



BRECKENRIDGE TOWN COUNCIL WORK SESSION

Tuesday, March 13, 2012; 3:00 PM

Town Hall Auditorium

ESTIMATED TIMES: *The times indicated are intended only as a guide. They are at the discretion of the Mayor, depending on the length of the discussion, and are subject to change.*

- | | | |
|-------------------------|------------|---|
| 3:00 - 3:15 p.m. | I | <u>PLANNING COMMISSION DECISIONS</u> |
| 3:15 - 3:45 p.m. | II | <u>LEGISLATIVE REVIEW*</u>
Code Amendment: TDRs and Employee Housing
Transition Area Standards
Medical Marijuana Ordinance Amendment
Vendor Carts |
| 3:45 - 4:30 p.m. | III | <u>MANAGERS REPORT</u>
Housing/Childcare Update (Verbal)
Committee Reports (Verbal)
Financials
Fund Balance Reserves Analysis
Peaks School Proposal |
| 4:30 - 5:30 p.m. | IV | <u>OTHER</u>
South Branch Library Update (Verbal)
Riverwalk Center Update
Street Lights Revisited (Verbal) |
| 5:30 - 6:00 p.m. | V | <u>PLANNING MATTERS</u>
County Referral--V3 Ranch PUD |
| 6:00 - 6:30 p.m. | VI | <u>EXECUTIVE SESSION</u> |

Note: Public hearings are not held during Town Council Work Sessions. The public is invited to attend the Work Session and listen to the Council's discussion. However, the Council is not required to take public comments during Work Sessions. At the discretion of the Council, public comment may be allowed if time permits and, if allowed, public comment may be limited. The Town Council may make a Final Decision on any item listed on the agenda, regardless of whether it is listed as an action item. The public will be excluded from any portion of the Work Session during which an Executive Session is held.

Report of the Town Manager; Report of Mayor and Council members; Scheduled Meetings and Other Matters are topics listed on the 7:30 pm Town Council Agenda. If time permits at the afternoon work session, the Mayor and Council may discuss these items.

MEMORANDUM

To: Town Council

From: Peter Grosshuesch

Date: March 7, 2012

Re: Town Council Consent Calendar from the Planning Commission Decisions of the March 7, 2012, Meeting.

DECISIONS FROM THE PLANNING COMMISSION AGENDA OF February 21, 2012:

CLASS C APPLICATIONS:

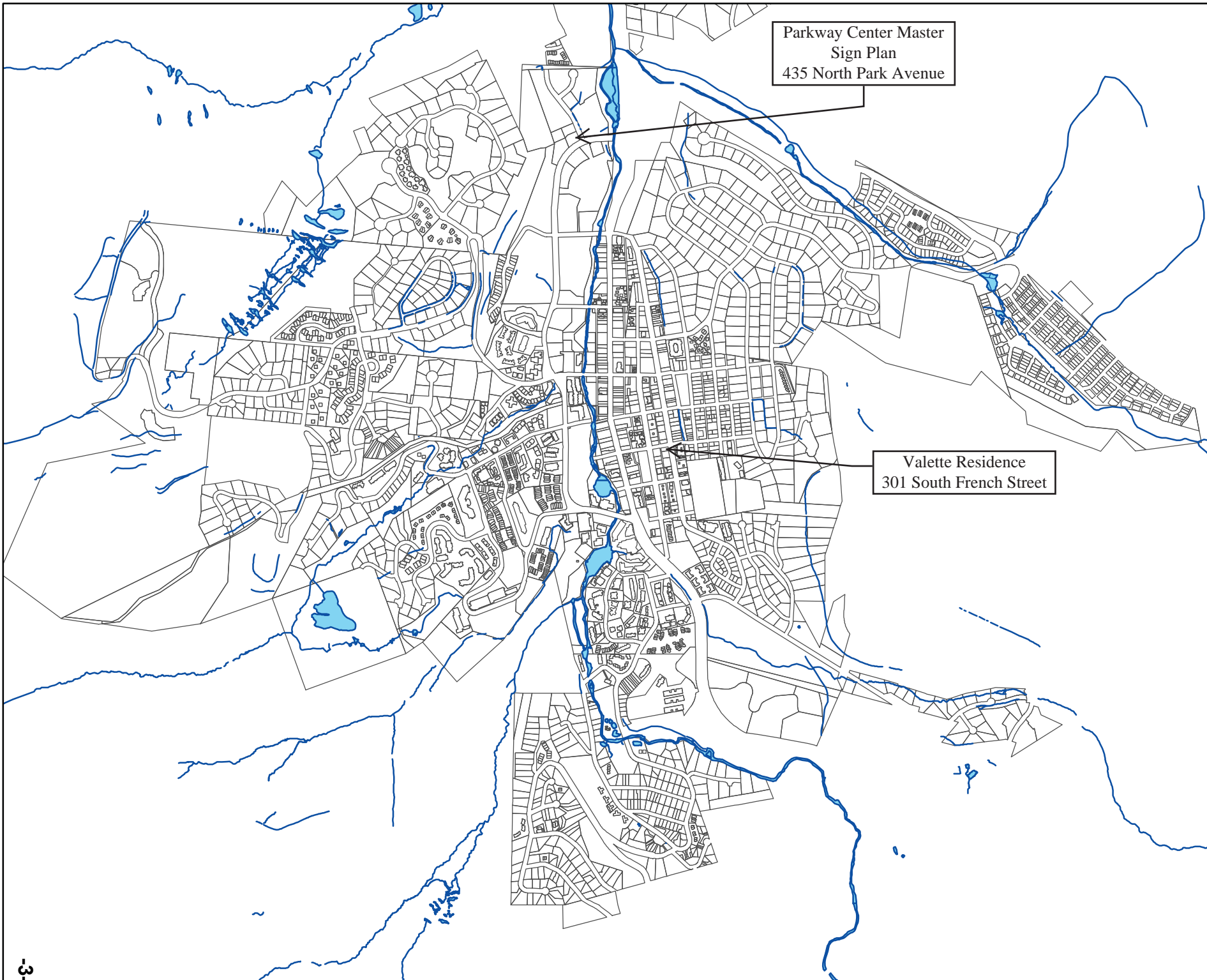
1. Parkway Center Master Sign Plan PC#2012011, 435 North Park Avenue
New Master Sign Plan for commercial spaces in existing building. Approved.

CLASS B APPLICATIONS:

None

CLASS A APPLICATIONS:

None



Parkway Center Master
Sign Plan
435 North Park Avenue

Valette Residence
301 South French Street



NOT TO SCALE

printed 4/12/2011

Breckenridge South

Town of Breckenridge and Summit County governments
assume no responsibility for the accuracy of the data, and
use of the product for any purpose is at user's sole risk.



PLANNING COMMISSION MEETING

The meeting was called to order at 7:03 p.m.

ROLL CALL

Kate Christopher	Jim Lamb	Trip Butler
Gretchen Dudney	Michael Rath	Dan Schroder
Dave Pringle		

APPROVAL OF MINUTES

With one change, the February 21, 2012 Planning Commission meeting minutes were approved unanimously (7-0).

Gretchen Dudney: On page 4 of the packet, please change “determent” to “detriment”.

APPROVAL OF AGENDA

With no changes, the March 6, 2012 Planning Commission meeting agenda was approved unanimously (7-0).

CONSENT CALENDAR:

1) Parkway Center Master Sign Plan (MGT) PC#2012011, 435 North Park Avenue

With no requests for call up, the Consent Calendar was approved as presented.

WORKSESSIONS:

1) Landscaping Guide (JC)

Ms. Cram presented a memo updating the Commission on changes to the Landscaping Guide. It is important to remember that specific requirements for landscaping, such as size, are outlined in the Development Code and that the Landscaping Guide is intended to be a guide. The Planning Commission reviewed Sections 1, 2, 3 and 4 of the Landscaping Guide on January 17th. Staff has incorporated the comments from the Commission, made some other minor changes and completed Section 5 – Common Pests and Diseases. Staff requested feedback from the Commission.

Commissioner Questions / Comments:

Section 1:

Ms. Dudney: Terrific, read it as a homeowner. The key is kind of confusing; “M-D” made me feel like these species didn’t need moisture. You used “M” for both requiring moisture and not requiring. (Ms. Cram: It is according to the plant’s preference; some plants do well in both conditions. Mr. Neubecker brought it up as well. I will look into making it more user-friendly.) (Mr. Neubecker: If it does well in either condition, do we even need to list it? Or, we can consider another letter or symbol.)

Mr. Pringle: On “micro-climates”, can we have an expanded definition of what it means? (Ms. Cram: Example: The lilac can do well with shelter from NW winds, etc.) The words “protection from wind and sun” might be more explanatory, i.e.: might need special planning considerations. (Ms. Cram: We do have a noxious weed ordinance. Summit County has a website with great information.)

Ms. Dudney: Where are you going to publish this guide? (Ms. Cram: We will have copies at Town Hall and on our website. We will also make sure that landscaping professionals have it.) (Mr. Neubecker: We can forward this to HOA’s, etc.) It would be great to publicize it.

Mr. Schroder: I agree with Ms. Dudney that this is very well written. I am very impressed with what you are presenting here. The easier the documents are to find, better use to people.

Ms. Christopher: Maybe have a “Homeowner” tab on the webpage for any documents Breckenridge homeowners might need.

Section 2:

Mr. Schroder: Liked the diagrams, very user-friendly. (Mr. Neubecker: We may try to incorporate more images throughout if possible.)

Ms. Christopher: I liked the hand drawn-sketches.

Ms. Dudney: On “Defensible Space”, is there a requirement where people would have to look into their HOA requirements in addition to the town? (Ms. Cram: That is a great idea.)

Section 3:

Mr. Schroder: Nicely put together documents.

- Ms. Christopher: I just found some typo errors; will give you the paper with my corrections.
- Mr. Lamb: I like this chapter; the planting details are so important. Giving trees a good start is critical for their success.
- Mr. Schroder: Taking care of the roots underground supports what happens above ground: i.e.: flowers, trees, etc.) (Ms. Cram: It is important to not disturb the root zone; i.e.: below the drip-line of tree; this is where the action of the tree is happening. We would like to include a bit on protecting trees during construction. We could come up with a nice sketch.)
- Mr. Schroder: Supports Ms. Cram drawing more images, they are extremely helpful.
- Section 4:
- Mr. Schroder: Important to maintain irrigation.
- Section 5:
- Mr. Rath: The life-cycle of the pine beetle is important knowledge; important for people to understand the timeline of how to deal with it, but cutting infected trees in spring/early summer. (Ms. Cram: I totally agree and will add this.)
- Mr. Schroder: I think aphids are very important. (Ms. Cram: Do you think I should include other things? The things I have included are what I most receive most calls about. I wanted it to be basic stuff that the homeowner is dealing with.)
- Mr. Pringle: A picture says a thousand words. It might be interesting to document how Breckenridge and the forest are going to change over the years.
- Mr. Schroder: Perhaps there is a place in the Visitors Center that could include “Forest in Transition” or something of that nature.

PRELIMINARY HEARINGS:

1) Valette Residence (MGT) PC#2012010, 301 South French Street

Mr. Thompson presented a proposal to remove the existing non-historic structure and replace it with a 2,012 square-foot, two-story residence with four bedrooms, three bathrooms, one gas fireplace, two upper-level decks, and a lower level one bedroom, one bathroom, 434 square-foot employee housing unit. Exterior materials include fiberglass composite shingles, scalloped cedar shingles at the gable ends, 4 ½ inch bevel hardboard siding (Priority Policy 125 recommends lap siding dimensions of approximately 4 inches), 3 ½ inch wide hardboard corner and window trim, wood deck railings, decorative cornice brackets and corbels, a real stone wainscoting around the base of the house varying in height from 9 to 18 inches, and a real stone and wood timber retaining wall for the driveway.

Staff found that the Valette Residence, Accessory Unit, and Removal of Existing Structure (PC#2012010), would be compatible with the surrounding neighborhood and does a good job to hide its parking at the rear of the lot. While this home has been approved before, Staff recognized that there are several new members on the Commission, and Staff understood that there may be questions. Staff is happy to answer your questions or receive any feedback that the Commission may have. If there are no serious concerns, and no changes to the draft point analysis, Staff recommended that this project return soon for the Final Hearing.

Commissioner Questions / Comments:

- Mr. Butler: Wanted Commission to know that I have a personal and professional relationship with the builder; potentially could be a supplier for this project. (The Commission discussed this possible conflict of interest; Mr. Schroder dismissed Mr. Butler from the room for the hearing.)
- Mr. Lamb: Thought you couldn't transfer density through a TDR into the historic district? (Mr. Thompson: Yes, that is the new rule, but the density was already transferred back in 2005 after the original approval of this design.)
- Mr. Schroder: Wanted to verify the parking situation according to the pictures Mr. Thompson provided. The current photos do not accurately show the potential new parking situation.
- Ms. Christopher: Is the current parking going to remain in the French Street right-of-way for Town residents, etc? (Mr. Neubecker: That will be up to the Town to decide that.)
- Mr. Pringle: Was the building permit ever applied for? (Mr. Thompson: Not sure. But they did purchase the TDR and we have confirmed that.)
- Ms. Christopher: Is the chain link fence temporary construction fence? (Mr. Thompson: Yes.)
- Mr. Pringle: Are there any significant changes to the Development Code since this project was first approved? (Mr. Thompson: One thing that comes to mind is negative points for the snow-melting in the driveway. For the size of the heated area we felt that negative two (-2) points were an appropriate amount.) Is there

anything that distinguishes this parking solution to any other solutions? Are we reviewing this policy different or has anything has changed? (Mr. Thompson: In my opinion, I feel that this project should have received positive two (+2) points before. We do need to be careful about setting correct precedents regarding the Code.) Mr. Pringle: Have they thought of any other parking options? (Mr. Thompson: We feel that this works with the historic district by having the parking in the rear of the property.) I just want to make sure that we are consistent with the way we award points. (Mr. Neubecker: It will be screened better than most surface parking.) I'm just looking for an understanding of why if nothing has changed but now they are getting positive two (+2) points. Staff has been giving two positive points for placing parking in the rear of the property and out of site. (Mr. Neubecker: The Historic District Guidelines encourage respecting the historic development pattern of front yards and not having parking in front of the residence. We want to encourage applicants to design parking in the rear of the residence, off of the alley. We do have recent precedence for awarding positive two points (+2) for placing the parking in the rear and out of sight.)

Ms. Dudney: Is this Character Area #1, East Side Residential? (Mr. Thompson: Yes.)

Mr. Rath: I hate snowmelt. This turns the house into an energy hog. They could put a garage there if they were allowed more square feet. (Mr. Jon Raymond, Builder: We agree on the snowmelt, Mr. Rath. We accommodated the back site with parking for many reasons because we didn't have many choices. There is not a foundation under the existing house, it will be recycled and we will be donating it so it is not going to go to the landfill.)

Mr. Pringle: When you say it is a four-plex, it sounds like a legally divided property. (Mr. Raymond: It is not a legally divided property; there are four one-bedroom units, and the existing house straddles both Lots 1 and 2. We have the lot line vacation subdivision application in right now.) (Mr. Thompson: We have sent out notice and placed notice of the subdivision on the property; we are in the notice waiting period right now.)

Mr. Schroder opened the floor for Public Comment:

Maureen Nicholls, adjacent property owner to the West: I think everything looks fine. Just a couple questions on the snowmelt. When the snow melts at the three car parking space, is there going to be a drain that takes the water away? The issue of a plow coming in from Adams Street and then backing out; I am concerned about what happens when the snow gets plowed. Would it be adequate for a snow year like last year? Something has to take that water somewhere. (Mr. Raymond: We try to manage snowmelt by putting in high condenser melters that measure slab temperature, air temp, etc. We try to evaporate instead of having the big trough of water. We will have an ice-bridging.) (Mr. Neubecker: The Town typically does not let you snowmelt into the right-of-way.) (Mr. Raymond: Plowing and snow storage will be a maintenance issue for the property owners. If it is an extra large snowfall year they might have to haul snow out. There will be a plow from a private contractor.) (Mr. Pringle: It will be an ongoing maintenance issue and they will have to keep tabs on it.) (Mr. Thompson: We have had one meeting with the Engineering Department. The engineer is aware of the plan and she will be working closely with Mr. Raymond on the plan.)

Mr. Schroder closed the public comment period and opened the floor back to Commissioners for further questions.

Mr. Pringle: Are there going to be any flue pipes sticking up 10-15 feet from the fireplaces? (Mr. Thompson: They are just proposing the one in the front.) Wouldn't we encourage them to put it in a chimney chase? (Mr. Thompson: I think what we have planned is more historically accurate.) (Mr. Raymond: Could they do a direct vent to the side of the house?) (Mr. Thompson: We have allowed that in the past in the Historic District.)

Mr. Schroder: I like that the parking is tucked away and think this is a good parking solution. Thank you for the explanation of the snowmelt system. I feel confident that the snowmelt system will be addressed and I am happy to see this lot become something else.

Mr. Pringle: I need to be clear on the positive points for employee housing; do we have insurance or some sort of compliance process to know that it will actually be used that way? (Mr. Grosshuesch: We do the monitoring annually but we can't force somebody to live there.) (Ms. Christopher: Does that mean it is deed restricted?) (Mr. Thompson: Yes, it will be deed restricted for locals; a renter would have to work at least 30-hours a week in Summit County.)

Ms. Dudney: Compliments to the design; seems to fit within the neighborhood.

Mr. Lamb: Parking needs to be monitored so that it drains well. I like the design of the building. Worried about the stove pipes looking too low on the roof.

Ms. Christopher: Great with the design; what are the dotted line windows on the bottom? (Mr. Raymond: They are window wells below grade that will allow natural light.)

OTHER MATTERS:

1. Joint Town Council Meeting Topics and Date (CN)

Mr. Neubecker presented a memo outlining several topics for the joint meeting with the Town Council on May 8, 2012. This will occur after the new Town Council is in place. We have suggested potential topics to talk about.

Commissioner Questions / Comments:

Mr. Schroder: How many of these would we like to attempt to cover? What kind of approach do we expect? Maybe if we pick some main topics to cover that would be helpful since sometimes dinner makes things tight.

Mr. Rath: That is only 20 minutes per topic.

MEETING TOPIC IDEAS:

1. Historic Preservation Incentives (Mr. Lamb)
2. Solar Gardens (Mr. Lamb)
3. Energy Efficiency/Review point system (Mr. Rath)
4. Vender Cart Guidelines (Mr. Pringle)
5. McCain Property/F-Lot Update (Ms. Dudney)
6. Transition Standards (Tiger Dredge) & Inclusion of School Property/Park , Breckenridge Elementary (Mr. Grosshuesch)
7. Solar Panels/Historic Transitions (Mr. Lamb)
8. Re-development of Commercial Development (Mr. Pringle)
9. Importance of the Town Council Liaison (Ms. Dudney)

Other Matters:

Mr. Grosshuesch: Potential rodeo on Airport Road this summer; you might not see it as an application, just as a heads up. It will go through the SEPA (Special Event Permit Application) review process.

ADJOURNMENT:

The meeting was adjourned at 8:57 p.m.

Dan Schroder, Chair

MEMO

TO: Town Council

FROM: Town Attorney

RE: Council Bill No. 9 (Amending the Development Code Concerning Density)

DATE: March 7, 2012 (for March 13th meeting)

The second reading of the ordinance making several amendments to the Development Code is scheduled for your meeting on March 13th.

There are a couple of changes proposed to ordinance from first reading:

1. The language concerning “town-to-town” density transfers has been revised slightly to make it clear that the mechanism for accomplishing a town-to-town density transfer is still a development agreement, or an original or amended master plan. However, language has been inserted clarifying that density cannot be transferred between different master plans or between a location inside a master plan and another location outside the same master plan, except through a development agreement. Clarifying language has also been inserted authorizing the Town Council to approve a transfer of density from Town-owned property by ordinance, as well as by resolution.

2. In Sections 2 and 3 of the ordinance clarifying language has been inserted providing that a development approval shall include a condition that specifies the time “or times” at which all requirements are to be complied with.

I will be happy to discuss this matter with you on Tuesday.

1 **FOR WORKSESSION/SECOND READING – MAR. 13**

2
3 Additions To The Current Ordinance As Adopted on First Reading Are
4 Indicated By **Bold + Double Underline**; Deletions By ~~Strikeout~~

5
6 COUNCIL BILL NO. 9

7
8 Series 2012

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

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

16
17 Section 1. Section 9-1-5 of the Breckenridge Town Code is amended by the addition of
18 the following definitions:

DEVELOPMENT RIGHT: Unless otherwise specified in this Code, the right to develop one single family equivalent of density (SFE), or portion thereof.

SINGLE FAMILY EQUIVALENT (SFE): One unit of residential density as defined in Section 9-1-19-3A, “Policy 3 (Absolute) Density/ Intensity” of this Chapter; or one thousand (1,000) square feet of non-residential density.

TRANSFERABLE DEVELOPMENT RIGHT (TDR): A development right that has been approved by the Town for transfer from a TDR Sending Site to a TDR Receiving Site.

TDR RECEIVING SITE: A site authorized by the Town to accept the transfer of a TDR from a TDR Sending Site.

TDR SENDING SITE: A site authorized by the Town to transfer a TDR to a TDR Receiving Site.

1 Section 2. Section 9-1-17-12(A) of the Breckenridge Town Code is amended to read in
2 its entirety as follows:

3 A. Town-To-Town Transfers: A transfer of density from one lot or parcel within
4 the town to another lot or parcel within the town may be approved by the town
5 council only in connection with the approval of a development agreement, or
6 ~~Density may be transferred between locations within a master plan through an~~
7 approved original or amended master plan. **Density may be transferred**
8 **between locations within a master plan**, but ~~A master plan shall not~~
9 ~~authorize~~ the transfer of density between different master plans or between a
10 location inside a master plan and another location outside the same master
11 plan **is only allowed through a development agreement**. Transfers of
12 density from properties owned by the Town may also be allowed, in
13 conjunction with an approved development permit or by resolution **or**
14 **ordinance** of the Town Council. In no case may density be transferred into
15 the Historic District or Land Use District 1. If a density transfer is approved,
16 the transfer shall be evidenced by a written covenant which shall be in a form
17 and substance acceptable to the town attorney. Such covenant shall provide: 1)
18 the amount of density transferred; 2) the total amount of density remaining on
19 the sending parcel; 3) the new total amount of density on the receiving parcel;
20 and 4) an acknowledgment by the owner of the receiving parcel that the
21 density which has been transferred may be used on the receiving parcel only
22 in accordance with a separate development permit obtained in accordance
23 with the requirements of this chapter. The covenant shall be recorded with the
24 clerk and recorder of Summit County, and shall conclusively establish the
25 amount of density on both the sending and receiving parcels as of the date of
26 such covenant. Upon the execution of the density transfer covenant described
27 above, the owners of both the sending and receiving parcels shall execute such
28 documents as may be required by the director in order to assure that the
29 records of the town correctly reflect the current amount of allowed density for
30 both parcels. Development approval shall include a condition of approval that
31 specifies the time **or times** at which all requirements as set forth above are
32 complied with (e.g., prior to issuance of building permits).
33

34 Section 3. Section 9-1-17-12(B) of the Breckenridge Town Code is amended to read in its
35 entirety as follows:

36 B. Other Transfers: A transfer of density to a lot or parcel within the town from
37 either one lot or parcel located outside of the town, but within the Upper Blue
38 River Basin, or pursuant to a certificate of development rights issued pursuant
39 to that certain “Intergovernmental Agreement Concerning Transferred
40 Development Rights between the Town and Summit County, Colorado”, as
41 amended from time to time, may be approved by the town only in compliance
42 with this chapter. In no case may a density transfer be allowed into the
43 Historic District or Land Use District 1. If a density transfer is approved, the
44 transfer shall be evidenced by a written covenant which shall be in a form and
45 substance acceptable to the town attorney. Such covenant shall provide: 1) the

1 amount of density transferred; 2) the new total amount of density on the
2 receiving parcel; 3) the total new amount of density on the sending parcel; and
3 4) an acknowledgment by the owner of the receiving parcel that the density
4 which has been transferred may be used on the receiving parcel only in
5 accordance with this chapter. The covenant shall be recorded with the clerk
6 and recorder of Summit County, and shall conclusively establish the amount
7 of density on the receiving parcel as of the date of such covenant. Upon the
8 execution of the density transfer covenant described above, the owner of the
9 receiving parcel shall execute such documents as may be required by the
10 director in order to assure that the records of the town correctly reflect the
11 current amount of allowed density on the receiving parcel. Development
12 approval shall include a condition of approval that specifies the time or times
13 at which all requirements as set forth above are complied with (e.g., prior to
14 issuance of building permits). Development permit conditions of approval
15 shall state the amount of density required to be transferred and shall not
16 include specific dollar amounts for purchasing such density. The cost of
17 purchasing density shall be based on the current rate established for sale of
18 TDRs at the time of purchase, as outlined in the Intergovernmental
19 Agreement.
20

21 Section 4. Section B of Policy 3(Absolute)(“Density/Intensity”) of Section 9-1-19 of the
22 Breckenridge Town Code is amended to read in its entirety as follows:

23 B. Residential: Residential uses whose allowed densities are calculated in terms of
24 units within the land use guidelines shall utilize the following square footage
25 conversion tables to determine the maximum dwelling area allowed within a
26 specific project. (The town requires dwelling units to be converted to square
27 footage rather than units because the town has determined that the impacts of a
28 development are more closely related to the total square footage of the project
29 than the number of units.) Furthermore, it is the intention of the town to
30 encourage uses which have been determined to be needed and desirable for the
31 general benefit of the town, and to discourage those uses which it determines
32 provide little or no benefit or are a detriment to the community.
33

34 Conversion Table - Residential Uses

35 Within Conservation District:

36 Single-family	One unit = 1,600 sq. ft.
37 Duplexes and townhouses	One unit = 1,600 sq. ft.
38 Condominiums or boarding	One unit = 900 sq. ft.
39 houses	
40 All other residential (including bed	One unit = 1,200 sq. ft.
41 and breakfast, apartment, and	
42 condo-hotel)	

43 Outside Conservation District:
44
45
46

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Single-family	One unit = unlimited sq. ft.*
Duplex included within site plan level development permit with net density of less than 5 units per acre	One unit = unlimited sq. ft.*
Duplex included within site plan level development permit with net density of 5 units per acre or more	One unit = 1,600 sq. ft.
Townhouse	One unit = 1,600 sq. ft.
Hotel, inn, motel, bed and breakfast	One unit = 1,380 sq. ft.
Condominiums or boarding houses	One unit = 900 sq. ft.
All other residential (including apartment and condo-hotel)	One unit = 1,200 sq. ft.

*Refer to Section A of Section 9-1-19-4A, “Policy 4 (Absolute) Mass”, for mass limitations in certain subdivisions that may further limit above ground density.

Section 5. Section D(4) of Policy 3(Absolute)(“Density/Intensity”) of Section 9-1-19 of the Breckenridge Town Code is amended to read in its entirety as follows:

- (4) In connection with the annexation to the town of real property, the town shall establish the density for the property in accordance with the Summit County zoning density for residential uses or the town land use guideline recommended density, whichever is less. Density recommended for nonresidential uses under Summit County zoning shall not be recognized by the town. If upon such property there is to be constructed a project which includes one or more employee housing units as herein defined, the town may establish a density that exceeds the lesser of the county or town density, for the portion of the property devoted to employee housing.

Section 6. Policy 3(Absolute)(“Density/Intensity”) of Section 9-1-19 of the Breckenridge Town Code is amended by the addition of a new Section E, which shall read in its entirety as follows:

- E. Density for Attainable Workforce Housing Projects
 - A. When new attainable workforce housing projects are developed within the corporate limits of the Town, the Town government shall transfer density it owns to the attainable workforce housing project at a 1:4 ratio (i.e., transfer one development right for every four attainable workforce housing project units permitted to be built).
 - B. The density provisions for Employee Housing under Section D of this Policy 3(Absolute) shall also apply to attainable workforce housing projects.

Section 7. Subsection A(2)c of Policy 24 (Relative)(“Social Community”) of Section 9-1-19 of the Breckenridge Town Code is amended to read in its entirety as follows:

1 c. Employee housing units provided under this Section may be on- or off-site, but
2 shall be within the Town or an unincorporated area of the Upper Blue River
3 Basin.
4

5 Section 8. Subsection A(4) of Policy 24 (Relative)(“Social Community”) of Section 9-1-
6 19 of the Breckenridge Town Code is amended to read in its entirety as follows:

7 (4) Restrictive Covenants: The owner of an employee housing unit which is
8 restricted by a restrictive covenant as described in subsection A(2)f of this policy
9 shall have the right to obtain the release of the restrictive covenant by substituting
10 for the restricted unit another unit or property located in the Town or an
11 unincorporated area of the Upper Blue River basin which satisfies the definition
12 of “employee housing” set forth in section 9-1-5 of this chapter. Such right of
13 substitution shall be subject to the town's approval of such substitute unit or
14 property as being of comparable size and condition using the class D development
15 permit process. No such substitution shall be permitted unless the substitute unit
16 or property shall be subjected to a restrictive covenant as required by subsection
17 A(2)f of this policy.
18

19 Section 9. Except as specifically amended hereby, the Breckenridge Town Code, and the
20 various secondary codes adopted by reference therein, shall continue in full force and effect.
21

22 Section 10. The Town Council hereby finds, determines and declares that this ordinance
23 is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
24 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
25 thereof.
26

27 Section 11. The Town Council hereby finds, determines and declares that it has the power
28 to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act,
29 Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal
30 zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv)
31 Section 31-15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to
32 home rule municipalities by Article XX of the Colorado Constitution; and (vi) the powers
33 contained in the Breckenridge Town Charter.

34 Section 12. This ordinance shall be published and become effective as provided by
35 Section 5.9 of the Breckenridge Town Charter.

36 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
37 PUBLISHED IN FULL this ____ day of _____, 2012. A Public Hearing shall be held at the
38 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
39 _____, 2012, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the
40 Town.
41
42

TOWN OF BRECKENRIDGE, a Colorado
municipal corporation

By _____
John G. Warner, Mayor

ATTEST:

Mary Jean Loufek, CMC,
Town Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60



MEMORANDUM

TO: Town Council

FROM: Chris Neubecker and Michael Mosher; Community Development Department

SUBJECT: Council Bill No. 10 (Transition Character Area Standards)

DATE: March 7, 2012

The first reading of an ordinance adopting the “Handbook of Design Standards for the Transition Character Areas of the Conservation District” is scheduled for your meeting on March 13th. There are a few changes to the Handbook from the version presented to the Council on February 28th. These changes include:

1. Revisions to the map boundary for the River Park Corridor Transition Character Area, to include the Riverwalk Center and Tiger Dredge parking lot. (The F Lot parking area is not included.)
2. Additional language in the introduction to the River Park Corridor Transition Character Area, to correlate with the map revision.
3. Removal of the word “potential” at the photo of the Blue River. This sentence now reads “The Blue River is a major amenity for the Town...”
4. Removal of the words “Park Avenue” on the map graphic on Building Form (Design Standard #288), since not all of the River Park Corridor Transition Character Area extends to the Blue River.
5. Removal of language on evergreens as the dominant trees along streets (Design Standard #293). This change was made in response to recent landscaping revisions along Main Street. Evergreens are no longer the dominant trees in this area.
6. Removal of Design Standard #310, which indicates that “monument” type signs are encouraged. This was changed since monument signs are now prohibited in the Conservation District, per the revised Sign Code (Ord. 6, Series 2004).

Staff will be at the meeting on Tuesday to answer any questions or receive any feedback from the Council.

1 **FOR WORKSESSION/FIRST READING – MAR. 13**

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

5
6 COUNCIL BILL NO. ____

7
8 Series 2012

9
10 AN ORDINANCE AMENDING CHAPTER 5 OF TITLE 9 OF THE BRECKENRIDGE
11 TOWN CODE BY ADOPTING BY REFERENCE “THE HANDBOOK FOR DESIGN
12 STANDARDS FOR THE TRANSITION CHARACTER AREAS OF THE CONSERVATION
13 DISTRICT, BRECKENRIDGE, COLORADO, MARCH 2012”; AND MAKING
14 CONFORMING AMENDMENTS TO THE BRECKENRIDGE TOWN CODE

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

18
19 Section 1. Section 9-5-3 of the Breckenridge Town Code is amended to read in its
20 entirety as follows:

21 9-5-3: DESIGN STANDARDS ADOPTED:

22
23 A. The “Handbook Of Design Standards **For the Historic and Conservation**
24 **Districts**”, dated February 1992, is ~~hereby~~ adopted by reference, including the
25 specific design standards for character areas no. 1 (east side residential), no. 2
26 (north end residential), no. 3 (south end residential), no. 4 (north Main Street
27 residential), no. 5 (Main Street residential/commercial), no. 6 (Main Street core
28 commercial) and no. 7 (south Main Street residential).

29
30 **B.** **The “Handbook of Design Standards for the Transition Character Areas**
31 **of the Conservation District, Breckenridge, Colorado”, dated March 2012, is**
32 **adopted by reference.**

33
34 C. The subject matter of the adopted standards includes comprehensive
35 provisions and standards which govern the development of real property within
36 the town’s historic and conservation districts as defined in such standards.

37
38 **D.** **When used in this Code, unless the context clearly requires otherwise, the**
39 **term “Handbook of Design Standards” includes both the standards adopted**
40 **in Section A of this Section, and the standards adopted in Section B of this**
41 **Section.**

42
43 Section 2. The introductory portion of Section 9-5-3-1(A) of the Breckenridge Town
44 Code is amended to read in its entirety as follows:

1 A. The third unnumbered paragraph of section 4.2 of the “Handbook of Design Standards
2 **for the Historic and Conservation Districts**” is hereby amended so as to read in its
3 entirety as follows:

4 Section 3. The introductory portion of Section 9-5-3-1(B) of the Breckenridge Town
5 Code is amended to read in its entirety as follows:

6 B. The “Handbook of Design Standards **for the Historic and Conservation Districts**” is
7 amended by the addition of a new priority policy 80C, which shall read in its entirety as
8 follows:

9 Section 4. Section 9-1-5 of the Breckenridge Development Code is amended by the
10 inclusion of the following definitions:

**HANDBOOK OF DESIGN
STANDARDS/ HANDBOOK
OF DESIGN STANDARDS
FOR THE HISTORIC AND
CONSERVATION
DISTRICTS :**

**Have the meanings provided in Section 9-5-
3 of this Code.**

**TRANSITION
CHARACTER AREA:**

**Has the meaning provided in the Handbook
of Design Standards.**

11
12 Section 5. Subsection B of Policy 5 (Absolute) (Architectural Compatibility) of Section
13 9-1-15 the Breckenridge Town Code, is amended to read in its entirety as follows:

14 B. Conservation District: Within the conservation district, which area contains the
15 historic district **and the transition character areas** (see special areas map)
16 substantial compliance with both the design standards contained in the
17 “Handbook of Design Standards” and all specific individual standards for the
18 transition or character area within which the project is located is required to
19 promote the educational, cultural, economic and general welfare of the
20 community through the protection, enhancement and use of the district structures,
21 sites and objects significant to its history, architectural and cultural values.
22

23 Section 6. Subsection B of Policy 5 (Relative) (Architectural Compatibility) of Section
24 9-1-15 the Breckenridge Town Code, is amended to read in its entirety as follows:

25 5 x (-5/0) Conservation District: Within the conservation district, which area
26 contains the historic district **and the transition character areas**,
27 compatibility of a proposed project with the surrounding area and the
28 district as a whole is of the highest priority. Within this district, the
29 preservation and rehabilitation of any historic structure or any “town
30 designated landmark” or “federally designated landmark” on the site (as
31 defined in chapter 11 of this title) is the primary goal. Any action which is
32 in conflict with this primary goal or the “Handbook Of Design Standards”

1 is strongly discouraged, while the preservation of the town’s historic fiber
2 and compliance with the historic district design standards is strongly
3 encouraged. Applications concerning development adjacent to Main Street
4 are the most critical under this policy.

5 Section 7. Subsection 9-2-1-2(G) of the Breckenridge Town Code is amended to read in
6 its entirety as follows:

7 G. Assuring that all subdivisions, plats, and dedications of land are in conformance with
8 the Breckenridge master plan, land use guidelines, handbook of design standards ~~for the~~
9 ~~historic district~~, urban design plan, street standards, storm drainage standards, flood
10 damage prevention regulations, water quality and sediment transport control standards,
11 Breckenridge development code;

12 Section 8. Subsection 9-2-4-1(A)(2) of the Breckenridge Town Code is amended to read
13 in its entirety as follows:

14 2. The town master plan, land use guidelines, handbook of design standards ~~for the~~
15 ~~historic district~~, urban design plan, street standards, storm drainage standards, flood
16 damage prevention regulations, water quality and sediment transport control standards,
17 development code, building code, and all applicable town laws, codes, regulations, and
18 development related policies.

19 Section 9. Except as specifically amended hereby, the Breckenridge Town Code, and the
20 various secondary codes adopted by reference therein, shall continue in full force and effect.

21 Section 10. The Town Council hereby finds, determines and declares that this ordinance
22 is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
23 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
24 thereof.

25 Section 11. The Town Council hereby finds, determines and declares that it has the
26 power to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling
27 Act, Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning
28 municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers);
29 (iv) Section 31-15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to
30 home rule municipalities by Article XX of the Colorado Constitution; and (vi) the powers
31 contained in the Breckenridge Town Charter.

32 Section 12. The Town Council hereby finds, determines and declares that it has the
33 power to adopt this ordinance pursuant to the authority granted to home rule municipalities by
34 Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town
35 Charter.

36 Section 13. This ordinance shall be published and become effective as provided by
37 Section 5.9 of the Breckenridge Town Charter.

1 INTRODUCTION, READ ON FIRST READING, APPROVED AND ORDERED
2 PUBLISHED IN FULL this ____ day of _____, 2012. A Public Hearing shall be held at the
3 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
4 _____, 2012, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the
5 Town.

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

10
11
12 By _____
13 John G. Warner, Mayor
14

15 ATTEST:

16
17
18
19 _____
20 Mary Jean Loufek, CMC,
21 Town Clerk
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59

**HANDBOOK OF DESIGN
STANDARDS
FOR THE TRANSITION CHARACTER AREAS
OF THE CONSERVATION DISTRICT**



**Handbook of Design Standards
for the
Transition Character Areas
of the
Conservation District
Breckenridge, Colorado**

March 2012

Winter & Company
Boulder, Colorado

Community Development Department
Breckenridge, Colorado

CREDITS

TOWN OF BRECKENRIDGE

Town Council - 1994

Stephen C. West, Mayor
Ken Adams
Michael Bertaux
Sam Mamula
Judy Girvin
Darcy Lystlund
Sandy Struve

Town Council - 2012

John Warner, Mayor
Peter Joyce
Jeffery Bergeron
Jennifer McAtamney
Eric Mamula
Michael Dudick
Mark Burke

Planning Commission - 1992-1994

Larry Crispell, Chairman
Ken Boos
D. Wayne Brown
Glenn Fryer
Fred Kinat
Judy Girvin
Grant Miller
Dave Pringle

Planning Commission - 2012

Dan Schroder
Dave Pringle
Jim Lamb
Trip Butler
Kate Christopher
Gretchen Dudney
Michael Rath

Community Development Department - 1994

Peter Grosshuesch, Director
Mark Durbin
Mary Holden
Bob Matatall
Ginny Nielsen
Jan Prowell
Pat Putt

Community Development Department - 2012

Peter Grosshuesch, Director
Mark Truckey, Assistant Director
Chris Neubecker
Michael Mosher

CONSULTANT

1994

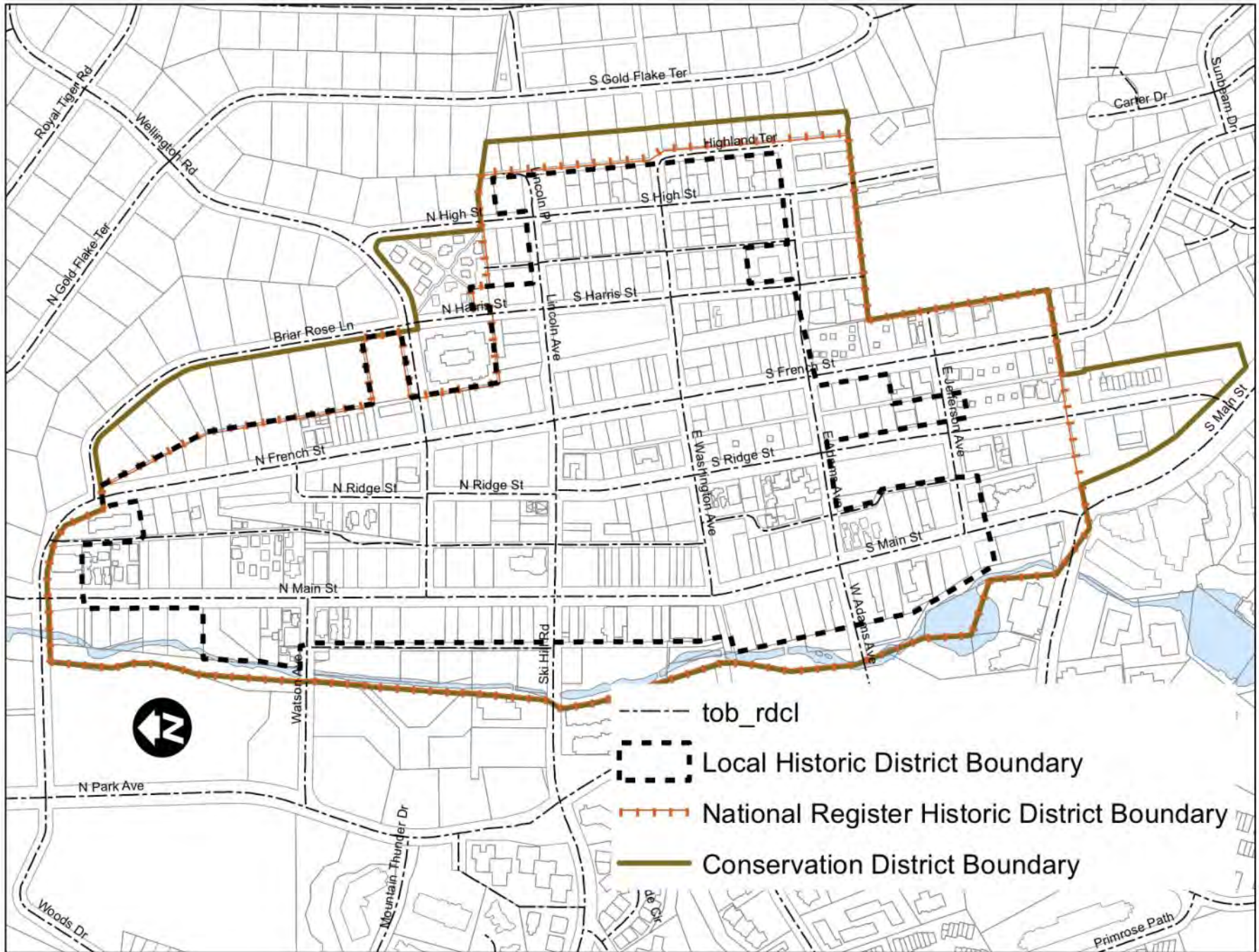
Winter & Company
Boulder, Colorado
Noré V. Winter
Julia Husband
Ray Kramer, A.I.A.
Molly Miller Winter
Betsy Shears

TABLE OF CONTENTS

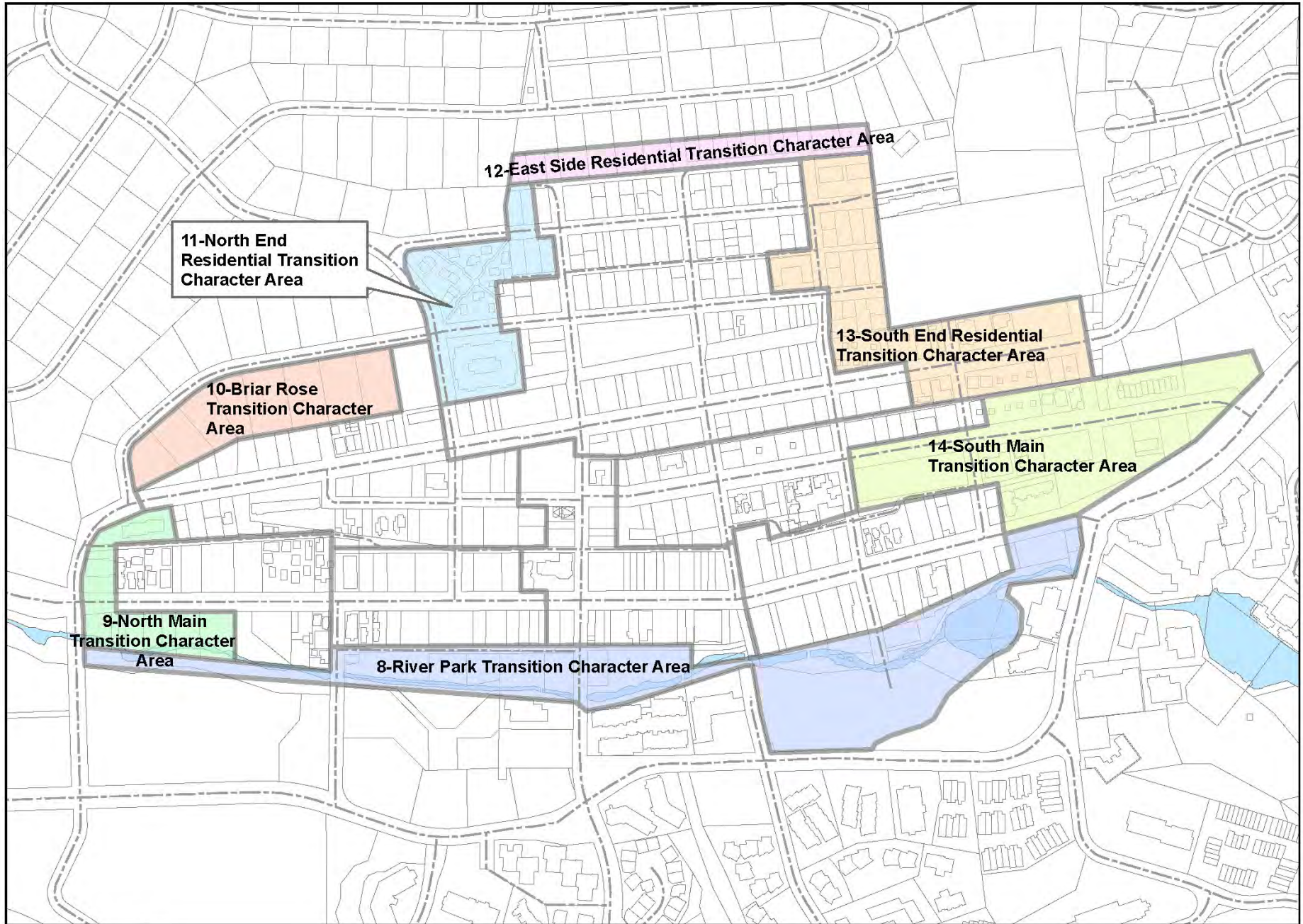
Introduction	1	#9. North Main Transition Character Area	30
Overview	2	Building Orientation	30
Goals for the Transition Areas	3	Building and Roof Forms	30
Scope of the Design Standards for the Transition Areas	4	Setbacks	31
Priority Standards	4	Architectural Character	31
How to Use the Design Standards	5	#10. Briar Rose Transition Character Area	32
General Standards for the Transition Areas	6	Mass and Scale	33
Impact on Historic Structures within the Conservation District	6	Automobiles and Parking	34
Impact on edges of the Historic District	7	#11. North End Residential Transition Character Area	35
Mass and Scale	8	Parking	36
Roof and Building Forms	9	Mass and Scale	36
Pedestrian Orientation	10	#12. East Side Residential Transition Character Area	37
Automobiles and Parking	11	Building Setbacks	38
Orientation to the Grid	12	Building Widths	38
Building Setbacks	13	Mass and Scale	39
Architectural Style	13	Architectural Character	39
Building Materials	13	Orientation on the Lot	40
Building Widths	14	Landscaping	40
Solid-to-Void Ratio	15	Parking	41
Outbuildings	16	#13. South End Residential Transition Character Area	42
Utilities	16	Mass and Scale	43
#8. River Park Corridor Transition Character Area	17	Architectural Character	43
View Corridors	19	Orientation on the Lot	44
Building Orientation	21	Automobiles and Parking	45
Building Scale	22	#14. South Main Transition Character Area	46
Building Form	23	Pedestrian Orientation	46
Roof Forms	23	Building Fronts	47
Materials	24	Façade Alignment	48
Landscaping	25	Building Form	48
Blue River Edges	26	Building Widths	48
Circulation Systems	27	Mass and Scale	49
Parking	28	Landscaping	49
Open Space	29	Parking	49
Signs	29		

Note that the General Design Standards in the Town of Breckenridge Handbook of Design Standards for the Historic and Conservation Districts also apply to all properties in the Conservation District.

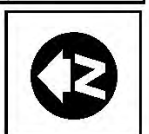
SPECIAL AREAS MAP



CHARACTER AREAS MAP



Transition Character Area Boundaries

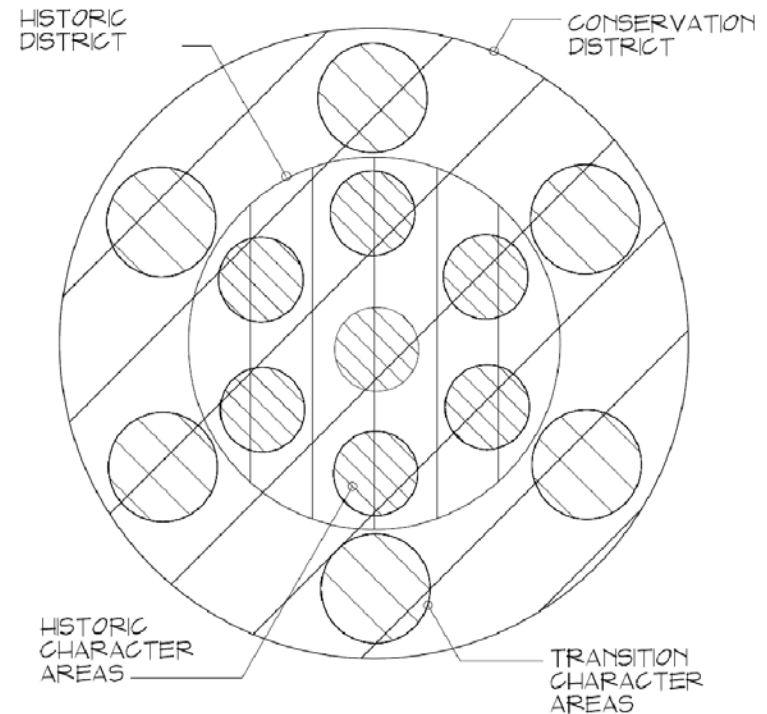


Introduction

The Conservation District is an area surrounding and encompassing the Historic District and Transition Character Areas. The Conservation District has been determined by the community to contain resources of value to the community, together with any adjacent area that may have substantial impact such that design review of new development is deemed necessary. The outer boundary of the Conservation District defines the outer edges of the Transition Character Areas.

Transition Character Areas are areas within the Conservation District that lie *outside* the Historic District and serve as buffers from the impacts of development in newer areas of the community to the Historic District. Development in the Transition Character Areas visually contributes to the traditional character of the core of the community. Within the Transition Areas, there are individual Character Areas that have specific design standards relating to the adjacent Historic Districts.

The Historic District is an area surrounded by the Conservation District and Transition Areas that contains the greatest concentration of historic structures / properties and most clearly conveys the sense of character of the town during its early phases of development. Within the Historic District, there are individual Character Areas that have specific design standards addressing the early phases of development unique to that part of the district.

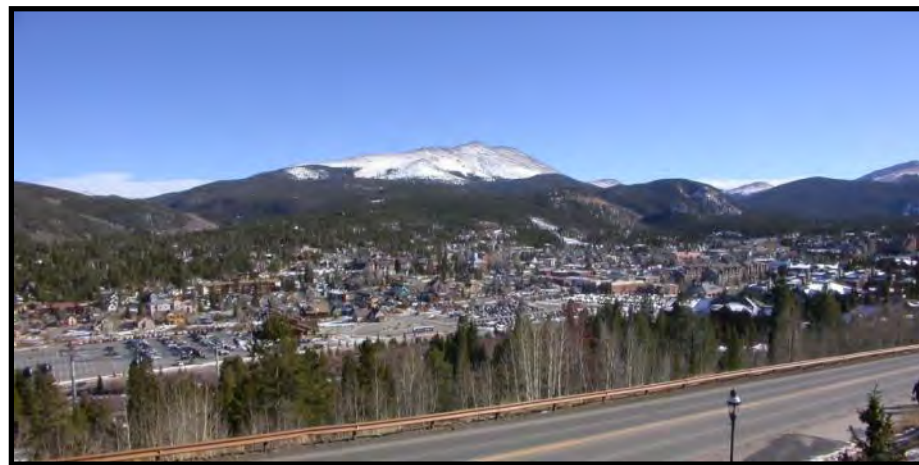


Overview

The Town of Breckenridge has defined a series of Transition Areas surrounding the Town's Historic District that serve as buffers from the impacts of development in newer areas of the community. Each of these Transition Character Areas exhibits different features that require slight variations in design policies.

Portions of the Transition Areas were once contained in an earlier Historic District boundary, but were designated to be Transition Areas in the Conservation District when the Historic District boundary was re-drawn in 1991. Other areas, such as portions of Park Avenue, were defined as Transition Areas at that time as well. Traditionally, these areas have been a part of the Town and they bear many similarities with the historic core. But remaining historic buildings only occur as isolated buildings in a few of the Transition Areas.

In general, the Conservation District is an area where the scale and character of buildings is similar to that found in the historic core, but where few historic buildings are actually found. While it is not appropriate to consider the area a Historic District, the Town does wish to direct development such that it will contribute to the traditional character of the core of the community. A major concern is that these neighborhoods should have a human scale, enhance livability, and appear to be visually related to the traditional Town core.



Portions of the Transition Character Areas lie to the east and west of the Historic District in Breckenridge. The Historic District lies in the beyond the Transition Character Areas, in the foreground.

Goals for the Transition Areas

The Town holds two primary design goals for the Transition Areas:

Goal 1: To buffer the edges of the Historic District

One purpose of the Transition Areas is to protect the edges of the Historic District from development that would cause an abrupt change in character, as viewed from *within* the Historic District. In this sense, the Transition Areas serve as a transition from the Historic District to outlying areas. By doing so, the integrity of the Historic District will be preserved. A key concern, therefore, is how the edges of the Historic District may be affected by development within the Conservation District. This new development should create a smooth transition from the Historic District to outlying areas. To do so, architecture should have some characteristics that are similar to those seen historically, without directly imitating the historic buildings.

Goal 2: To establish and enhance a sense of neighborhood identity

Another reason for establishing the Transition Areas is to retain a sense of scale and feeling of “neighborhood” such as seen traditionally in the Historic District, in the interest of promoting livability and stability of residential areas. Many of the recent buildings that are located in the Conservation District convey an appealing sense of scale that is especially attractive to pedestrians and may encourage long-term occupancy. Building elements, such as porches, and landscape features, such as front yards, are examples of components of the neighborhoods that give them a sense of identity and pedestrian scale.



One purpose of the Transition Area within the Conservation District is to protect the edges of the Historic District from building that would cause an abrupt change in character or have a negative impact upon the street scene, as viewed from within the Historic District.

Scope of the Design Standards for the Transition Areas

The design standards for the Transition Character Areas within the Conservation District address design at a more general level than those for the Historic District. The mass and scale of buildings are of particular concern, as is the orientation of structures on their sites. Other site design issues are also considered, such as the placement of parking areas. They do not address some of the more detailed aspects of design that are more of a concern in the Historic District.

These standards apply in addition to those in the Town's Development Code and other relevant policy documents. Applicants should carefully consider these other regulations while developing their design concepts. The Development Code uses a scoring system to determine the appropriateness of proposed development projects and as a part of that scoring system, substantial compliance with these design standards is required.

Priority Standards

Some standards have a high priority and, according to Section 9-1-19-5-A of the Development Code, projects *must* meet these standards in order to be considered in "substantial compliance" with the code provisions. These high priority standards have a "P" in a circle adjacent to the guideline statement: **P**

In addition to the design standards contained in this document, all of the "General Design Principles for All Projects," pp 19-26 in the Town's "Handbook of Design Standards for the Historic and Conservation Districts" apply to the entire Conservation District.

Substantial compliance with the remaining non-priority designated policies is required for all developments as well.

Failure to achieve substantial compliance with the non-priority policies will result in negative points being assigned to the application pursuant to Policy 5, Relative, Architectural Compatibility, of the Development Code.



In some cases, a strong sense of neighborhood identity has not yet emerged, and in these areas the objective is to create a sense of neighborhood by promoting the use of design elements that will enhance the streetscape. This is especially true in those areas where a mix of uses is more likely and in new developing areas.

How to Use the Design Standards

The design standards should be used in three ways:

First, when one is considering the purchase of property in the Conservation District, the design standards should be consulted to gain a general sense of the character of design that will be appropriate. In this regard, real estate agents should also advise their clients of the design standards and the influence they may have upon potential development of the property.

A second, and very important consideration, is when a design is being developed for a property in the Conservation District. Property owners are encouraged to engage a professional architect at the outset to develop designs for their properties for these projects. (In most cases, a Colorado State Licensed Architect may be required by Code. See the Department of Community Development for details.) Designers should review the standards in detail and consult with the Community Development Department before proceeding with schematic design and they should refer to individual standards frequently during the design process. The objective should be to meet all of the design standards as possible from the outset.

Finally, the Planning Commission and the Community Development staff will use the design standards to make determinations about the appropriateness of proposed designs prior to review by the Planning Commission and the Town Council. In formal public hearings, the Commission will refer to the standards as a part of its review of submitted designs.

Note:

*Also see: The "Overview" portion of the proposed "Handbook of Design Standards for the Transition Character Areas of the Conservation District" and Chapters 4.0 and 5.2 of the adopted "Handbook of Design Standards for the Historic and Conservation Districts". **

General Standards for the Transition Areas

These standards apply to all projects throughout the Transition Areas

Impact on Historic Structures within the Conservation District

Policy:

Although historic preservation is not an overall objective of the Transition Areas, some individual historic buildings are found within the Transition Areas, and these are considered extremely important resources to the community. These structures, therefore, should be treated with the same level of respect as those found within the Historic District.

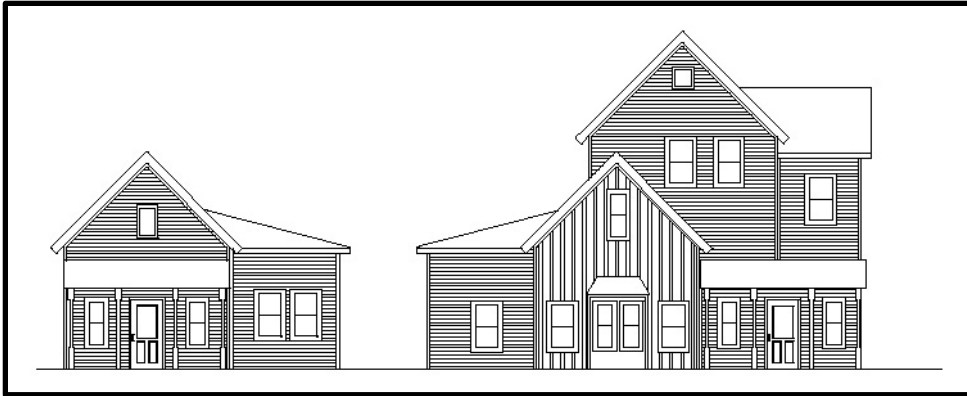
Design Standards

P 256. When considering alterations to individual historic buildings in the Conservation District, the design standards for the rehabilitation of historic properties, found in the Town of Breckenridge Handbook of Design Standards, shall apply.

- Also note that, when planning a new building that is adjacent to historic properties, special consideration should be given to minimizing negative impacts on historic structures. Such negative impacts are usually structural, and may include undermining foundations by over-excavating or causing drainage to flow toward historic building foundations.



When considering alterations to individual historic buildings in the Conservation District, the design standards for the rehabilitation of historic properties, found in the Town of Breckenridge Handbook of Design Standards, shall apply.



New buildings should step down in scale along the edges of properties that lie adjacent to smaller historic properties. This side shed helps reduce the perceived scale of this new structure in relation to the adjacent historic structure.

P 257. New buildings should step down in scale along the edges of properties that lie adjacent to smaller historic properties.

- In general, buildings of one and two stories that are similar in height to those seen historically are more appropriate.
- Also locate one-story wings along the edges of properties that abut historic buildings to reduce the perceived sense of building scale.

Impact on Edges of the Historic District

Policy:

While the scale of new buildings that are adjacent to individual historic structures is a concern, the impact of new building upon the edges of the Historic District itself is of special concern.

Design Standard:

P 258. Where new buildings in the Conservation District are to be built near the edge of the Historic District, they should step down in scale to more closely match the scale of historic buildings found within the Historic District.

- In general, building heights should appear to be similar to historic heights when near the edge of the Historic District.
- Building widths also should appear similar to historic widths in such a context.
- If nearby historic buildings are one story in height, then new structures should step down to a similar dimension; if nearby historic buildings are two stories in height, then matching that dimension is appropriate.

Mass and Scale

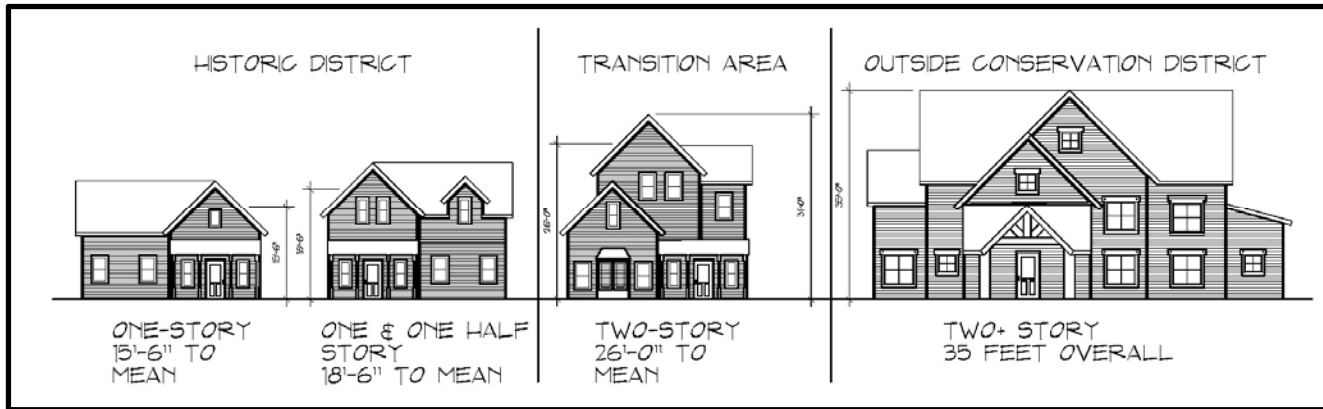
Policy:

In their overall dimensions, new buildings in the Conservation District may be moderately larger than those in the Historic District. It remains important, however, that new building should help to enhance the sense of neighborhood and establish a pedestrian- friendly environment. To do so, buildings and their subordinate components should have a human scale. Any increase in building size, therefore, should be gradual, increasing in scale as development moves farther out from the edge of the Historic District.

Design Standards:

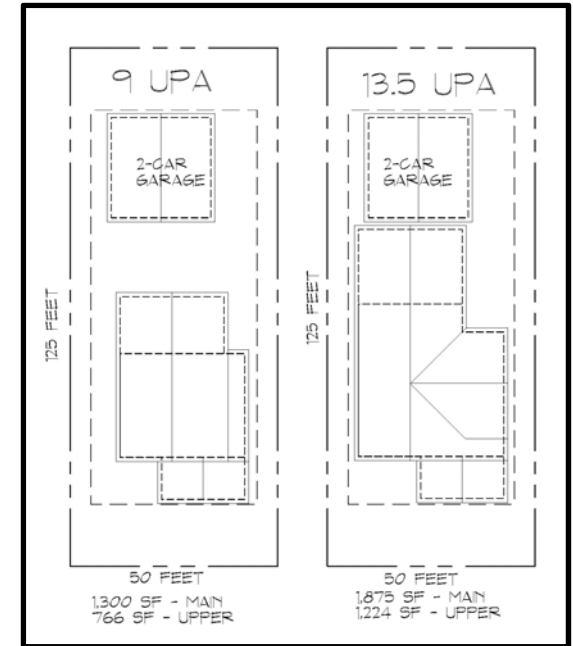
P 259 Buildings should convey a sense of pedestrian scale.

- A building that is composed of a set of smaller masses is preferred in order to reduce the overall perceived mass of the structure.



P 260. Buildings should not be dramatically larger than those found in the neighboring character areas within the Historic District.

- Structures shall appear no more than 50% larger than those found in the neighboring character areas within the Historic District.
- 13.5 UPA (50% more than 9 UPA) represents the maximum allowed above ground density.



Buildings should not be dramatically larger than those found in the Historic District.

Roof and Building Forms

Policy:

Historically, buildings had simple forms. Basic rectangular shapes were seen, some in modest combinations in which one form appeared to be the main structure and smaller wings appeared as subordinate additions. New buildings should appear to be similar in form to those found traditionally in Town, in order to establish a sense of visual continuity between new development and the established core. A greater variety in the interpretation of building forms is appropriate in the Transition Area as compared with the Historic District.

Design Standards:

P 261. In residential areas, a gable roof should be the primary roof form in an individual building design.

- Buildings that have a combination of sloping roof forms are encouraged because this configuration will help to reduce the perceived scale of building.
- The use of dormers is encouraged to break up large roof surfaces and thereby reduce their perceived scale.
- Mansard, A-frame, barrel and flat roofs are inappropriate.
- Simple combinations of gable and other roof forms are appropriate.
- A shed roof also is inappropriate as the primary roof form. It may be considered for a subordinate roof element or a secondary structure.
- Mechanical equipment should be hidden; incorporate it into roofs.

P 262. A simple rectangular mass should be the primary building form of a new building.

- Buildings that appear to be an assemblage of a set of rectangular building forms are particularly encouraged.



In residential areas, a gable roof should be the primary roof form.

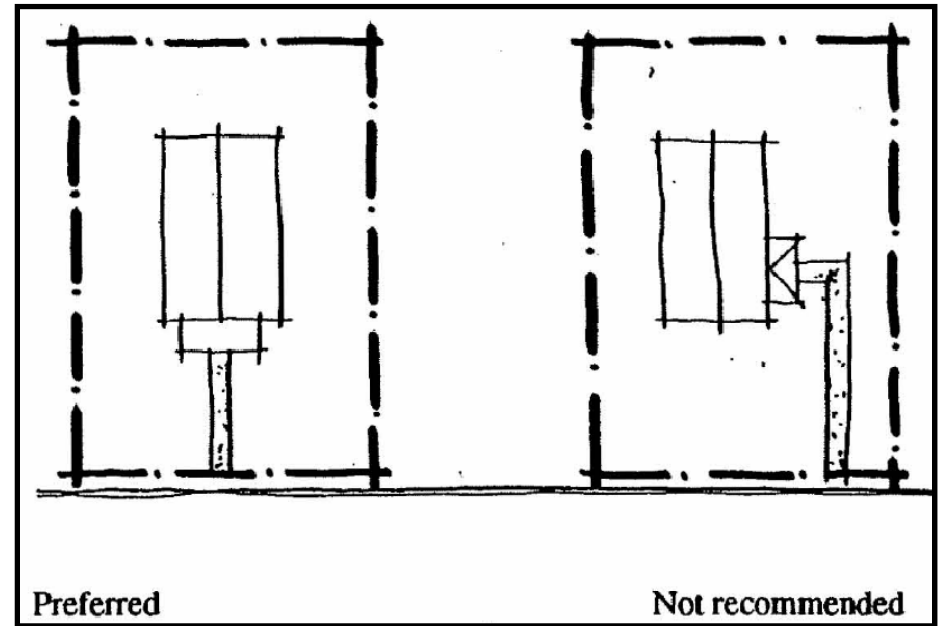
Pedestrian Orientation

Policy:

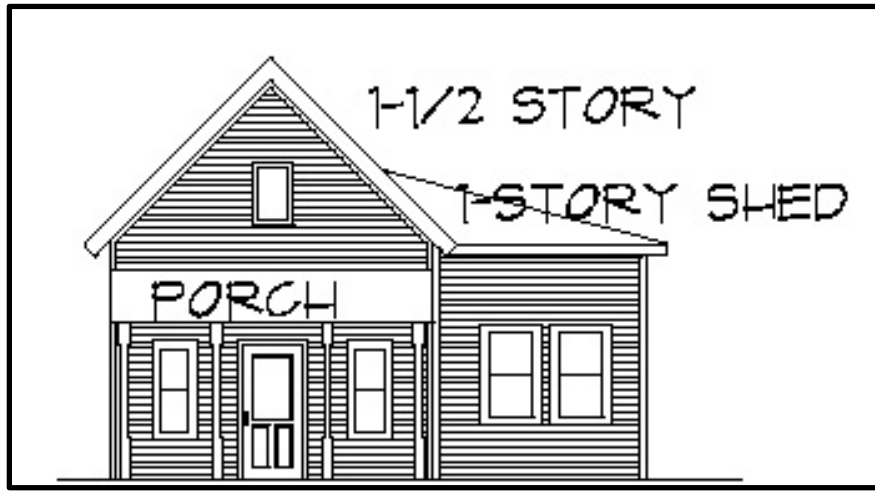
All development within the Conservation District should enhance the streetscape as a pedestrian-oriented experience.

Design Standards:

- P** 263. Orient the primary entrance toward the street or other major pedestrian way.
- This will provide visual interest to pedestrians and help establish a sense of pedestrian scale.
264. Clearly identify primary entrances.
- These should also be oriented to the street or other major pedestrian ways.
 - In residential contexts, provide porches or stoops with projecting roofs to identify entrances.
 - Wood decks are inappropriate at primary entrances.
265. A building's mass should step down in scale as it approaches the street or other major pedestrian ways.
- One-and-a-half story elements facing the street are encouraged in residential contexts.
 - In commercial and mixed-use contexts, two-story elements are encouraged along the edges of major pedestrian ways.



Orient the primary entrance toward the street or other major pedestrian way.



These features help to establish a sense of human scale in this new construction design.

P 266. Incorporate features that help to establish a sense of human scale in new construction.

- Use materials and building components in sizes that are typical of historic buildings in the Historic District. Some typical building materials, when used in sizes seen traditionally, help to establish a sense of human scale. Examples are wood siding (in a lap dimension of no greater than four and one-half (4 1/2) inches), vertical siding or natural stone foundations no taller than 12-inches.
- Windows and doors in sizes typical of historic buildings in the Historic District also help establish a sense of human scale.
- Step down buildings with smaller forms, including shed addition and porches.

Automobiles and Parking

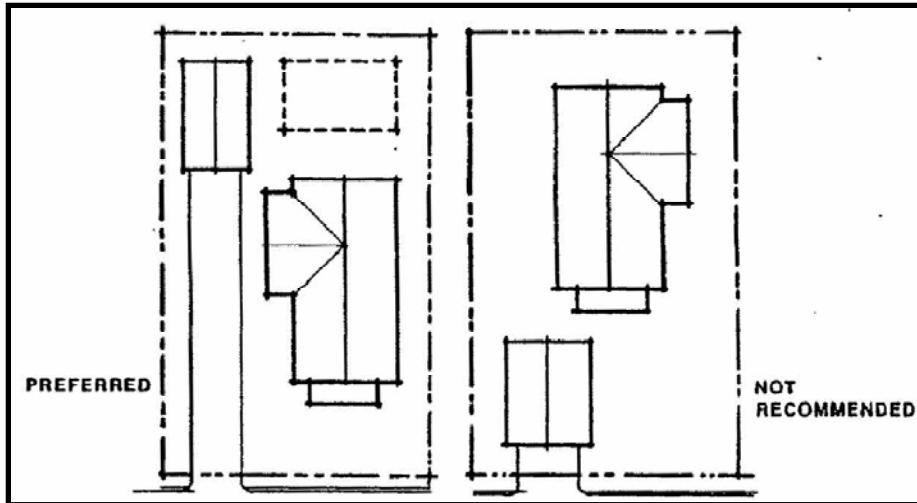
Policy:

The visual impacts of automobiles should be minimized throughout the Conservation District. A particular concern is that garages not dominate the primary façade.

Design Standards:

267. Minimize the visual impacts of garages.

- Avoid locating garages such that they dominate the primary façade.
- Minimize garage door widths. When a garage door will face the street, use single car garages. (Consider parking in tandem.)
- On larger lots, orient garage doors such that they are perpendicular to the street, to minimize their visibility.
- See also individual guidelines for each Transition Character Area in the Conservation District.
- Consider using detached garages to minimize the scale of buildings.



Minimize the visual impacts of garages. Locating a detached garage to the side or rear of a primary structure is preferred.

General Design Standards

268. Minimize the visual impacts of driveways.

- Keep the driveway width to a minimum. The entire front of a property should not be paving materials.
- Locate outdoor parking areas to the side or rear of the primary structure where feasible.
- Use paving materials, textures and colors that are muted and that distinguish driveways from the street. Textured and colored concrete or interlocking pavers are preferred.
- Use landscape elements to screen parking areas where feasible.

Orientation to the Grid

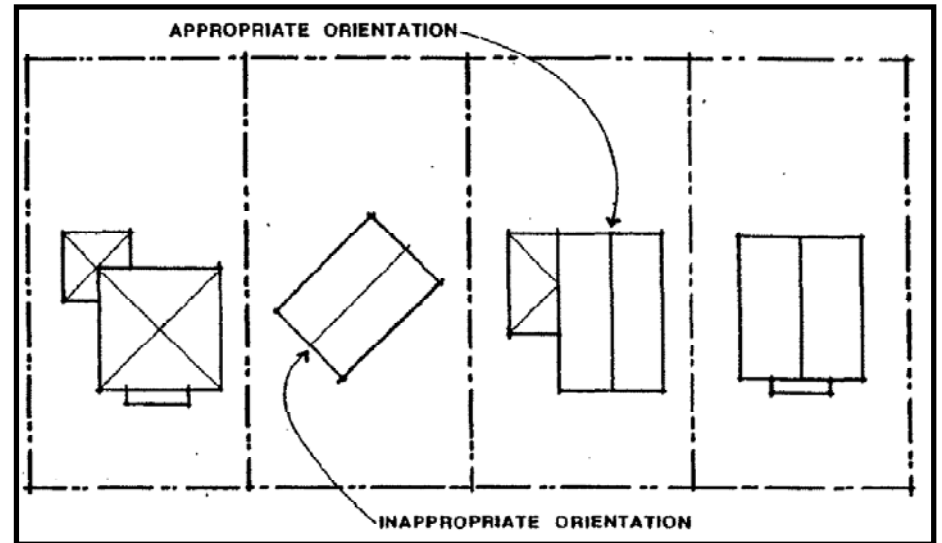
Policy:

In most areas of the Conservation District, the primary axis of a building should be oriented in line with the established Town grid, specifically, in an east-west direction. Greater flexibility in building orientation may be considered, however, on larger, outlying parcels, where an internal focus of the site organization may be considered.

Design Standard:

269. Orient primary structures such that they will align with the established town grid.

- This is especially important east of Main Street.
- In general, the main ridge of a structure should run perpendicular to the street.



Orient primary structures such that they will align with the established town grid.

Building Setbacks

Design Standard:

270. Use building setbacks that are similar to those in comparable neighborhoods.

- In residential neighborhoods, buildings should be set back, with front yards that are similar to those seen on other historic building sites in the area.
- In commercial neighborhoods, storefronts should align at the sidewalk edge, although some variety in setback within a project is appropriate.
- In the River Park Corridor, a variety of set-backs is encouraged, with the objective being that the edges of sites here should be pedestrian-friendly.

Architectural Style

Policy:

Buildings should “relate” in character to those seen traditionally in town, but new buildings should not be identical, stylistically, to those in the Historic District. Greater flexibility in the expression of building styles is appropriate on outlying parcels.

Design Standards:

271. Contemporary interpretations of structures traditionally found in Breckenridge are encouraged in the Transition Character Areas.

- Buildings should be simple in character and consistent in their design.
- Historic imitations are discouraged.

P 272. Exterior split level design styles are not traditional in character and are therefore strongly discouraged in the Conservation District.

- Split level design styles are not appropriate on the primary façade or oriented to the public right-of-way.
- The design style may be used in limited amounts on the back of buildings if it is not visible from a public right-of-way such as the Riverwalk.
- On sloped sites, the front façade shall appear as a full story, starting from near the grade.

Building Materials

Design Standard:

P 272a. Use materials that appear to be the similar to those seen historically.

- Greater variety in materials may be considered in the Transition Character Areas than in the Historic District.

Building Widths

Policy:

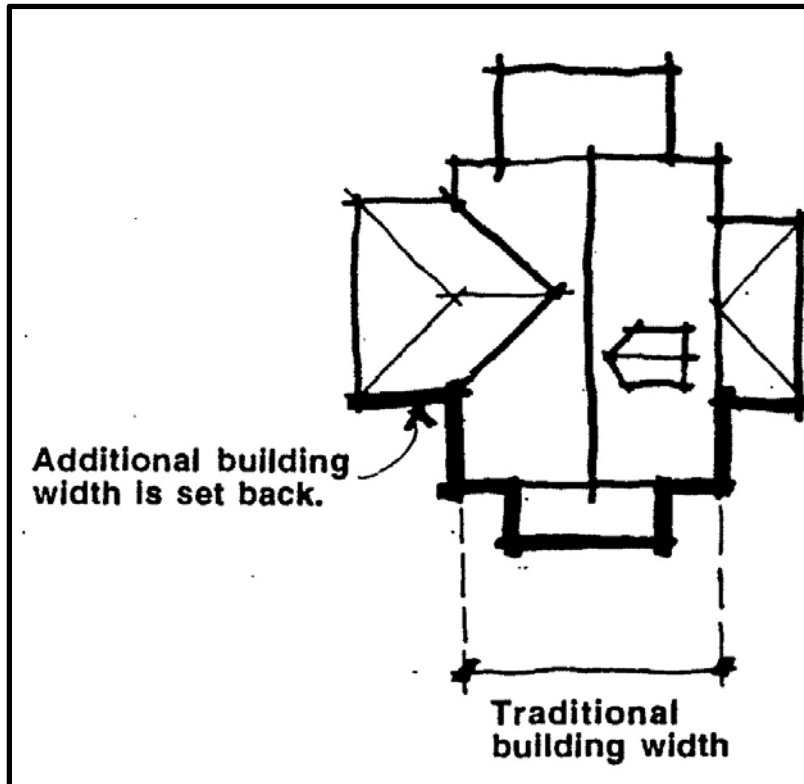
In general, buildings may be wider than those seen in the Historic District, however, the primary façade that faces the street should appear similar in width to those seen traditionally. All façades also should be composed of a series of smaller wall planes that repeat proportions of façades found on historic buildings in the Historic District. Composing a design to be a combination of familiar widths is therefore encouraged.

In predominantly residential neighborhoods, which typically are located on the east side of Main Street, residential building styles are typical. In the commercial neighborhoods, commercial storefronts are typical. These establish the typical façade widths that should be respected in these contexts.

Design Standard:

P 273. Buildings should include components that appear similar in width to buildings seen historically.

- These components may be combined to create overall building widths that exceed those seen historically in similar neighborhoods of Breckenridge, as seen in the adjacent sketch.
- In residential neighborhoods, the primary façade should appear to be similar in width to those seen historically on houses in town.
- In commercial neighborhoods, the primary façade should appear to be similar in width to storefronts seen historically in town.
- In the River Park Corridor Transition Character Area, buildings should include widths that are similar to both residential and commercial buildings that were seen historically in the core of town.



Buildings should include components that appear similar in width to buildings seen traditionally. In this design, the primary façade is similar to widths of buildings seen traditionally. Other portions are set back to reduce the perceived width of the structure.

Solid-to-Void Ratio

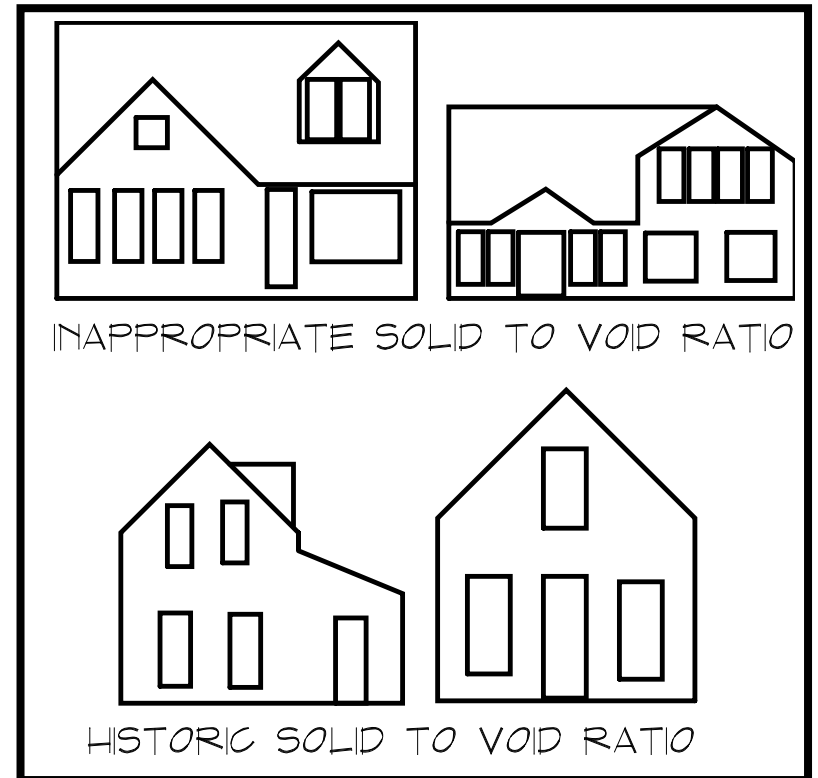
Policy:

Traditionally, most buildings in Breckenridge appeared as solid masses, with smaller openings for doors and windows cut out of the wall planes. Proportionately, the ratio of solid to void was high. This is especially true of residential structures. Storefronts had a higher ratio of glass at the ground level, but upper stories were more like residential ratios with less glass. This relative proportion of solid-to-void should be continued, although with some flexibility, in the Transition Character Areas.

Design Standard:

274. Use a solid-to-void ratio resembling that seen historically in similar neighborhoods.

- In areas abutting the Historic District, and along major pedestrian ways, similarity in the ratio of solid-to-void is appropriate. Greater flexibility is appropriate farther away from the Historic District, and on secondary façades.
- In terms of solid-to-void ratios, Transition Areas that are residential in character should relate to adjacent historic residential neighborhoods and Transition Areas that are commercial in character should relate to adjacent historic commercial neighborhoods.





Use secondary structures in new development whenever feasible.

Outbuildings

Policy:

Although some outbuildings were larger, smaller outbuildings were seen traditionally on most lots in Breckenridge, usually located to the rear of larger primary structures. Barns, storage sheds, and outhouses were typical examples of these structures which served practical functions that were essential to daily life in the community. The scale of the primary structure is established by contrast with these smaller structures. Secondary structures are therefore important features of the Conservation District.

- Using secondary structures will help reduce the perceived scale of the development by subdividing the total floor area into a cluster of smaller structures rather than one large building.

Design Standard:

275. The use of secondary structures in new development is strongly recommended.

- This particularly applies to properties on the east side of the river.
- Consider housing utilitarian functions, such as parking, storage, and waste receptacles in secondary structures.
- Use simple building forms and materials for these structures.
- Consider clustering trash receptacles or other service functions in secondary structures that may be shared among properties.

Utilities

Design Standard:

P 276. Screen mechanical equipment, utility boxes and service areas.

- Use native plant materials or create screen walls with natural rock or wood. Consider locating utilities in “secondary structures.” Locate mechanical equipment in secondary structures or in roof forms.

#8. River Park Corridor Transition Character Area

The River Park Corridor Transition Character Area lies along the western edge of the Breckenridge Historic District. It extends from North French Street to South Park Avenue along the west edges of the properties of the Historic and Transition Areas to the Blue River and across the Blue River to Park Avenue between Washington Avenue and West Adams Avenue. Its eastern boundary lies along the rear property lines of lots on the west side of Main Street, while the western boundary is the west edge of the Blue River or adjacent property lines and Park Avenue between Washington Avenue and West Adams Avenue.

Historic photographs of this area show many more secondary structures and outbuildings than exist today. These effectively "stepped down" the scale of buildings from Main Street to the river. A few residential structures were also seen, along with a collection of larger, industrial type buildings. Presently, there are a few non-historic structures, some newer structures and parking areas along this Transition Character Area.

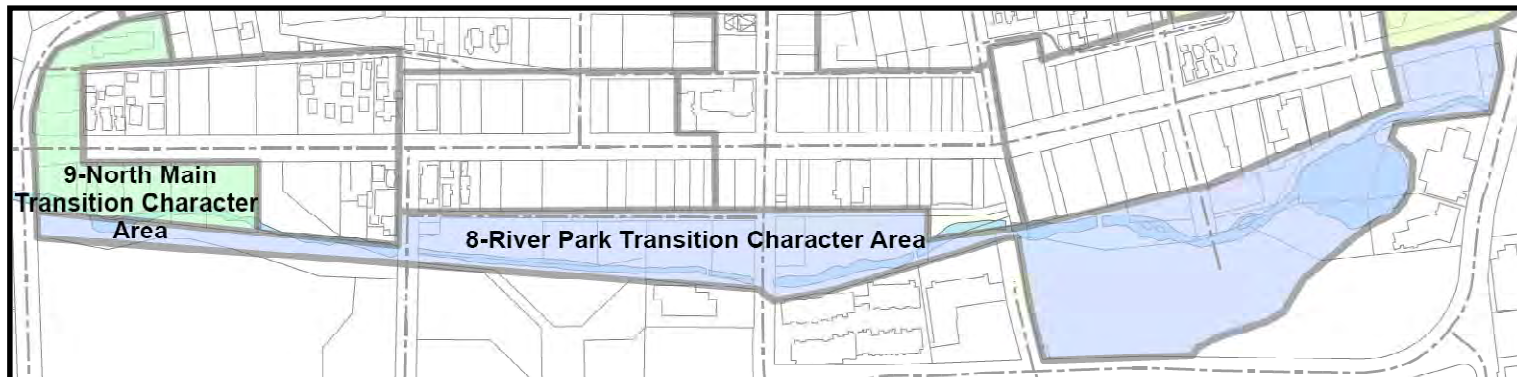
Portions of the River Park Corridor Transition Character Area are included within the Downtown Overlay District. Therefore, there may be potential for small commercial

projects on the east side of the river, along with parking lots, outdoor dining terraces and mini-parks. The following guidelines apply to all projects, both public and private.

The River Park Corridor Transition Character Area should serve as a visual transition, from the Historic District on the east, to new developing areas on the west. This is a very sensitive area and because of its relationship to the river, the Historic District and the mountain backdrop, development should respond in a balanced fashion to the influences of all these factors.



The River Park Corridor is moderately developed at present.





The Blue River is a major amenity for the Town, and development here should enhance its character.

The Blue River is a major amenity for the Town, and development here should enhance its character. Historically, the river was radically altered as a part of dredge boat extraction activity. A present goal is to re-establish a more "natural" character to the river, including enhanced wildlife habitat and recreational amenities for the public.

Pedestrian and bicycle trails exist in some areas adjacent to the river. All development should facilitate optimum performance of these routes and plan connections along the entire length of this Transition Character Area. A major objective is to create a visually interesting experience along the entire length of the river in the downtown area, for users along the river as well as for those viewing the river at a distance. The river should become more effectively integrated into the community as a recreational and visual amenity as well as a circulation corridor. All development should reinforce these objectives.

Where feasible, development should appear integral to the landscape, but practically speaking, the scale of any building that will occur will significantly affect the visual character of the area. Architectural designs therefore should also contribute to a sense of visual continuity for the area by expressing a uniform palette of materials and finishes and through similarity of building siting and scale.

Any improvements to the publicly owned parcels should be designed to complement the character, design features and materials of the existing public improvements that already occur in the southern half of this Character Area.

The basic design policies for the River Park Corridor Transition Character Area which are presented below, along with the associated design standards, are intended to help accomplish this vision.



Buildings in the background are oriented with the traditional town grid. New development in the River Park Corridor should continue to express the established grid.

Policy:

The Town of Breckenridge has traditionally been perceived as a grid-oriented settlement nestled in the high valley of the Blue River. Although the street grid has idiosyncrasies, it does provide a general sense of visual order as viewed from higher elevations. The result is that the Town has been perceived as an integrated whole. More recent developments on the perimeter of the core have begun to deviate from this grid pattern and in some cases the result is to visually separate these areas from the established downtown. This approach is discouraged in the valley floor, where topography is gentle and does not impose constraints on development.

Design Standard:

277. Continue to express the established town grid in new development.

- Orient buildings on an axis similar to those established in Town and to neighboring historic structures.
- Align roadways or other circulation corridors with the grid where feasible. In most cases, these will be perpendicular to the street.

View Corridors

Policy:

Views of the mountains have dominated the setting of Breckenridge, and are expected to continue to do so, simply because of their overpowering scale; however, some development has obscured important view opportunities from eastern portions of town. This approach is discouraged. Developments that enhance view opportunities should be encouraged.

Views of the Blue River and of historic sites are also important resources that contribute to the distinct identity of Breckenridge and are to be protected and enhanced as well. Since so many view opportunities exist in town, individual view corridors will be identified on a case-by-case basis for individual development projects. The following design standards apply.

Design Standards:

278. Create view opportunities of the river.

- Provide balconies and terraces that offer views to the river.
- Site buildings such that they do not block these view opportunities.
- Avoid creating blank building walls facing onto the river.

279. Enhance views down river.

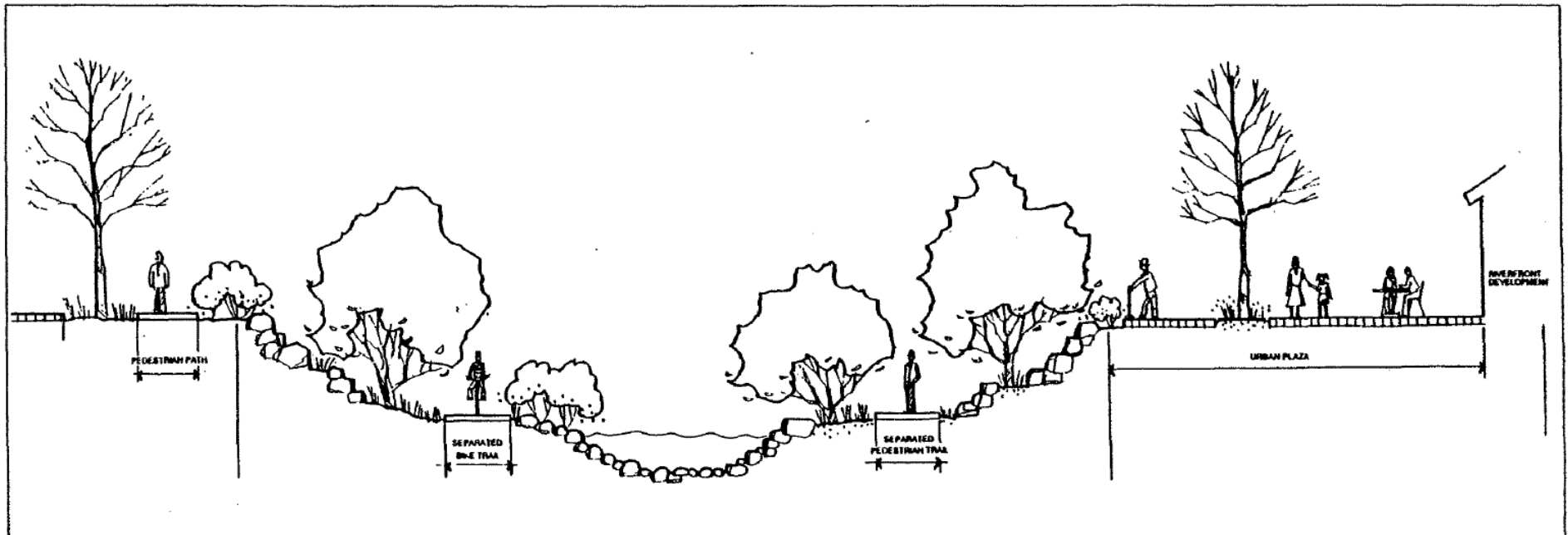
- Provide overlooks where feasible, such as on bridges that allow one to view long stretches of the waterway.
- Bridges are preferred rather than culverts due to their historic use and better views of the river.
- Covered bridges are specifically inappropriate.

280. Enhance view corridors across Town to the mountains.

- Consider views to the east, west and south.
- Frame views with clusters of buildings rather than blocking them with a single mass.
- Use landscape and site design concepts that provide view opportunities as well.

281. Protect and enhance view corridors to historic landmarks.

- The Court House, Carter Museum, and the Barney Ford House are examples.



Orient public areas to the Blue River to “celebrate” this resource.

Building Orientation

Policy:

Historically, lots adjacent to this Character Area and west of the river were a part of town. Today, little evidence remains to express this relationship. As seen from view points on higher slopes, buildings within the corridor should appear to be oriented in a manner similar to those in the Historic District (east-west axis for long dimensions).

Design Standards:

282. Orient the long dimension of buildings in an east-west direction wherever feasible.

- Basic rectangular building foot prints that have a directional emphasis are preferred for this reason.

283. On lots abutting cross streets, establish a pedestrian interesting building edge along the street.

- Where feasible, provide pedestrian connections between Main Street and the River Park Corridor.
- Orient building entrances to these cross streets.
- Provide storefronts, porticoes, bay windows, ornamental details and other visually interesting building features to add interest along these side street elevations.
- Also include landscaping along these cross streets.

284. Orient public areas to the Blue River to "celebrate" this resource.

- Where feasible, plazas and court yards should incorporate views and access to the river.
- Orientation of public use areas, lobbies, and balconies to the river is also encouraged.

Building Scale

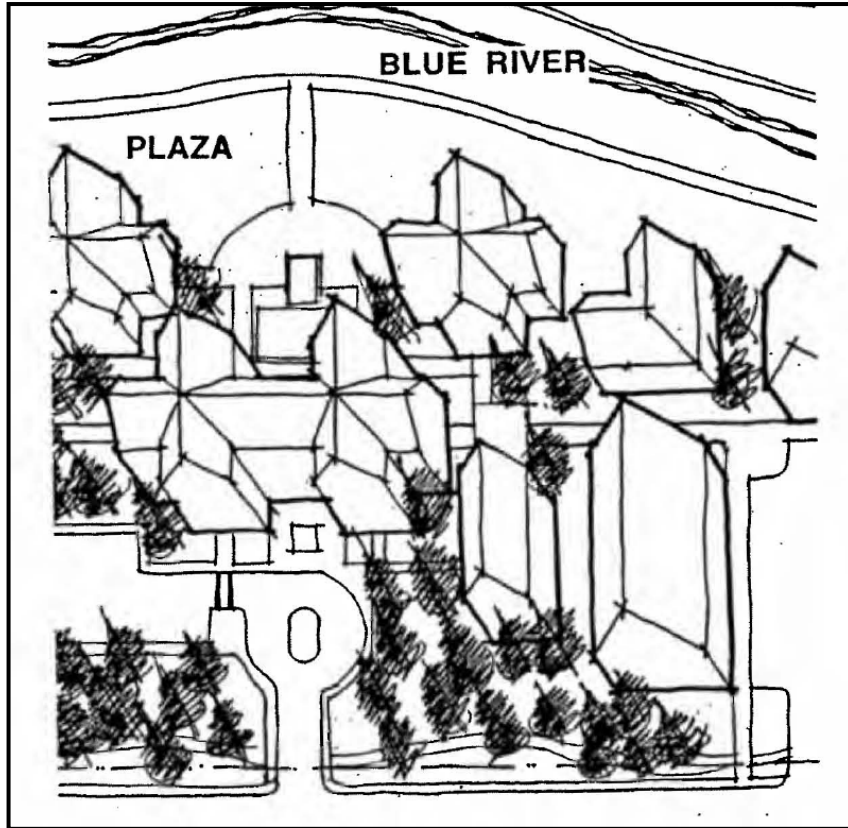
Policy:

For projects abutting the river on the east side, new buildings should appear to be similar in scale to the utilitarian structures found along the back sides of structures on Main Street.

Design Standards:

- P** 285. Divide site functions into separate structures, where physically feasible, in order to reduce the mass of individual buildings.
- Consider creating outbuildings to provide additional storage space or to house special functions, rather than increasing the bulk of the main building.
 - Locate trash compactors and storage areas in sheds, for example.
- P** 286. Subdivide larger buildings into subordinate components such that they will appear to be smaller in scale.
- Organize buildings as a collection of smaller volumes that step down in scale as seen from sidewalks and other pedestrian ways.
 - Break large wall surfaces into smaller areas that are similar in scale to those found historically.
 - Use landscaping to screen larger building masses where necessary.
- P** 287. Locate some project floor area in basements to reduce the perceived mass of buildings.
- This is particularly appropriate where the buildings step down to the river and lower levels can have direct walk-out access to the river walk.

Building Form



Rectangular building forms and gable roofs are appropriate in the River Park Corridor Transition Character Area. Note that these buildings are also oriented with many roof ridges in an east-west direction, which is appropriate. A landscape strip buffers the site from Park Avenue.

Policy:

Historically, buildings in this part of town had simple forms. Basic rectangular shapes were seen, some in modest combinations in which one form appeared to be the main structure and smaller wings appeared as subordinate additions. New buildings should appear to be similar in form to those found traditionally in town, in order to establish a sense of visual continuity between new development and the established core.

Design Standard:

288. Rectangular building forms are appropriate.

- Buildings that appear to be composed of simple rectangles or combinations of simple rectangles are preferred.
- Avoid "exotic" building forms.

Roof Forms

Policy:

Roof forms are particularly important in Breckenridge because of the topographic conditions, in which structures are viewed from higher elevations. Roof forms should reinforce a sense of visual relatedness between newer developing areas and the established core area. In essence, roofs should be considered a "fifth elevation."

Design Standard:

289. Traditional roof forms are encouraged.

- Gable and hip roofs are appropriate.
- Use flat roofs in limited amounts only and screen them from view.
- Dormers may be considered to add interest to roofs and to help reduce the perceived mass of buildings.
- Shed roofs may be used on secondary masses.

Materials

Policy:

Finished wood was the traditional building material in Breckenridge, although metal, brick (rarely) and stone were also used. (Finished wood usually means painted wood). Materials for new buildings should appear to be similar to those found historically in the river corridor and downtown along Main Street.

Design Standards:

P 290. Use wood as the dominant building materials of a new building.

- Lap siding or logs may be considered for wood finishes. Rough sawn, board-and-batten wood treatments may also be considered.
- Where brick is used, it should be of traditional size and as accent only.
- Complementary design interpretations using these historically compatible materials are encouraged.
- Other materials may be considered for smaller surfaces, such as for accent and trim. Stucco or stone, for example, may be considered for foundations, but not as a primary building material.

291. Material finishes should be similar to those found historically in town.

- Painted wood is preferred for primary structures, but rough finished, stained wood may also be considered, especially for secondary buildings.
- Native stone, including river rock, is preferred over imported stone. Rough finishes, either "natural" or ashlar, may be considered. Use of polished stone in large amounts is discouraged.

292. Use building materials that will help to establish a sense of pedestrian scale.

- See also Design Standard #266.

Landscaping

Design Standards:



Along the river, landscape materials should convey a "natural" quality that complements the river image.

P 293. Provide a modest landscaped edge along all streets.

- The landscaping should convey a natural mountain landscape.
- A planted buffer is encouraged where buildings are set back from the street.
- See also the town's Urban Design Plan.

294. Any landscaping improvements to the publicly owned parcels should be designed to complement the character, design features and materials of the existing public improvements that already occur in the southern half of this Character Area.

295. Along the river, landscape materials should convey a "natural" quality that complements the river image.

- Native materials, including plants, rock, and wood are encouraged.
- Matte finishes are generally preferred over polished finishes for wood and rock.
- Avoid extremely "formal" designs that would contrast too strongly with the historic building character or the natural character of the river.

Blue River Edges

Blue River Edges

Policy:

Native vegetation survives in small quantities at isolated areas along the river. These provide habitat for wildlife and they also provide visual clues as to the location of the river. This is especially important because the river channel is well below the street grade and it therefore is not readily visible at a distance. A goal for the river is to increase its visibility to the public, both up close and at a distance. Natural habitats that survive along the Blue River therefore should be protected, and additional natural planting areas should be established. Other design treatments that increase the visibility and access to the river should also be encouraged.

Design Standards:

- P** 296. Protect and enhance wetlands.
 - Avoid impacting existing wetlands.
 - Increase the amount of wetlands where feasible.
 - Where opportunities occur, include construction of new wetlands as buffers to development.
 - Consider developing new wetlands as filtering zones for run-off from paved areas.
 - See also the Town's regulations regarding wetlands.
- P** 297. Orient amenities to the Blue River.
 - Locate plazas, plant beds, and other public spaces toward the river, rather than internal to projects.

- 298. Use predominantly native plantings and materials.
 - Feature native plant materials wherever feasible.
 - Avoid planting schemes that rely mostly on imported plant materials.
 - Include cottonwoods and other native trees near the river to help identify the location of this resource from a distance.
 - Limit the use of exotic plants to building entrances and other “structured” areas around terraces, rather than along natural river edges.

- P** 299. All developments abutting the river shall include completion of the relevant segments of the regional river trails system.
 - The design standards for trails provided in the Downtown Urban Design Plan shall apply.

- 300. Develop river edges as amenities.
 - Use gently sloping banks, stepped walls or terraces to define river edges. Steep retaining walls are inappropriate, in general.

Circulation Systems

Policy:

Breckenridge seeks to establish a balance between modes of circulation, including pedestrians, bicycles, mass transit and private automobiles. New development should help to assure efficiency and continuity of all these modes of circulation in the downtown. A key to achieving this objective is to build more effective routes for pedestrian and bicycle circulation within the River Park Corridor Transition Character Area.

Design Standards:

P 301. Establish continuity of walkways and trails across properties.

- Provide pedestrian access through projects that connect with corresponding routes on abutting properties. These are in addition to those regional trails along the river shown in the downtown plan.
- Provide cross-property easements where necessary.
- Use materials for trail and walkway construction and retaining walls that are similar to those used on adjacent properties to strengthen a sense of continuity.

302. Minimize curb cuts.

- Use shared drives and alleys for site access where feasible.
- This will reduce crossing conflicts between pedestrians and automobiles.

303. Distinguish routes used by differing modes of circulation.

- Vary paving materials to differentiate auto ways, walkways and bicycle trails.
- Also use different lighting designs to differentiate auto ways, walkways and bicycle trails.

304. Design walkways and trails in a “softer” arrangement in the River Park Transition Character Area than in the downtown core.

- Sidewalks that have gentle curves in plan are encouraged.
- Use native landscape materials along walkways.
- See also the Town's Urban Design Plan.

Parking

Policy:

In general, the visual and functional impacts of parking in the area should be minimized, in the interest of enhancing the pedestrian orientation of the area. Because of the densities of development anticipated in this area, structured parking, located under inhabited structures, is encouraged; however, in some circumstances, surface lots are expected to occur. Property owners may also agree to join a parking district and thereby provide for parking off site.

Design Standards:

305. Locate parking areas away from major pedestrian routes.

- Especially avoid placing large paved parking areas adjacent to the river edge.

306. Design the perimeter of parking facilities to be "pedestrian-friendly".

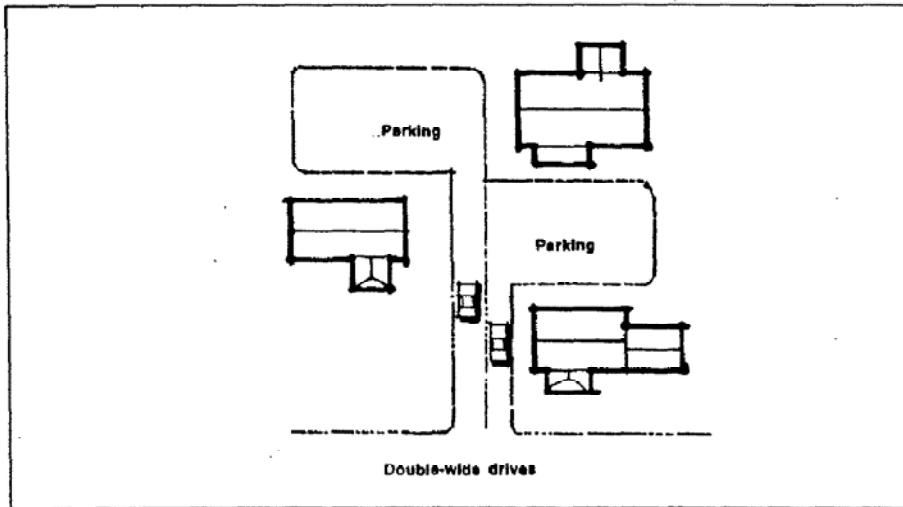
- Provide landscaped buffers around parking lots.
- Provide occupied space, decorative surfaces or landscaping at the ground level of parking structures, to create visual interest for pedestrians.

307. Develop shared access to parking facilities.

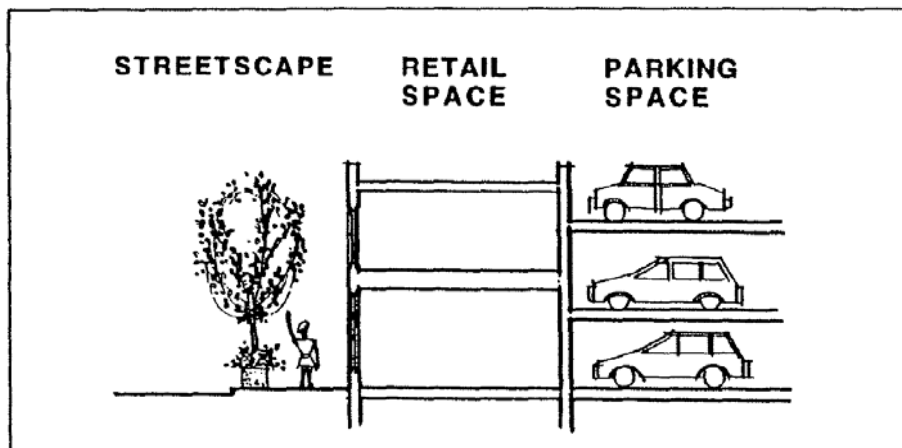
- Minimize curb cuts by sharing driveways between adjoining developments.
- This will help to reduce conflicts with pedestrians where sidewalks cross driveways.
- Provide cross-property easements where necessary.

308. Design structured parking such that levels of parked cars are not exposed to view from major public ways.

- Locate parking areas behind other uses in structures, or screen parking with landscaping.
- Bury parking structures where possible.



Locate parking areas behind other uses in structures, or screen parking with landscaping.



Open Space

Policy:

Private open space should be planned to encourage non-motorized circulation by facilitating pedestrian movement between developments.

Design Standard:

309. Orient plazas and terraces such that they may connect conveniently with similar spaces on abutting properties.

Signs

Policy:

Signs should be subordinate to the setting. These design standards apply in addition to the provisions of the sign code.

Design Standards:

310. *(Omitted)*

311. *(Omitted)*

#9. North Main Transition Character Area

The North Main Transition Character Area spans Main Street at the intersection of French Street and forms the northern gateway to downtown. Much of the character in this neighborhood is well-established, in that many of the lots are already developed. There are no remaining historic structures in this area. A mixture of newer residential and commercial buildings has been constructed since the 1990's.

The character of development should be similar to that of the North Main Street Residential Area in the Historic District, with the understanding the building may be moderately larger. An architectural character that appears to be that of residences adapted to commercial use is desired.

Building Orientation

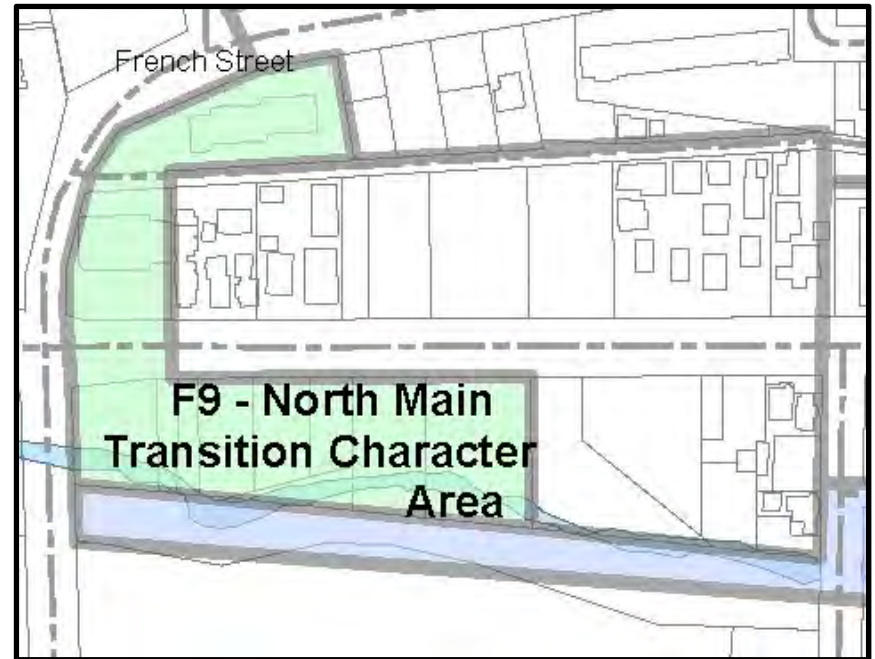
Design Standard:

- P** 312. Buildings should orient to the street.
 - Primary entrances should face the street.
 - Use porches to define building entries.

Building and Roof Forms

Design Standard:

- P** 313 Buildings should have residential forms.
 - The primary roof form should be a gable.
 - They may be a slightly larger scale than seen traditionally.
 - The primary ridge should orient perpendicular to the street.



The North Main Transition Character Area.

Setbacks

Design Standard:

314. Buildings should be set back a distance that is similar to those in the North Main Street Residential Character Area in the Historic District.

Architectural Character

Design Standard:

315. Architectural character should be similar to, without exactly imitating, the North Main Street Residential Character Area.

- The ratio of window to wall should be similar to those of historical residential buildings.

Items generally not as critical

Design Standard:

316. The character of windows, doors and architectural details generally are not as critical in the North Main Transition Character Area.

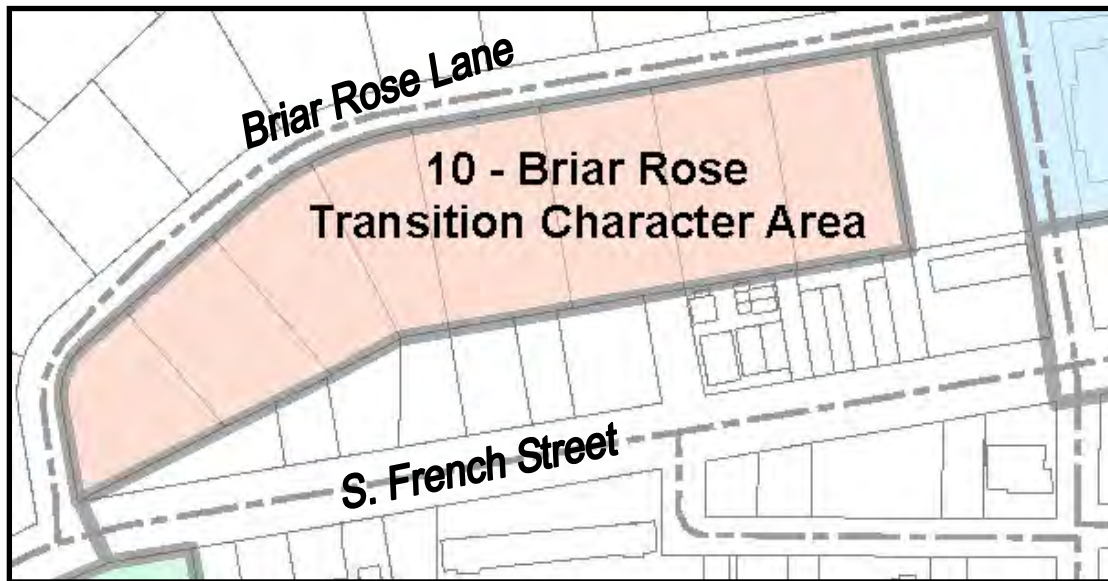
- An exception is when such elements are so configured as to affect the overall scale or character of a building as it relates to other design standards in this document.



The North Main Transition Character Area spans Main Street at the intersection of French Street and forms the northern gateway to downtown.

#10. Briar Rose Transition Character Area

The Briar Rose Transition Character Area lies along the west side of Briar Rose Lane, north of Wellington, forming the northeast buffer to the Historic District. The area contains large lots that slope down from the street to the west. Existing structures are large single-family structures, sited facing the Briar Rose Lane. Stained wood siding is the primary building material. Large evergreen trees provide a distinct character. The scale of buildings, as perceived from the west in the Historic District, is a special concern here.



The Briar Rose Transition Character Area

Mass and Scale

Policy:

Building mass is the major concern in the Briar Rose Transition Character Area, especially as seen from the Historic District below. The perception of the scale of single family residences is preferred.

Design Standard:

317. The west facing masses of new development should be smaller and reflect more of the architectural character of the Historic District.

- On west facing façades, create subordinate masses off the primary building mass that step down in scale, use a gable roof forms, and exhibit a generally simpler character.
- Façade widths should be similar to those found in within the Briar Rose neighborhood and be parallel to Briar Rose Lane.
- Greater flexibility for the solid to void ratio is appropriate in this character area since it is farther away from the Historic District.
- Buildings in the Briar Rose Character Area are allowed a maximum 35-foot building height overall (measured to the ridge).
- New development should appear to have a mass and scale similar to neighboring houses.

317a. The rear yard setback of new structures should generally align with the rear yard setbacks of the existing neighboring structures leaving a large back yard abutting the Klack.

- This character area exhibits large back yards with on-grade decks set away from the Klack drainage.



The Klack Placer separates the Briar Rose Transition Character Area from the Historic District, to the left.

Automobiles and Parking

Policy:

The visual impacts of automobiles should be minimized in the Briar Rose Transition Character Neighborhood. A particular concern is that garage doors not dominate the street view.

Design Standard:

318. Minimize the visual impacts of garages.

- A detached garage or a garage with a smaller link, set to the side of the primary structure, is allowed, because it will help reduce mass of the overall development.
- Set garages, with the doors facing Briar Rose Lane, behind the primary façade where feasible.
- If the garage is turned such that the doors are not facing Briar Rose Lane, the garage may be in front of the primary façade.

Items generally not as critical

Design Standard:

319. The character of windows, doors and architectural details generally are not as critical in the Briar Rose Transition Character Area.

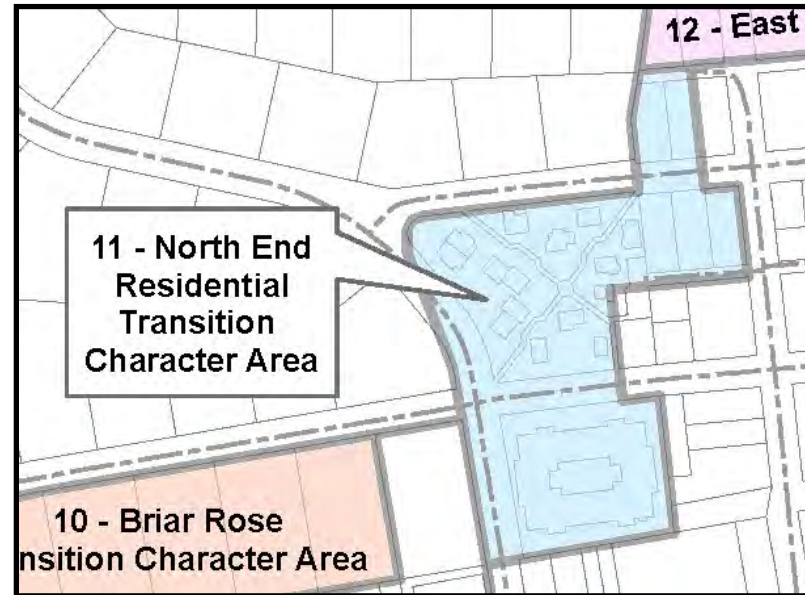
- An exception is when such elements are so configured as to affect the overall scale or character of a building as it relates to other design standards in this document.

#11. North End Residential Transition Character Area

The North End Residential Transition Character Area lies at the north end of High and Harris Streets and contains a variety of lot sizes. Much of the character in this neighborhood is well-established, in that many of the lots are already developed. Redevelopment of some of these parcels, however, may certainly occur. Most buildings are single family residences in appearance, and are built of painted wood siding. Most face the street, although some are arranged in planned clusters.

Design Goals for the Character Area

The goal for the North End Residential Transition Character Area is to strengthen the visual association with the traditional town grid and to maintain a character that is primarily single family residential. Although some recent projects have deviated from the traditional grid setting, these do not set a precedent for future building. In fact, any future development should once again re-emphasize the established town grid.



The North End Residential Transition Character Area.

Parking

Policy:

Because some houses are clustered, garage structures may be proposed in this area that would serve several units. Because these structures may appear larger than seen traditionally, they may negatively affect the character of the street, if a large expanse of street frontage is occupied by garage doors and driveways rather than front yards and building entrances.

Design Standards:

320. Minimize the view of parking facilities as seen from the street.

- Where feasible, locate the primary structure at the front of the lot and locate garages and other parking areas to the rear or side of the primary structure.
- A significant portion of the front façade may not be garage, but rather must be composed of traditional residential components, including porches, doors, windows and dormers.
- See also Design Standard 267.

321. Minimize the perceived scale of parking structures.

- Garages should appear subordinate to the primary structure. They should be smaller in scale than primary structures and simple in detail.

Mass & Scale

Policy:

The scale of building in this area is a concern. New development should appear to be the scale of historical single family residences.

Design Standard:

P 322. Use building components similar in scale to those historical homes seen in the Historic District.

- The primary building mass, as well as subordinate wings, dormers and porches, are examples of building components that should be similar.

Items generally not as critical

Design Standard:

323. The character of windows, doors and architectural details generally are not as critical in the North End Transition Character Area.

- An exception is when such elements are so configured as to affect the overall scale or character of a building as it relates to other design standards in this document.

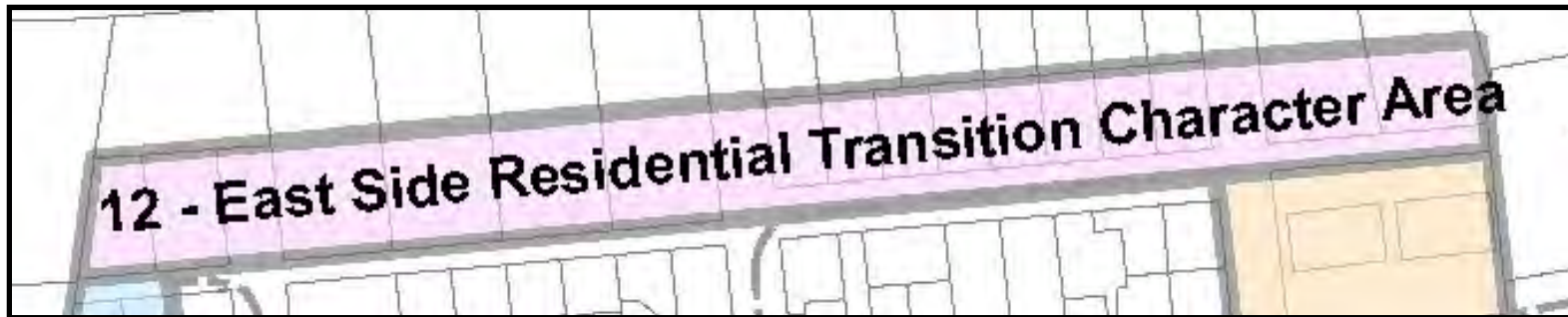
#12. East Side Residential Transition Character Area

The East Side Residential Transition Character Area lies along the west side of Gold Flake Terrace, approximately from Adams Avenue on the south to just beyond Lincoln on the north. The area slopes down steeply to the west and forms the easternmost edge of the Historic District. Many of these lots back up to lots on Highland Terrace. Of particular concern is how development on these parcels is perceived from the lower portion of these lots, the portions visible from the Historic District.

The area is densely built, with single family houses sited on narrow lots. Garages and lower level entries are typical features along Highland Terrace. The backs of the homes on Gold Flake Terrace face this Transition Character Area. This is a sensitive edge to the Historic District, because buildings face the boundary of the Historic District. The scale of building along this edge is therefore particularly important.

Design Goals for the Character Area

The goal for this area is to maintain a scale that is compatible with the Historic District and to enhance the street edge as a pedestrian friendly experience. Because the slopes are so steep, buildings uphill are highly visible. Therefore, their overall mass and scale is a concern.



The East Side Residential Transition Character Area

Building Setbacks

Design Standards:

324. Provide significant side yard setback when feasible.
- With taller buildings in this area, minimum setbacks create a canyon effect, which is to be avoided.

Building Widths

Design Standards:

325. Buildings should be similar in width to those historic homes seen in the adjacent neighborhoods of the Historic District.
- Break the overall mass down into smaller components to reduce its perceived scale.

Mass and Scale

Design Standards:

P 326. Use building components similar to those historic homes seen in the Historic District.

P 327. The building form should follow the slope of the hillside, stepping down in scale.

Architectural Character

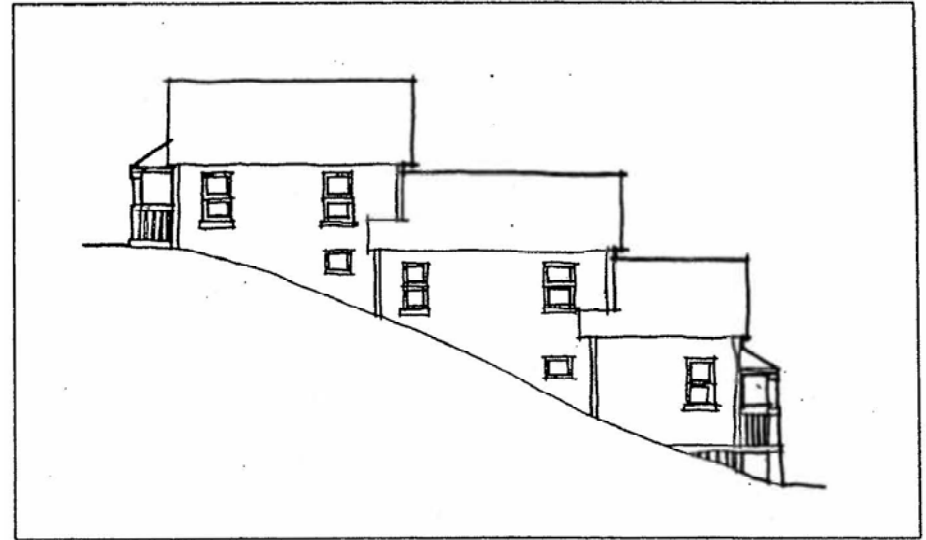
Policy:

The East Side Transition Character Area is a relatively young neighborhood, and this fact should be expressed in the architecture found there. On the other hand, as a transition from the Historic District, there should be a strong sense of association with the Historic District. Buildings, therefore, should appear to have a sense of being visually related to older buildings in the Historic District, while not literally imitating them.

Design Standards:

328. Buildings should exhibit architectural elements that are similar to those found in the Historic District.

- Use windows and doors that are similar in size, shape and proportion to those used historically in Breckenridge. Greater variety in the manner in which the elements are arrayed in the design is appropriate in this area, however.
- Use building materials that are similar to those used historically for residential structures.



The building form should follow the slope of the hillside, stepping down in scale.

Orientation on the Lot



Provide porches to identify primary entrances.

Design Standards:

329. Orient the primary entrance toward the street.

- This will provide visual interest to pedestrians and help establish a sense of pedestrian scale.
- Orient the primary roof ridge perpendicular to the street.
- See also the general standards for building orientation.

330. Provide porches to identify primary entrances.

- These also should be oriented to the street.

Landscaping

Design Standards:

331. Retain a natural alpine forest image in landscaping.

- Preserve trees whenever feasible.
- Use native plants in landscaping.

Parking

Policy:

Because some houses are clustered, garage structures may be proposed in this area that would serve several units. Because these structures may appear larger than seen traditionally, they may negatively affect the character of the street, if a large expanse of street frontage is occupied by garage doors and driveways rather than front yards and building entrances.

Design Standards:

332. Minimize the view of parking facilities as seen from the street.

- A significant portion of the front façade may not be garage, but rather must be composed of traditional residential components, including porches, doors, windows and dormers.
- See also Design Standard #267 (Minimize the Visual Impacts of Garages).

333. Minimize the perceived scale of parking structures.

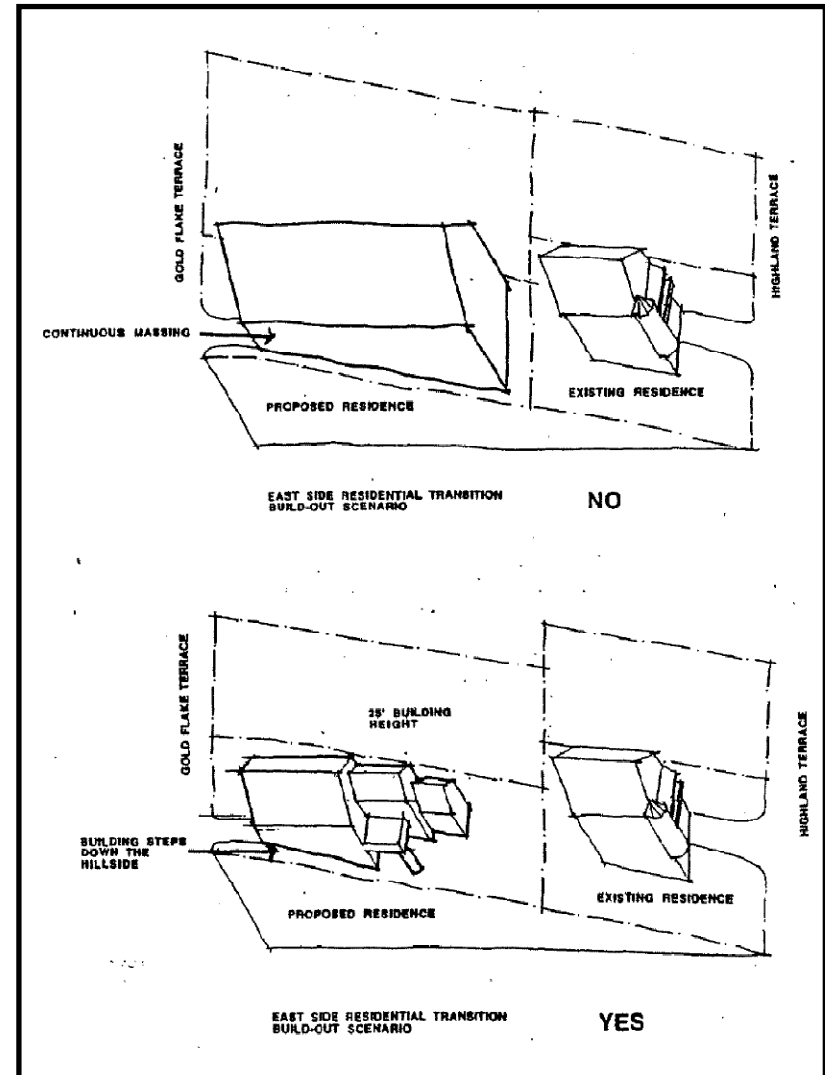
- Garages should appear subordinate to the primary structure. They should be smaller in scale than primary structures and simple in detail.

Items generally not as critical

Design Standard:

334. The character of windows, doors and architectural details generally are not as critical in the East Side Residential Transition Character Area.

- An exception is when such elements are so configured as to affect the overall scale or character of a building as it relates to other design standards in this document.



As seen from below, buildings should appear similar in mass and scale to historic structures across the street in the Historic District.

#13. South End Residential Transition Character Area

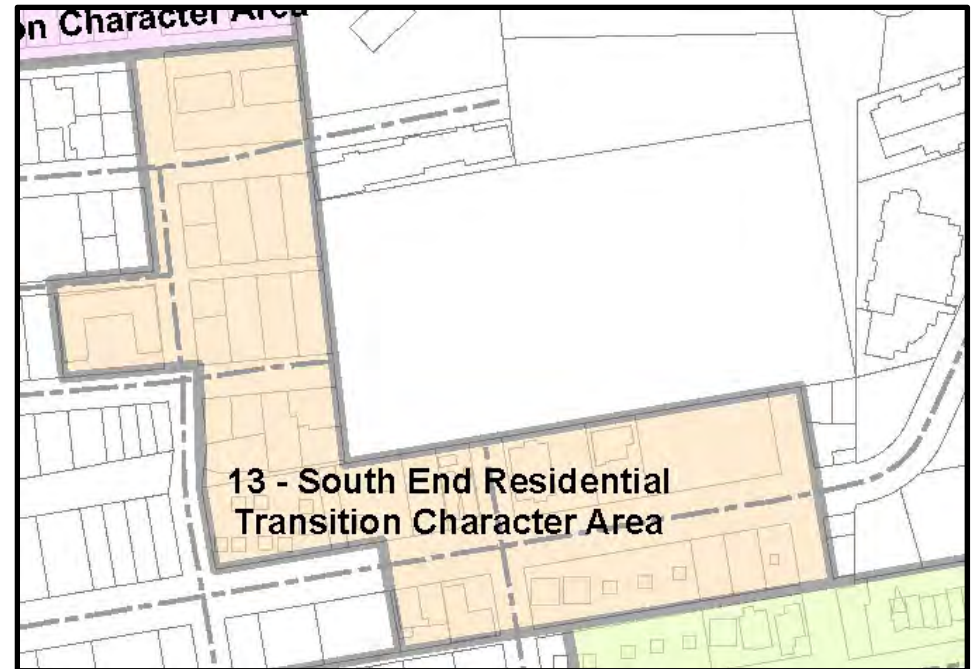
The South End Residential Transition Character Area lies along the southern edge of the Historic District, ranging from Highland Terrace on the east to Ridge Street on the west. A southern portion extends below Madison Avenue on Ridge Street. This area was historically part of the early Town of Breckenridge, although it has been sparsely developed until recent years.

Design Goals for the Character Area

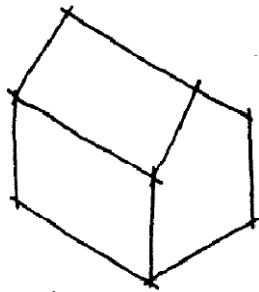
The design goal for this area is to reverse the trend toward large, massive structures and instead promote the development of buildings that are more in scale with the historic residential core. Strengthening of the character of the street is also desired, in terms of making it more attractive to pedestrians. The development of front yards and creation of a clear definition of the street edge are therefore goals for this area as well.

A particularly distinctive feature is Carter Park, which appears in many early historic photographs. This large open space is an historic feature of the community, which should be preserved. Any future development should retain the image of open space that is found here. The school is also a noteworthy feature, which also contains significant amounts of open space. Should these properties redevelop, it will be important to respect the traditional residential character of the area while also maintaining some open space.

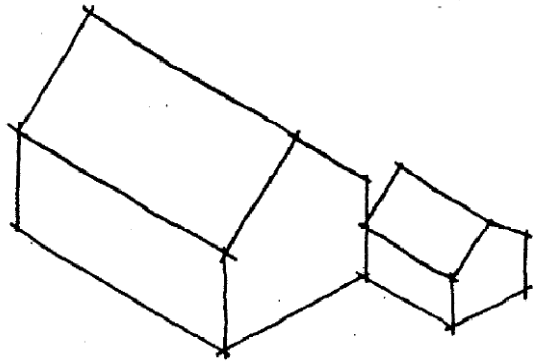
The area also lies along a very sensitive edge of the Historic District, because the scale of new development in recent years has been larger than seen traditionally with the result that the scale of building adjacent to the Historic District changes abruptly in some areas. Future development should more closely relate to the scale of the Historic District.



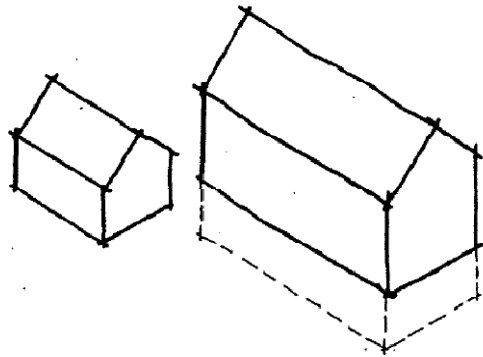
South end Residential Transition Character Area



TRADITIONAL SCALE



MORE MASSIVE SCALE



PREFERRED NEW SCALE

Reduce mass by placing some floor area in basements and secondary structures.

Mass and Scale

Policy:

Single family residential development is preferred in this area and any future development should appear to be similar in scale to single family detached houses found traditionally in Breckenridge.

Design Standard:

335. Along the street edge, buildings should appear similar in mass and scale to historic structures across the street.

- Use building components similar in scale to those seen traditionally on residential structures in the Historic District.
- The primary building mass, as well as its subordinate wings, dormers and porches, are examples of building components that should be similar in scale to those seen on historic residential structures. This is especially important along edges of the Historic District.

Architectural Character

Policy:

The South End Residential Transition Character Area is a relatively young neighborhood, and this fact should be expressed stylistically in the architecture found there in that direct copies of historic buildings should not occur. On the other hand, as a transition from the Historic District, there should be a strong sense of association with the Historic District. Buildings, therefore, should appear to have a sense of being visually related to older buildings in the Historic District, while not literally imitating them.

Design Standards:

- P** 336. Buildings should exhibit architectural elements that are similar to those found on historic homes in the Historic District.
- Use windows and doors that are similar in size, shape and proportion to those used historically in Breckenridge. Greater variety in the manner in which the elements are arrayed in the design is appropriate in this area, however.
 - Use building materials that are similar to those used historically for residential structures. Painted wood siding is the preferred material.

Orientation on the Lot

Design Standards:

337. Orient the primary entrance toward the street.
- This will provide visual interest to pedestrians and help establish a sense of pedestrian scale.
 - Orient the primary roof ridge perpendicular to the street.
 - Also see the general standards for building orientation to the street.
338. Provide porches to identify primary entrances.
These also should be oriented to the street.



Buildings should exhibit architectural elements that are similar to those found in the Historic District.

Automobiles and Parking

Policy:

The visual impacts of automobiles should be minimized in the South End Residential Transition Character Neighborhood. A particular concern is that garages not dominate the street view.

Design Standard:

339. Minimize the visual impacts of garages.

- A detached garage, set to the side or rear of the primary structure, is preferred.
- Set garages behind the primary façade where feasible.
- A significant portion of the front façade may not be garage, but rather must be composed of traditional residential components, including porches, doors, windows and dormers.

Items generally not as critical

Design Standard:

340. The character of windows, doors and architectural details generally are not as critical in the South End Residential Transition Character Area.

- An exception is when such elements are so configured as to affect the overall scale or character of a building as it relates to other design standards in this document.

#14. South Main Transition Character Area

The South Main Transition Character Area lies along Main Street, beginning at Adams Avenue and Ridge Street and proceeding south along Main Street to the intersection with Ridge Street and Main Street. This forms the southernmost buffer to the Historic District. Much of the character in this neighborhood is well-established, in that most of the lots are already developed. Redevelopment of some of these parcels, however, may certainly occur. Many buildings are single family residences in appearance, and are built of painted wood siding. Most face the street, although some are arranged in planned clusters. There are several large lots with oversized buildings, out of character with the desired goal for this district.

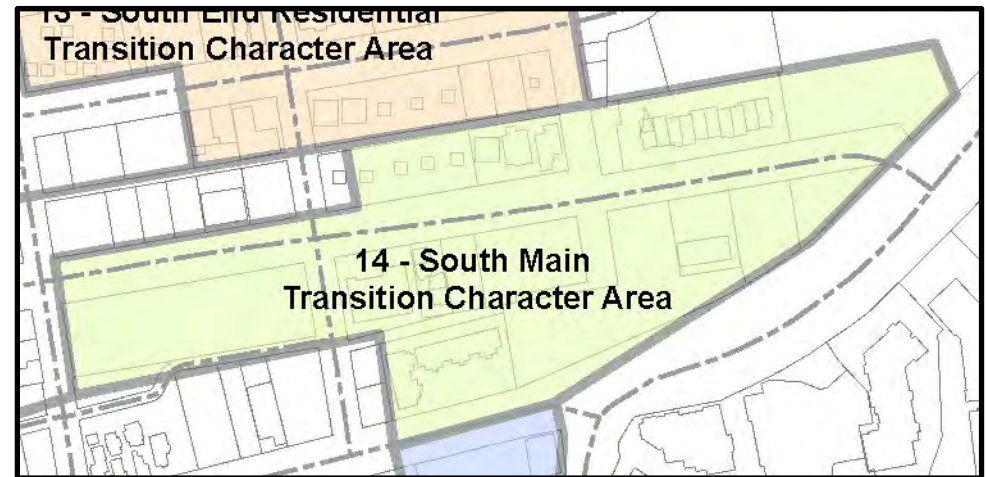
Design Goals for the Character Area

The goal for the South Main Transition Character Area is to strengthen the visual association with the traditional town grid and to maintain a character that is primarily single-family residential. Although some recent projects have deviated from the traditional grid setting, these do not set a precedent for future building. In fact, any future development should once again re-emphasize the established town grid. It is anticipated that both residential and commercial uses will be in this character area. New commercial development should maintain a single family residential character. Future development should also convey the rhythm of the smaller historic lots wherever feasible.

Pedestrian Orientation

Policy:

The South Main Transition Character Area should be predominantly pedestrian-oriented, while also accommodating other modes of circulation.



The South Main Transition Character Area



Use building components similar to those used traditionally on commercial storefront type structures.

Design Standard:

P 341. Enhance the pedestrian-orientation in all commercial development. For development fronting Main Street:

Use these techniques to contribute to a sense of pedestrian scale and provide visual interest:

- Create paths through sites that allow pedestrians to filter onto Main Street from adjoining areas.
- Provide sitting areas and nooks to encourage leisurely enjoyment of the street.
- Create pedestrian-scaled signs that can be read by passers-by.
- Provide interpretive markers that explain the historic and natural resources of the area to pedestrians.
- Sponsor public art installations that add accent to the street.
- Create areas of landscaping using materials that encourage pedestrian use.

Orient building fronts to the street.

Building Fronts

Design Standard:

P 342. Develop building fronts that reinforce the pedestrian-friendly character of the area.

- Avoid large blank wall surfaces that diminish pedestrian interest.
- Split level entries at elevations other than sidewalk grade are inappropriate. Sunken terraces also are inappropriate.

Façade Alignment

Policy:

Because this area is a transition from commercial to residential building types, a variety in building setbacks is appropriate. Development along Main Street should have reduced front and side yards. Buildings along Ridge Street should maintain a small front yard to support the residential character of buildings

Design Standard:

343. Provide a variety in building setbacks.

- Setback areas should be developed as pedestrian amenities, including landscaped seating areas.

Building Form

Building forms should be similar to traditional residential buildings, in order to extend the perception the residential character of the South Main Street Residential Character Area to the north.

Design Standards:

344. Use building forms similar to traditional single-family residential structures.

345. Use gable roof forms is recommended

Include gable roofs in the design.

- Secondary shed elements may be allowed.
- Conceal mechanical equipment in roof forms.



As seen at the street edge, building fronts should reflect the reflect the widths seen traditionally in Town

Building Widths

Design Standard:

346. As seen at the street edge, building fronts should reflect the widths seen traditionally in Town on residential buildings.

- This will help to retain the perceived pattern of historic lot sizes.
- Building widths also should be expressed in roof plan.

Mass and Scale

Design Standard:

347. Buildings also should appear to be similar in scale to those seen historically in the South Main Street Residential Character Area.

- Express the scale of historic building modules with changes in width, material setback, fenestration and details.
- Locate some density in basements to reduce perceived mass.

Landscaping

Policy:

Landscape elements should contribute to the visual continuity of the area by repeating similar materials along the street. The overall image of landscaping along Main Street should be more "urban" similar to the South Main Street Residential Character Area. Properties along Ridge Street should provide front yards similar to historic residential properties along Ridge Street.

Design Standards:

348. Street plantings in the public right of way shall comply with the Downtown Urban Design Plan.

349. Street plantings within the property line shall comply with the plant and material list defined in the landscaping ordinance.

- Use native plants for large areas of plantings.
- Reserve exotic plantings for limited accents.

Parking

Policy:

In general, the visual and functional impacts of parking should be minimized, in the interest of enhancing the pedestrian orientation of the area. Because of the densities of development anticipated in this area, structured parking, located under inhabited structures, is encouraged; however, in some circumstances, surface lots are expected to occur at the back of the lots.

Design Standards:

350. Design the perimeter of parking facilities to be "pedestrian-friendly."

- Provide landscaped buffers around parking lots.
- Provide occupied space, decorative surfaces or landscaping at the ground level of parking areas, to create visual interest for pedestrians.

351. Design structured parking such that floors of parking cars are not exposed to view from major public ways.

- Locate parking areas behind other uses in structures, or screen parking with landscaping.

Items generally not as critical

Design Standard:

352. The character of windows, doors and architectural details generally are not as critical in the South Main Transition Character Area.

- An exception is when such elements are so configured as to affect the overall scale or character of a building as it relates to other design standards in this document.

MEMO

TO: Town Council

FROM: Town Attorney

RE: Proposed Amendments to Town's Medical Marijuana Licensing Ordinance

DATE: March 7, 2012 (for March 13th meeting)

The State has set new license classifications and licensing fees for its licensing of MMD facilities. Since the Town's local licensing fee schedule was originally based on the State's fees (ours were 75% of the original fees set by the State), I think the Town needs to adjust its local MMD licensing fees to reflect the State's new fee schedule. The State has also established fees for such "services" as processing a change of ownership, a change in corporate or LLC structure, a change of location, and a modification of premises. I think the Town needs some local fees to cover the cost of the Town providing the same "services." Otherwise, the Town will be providing the services for free.

The State has also determined that new medical marijuana licenses will be issued for one year, instead of two years as authorized by the Colorado Medical Marijuana Code. When the Town established its fees for local license applications submitted under the new State law, it was contemplated that the fee would cover a two-year initial license. Since the State has determined that the initial license period is only one year, the Town's local license application fees need to be adjusted accordingly.

In addition, as you may have heard, the federal government is strictly enforcing the part of the new State law that prohibits medical marijuana facilities from being located within 1,000 feet of a school. The Town's ordinance currently prohibits a MMD facility from being located within 500 feet of a school (as well as a childcare facility). Although the Town has the authority to vary the distances provided in the State law, I think in this instance it makes sense to sync up the Town's ordinance with the State law. Doing so eliminates the confusion that could arise from a MMD location being permissible under the Town's ordinance, but in violation of the State's distance rule (i.e., a MMD facility located 750 feet from a school (or child care facility) would be permissible under the Town's current ordinance, but in violation of the State law).

For these reasons, I think that the Town's Medical Marijuana Licensing Ordinance needs a couple of amendments. The proposed ordinance is enclosed. Changes to the current ordinance are blacklined.

The changes proposed by this ordinance are as follows:

1. The Town's local MMD license application fees have been adjusted to take into consideration the new State fee schedule, and the one year initial license period. The proposed new Town fees are 75% of the new State application fees for the same license classification. As

you will see, as a result of the adjustment some Town application fees have gone up; some have gone down. However, I think the new fees are set at a level that adequately compensates the Town for the staff time involved in processing a new MMD application. These fees should be reviewed annually and adjusted as part of the Town's budget process.

2. The Town's ordinance needs to include fees for certain administrative services the Town is required to provide under the new statewide licensing scheme. As noted above, these include processing a change of ownership, a change in corporate or LLC structure, a change of location, and a modification of premises. The proposed new fees are not based on the State's fee schedule, but reflect the staff's determination of the amount of time that likely will be spent in providing the enumerated services. Staff is comfortable with these fees for now. As with the local license application fees, these service fees should be reviewed annually and adjusted as part of the Town's budget process.

3. The ordinance adopts the State's rule prohibiting a MMD facility from being located within 1,000 feet of a school, an alcohol or drug treatment facility, the principal campus of a college, university, or seminary, or a residential child care facility. The ordinance also sets the distance requirement from a halfway house at 1,000 feet. As mentioned above, in this instance I think consistency between the Town's ordinance and the State code would be beneficial.

I will be happy to discuss this ordinance with you on Tuesday.

1 **FOR WORKSESSION/FIRST READING – MAR. 13**

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

5
6 COUNCIL BILL NO. ____

7
8 Series 2012

9
10 AN ORDINANCE AMENDING CHAPTER 14 OF TITLE 4 OF THE BRECKENRIDGE
11 TOWN CODE CONCERNING THE TOWN OF BRECKENRIDGE MEDICAL MARIJUANA
12 LICENSES AND REGULATIONS

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

16
17 Section 1. Section 4-14-9 of the Breckenridge Town Code is amended so as to read in its
18 entirety as follows:

19 4-14-9: APPLICATION FEE; **ADMINISTRATIVE SERVICE FEES**:

20
21 A. An applicant shall pay to the Town a non-refundable application fee when the
22 application is filed. The purpose of the fee is to cover the direct and indirect costs
23 to the Town of administering the local licensing mechanism established by this
24 Chapter. For applications filed in ~~2011~~ **2012** the application fees are as follows:

25 1. New Medical Marijuana Center License:

<u>Number of Patients</u>	<u>Local Application Fee</u>
<u>Type of License</u>	
6-300 <u>Type 1 Center</u>	\$5,625.00 <u>\$2,812.50</u>
301-500 <u>Type 2</u>	\$9,375.00 <u>\$6,562.50</u>
<u>Center</u>	
501 or more <u>Type 3</u>	\$13,500.00 <u>\$10,500.00</u>
<u>Center</u>	

26
27
28 *~~0-5~~ patients can be cared for by caregiver without a local license

29
30 2. New Optional Premises Cultivation License = ~~\$937.50~~ **\$2,062.50**

31
32 3. New Medical Marijuana-Infused Products Manufacturers' License =
33 ~~\$937.50~~ **\$2,062.50**

1 B. Fees for the annual renewal of any license issued by the Town shall be fifty
2 percent of the fee for the issuance of a new license as described in subsection A of
3 this Section.

4 C. The following administrative service fees shall be paid to Town at the time
5 the service is requested:
6

<u>Service Requested</u>	<u>Fee</u>
<u>Change of Ownership of Business License or Application</u>	<u>\$250.00</u>
<u>Corporation or LLC Structure Change (per person)</u>	<u>\$100.00</u>
<u>Change of Location</u>	<u>\$500.00</u>
<u>Modification of Premises</u>	<u>\$150.00</u>

7
8 D. At least annually, the amount of fees charged pursuant to this Section shall be
9 reviewed and, if necessary, adjusted to reflect the direct and indirect costs
10 incurred by the Town in connection with the administration and enforcement of
11 this Chapter.

12 E. Beginning with the fiscal ~~2012~~2013 budget, the amount of the local application
13 fee and renewal fee shall be fixed by the Town Council as part of its annual
14 budget process. If, for any reason, the local application fee or the annual renewal
15 fee are not fixed by the Town Council as part of its annual budget process, the
16 local application fee and renewal fee for the preceding year shall continue in full
17 force and effect until changed by the Town Council.

18 Section 2. Subsection 4-14-20(C) of the Breckenridge Town Code is amended to read in
19 its entirety as follows:

20 C. In addition to the restriction imposed by subsection B of this Section, no
21 medical marijuana center, optional premises cultivation operation, or medical
22 marijuana-infused products manufacturing facility shall be located:

23 1. within ~~500~~ one thousand feet (1,000') feet of a licensed child care facility, or
24 a residential child care facility.

25 2. within ~~500 feet of any educational institution or school, college or university,~~
26 ~~either public or private~~ one thousand feet (1,000') of a school, an alcohol or
27 drug treatment facility, or the principal campus a college, university, or
28 seminary;

- 1 3. within 500 **one thousand feet (1,000')** feet of any halfway house;
- 2 4. adjacent to property being used for a residential use; provided, however, this
- 3 restriction does not apply to an adjacent mixed use building containing both
- 4 residential and commercial units;
- 5 5. within any building or structure that contains a residential unit;
- 6 6. on the ground floor, if located within the Downtown Overlay District; or
- 7 7. on any floor immediately above and below the sidewalk fronting at street level
- 8 of any split level structure within the Downtown Overlay District.

9 Section 3. Except as specifically amended hereby, the Breckenridge Town Code, and the
10 various secondary codes adopted by reference therein, shall continue in full force and effect.

11 Section 4. In the event of a conflict between the fees and charges described in this
12 ordinance and any medical marijuana licensing fees described in the Town's 2012 budget, the
13 provisions of this ordinance shall control.

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

18 Section 6. The Town Council hereby finds, determines and declares that it has the power
19 to adopt this ordinance pursuant to the provisions of Section 12-43.3-503, C.R.S., and the powers
20 possessed by home rule municipalities in Colorado.

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

23 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
24 PUBLISHED IN FULL this ____ day of _____, 2012. A Public Hearing shall be held at the
25 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ___ day of
26 _____, 2012, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the
27 Town.

28
29 TOWN OF BRECKENRIDGE, a Colorado
30 municipal corporation

31
32
33
34 By _____
35 John G. Warner, Mayor
36
37

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64

ATTEST:

Mary Jean Loufek, CMC,
Town Clerk



MEMORANDUM

TO: Town Council

FROM: Chris Neubecker, Current Planning Manager

SUBJECT: Council Bill No. 12 (Temporary Vendor Carts) – First Reading

DATE: March 7, 2012

The first reading of an ordinance making revisions to the Temporary Vendor Carts policy is scheduled for first reading for your meeting on March 13th. Following are the most significant provisions of the proposed ordinance:

- New Policy 49 (Absolute) Vendor Carts. This will create a new policy, rather than keeping vendor carts in Policy 36 (Absolute) Temporary Structures
- Prohibit new large vendor carts, but allow existing, permitted vendors to remain in business
- Develop new design standards, including required site improvements
- Require existing vendor carts to come into compliance with new design standards upon permit renewal
- Set a cap of 4 small vendor carts inside the Conservation District
- Prohibit outdoor seating for both large and small vendor carts
- Require vendor carts to follow the Class B-Minor development permit process (with a higher application fee, and public notice)
- Establish color “value” limits to ensure that carts use darker colors to blend in
- Allow vendor carts only in commercial Land Use Districts

We believe this revised policy allows current vendors to stay in business, but requires a higher standard for new vendors and for permit renewals. If there are other issues that we have not yet addressed, please let us know.

Staff will be available during the work session to answer questions and receive feedback from the Council.

1 ***FOR WORKSESSION/FIRST READING – MAR. 13***

2
3 COUNCIL BILL NO. 12

4
5 Series 2012

6
7 AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE
8 TOWN CODE, KNOWN AS THE “BRECKENRIDGE DEVELOPMENT CODE”, BY
9 ADOPTING A NEW POLICY 49 (ABSOLUTE), ENTITLED “VENDOR CARTS”, AND
10 MAKING MISCELLANEOUS AMENDMENTS TO THE BRECKENRIDGE TOWN CODE
11 RELATED TO SUCH NEW DEVELOPMENT POLICY

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

15
16 Section 1. The definitions of “Transient Vendor Cart”, “Temporary Vendor Cart,” and
17 “Transient Vendor Carts” set forth in Section 9-1-5 of the Breckenridge Town Code are deleted.

18 Section 2. Section 9-1-5 of the Breckenridge Town Code is amended by the adoption of
19 the following additional definitions:

LARGE VENDOR CART: A vendor cart that is either: (i) larger than forty square feet in size; or (ii) is not removed from its site and properly stored out of public view each day.

SMALL VENDOR CART: A vendor cart that is both: (i) forty square feet or smaller in size; and (ii) removed from its site and properly stored out of public view each day.

SPECIAL EVENT VENDOR CART: A wagon, cart, booth, or similar temporary structure designed and used for the sale of goods and services at a special event for which the Town has issued a special event permit pursuant to Chapter 13 of Title 4 of this Code.

VENDOR CART: A temporary structure in the form of a wagon, cart, booth, or other similar structure designed and intended for the sale of goods and services. The term “vendor cart” includes (i) a large vendor cart; (ii) a small vendor cart; and (iii) a special event vendor cart.

20
21 Section 3. Item S (Temporary vendor carts.) in the definition of “Class D Development”
22 in Section 9-1-5 of the Breckenridge Town Code is deleted.

1
2 Section 4. The definition of “Class B – Minor” development in Section 9-1-5 of the
3 Breckenridge Town Code is amended by the addition of a new item E, which shall read in its
4 entirety as follows:

5
6 E. Vendor Carts (Large Vendor Carts and Small Vendor Carts)

7
8 Section 5. Chapter 1 of Title 9 of the Breckenridge Town Code is amended by the
9 addition of a new Policy 49 (Absolute)(Vendor Carts), which shall read in its entirety as follows:

10
11 **49. (ABSOLUTE) VENDOR CARTS:**

12
13 A. **Vendor Cart Locations:** Large vendor carts and small vendor carts are
14 permitted only in those Land Use Districts where commercial uses are an allowed
15 or recommended land use. Special event vendor carts are permitted anywhere
16 within the Town if authorized by a special event permit issued by the Town
17 pursuant to Chapter 13 of Title 4 of this Code

18
19 B. **Vendor Cart General Design Standards:** Large vendor carts and small
20 vendor carts are subject to the following general design standards:

21
22 1. **General Design Standards - Within the Conservation District:** The
23 following general design standards apply as indicated to large vendor carts and
24 small vendor carts located within the Conservation District:

25
26 A. All large vendor carts and small vendor carts shall be designed to
27 blend in with the existing historic character. This shall be accomplished through
28 the proper use of architecture, materials and site planning. In the Conservation
29 District, large vendor carts shall complement the surrounding building character
30 through the use of high quality materials and detailing. Placing a large vendor cart
31 in an unfinished vacant lot with no site improvements is prohibited.

32
33 B. All large vendor carts and small vendor carts must be constructed of
34 professional quality for use as a food vending cart.

35
36 C. All large vendor carts and small vendor carts must be maintained in
37 good working condition with no broken or rusty parts. All exterior materials must
38 be kept clean and in a neat appearance. No rusty or broken metal or chipped or
39 broken wood is allowed. All exposed edges must be finished. All wood details
40 and finishes must be suitable for long wear in an exterior location. All detailing,
41 construction and finishing shall be done in a craftsman like manner.

42
43 2. **General Design Standards - Outside the Conservation District:** The
44 following general design standards apply as indicated to large vendor carts and
45 small vendor carts located outside of the Conservation District:

1 A. All large vendor carts and small vendor carts must be constructed of a
2 professionally quality for use as a food vending cart.
3

4 B. All large vendor carts and small vendor carts must be in good working
5 condition, with no broken or rusty parts. All exterior materials must be kept clean
6 and in neat appearance. No rusty or broken metal or chipped or broken wood is
7 allowed. Metal and wood may be used as exterior finishes. The gauge, detailing
8 and finish of all metal surfaces shall be suitable for long-term use in an exterior
9 location. All exposed edges must be finished. All metal used in carts shall have
10 concealed seams and overlapping joints. All wood details and finishes must be
11 suitable for long wear in an exterior location. All detailing, construction and
12 finishing shall be done in a craftsman like manner. No rough-cut, unfinished or
13 distressed woods will be considered as finish materials.
14

15 **3. Additional Requirements for All Vendor Carts:**

16
17 **A. Large Vendor Carts:** The following additional design and operational
18 standards apply to large vendor carts:
19

- 20 1. Large vendor carts must be located on private property.
- 21 2. Large vendor carts may only sell food and beverages in forms suited for
22 immediate consumption.
- 23 3. The area of a large vendor cart counts as density. The density shall be assessed
24 against the real property on which the vendor cart is located.
- 25 4. Large vendor cart owners shall improve the immediate area around their
26 business through the installation of pavers, landscaping, awnings, and/or
27 small decks to help the vendor carts to look less temporary, and to blend
28 into the surrounding character. Where the surrounding area is already
29 improved with such finishes as listed above, this requirement may be
30 waived by the Planning Commission.
- 31 5. The maximum size of a large vendor cart is 100 square feet.
- 32 6. The maximum height of a large vendor cart is 10 feet.
- 33 7. If a large vendor cart is connected to the Town's municipal water system, the
34 owner must pay water plant investment fees for the vendor cart.
- 35 8. If a large vendor cart uses a commissary kitchen, the commissary kitchen must be
36 identified on the vendor cart permit application, and any applicable water plant
37 investment fees must be paid by the owner of the commissary kitchen. If the
38 commissary kitchen changes during the term of the permit, the large vendor cart
39 permit holder must notify the Director within 10 days of the date of the change.
- 40 9. Siding and other compatible materials used on a large vendor cart must wrap all
41 sides of the vendor cart.
- 42 10. Exterior colors used on a large vendor cart must meet Town's color chroma
43 palette. The color of all large vending carts shall be selected from the Munsell
44 Book of Color on file with the Community Development Department. The
45 maximum chroma for the exterior of a large vending cart shall be 4 (unless red or
46 yellow are used, then a maximum chroma of 6) and a maximum value of 6.

- 1 11. All signs for a large vendor cart shall be subject to the Breckenridge Sign Code.
2 One permanent free standing signs is allowed for a large vendor cart, unless
3 otherwise prohibited by the Breckenridge Sign Code.
- 4 12. Generators are prohibited for large vendor carts.
- 5 13. If a large vendor cart has wheels, the wheels shall be permanently screened with a
6 skirting design architecturally compatible with the exterior of the cart.
- 7 14. Any trailer hitch on a large vendor cart must be removed.
- 8 15. Owners of large vendor carts must obtain and maintain in full force and effect
9 throughout the permit a valid Town of Breckenridge business license.
- 10 16. Large vendor carts must be wind-proof, water proof and locked when not in
11 operation.
- 12 17. No tables or outdoor seating are allowed for a large vendor cart.
- 13 18. The operator of a large vendor cart shall comply with all applicable health
14 regulations with respect to the operation of the large vendor cart.

