

1 COUNCIL BILL NO. 24

2
3 Series 2024

4
5 **A BILL FOR AN ORDINANCE AMENDING POLICY 24A SOCIAL**
6 **COMMUNITY REGARDING EMPLOYEE GENERATION**

7
8 **WHEREAS**, in 2020, the Town adopted subsection C. Policy 9-1-19-24A Social
9 Community which required new uses to mitigate 35 percent of the employees generated by
10 such use per square footage calculation;

11 **WHEREAS**, new use square footage or an increase in intensity of use increases the
12 number of employees in the community, resulting in additional need for attainable workforce
13 housing in the community;

14 **WHEREAS**, regulating a percentage of employees generated by new uses or an
15 increase in intensity of existing uses allows for the use to pay a portion of the new workforce
16 housing demand generated by the use;

17 **WHEREAS**, when the policy was adopted, impacts to businesses from COVID were
18 ongoing and an accurate reflection of employee generation could not be realized through a
19 nexus study at that time and the adopted policy included the employee generation numbers
20 established by a Town of Vail nexus study completed in 2016. Now that the effects of the
21 pandemic have subsided and employment rates in businesses have stabilized, best practice
22 dictates a Town specific nexus study be conducted and adopted.

23 **WHEREAS**, the Town engaged Economic Planning Systems, Inc. (EPS) to conduct a
24 nexus study utilizing Breckenridge businesses;

25 **WHEREAS**, the nexus study reflects the employee generation rates of local businesses,
26 based on a survey of local businesses;

27 **WHEREAS**, regulating employee generation is another policy to help mitigate the gap in
28 attainable workforce housing in the Town's numerous workforce housing programs and policies;
29 and,

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

32
33 **Section 1.** That subsection B. of 9-1-19-24A be amended by deleting the language
34 stricken and adding the language underlined to read as follows:

35
36 B. Employee Housing Impact Mitigation:

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2 1. The purpose of this subsection B is to ensure that new development or changes in the
3 intensity of use provide a reasonable amount of employee housing to mitigate the impact on
4 available employee housing caused by such development.
5
6 2. Subsections B through H, inclusive, of this policy shall apply to all new development and
7 changes of use of the following land uses:
8
9 a. Commercial Use
10
11 b. Industrial Use
12
13 c. Mixed Use
14
15 d. Recreation and Leisure Amenities
16
17 e. The following Residential Uses:
18
19 i. Boarding House
20
21 ii. Condominium/Hotel
22
23 iii. Divisible Unit
24
25 iv. Hotel/Lodging/Inn
26
27 v. ~~Multi-Unit Residential~~
28
29 vi. Timeshare Interests ~~Unit~~
30
31 vii. ~~Townhomes~~
32
33 3. This policy does not apply to institutional uses.
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36 **Section 2.** That a new employee generation rates by type of use table be added to subsection C.1. of section 9-1-19-24A underlined to read as follows:

Type of Use	Employee Generation Rate
<u>Restaurant (Food Service)</u>	
<u>Fast food/counter service</u>	<u>3.26 employees per 1,000 sq. ft.</u>
<u>Sit Down/table service-outdoor space up to 25% of indoor size*</u>	<u>8.34 employees per 1,000 sq. ft.</u>
<u>Sit down/table service-outdoor space greater than 25% of indoor size*</u>	<u>12.78 employees per 1,000 sq. ft.</u>
<u>Outdoor additions**</u>	<u>4.44 employees per 1,000 sq. ft.</u>
<u>Taphouse/Brewery/Bar (without food service)</u>	<u>2.73 employees per 1,000 sq. ft.</u>
<u>Health and wellness (e.g. yoga, fitness, gym, physical therapy)</u>	<u>3.41 employees per 1,000 sq. ft.</u>

Personal service (e.g. salon, spa, nailcare, skincare)	<u>5.54 employees per 1,000 sq. ft.</u>
Retail	<u>2.95 employees per 1,000 sq. ft.</u>
Office	<u>6.26 employees per 1,000 sq. ft.</u>
Hospitality (e.g. Condominium/hotel, divisible unit, hotel/lodging/inn, timeshare interests)	<u>0.23 employees per room/unit/divisible unit</u>

*Rate applied to indoor square footage

**Rate applied only if previous outdoor space was less than or equal to 25% of indoor size

Section 3. That subsection C.1. of section 9-1-19-24A is hereby repealed and replaced.

Section 4. That subsection C.3. of section 9-1-19-24A be amended by deleting the language stricken and adding the language underlined to read as follows:

3. Each development shall mitigate its impact on available employee housing by providing new employee housing for thirty five percent (35%) of the employees generated by the project, in accordance with the table "Employee Generation Rates by Type of Use Table," above, and the requirements of this policy.

For example, for a new fast food/counter service restaurant ~~indoor eating and drinking establishment/restaurant and bar~~ proposing 2,500 square feet of new area, the required employee housing would be calculated as follows:

$([2,500 \text{ square feet}/1,000 \text{ square feet}] \times [3.26][40.2]) = 8.15$ ~~25.5~~ new employees generated x 35% = 2.85 ~~8.9~~ employees to be housed; ~~and~~

~~A new exterior food and beverage area of 1,000 square feet would require employee housing calculated as follows: $([1,000 \text{ square feet}/1,000 \text{ square feet}] \times [5.11]) = 5.1$ new employees generated x 35% = 1.79 employees to be housed.~~

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

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

A copy of this Ordinance is available for inspection in the office of the Town Clerk.

TOWN OF BRECKENRIDGE, a Colorado

municipal corporation

By: _____
Kelly Owens, Mayor

ATTEST:

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Helen Cospolich, CMC,
Town Clerk

ATTEST: