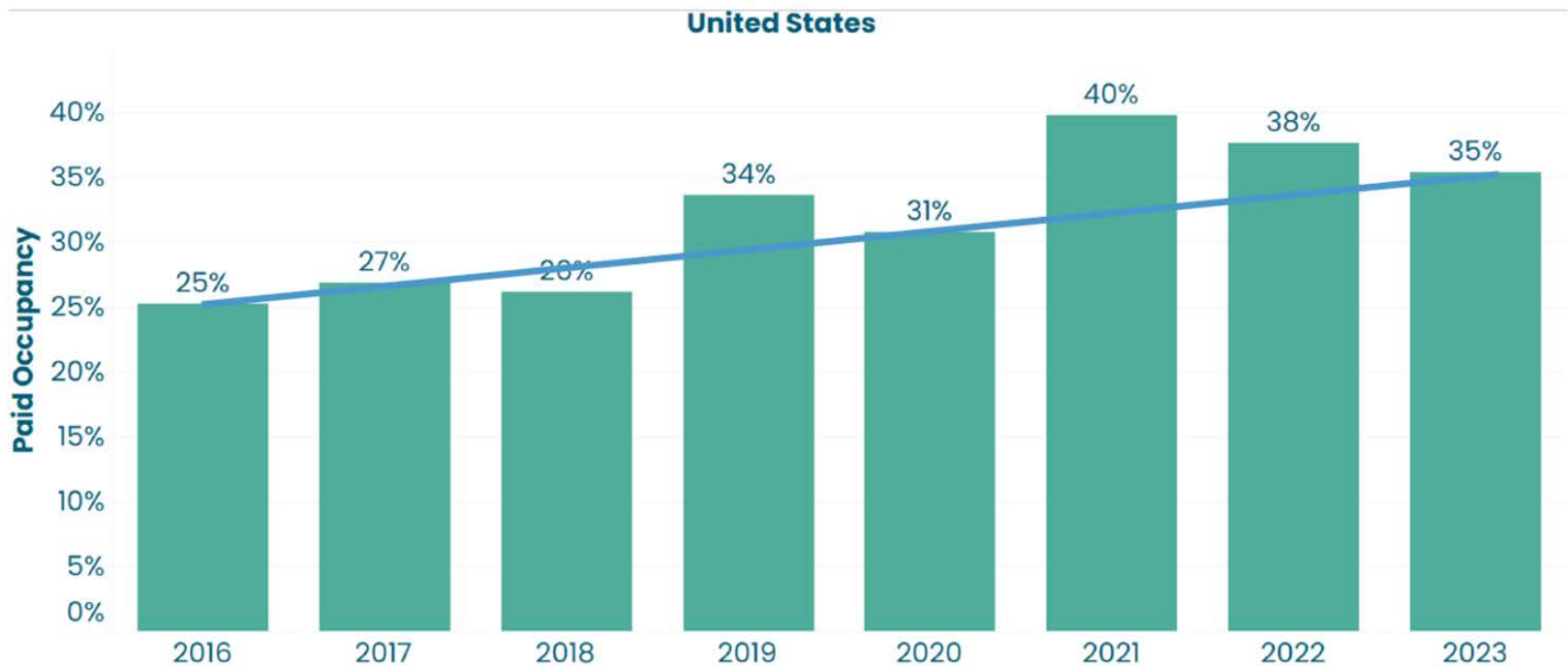
Establish Breckenridge at the leading edge in mountain environmental stewardship and sustainable practices



# Industry Trends - Key Data



## Annual Paid Occupancy United States final direct data



# Seasonal Occupancy

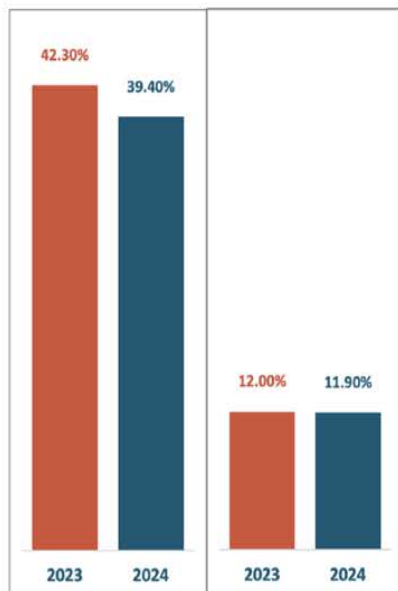


## United States Adjusted Paid Occupancy

Direct data booked by May 12

### Paid Occupancy Lagging Until September

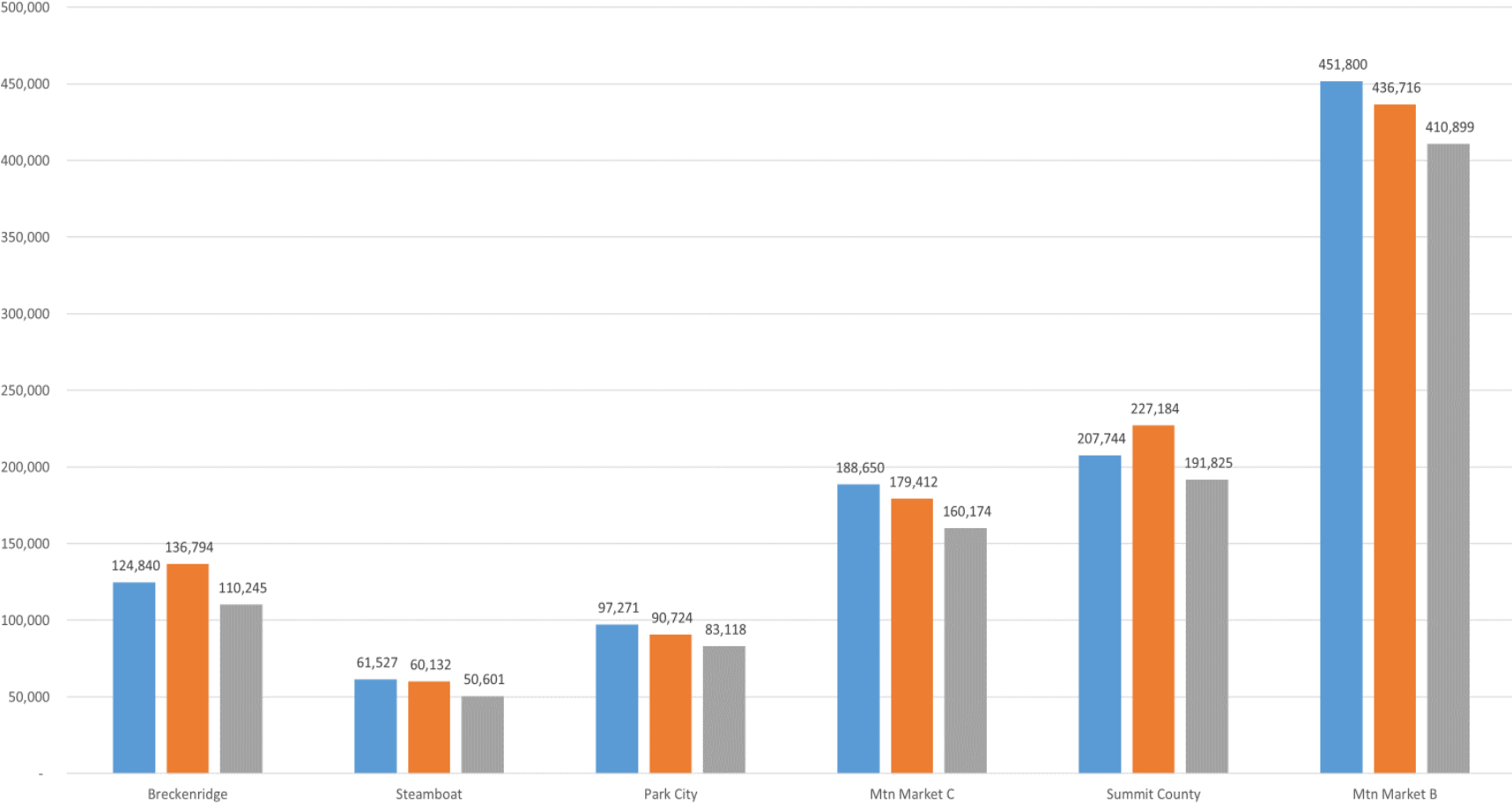
#### Half Year Pacing



# Competitive Set

Summer Season Guest Nights on the books as of Aug 18

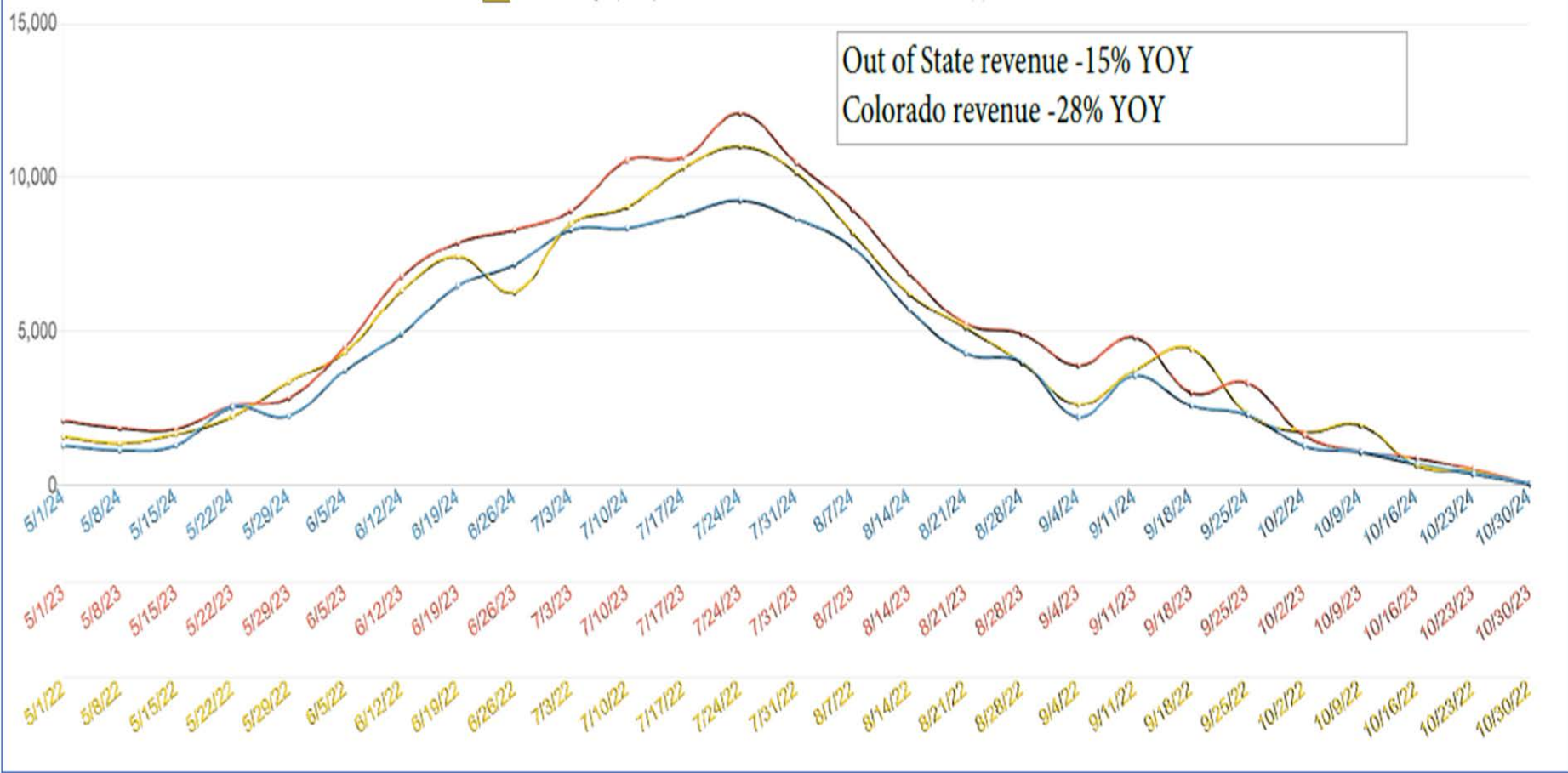
■ 2022 ■ 2023 ■ 2024



### Breckenridge Guest Nights

■ Breckenridge | (5/1/2024 to 10/31/2024 as of 8/18/2024) | 110,223
 ■ Breckenridge (Compared 5/1/2023 to 10/31/2023 as of 8/18/2023) | 136,839
 ■ Breckenridge (Compared 5/1/2022 to 10/31/2022 as of 8/18/2022) | 125,229

Out of State revenue -15% YOY  
 Colorado revenue -28% YOY



# Who's Visiting Breckenridge? (Aug 7, 2024)

SUMMARY	2023	2024
Out Of State Overnight (OOS)	48%	47%
CO Overnight	17%	16%
Day Visitor	12%	23%
Fly	48%	43%
Length Of Stay	5.5	5.3
<b>Primary Markets</b>		
Texas	18%	17%
Kansas	5%	5%
Missouri	4%	4%

NPS 2024:  
87.3 Overall (intercept)

NPS 2023:  
89.2 Overall (intercept)



# Destination Management

## Community Vision

Harmony of quality of life for residents  
and quality of place for visitors



# B LIKE BRECKENRIDGE BUSINESS + COMMUNITY PARTNERSHIP

Responsible stewardship campaign empowering local businesses, government entities, and non-profits to integrate B Like Breckenridge assets into their own guest-facing operations, creating consistent messaging to encourage positive behaviors

Beaver Run Resort & Conference Center  
Blue River Bistro  
Blue River Sports + Mountain Wave  
Breck Create  
Breck History  
Breckenridge Associates Real Estate  
Breckenridge Distillery  
Breckenridge Grand Vacations  
Breckenridge Outfitters  
Breckenridge Tours  
Broken Compass Brewing  
Carver's  
Colorado Adventure Center  
Colorado Adventure Guides  
Cornerstone Real Estate Rocky Mountains  
Crepes a la Cart  
Fatty's Pizzeria

Hearthstone  
Higgles Ice Cream  
Joy of Sox  
Mountain Metro Real Estate  
Mountain Time Escape Rooms  
Mountain Top Explorium  
Performance Tours Rafting  
PMI Property Management  
Residence Inn  
TEDxBreckenridge  
The Downhill Dog  
The Lodge at Breckenridge  
The Village  
Wandering Daisy  
Woodwinds Property Management

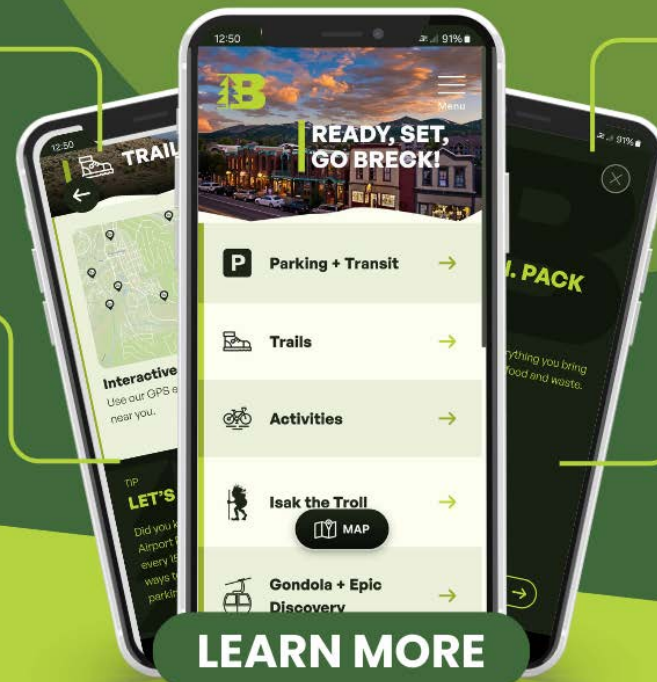




# B LIKE BRECKENRIDGE APP

- Addresses most frequent guest needs, supports frontline employees
- Sustainability, car-free + stewardship messaging woven throughout app

## DOWNLOAD THE **B LIKE BRECKENRIDGE APP**



# Destination Management – Welcoming Initiatives

The BTO's Community Affairs & Services Advisory Committee has begun defining what being a 'welcoming' community means for Breckenridge.

*"A community where its citizens and members feel safe, respected, and comfortable in being themselves and expressing all aspects of their identities. It is a place where each person shares a sense of belonging with its other members. Residents undertake actions that facilitate the integration of newcomers by making a collective effort to make all individuals feel valued and included." -KC*

With the lens of supporting the local workforce and business community as they relate to tourism, the BTO's Community Affairs & Services Advisory Committee is working to support collaborative welcoming initiatives and progressing Breckenridge's inclusive efforts.



# PR/Marketing/Events



BTO took over production of the 10 Mile Pride event in 2024. We had appx 5000 in attendance and received great feedback. Our goal is to evolve this successful celebration of our local LGBTQ+ community into a destination event. We will do this gradually and credibly over several years' time.



# 2024 Advertising



**HIT REFRESH  
THIS SUMMER.**



**BRECKENRIDGE  
COLORADO**

**BOOK IT**

**MEMORIES  
MADE OF GOLD**



**BRECKENRIDGE  
COLORADO** **DISCOVER FALL**

**SHINE BRIGHT,  
TOGETHER**



**BRECKENRIDGE  
COLORADO** **DISCOVER FALL**



**BEING  
TOGETHER IS  
GOLDEN**



**BRECKENRIDGE  
COLORADO**

**DISCOVER FALL**

# Destination Management - Research

## Marketing

- Guest profiles, geo tracking/points of interest, competitive, brand share of voice, social media sentiment, media and web metrics

## Management

- Resident Sentiment (1130+ responses)
  - *85% support for tourism*
  - *82% support for current number or more events*
- Event and Business surveys
- Occupancy Forecasts
- Visitor Mix and NPS (intercept and post-trip surveys)



# Strategy Discussion

## BTO BUSINESS STRATEGY

- Priority on Summer/Fall out-of-state  
Target 4-5% room night growth over 2023 actual
- Revisit “balanced year-round economy”  
Summer revenue is approx. 40% of total
- Balance of marketing and management  
Focus on welcoming community

What else can BTO provide that would be useful to TOB or committees?





August 20, 2024

To: Town Council

From: Larissa O'Neil

Re: 2025 Project Discussion

Breckenridge History (BH) recently considered 12 potential capital projects for 2025; the board of directors narrowed the list to the six described below. Five of the proposed projects are on Town and/or County open space; one project is within town limits. BOSAC expressed general support for the projects on open space at their August 19 meeting (OSAC will provide input in early September). BH's total capital request for 2025 is \$620,000, which includes the projects outlined below along with annual line items for stabilization planning, interpretive signs and museum acquisitions.

The Breckenridge Welcome Center Museum, for which we are currently working on a redesign, is not included in our 2025 CIP request. While we feel this project is crucial to sharing a more complete and inclusive history of Breckenridge, engaging with stakeholder groups and developing the final design will take more time. The project also requires significant funding (on the order of \$2 million for structural and electrical updates as well as exhibit fabrication and installation).

BH staff and board will be available at the August 27 meeting to share project concepts and answer questions.

**Blue River Trestle Bents** – Three trestle bents in the Blue River near Maggie Pond are the only remaining features from the High Line track that went through Breckenridge and ceased operation in 1937. (The High Line Railroad Park includes original rolling stock, but no structural elements from the railroad era.) One of the trestle bents collapsed a couple years ago. The proposed project will stabilize the two upright bents, restore the collapsed bent to a standing position, and stabilize the three bents by preserving the posts and installing historically authentic cross bracing. Interpretive signs will help illustrate the historical importance of the trestle bents and Breckenridge's railroad history. Budget \$90,000

**Reiling Dredge** – BH stabilized the Reiling Dredge in 2018/19 and it has since been designated a "Save" on the Colorado Endangered Places list. The proposed project calls for stabilization of the punt or dinghy that would have been used to shuttle workers and materials from the shore of the dredge pond to the boat. The scope of work includes cleaning debris out of the punt and lifting it onto a level timber frame; some stabilization of the bottom may be needed. A social path from the existing all-persons trail leads to the punt. We would like to formalize that trail, interpret the punt with a sign, and develop a couple additional signs for the dredge itself (currently one interpretive sign at the site). Budget: \$15,000

**Reliance Dredge** – BH braced the remaining Reliance Dredge superstructure in 2012. Trees and other vegetation have since grown around the upright features. This maintenance project calls for thinning some vegetation, better defining the flat social path that goes through the dredge remains (pending a possible wetland delineation), and limited stabilization of remaining upright features. The site is easy to access from Wellington Road on bike, foot or by bus. There is no on-site parking. Budget: \$20,000

**Preston Townsite** - Stabilize up to three cabins in the Preston townsite. One cabin is at risk of collapse and is currently being held together with a strap. Preston served as a commercial and residential hub in Gold Run Gulch for several decades. One interpretive sign on site could be expanded to highlight the preserved structures, the community's social history, and archaeological remains in the townsite. Budget: \$60,000

**Laurium Mine Boardinghouse** – The roof and side wall of the boardinghouse have collapsed, but some framing remains. In 2025, shore up the structure's standing walls with bracing to prevent complete collapse. Further work would be needed to preserve the boardinghouse for the long term. BH can consider additional stabilization measures after completion of a broader Laurium open space site plan. Budget: \$40,000

**Minnie Mine Machine Shop** – The proposed project will stabilize the remaining upright features of the Minnie Mine Machine Shop and reconstruct the building frame on its original footprint using collapsed historical gables and siding on site, as well as new material. While the Minnie building is no longer standing, a significant amount of historic fabric on the ground can be panelized and incorporated into the new structure. Equipment foundations currently buried under collapsed framing will be exposed and historical photos of the machine shop used to interpret the site. BH feels this project is in alignment with its mission and scope of preservation activities in the greater Breckenridge area. Budget: \$360,000

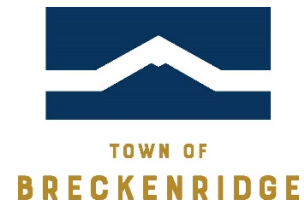
[Google Earth link with project locations](#)





**Breckenridge History**  
**DRAFT Five Year CIP Plan, 2025-2029**

Project	Description	2024	2025	2026	2027	2028	2029	Other projects 2030 +
<b>Interpretive Signs</b>	Interpretive installed in French Gulch, on other town/county trails as well as in-town locations. Annual \$5k to go toward sign replacement and new interpretive signs. Kingdom sign needs a home; more than 30 potential new interpretive sign sites identified in historic resources mgmt plan.	5,000	5,000	5,000	5,000	5,000	5,000	25,000
<b>Valley Brook Cemetery</b>	Design, fabricate and install historic street signs for wayfinding along with interpretive signs. Partner with public works and the town clerk's office on other cemetery enhancements.				35,000			
<b>Milne Park + Briggie House Restoration/Adaptive Reuse</b>	Milne/Eberlein restorations complete (fall 2023) with additional phase 2 appropriation from ToB approved in 2022 (\$596,273). Later (2027-2028) placeholder is for Briggie House planning and restoration.				115,000	1,600,000		
<b>National Forest Sites</b>	Sites listed in the Historic Resources Mgmt Plan that need some level of stabilization and/or interpretation, including: Day Placer, Dyersville, Wapiti, Swandyke, Rexford, Hoosier Pass Stagecoach stop. Potential Historicorp projects or grant funding.				75,000		50,000	150,000
<b>Mine Sites Inventory</b>	Additional mapping/documentation of area mine sites as needed/those that have not yet be recorded.				40,000			25,000
<b>Accessibility improvements</b>	Complete ADA improvements as recommended in Town accessibility audit.				25,000		20,000	75,000
<b>Wellington Ore Bin</b>	Continue to monitor and consider reinforcement of historic retaining wall and shed roof over gap between retaining wall and north wall of ore bin. New roof and stabilization work completed in 2016.						25,000	
<b>Lincoln City stabilization</b>	In partnership with the US Forest Service, preserve historically relevant buildings in Lincoln City. Historic Structure Assessment (HSA) completed in 2015 and Archaeological Assessment in 2017 with funding from History Colorado. 2029 funds refer to additional preservation and interpretation recommended in the HSA report. Future funding from History Colorado is a strong possibility. They will cover up to 75% of project costs.						400,000	
<b>Augmented/Virtual Reality Experiences</b>	First augmented reality program complete. Future virtual reality experiences and digital content may reduce the need to update static museum displays as often and can be tailored for school groups and adult online learning.						50,000	50,000
<b>Breckenridge Sawmill Museum</b>	To date, \$210,000 in Town funding has been dedicated to the Sawmill Museum. Long-range plans may include steam engine enhancements/animation, online exhibits and/or additional exhibit space on site.						150,000	25,000
<b>National Monument Sites</b>	Potential stabilization and interpretation of sites within the newly designated Camp Hale - Continental Divide National Monument. Possible funding from USFS and/or Summit County.							300,000
<b>Railroad Park Upgrades</b>	Long-range plan for Lueth Cabin to potentially transform former exhibit space into restrooms (closest bathroom is at the Ice Rink). Additional animation/exhibits. High Line Railroad Park to remain self-guided.							600,000
<b>Klack Cabin</b>	One of the oldest dwellings in Breckenridge, located on the Klack Placer. Stabilized in 2010. Future restoration and possible adaptive reuse. May need to be moved from its current site, which is difficult to access.							500,000
<b>Red White &amp; Blue Fire Museum</b>	Update and develop new exhibits. Museum is owned by the RW&B Fire Dept. Possible funding partnership and/or grant opportunities. No MOU in place currently for museum management. Accessibility improvements needed.							550,000
<b>Breckenridge Historic District</b>	Additional building plaques, street sign topper replacement, and other ideas for historic district marketing.							20,000
		\$330,000	\$620,000	\$1,050,000	\$1,760,000	\$1,830,000	\$875,000	\$3,465,000



# Memo

To: Breckenridge Town Council Members  
From: Laurie Best, Assistant Director of Housing  
Darci Henning, Housing Program Manager  
Date: 8/21/2024 (for 08/27/24)  
Subject: Housing Helps Program Parameters

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At the June 25<sup>th</sup> Town Council meeting, there was a short discussion concerning potential changes to the Housing Helps program parameters. Town Council asked staff for additional data to better understand the cost of the program and the value of the Town's deed restrictions (both the light deed restriction and the full appreciation capped deed restriction). This information would be needed to understand and evaluate the budget and determine what/if any program parameters should be changed. The analysis is attached as exhibits to this memo. This information was also presented at the July 25<sup>th</sup> Housing Workgroup Meeting. Minutes from that meeting were included in a previous Council packet.

## **Program History/Background**

The Town launched the Housing Helps program in late 2019 and funded the first property in December of that year. As of mid-August 2024, the Town has funded/committed to a total of **88** properties. When the program launched the intent was to preserve housing/neighborhoods that historically served the local workforce through a deed restriction acquisition program. At that time, the community was losing locally occupied properties to vacation rentals, second homes, remote workers, investors, etc. The Town launched the program, initially offering a light deed restriction, which only requires local workforce occupancy estimating that the deed restriction would lower the property value by 10-15% off market value. By 2022, approximately 27 properties were restricted (light), but the market was pushing real estate values higher and applicants were asking for more funds, primarily to help cover downpayments and reduce their mortgage expense. In response, the Town began to offer a full deed restriction with an appreciation cap which would not only preserve workforce units, but also address long-term affordability. The Housing Helps program evolved to address both workforce occupancy and affordability depending on the needs of the owner/buyer.

## **Program Cost/Information**

Since 2022, the Town's cost per property has increased because of the following factors: 1) the market has continued to see increases of housing prices, 2) funding of some higher priced single-family homes in the program, and 3) the introduction of the full deed restriction. The majority of the 88 funded properties are light deed restrictions. However, since the full deed restriction became an option in 2022, approximately half of the applicants have opted for the full deed restriction. We expect this trend to continue as the full deed restriction seems most popular as down payment assistance for new buyers and the light deed restriction seems most popular with current owners seeking cash for HOA assessments, maintenance, or other purposes. Summit County has partnered on 52 of the 88 applications, which has significantly reduced the Town's cost. Unfortunately, the County has reduced their participation due to budget constraints and modified their program parameters further limiting the properties that are eligible for joint participation with the County.

Despite the cost increase, the Housing Helps program is still the most cost-effective strategy for acquiring deed restrictions, especially when compared to the impact, cost, timing, and challenges of new

construction. The 2024 budget for the program is \$2,500,000 which assumes twenty properties at \$125,000 subsidy per unit. As of August, staff has committed 100% of the annual budget and we continue to receive requests for this program. Staff intends to reallocate the remaining funds from the Buy Down program (roughly \$600,000) to Housing Helps because Housing Helps requires less subsidy per unit than Buy Downs, however it is anticipated that this amount will not meet the demand. In addition to the \$600,000 reallocation, staff estimates there will be demand for at least \$600,000 more (total of \$1,200,000 for approximately nine additional HH properties in 2024). We are asking Council to consider allocating the additional \$600,000 which would require a supplemental appropriation. It is important to remind the Council that the Housing Fund already required a transfer from excise in 2023 (\$10.1m) and is projected to need another transfer in 2024 (\$14.3m without the additional \$600,000), and smaller transfers in 2025, 2026, and 2027. The amount of the transfers will depend on actual costs of the Runway Neighborhood, Airport Rd improvements, and redevelopment of the Loge/Wayside, and our ability to offset some costs with grants. The source of funding for the Housing Fund is a .125% sales tax (approx. \$1.5m/yr) in perpetuity and a .6% sales tax (approx. \$6m/yr) which expires in 2046. Additionally, the STR fee generates approximately \$6m-\$7m/year. Based on anticipated expenses and revenue, the Housing Fund is projected to start repaying the excise fund in 2028 at \$4m- \$6m annually.

The attached Exhibit A provides information on all 88 Housing Helps properties funded/ approved to date, including the cost per unit and general information about the unit size, property type, type of deed restriction, etc. Exhibit B includes a re-sale analysis of six units subject to a light deed restriction that have sold compared to the re-sale that would have been allowed under a full appreciation capped deed restriction.

### **Summary/Recommendations**

Based on the analysis of the resales, it appears that the light deed restriction is not particularly effective at preserving long term affordability. While this is not a large sample size, the analysis illustrates that affordability decreased on all six units regardless of how long the property had been in the program or the initial AMI target. The resale prices appear to be discounted to market as a result of the workforce restriction, but given the overall lack of supply, the market continues to drive prices up and staff is concerned about cost-burdened households. Regardless of the appreciation creep, there is also still value in the light deed restriction. However, we see more value in the full appreciation cap deed restriction which resets the price and better ensures affordability over time to our workforce.

At this time, we are looking for Council feedback on the budget request and on the following recommendations for the program. These recommendations are based on the data analysis and the discussion with the Housing Workgroup on July 25<sup>th</sup>.

**Recommendations-2024**

	Initial Parameters 2020	2021 and 2022 changes	<b>Recommended 2024</b>
Value of Light Deed Restriction (employment only)	10-15%	15-20%	<b>Reduce maximum to 15%</b>
Upgrade – no STR or Light Deed Restriction to Full Deed Restriction	NA	10%	<b>10 -15%</b>
Value of full Deed Restriction (employment and 3% appreciation)	NA	25-30%	<b>25%</b>
Maximum payment	NA	\$450,000	<b>\$350,000</b>
Available to both current owners and buyers	Yes	Yes	<b>Yes</b>

See attached Exhibits A and B for program analysis/statistics.

**EXHIBIT A-**

The following chart includes all 88 Housing Helps properties funded/approved (deed restrictions acquired) since the program was launched almost five years ago (Dec 2019).

Year	Ave. Value of Home before Deed Restriction	Light	Full	Unit Type- and Ave. Size	Total Units (beds)	# County Partner	Town Expense	Town Cost per Unit	Cost per Bed
2019		1	0	1-SF 1659sf	1 (4)	1	\$62,500	\$62,500	\$15,625
2020	\$520K	16	0	11-SF 1244sf	16 (45)	15	\$629,974	\$39,373	\$13,999
2021	\$639K	10	0	5-SF 1395sf	10 (26)	8	\$552,950	\$55,295	\$21,267
2022	\$781K	14	7	6-SF 1188sf	21 (49)	12	\$2,715,260	\$129,298	\$55,413
2023	\$765K	16	5	7-SF 1123sf	21 (48)	11	\$2,349,576	\$111,884	\$48,950
2024	\$764K	10	9	4-SF 1131sf	19 (44)	5	\$2,530,425	\$133,180	\$57,510
<b>To Date</b>		<b>67</b>	<b>21</b>	<b>34-SF 54-MF  1214 sq ft</b>	<b>88 (216)</b>	<b>52</b>	<b>\$8,840,685</b>	<b>\$100,462</b>	<b>\$40,929</b>

As noted above, the cost per unit is up to \$133k per year compared to the previous high in 2022 at \$129k and \$112K in 2023. Staff believes there are several contributing factors, including:

- a. The average cost of a property utilizing Housing Helps (HH) funds has increased. The declared market value/ purchase price for HH properties is up 47% from the 2020 average of \$520K to an average of \$764K in 2024.
- b. Single family homes have increased significantly. Since its inception, the program has been utilized on many relatively affordable single-family homes, but the price of the HH single family home is now well over \$1M. The highest value of a HH single family home was \$700K in 2020 and \$825K in 2021. Comparatively in 2022, 2023, and 2024 we have funded 11 single family homes all with values over a million dollars.
- c. Summit County is unable to participate in many of the fundings. Initially, Summit County shared in funding almost all properties, but this decreased to around 50% in 2022 and 2023. Currently for 2024, County participation is less than 30% in the Upper Blue Basin.

**Exhibit B –**

**Resale Analysis (to date, only 6 HH properties have sold)**

The table below includes information on the six housing helps properties that have sold subsequent to the deed restriction. All these properties were subject to a light deed restriction with no appreciation cap. The price/value of all six properties increased substantially from the target (goal) which assumed a 10-15% devaluation of the value because of the deed restriction. For comparison purposes the table also illustrates how a full deed restriction with a 3% annual cap would have maintained affordability very similar to the original AMI target.

Housing Helps Resales - July 2024												
The following six properties all resold with a light deed restriction:												
Property	HH-date	Value at Market Rate	AMI-Market Rate	HH Paid	HH %	Assumed Value w/ DR	AMI of Assumed Value	Resold	Months	Resale Price	Increase from Assumed	AMI at Resale
1	12/2019	\$835,000	195%	\$125,000	15%	\$710,000	160%	9/2024	58	\$1,325,000	\$615,000	218%
2	7/2020	\$576,000	138%	\$86,483	15%	\$489,517	117%	10/2021	14	\$740,000	\$250,483	175%
3	7/2020	\$635,000	153%	\$95,250	15%	\$539,750	129%	9/2021	14	\$725,000	\$185,250	171%
4	1/2021	\$500,000	120%	\$60,000	12%	\$440,000	105%	11/2021	10	\$589,000	\$149,000	139%
5	8/2021	\$608,000	143%	\$91,325	15%	\$516,675	121%	8/2021	0	\$660,000	\$143,325	156%
6	11/2021	\$525,000	148%	\$78,750	15%	\$446,250	125%	6/2022	7	\$610,000	\$163,750	143%
WITH FULL DR-3% ANNUAL APPRECIATION:												
Property										Resale Price	Increase from Assumed Value*	AMI at resale w 3% appreciation
1										\$812,950	\$102,950	160%
2										\$506,650	\$17,133	122%
3										\$558,641	\$18,891	134%
4										\$451,000	\$11,000	106%
5										\$516,675	\$0	122%
6										\$454,059	\$7,809	127%

Please note that the first property is an estimate, as the final resale price is not yet available. The chart includes the list price.

# Memo



**To:** Town Council  
**From:** Chris Kulick, AICP, Planning Manager  
**Date:** August 21, 2024 (for meeting of August 27, 2024)  
**Subject:** Neighborhood Preservation Policy

This memo will provide a framework to discuss neighborhood preservation issues that have been identified as a general concern by the Council. This subject is multi-layered in its potential impact to the community. Therefore, at this initial worksession, staff will provide a broad overview of the identified issues and seek direction to ensure that staff focuses on the key concerns for future meetings.

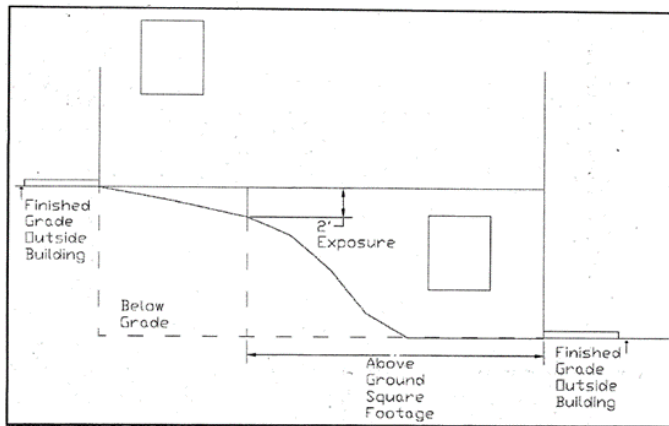
## Background

In September of 2007, Town Council voiced concerns regarding the development of large homes in Town and expressed their desire to maintain the character of older, established neighborhoods. The Council was concerned that “scrape offs” and new construction resulting in large homes could pose a threat to the existing character of these neighborhoods and directed staff to create a “Neighborhood Preservation Policy” (NPP).

Based on the Council’s expressed concerns, the Town embarked on an in-depth, two-year, planning process that established above ground density limitations for single-family lots without platted building or disturbance envelopes. This process included:

- Conducting 14 Planning Commission and Town Council worksessions
- Meeting with seven individual HOAs
- Meeting with the Summit County Homebuilders Association
- Formulating a task force that met bi-weekly from April – June 2009

In the spirit of compromise, the Council settled on above-ground home size restrictions that were less than



initially recommended by staff. As an attachment to this memo, staff has provided a detailed timeline of the previous NPP process.

## Home Size

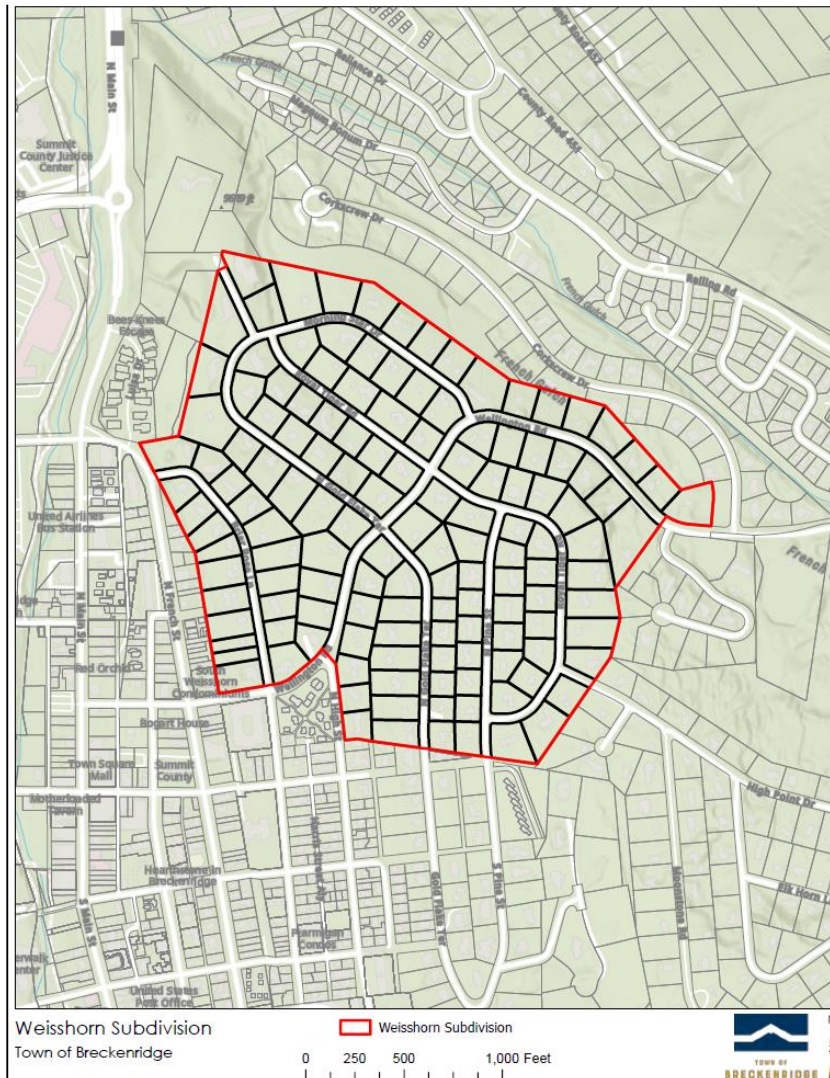
The cornerstone of the 2009 NPP was home size. Now, we are able to look at how home size has changed in neighborhoods where the NPP was implemented. Using the Weisshorn Subdivision as an example, the neighborhood’s median total home size (including garages and below-ground density) increased by 29% since 2009. The median size of new homes in the Weisshorn constructed since 2019 is 6,410 sq. ft. Homes and large additions constructed since 2019 in the Weisshorn

*Above Ground Density: That portion of the floor area of the structure that is above finished grade. Any portion of a foundation wall that is exposed more than two feet (2') above finished grade shall be counted as aboveground square footage.*

Subdivision are 8.5% greater than the median size of homes constructed during the same period in other areas of Town that have building and disturbance envelopes and are not subject to NPP regulations (5,907 sq. ft v. 6,410 sq. ft).



Staff have researched many other communities that are experiencing similar development pressure and how they address home size. A summary table of this research is provided as an attachment to the memo. In general, very few communities have directly addressed home size, except in urbanized neighborhoods with smaller lots that are similar in size to the Town's Historic District. Of the communities that regulate home size on larger lots (0.33 acre and above) home size limits are normally generous, with Vail being the most restrictive of the communities we have researched.



A possible alternative to the trend of large home development to consider is allowing larger lots to be split and for two smaller homes to be constructed instead of one large home. Staff recognizes that additional lots created through lot splits also affects existing neighborhood character by adding more residences to a neighborhood. Staff further notes adding single-family lots without the transfer of density is also in conflict with the Joint Upper Blue Master Plan, but it would ensure the development of smaller homes due to diminished lot size.

Design Elements that Influence Character

Beyond the actual square footage of a home there are other factors that influence the perception of home size. Building height and setbacks are likely the biggest influences in this regard. A method to reduce perceived building size would be to reduce allowed building height and increase building setbacks for single family

homes. Beyond perceived scale, reducing building height and increasing setbacks leads to reduced developed square footage because building height and setback regulations serve as the primary development control points along with allowed density and building/ disturbance envelopes. Presently, single-family homes outside of the Conservation District are permitted a maximum building height of 35'. Recommended setbacks for single-family homes are Front 25', Rear 15', Side - combined side setback of fifty feet (50') (total of both sides), with no structure built within fifteen feet (15') of a side yard property line.

Glazing is another character defining design element that has generated some recent comments. Staff is aware of a perception that the percentage of glazing in new homes outside of the Conservation District is increasing. Staff believes this is a topic worthy of discussion because of the competing interests that restricting glazing will present. Large amounts glazing can produce unwanted light shed and a lack of privacy. Staff also understands that large spans of glazing provide views of the surrounding landscape which is a highly desired feature for most homeowners in Breckenridge.

## **Neighborhood Specificity**

In the previous iteration of the NPP, the Council directed staff to focus on older more established neighborhoods that were platted prior to the requirement of platted building or disturbance envelopes. The rationale for this focus was two-fold. First, it was assumed that lots that have platted building or disturbance envelopes are more limited in developable area than lots that are only subject to building setbacks. This may be nominally true as the median home size since 2019 for lots that feature a building envelope is 5,907 sq. ft. compared to 6,407 sq. ft. for the Weisshorn Subdivision example that is only subject to building setbacks as described above. Secondly, the Council was also concerned that new development affected the character of mature neighborhoods more than in areas that were newer and less built out. Since the time of the original NPP adoption most newer subdivisions have reached a level of substantial build-out and therefore there is less difference in this regard between the two neighborhood types than there was 15 years ago at the time of the NPP's adoption.

It is worth noting that of the neighborhoods subject to the 2009 NPP, only one home outside of the Weisshorn Subdivision was constructed or had a major addition since 2019. This home totals 3,786 sq. ft. and is located on White Cloud Dr. in the upper Warriors Mark neighborhood. From our research, home size is unsurprisingly proportional to land value, with the largest homes being constructed in neighborhoods with direct ski or lift access or adjacency to downtown such as Boulder Ridge, Gold Flake, Lomax Estates, Shock Hill, Timber Trail and the Weisshorn. Southside Estates, a small subdivision on the far south end of Town, is the only subdivision away from the core of Town or the ski resort that is seeing large home construction.

## **Scrape-off/ Major Additions**

Staff understands that much of the renewed interest in the NPP stems from the volume of highly visible scrape-offs that are occurring in the Weisshorn Subdivision along Wellington Road. Based on this perceived community concern, is the complete removal or major addition to existing homes an item to be addressed beyond simply regulating home size? In neighborhoods such as the Weisshorn, where most scrape-offs and major additions are occurring, the issue of character is complicated, as the neighborhood does not have a dominant housing style or size. Homes built from the 1960's through the 1990's range in size from 800 sq. ft. to 5,200 sq. ft. Much of the appeal of the Weisshorn neighborhood is its relatively large lots, proximity to Town, and architectural freedom that many of the newer neighborhoods with strict HOAs do not allow.

## **Energy Consumption/ Sustainability**

Another concern related to home size is the excessive energy demand large homes create. In 2023 Pitkin County adopted maximum home size regulations after an extensive public process that included a Community Growth Advisory Committee that prepared a "Final Report of Recommendations". The [report](#) provides research that shows "...a strong correlation between home size and greenhouse gas (GHG) emissions per area." Key findings from the report include:

- As home size increases from 1,000 sq. ft. (the smallest homes studied) to 14,000 sq. ft. (the largest in the study), the total emissions per sq. ft. more than doubles.
- The higher energy use per area with large homes is primarily driven by "amenity loads." Amenity loads are energy using amenities not seen in the average American household.
- The maintenance of large homes in Unincorporated Pitkin County generated nearly 9% of their total 2019 annual GHG emissions. 87% of these home maintenance emissions came from transportation, i.e., trips by people hired to manage or maintain a home.

Beyond the concern about how home size contributes to overall GHG emissions, staff recognizes a more imminent concern related to Xcel reaching its limit to supply natural gas and the need to shift more properties to use electricity exclusively for energy. Understanding the amount of energy large homes

require, staff believes that Council should consider limiting homes above a certain size from having a gas connection and meeting enhanced energy standards.

Staff notes that electrical systems increasingly get more expensive to install on large homes (upgraded electrical panel to handle the loads), and even with the most efficient technology, electrical costs may be greater than natural gas costs at that scale if not offset by solar. So, there's an economic incentive to develop smaller homes instead of developing larger homes if electrification is required.

In addition to energy consumption, material waste has been identified as an issue with scrape-offs and major renovations. Sustainability staff is actively working on this issue with the County.

### **Next Steps**

Based on Council feedback from this worksession, staff will begin working on next steps. Staff acknowledges that from our previous experience, and those of similar communities, that efforts to address neighborhood preservation are contentious and will need meaningful opportunity for the public to be involved. Staff suggests as a next step to initiate a community survey and open house to better understand the concerns of the community related to neighborhood preservation. Council feedback on the following is requested:

- Limiting home size to maintain neighborhood character.
- Limiting home size to address energy consumption and sustainability concerns.
- Addressing building height, setbacks or other design elements (e.g., amount of glazing).
- Other suggestions or thoughts from Council.

Staff looks forward to receiving Council direction on this complex issue and will be available on Tuesday to answer any questions.

## Community Comparison

Community	Example Lot Size	Maximum Home Size	Methodology	Notes
Vail	33,541 sq. ft.	4,960 sq. ft.	0.13 of site area > 10,000 sq. ft. lot + 600 sq. ft. garage exemption	
Aspen	33,541 sq. ft.	6,600 sq. ft.	Lot Size 15,000— 50,000: 4,500 square feet of floor area, plus 6 sq. ft. of floor area for each additional 100 sq. ft. in Net Lot Area, up to a maximum of 6,600 sq. ft. of floor area	
<b>Breckenridge</b>	<b>33,541 sq. ft.</b>	<b>8,000 sq. ft.</b>	<b>1:4 FAR or 8,000 sq. ft. (Above Ground)</b>	
Pitkin County	33,541 sq. ft.	9,250 sq. ft.	Some plats have more restrictive limitations that supersede the 9,250 sq. ft. limit.	Adopted in 2023, previous limit: 15,000 sq. ft.
Boulder County	33,541 sq. ft.	Varies	125% of the median residential floor area for defined neighborhood.	
Jackson + Teton County, WY	33,541 sq. ft.	10,000 sq. ft.	0.4 FAR, maximum total density of 10,000 sq. ft.	
Easthampton, NY	33,541 sq. ft.	10,000+ sq. ft.*	10,000 sq. ft. Affordable accessory apartments, qualifying artists' studios and detached buildings of less than 600 sq. ft. do not count toward the home size maximum.	Proposed*, current maximum 20,000 sq. ft. + detached building exemptions.
Routt County	33,541 sq. ft.	12,250 sq. ft.*	7,500 sq. ft. + 750 sq. ft. garage + exemption for basement and accessory structure space up to 4,000 square feet.*	Proposed*
Southampton, NY	33,541 sq. ft.	13,416 sq. ft.	0.4 FAR Above Ground	
Park City, UT	33,541 sq. ft.	Varies	Limit set by plat	
Malibu, CA	33,541 sq. ft.	Unlimited	One unit per ½ acre	Septic is a limiting factor.
Santa Barbara County	33,541 sq. ft.	Unlimited		
Summit County, CO	33,541 sq. ft.	Unlimited		
Summit County, UT	33,541 sq. ft.	Unlimited		

## Neighborhood Preservation Policy Timeline

September 11, 2007 Council meeting, Council voiced concerns regarding the increasing number of large homes in Town. The Council indicated their desire to maintain the character of Town and preserve the character of older, established neighborhoods. Teardowns and new construction resulting in large homes could pose a threat to the existing character of these neighborhood and Town environments.

### **Planning Commission Work Sessions:**

December 4, 2007: Power Point presentation on homes with low FARs (large homes on small lots), examples of other communities, overview of community impacts of large homes and Council's FAR and cap preference.

February 5, 2008: Run through different options-square footage cap, above ground square footage cap, neighborhood FAR, relative policy, TDRs.

August 19, 2008: Council preference to utilize FAR and max cap approach. Staff presented sliding scale, set FAR and hybrid options to address FARs.

October 7, 2008: Presented detailed statistics on neighborhoods on utilizing median, 80<sup>th</sup> or 90<sup>th</sup> percentile, hybrid and sliding scale approaches.

December 2, 2008: Presented examples of minimum size, FAR and maximum size based on 80<sup>th</sup> or 90<sup>th</sup> percentile.

September 1, 2009: Presented Task Force proposal.

September 15, 2009: Presented draft ordinance.

### **Town Council Worksessions/Hearings:**

February 12, 2008: Report of PC preferences (above ground sq. ft. cap with FAR approach), asked Council their opinion of the options presented at the Feb. 5 PC meeting.

July 22, 2008: Report of County approach thus far; report of discussion with Christie Heights and Penn Lode homeowners/HOA, Weisshorn meetings, and Warriors Mark board members. Approach options raised through input: setbacks, above ground density +3 car garages, FAR and self regulation through HOAs.

October 28, 2008: Staff presented the proposal of a minimum size, FAR and maximum cap based on an 80 or 90<sup>th</sup> percentile (and median or largest home).

Feb.10, 2009: Report on public open house results.

March 10, 2009: Council selection of Task Force members.

June 23, 2009: Staff presents Task Force proposal to Council.

July 28, 2009: Staff presents results of open house to Council. Council voices support for policy as proposed and directs staff to move onto Planning Commission.

October 13, 2009: First reading.

### **Other Early Meetings/Contacts:**

Weisshorn Subdivision: April 23, 2008 (2 homeowner meetings).

Warriors Mark HOAs: Comments received via email from Board members May 2008.

Christie Heights: Spoke with Dave Garrett from the HOA May 2008.

Penn Lode: Spoke with the majority of homeowners in Penn Lode May 2008.

Sunbeam Estates: Spoke with Gene Baker from the HOA May 2008.

Highlands (Filing 1-4): Spoke with Rick Oshloel, HOA President January 22, 2009 prior to public open house.

Brooks Hill: Spoke with Tim Casey January 21, 2009, developer of subdivision prior to public open house.

Summit County Home Builders Association: Presented at the January 2009 monthly meeting. Task Force meetings bi-weekly April-June, 2009.

Special Task Force meeting with Carol Rockne on Warrior Mark: September 22, 2009.

**Public Open Houses:**

February 2, 2009 and February 4, 2009

July 22, 2009 (Task Force proposal)