15
16 **B. Small Vendor Carts:** The following additional design and operational
17 standards apply to small vendor carts:
18

- 19 1. Small vendor carts must be located on private property.
- 20 2. Small vendor carts may only sell food and beverages in forms suited for
21 immediate consumption.
- 22 3. Small vendor carts must be removed from its site and properly stored out of
23 public view each day.
- 24 4. No water plant investment fees shall be paid if a small vendor cart is not
25 connected to the Town's municipal water system. If a small vendor cart is
26 connected to the Town's municipal water system, the owner must pay water plant
27 investment fees.
- 28 5. If a small vendor cart uses a commissary kitchen, the commissary kitchen must be
29 identified on the vendor cart permit application. If the commissary kitchen
30 changes during the term of the permit, the small vendor cart permit holder must
31 notify the Director within 10 days of the date of the change.
- 32 6. Umbrellas may be used on a small vendor cart. Tents on small vendor carts are
33 prohibited.
- 34 7. All signage must be attached to small vendor cart. Free standing signage on or for
35 a small vendor cart is prohibited.
- 36 8. All storage boxes, cartons, and coolers used in connection with the operation of a
37 small vendor cart shall be hidden from public view.
- 38 9. No decks, tables, or outdoor seating are allowed for a small vendor cart, except
39 one seat for the operator of the small vendor cart.
- 40 10. Small vendor carts must have self- contained power. No external piping or
41 plumbing is allowed. No electrical extension cords are allowed.
- 42 11. Small vendor cart must be on wheels.
- 43 12. Owners of small vendor carts must obtain and maintain in full force and effect
44 throughout the permit a valid Town of Breckenridge business license.

- 1 13. All signs for a small vendor cart shall be subject to the Breckenridge Sign Code.
 2 The maximum allowed sign area for a small vendor cart is 66% of the linear
 3 frontage of the cart.
 4 14. The operator of a small vendor cart shall comply with all applicable health
 5 regulations with respect to the operation of the small vendor cart.

6
 7 **C. Special Event Vendor Carts:** Special event vendor carts may be approved
 8 only in connection with and pursuant to the procedures for the review and
 9 approval of a special event permit issued by the Town pursuant to Chapter 13 of
 10 Title 4 of this Code. Special event vendor carts are subject to the applicable terms
 11 and conditions of the special event permit. Except as specifically provided in this
 12 Policy, the provisions of this Policy do not apply to special event vendor carts.

13
 14 **D. Duration of Development Permit:** A development permit for a large vendor
 15 cart issued pursuant to this Policy shall be valid for three (3) years as provided in
 16 Section 9-1-17-8 of this Chapter, and may be renewed. A development permit for
 17 a small vendor cart issued pursuant to this Policy shall be valid for one (1) year,
 18 and may be renewed. A development permit issued pursuant to this Policy may
 19 also be revoked for cause as provided in Section 9-1-6 of this Chapter.

20
 21 **E. Limitation on Number of Vendor Cart Permits:**

- 22
 23 1. The total number of development permits for each type of vendor cart that may
 24 be issued by the Town under this Policy for locations within the Conservation
 25 District are as follows:
 26

Permit Type	Maximum No. of Permits
Large Vendor Carts	3
Small Vendor Carts	4
Special Event Vendor Carts	No limit

27
 28 The Town shall never issue more permits of any type than the number of permits
 29 provided in this Subsection 1.
 30

- 31 2. There is no limit on the number of development permits that may be issued by the
 32 Town for large vendor carts or small vendor carts located outside of the Conservation
 33 District.
 34

- 35 3. The limitations of subsection 1 of this Section E do not require the closure or
 36 removal of any vendor cart operating within the Town as of the effective date of
 37 this Policy pursuant to a valid development permit. On the effective date of this
 38 Policy all vendor carts for which a valid development permit exists may continue
 39 to be operated under the terms and conditions of the approved development
 40 permit until the first to occur of: (i) the permit expires; (ii) the permit is revoked
 41 by Town in accordance with this Chapter; (iii) the permit is voluntarily

1 surrendered; (iv) the permit is not renewed by the permittee or the Planning
2 Commission; or (v) the vendor cart is otherwise required to be closed or removed
3 for any lawful reason. Upon the occurrence of any event described in the
4 preceding sentence the owner or operator of the vendor cart that was previously
5 permitted must obtain a new development permit, and in connection therewith
6 must be brought into compliance with the requirements of this Policy.
7

8 4. The limitations of subsection 1 of this Section E do not require the closure or
9 removal of any vendor cart operating within the Town as of the effective date of
10 this Policy for which a development permit was previously issued prior to the
11 effective date of this Policy, but which expired during the moratorium period that
12 occurred immediately prior to the effective date of this Policy. Within sixty (60)
13 days after the effective date of this Policy the owners or operators of all vendor
14 carts for which an expired development permit existed must submit an application
15 for a new development permit. The vendor cart that is the subject of the
16 application may remain in operation until the new development permit application
17 is finally decided by the Town. In connection with approval of the new
18 development permit application, the vendor cart must be brought into compliance
19 with the requirements of this Policy.
20

21 5. A large vendor cart for which a development permit is issued pursuant to this
22 Policy may continue in operation until the first to occur of: (i) the permit is
23 revoked by Town in accordance with this Chapter; (ii) the permitted vendor cart is
24 not operated pursuant to the permit for a period of six (6) consecutive months;
25 (iii) the permit is voluntarily surrendered (iv) the permit is not renewed by the
26 permittee or the Planning Commission; or (v) the permitted vendor cart is
27 otherwise required to be closed or removed for any lawful reason. Upon the
28 occurrence of any of events described in the preceding sentence, the number of
29 permitted large vendor carts described in subsection 1 of this Section E shall be
30 permanently reduced by one (1) permit, and the cap number described in
31 subsection 1 of this Section E may not thereafter be increased. A development
32 permit for a large vendor cart may be transferred to a purchaser in the event of the
33 sale of the vendor cart if the purchaser assumes and agrees to be bound by all of
34 the terms and conditions of the development permit. The provisions of this
35 subsection 5 do not apply to small vendor carts.
36

37 6. If the total number of small vendor cart permits issued by the Town ever drops
38 below the cap number established in subsection 1 of this Section E, the Director
39 shall conduct a random drawing of applications for a new small vendor cart
40 development permit submitted by qualified applicants, and shall allow the
41 development permit application to be processed only by the winner of the
42 drawing. All unsuccessful development permit applications shall not be
43 processed, and the application fee shall be refunded to the unsuccessful
44 applicant(s). If the successful applicant withdraws the application, or if the
45 application is not approved by the Town or accepted by the applicant, the Director
46 shall conduct a second random drawing among the qualified applicants, and shall

1 allow the development permit application to be processed only by the winner of
2 the second drawing. To be permitted to participate in the drawing an applicant
3 must have: (i) submitted a completed application; and (ii) paid the required
4 application fee. The Director may establish further rules and regulations for the
5 administration of the required random drawing by administrative rule and
6 regulation adopted pursuant to Section 9-1-28. Such rules and regulations shall be
7 consistent with the requirements of this Section.
8

9 Section 6. Except as specifically amended hereby, the Breckenridge Town Code, and the
10 various secondary codes adopted by reference therein, shall continue in full force and effect.
11

12 Section 7. The following ordinances are repealed: (i) Ordinance No. 10, Series No. 2011,
13 entitled “An Ordinance Imposing A Temporary Moratorium On The Submission, Acceptance,
14 Processing, And Approval Of New Applications For Development Permits To Operate
15 Temporary Vendor Carts”, and (ii) Ordinance No. 10, Series 2012, entitled “An Ordinance
16 Amending Ordinance No. 10, Series 2011, By Extending The Temporary Moratorium On The
17 Submission, Acceptance, Processing, And Approval Of New Applications For Development
18 Permits To Operate Temporary Vendor Carts.”
19

20 Section 8. The Town Council hereby finds, determines, and declares that this ordinance
21 is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and
22 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants
23 thereof.
24

25 Section 9 The Town Council hereby finds, determines and declares that it has the power
26 to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act,
27 Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal
28 zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv)
29 Section 31-15-401, C.R.S.(concerning municipal police powers); (v) Section 31-15-501(1),
30 C.R.S. (concerning the regulation of businesses); (vi) the authority granted to home rule
31 municipalities by Article XX of the Colorado Constitution; and (vii) the powers contained in the
32 Breckenridge Town Charter.
33

34 Section 10. This ordinance shall be published and become effective as provided by
35 Section 5.9 of the Breckenridge Town Charter.
36

37 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
38 PUBLISHED IN FULL this ____ day of _____, 2012. A Public Hearing shall be held at the
39 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
40 _____, 2012, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the
41 Town.
42

43 TOWN OF BRECKENRIDGE, a Colorado
44 municipal corporation
45
46

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

By _____
John G. Warner, Mayor

ATTEST:

Mary Jean Loufek, CMC,
Town Clerk

500-311\Vendor Carts Ordinance (03-07-12)

FINANCIAL MEMORANDUM

TO: TIM GAGEN, TOWN MANAGER
FROM: CLERK AND FINANCE DIVISION
SUBJECT: JANUARY NET TAXABLE SALES & RETT REPORTING
DATE: 3/8/2012

This memo explains significant items of note in relation to sales that occurred within the Town of Breckenridge in the month of January. Real Estate Transfer Tax, including an analysis of the monthly “churn” and sales by property type, is also included.

New Items of Note:

Net Taxable Sales

- Overall, Net Taxable sales for January were not exceptional. We were down 6.7% over 2011. We also fell below 2006 #s overall. We continue to track behind 2006 #s in several categories.
- Restaurants fell below 2011. However, we did exceed 2007#s. This may be due more to the # of open restaurants included in the sector more than the success of individual restaurants.
- Retail sales lagged considerably for the month. Not only was this sector behind prior year by 14%, but also behind 2005 #s.
- While supplies may have tracked ahead of prior year, this wasn't saying much & we continue to track behind 2005.

Real Estate Transfer Tax

- Total February collections fell behind prior year by 33.1%. However, it is notable that in 2010 & 2011 that we received more revenue for a new phase of Grand Lodge on Peak 7. The next phase of the Grand Lodge project will not close until December 2012.
- We also fell behind PY churn for the month by 12.9% (or \$4,331).
- The month did exceed budget by 38.7%. We are also now tracking ahead of YTD budget by 6.9%.
- Sales of vacant land and single family homes are up vs. prior year.
- Single family homes comprised the majority of the sales for the month.

Continuing Items of Note:

- Net Taxable Sales are reported in the first Council meeting following the due date of the tax remittance to the Town of Breckenridge. Taxes collected from the customer by the vendor are remitted to the Town on the 20th 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 include 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.
- 2012 Real Estate Transfer Tax budget is based upon the monthly distribution for 2007. The reasoning is that we should compare to a year with a “normal distribution.”

**TOWN OF BRECKENRIDGE
TAXABLE SALES ANALYSIS BY BUSINESS SECTOR**

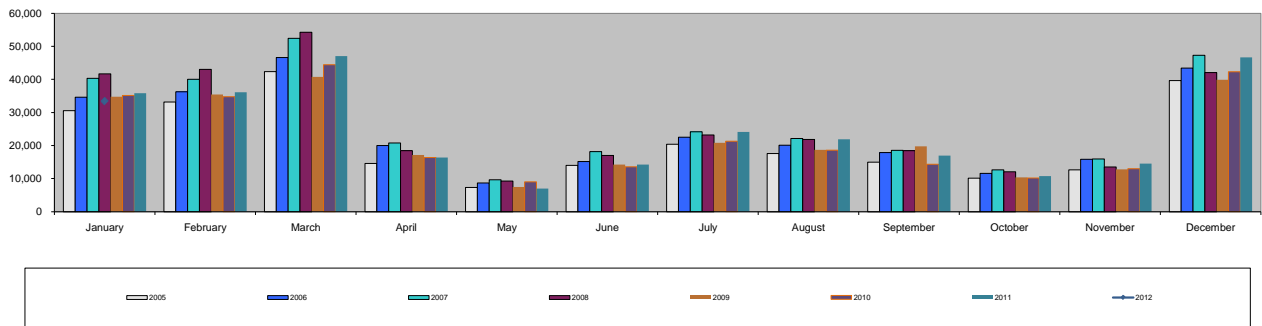
(In Thousands of Dollars)

Total - All Categories*

* excluding Undefined and Utilities categories

	Actual 2005	YTD 2005	Actual 2006	YTD 2006	Actual 2007	YTD 2007	Actual 2008	YTD 2008	Actual 2009	YTD 2009	Actual 2010	YTD 2010	Actual 2011	YTD 2011	Actual 2012	YTD 2012	Monthly 11-12	YTD % Change 11-12
January	30,549	30,549	34,589	34,589	40,283	40,283	41,665	41,665	34,783	34,783	35,105	35,105	35,805	35,805	33,399	33,399	-6.7%	-6.7%
February	33,171	63,720	36,236	70,825	40,034	80,317	43,062	84,717	35,453	70,236	34,791	69,896	36,128	71,933	0	33,399	n/a	n/a
March	42,370	106,090	46,803	117,428	52,390	132,707	54,237	138,954	40,810	111,046	44,485	114,381	47,101	119,034	0	33,399	n/a	n/a
April	14,635	120,725	19,963	137,391	20,758	153,465	18,483	157,437	17,171	128,217	16,346	130,727	16,371	135,405	0	33,399	n/a	n/a
May	7,355	128,080	8,661	146,052	9,629	163,094	9,251	166,688	7,475	135,692	8,999	139,726	6,971	142,376	0	33,399	n/a	n/a
June	14,043	142,123	15,209	161,261	18,166	181,260	16,988	183,676	14,286	149,978	13,557	153,283	14,235	156,611	0	33,399	n/a	n/a
July	20,366	162,489	22,498	183,759	24,168	205,428	23,160	206,836	20,788	170,766	21,346	174,629	24,134	180,745	0	33,399	n/a	n/a
August	17,625	180,114	20,071	203,830	22,125	227,553	21,845	228,681	18,656	189,422	18,603	193,232	21,878	202,623	0	33,399	n/a	n/a
September	15,020	195,134	17,912	221,742	18,580	246,113	18,481	247,162	19,806	209,228	14,320	207,552	16,969	219,592	0	33,399	n/a	n/a
October	10,170	205,304	11,544	233,286	12,687	258,800	12,120	259,282	10,410	219,638	10,226	217,778	10,740	230,332	0	33,399	n/a	n/a
November	12,647	217,951	15,877	249,163	15,943	274,743	13,483	272,765	12,809	232,447	12,985	230,763	14,549	244,881	0	33,399	n/a	n/a
December	39,687	257,638	43,431	292,594	47,258	322,001	42,076	314,841	39,859	272,306	42,343	273,106	46,651	291,532	0	33,399	n/a	n/a
Totals	257,638		292,594		322,001		314,841		272,306		273,106		291,532		33,399			

2012 Monthly Sales Tax Activity (in thousands of dollars)



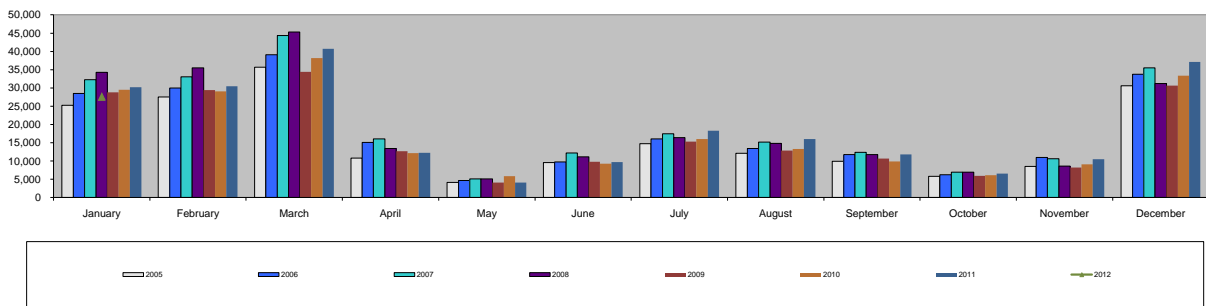
**TOWN OF BRECKENRIDGE
TAXABLE SALES ANALYSIS BY BUSINESS SECTOR**

(In Thousands of Dollars)

Retail-Restaurant-Lodging Summary

	2005		2006		2007		2008		2009		2010		2011		2012		Monthly 11-12	YTD % Change 11-12
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD				
January	25,240	25,240	28,528	28,528	32,258	32,258	34,290	34,290	28,802	28,802	29,538	29,538	30,174	30,174	27,855	27,855	-8.3%	-8.3%
February	27,553	52,793	29,972	58,500	33,039	65,297	35,511	69,801	29,401	58,203	29,090	58,628	30,504	60,678	0	27,855	n/a	n/a
March	35,705	88,498	39,051	97,551	44,390	109,687	45,338	115,139	34,428	92,631	38,136	96,764	40,676	101,354	0	27,855	n/a	n/a
April	10,773	99,271	15,134	112,685	16,025	125,712	13,410	128,549	12,853	105,284	12,154	108,918	12,281	113,635	0	27,855	n/a	n/a
May	4,179	103,450	4,647	117,332	5,146	130,858	5,111	133,660	4,125	109,409	5,836	114,754	4,077	117,712	0	27,855	n/a	n/a
June	9,568	113,018	9,789	127,121	12,225	143,083	11,112	144,772	9,829	119,238	9,302	124,056	9,713	127,425	0	27,855	n/a	n/a
July	14,766	127,784	16,038	143,159	17,499	160,582	16,446	161,218	15,305	134,543	15,993	140,049	18,296	145,721	0	27,855	n/a	n/a
August	12,122	139,906	13,446	156,606	15,167	175,749	14,815	176,033	12,859	147,402	13,261	163,310	16,010	161,731	0	27,855	n/a	n/a
September	9,897	149,803	11,761	168,366	12,418	188,167	11,794	187,827	10,705	158,107	9,894	163,204	11,834	173,565	0	27,855	n/a	n/a
October	5,824	155,627	6,248	174,614	6,934	195,101	6,977	194,804	5,986	164,093	6,143	169,347	6,517	180,082	0	27,855	n/a	n/a
November	8,557	164,184	10,963	185,577	10,650	205,751	8,637	203,441	8,234	172,327	9,068	178,415	10,513	190,595	0	27,855	n/a	n/a
December	30,619	194,803	33,736	219,313	35,517	241,268	31,211	234,652	30,867	202,994	33,363	211,778	37,081	227,676	0	27,855	n/a	n/a
Totals	194,803	194,803	219,313	219,313	241,268	241,268	234,652	234,652	202,994	202,994	211,778	211,778	227,676	227,676	27,855	27,855		

2012 Monthly Sales Tax Activity (in thousands of dollars)



Tourism Ratio (Retail + Restaurant)/Lodging

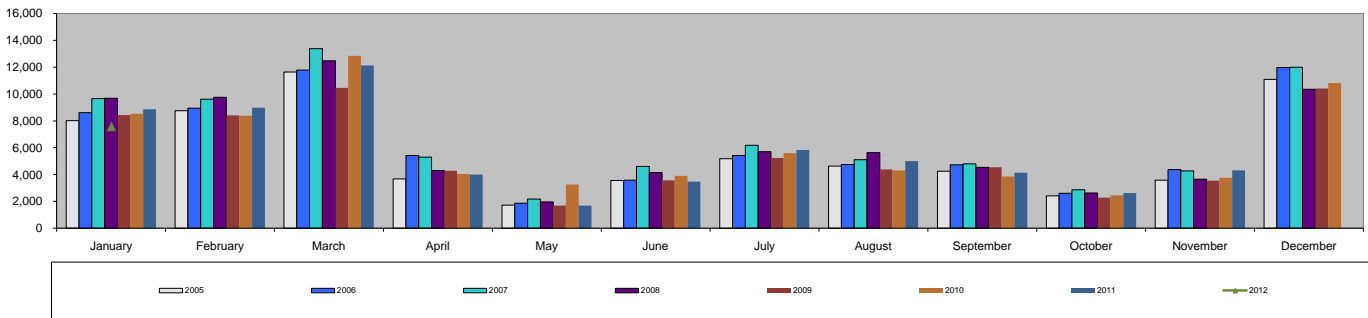
**TOWN OF BRECKENRIDGE
TAXABLE REVENUE ANALYSIS BY BUSINESS SECTOR**

(in Thousands of Dollars)

Retail Sales

	2005		2006		2007		2008		2009		2010		2011		2012		Monthly 11-12	YTD 11-12
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD				
January	8,001	8,001	8,607	8,607	9,665	9,665	9,684	9,684	8,430	8,430	8,530	8,530	8,862	8,862	7,584	7,584	-14.4%	-14.4%
February	8,744	16,745	8,942	17,549	9,607	19,272	9,763	19,447	8,401	16,831	8,378	16,908	8,982	17,844	0	7,584	n/a	n/a
March	11,632	28,377	11,774	29,323	13,373	32,645	12,479	31,926	10,449	27,280	12,851	29,759	12,125	29,969	0	7,584	n/a	n/a
April	3,678	32,055	5,406	34,729	5,287	37,932	4,301	36,227	4,274	31,554	4,032	33,791	4,006	33,975	0	7,584	n/a	n/a
May	1,708	33,763	1,858	36,587	2,165	40,097	1,965	38,192	1,675	33,229	3,251	37,042	1,679	35,654	0	7,584	n/a	n/a
June	3,565	37,328	3,589	40,176	4,597	44,694	4,153	42,345	3,558	36,787	3,895	40,937	3,477	39,131	0	7,584	n/a	n/a
July	5,174	42,502	5,403	45,579	6,176	50,870	5,700	48,045	5,240	42,027	5,582	46,519	5,834	44,965	0	7,584	n/a	n/a
August	4,620	47,122	4,757	50,336	5,110	55,980	5,631	53,676	4,384	46,411	4,302	50,821	5,003	49,968	0	7,584	n/a	n/a
September	4,249	51,371	4,726	55,062	4,783	60,763	4,527	58,203	4,536	50,947	3,848	54,869	4,132	54,100	0	7,584	n/a	n/a
October	2,404	53,775	2,591	57,653	2,866	63,629	2,635	60,838	2,277	53,224	2,453	57,122	2,609	56,709	0	7,584	n/a	n/a
November	3,586	57,361	4,376	62,029	4,267	67,896	3,641	64,479	3,540	56,764	3,764	60,886	4,301	61,010	0	7,584	n/a	n/a
December	11,099	68,460	11,971	74,000	12,000	79,896	10,358	74,837	10,403	67,167	10,824	71,710	11,629	72,639	0	7,584	n/a	n/a
Totals	68,460		74,000		79,896		74,837		67,167		71,710		72,639		7,584			

2012 Monthly Sales Tax Activity (in thousands of dollars)



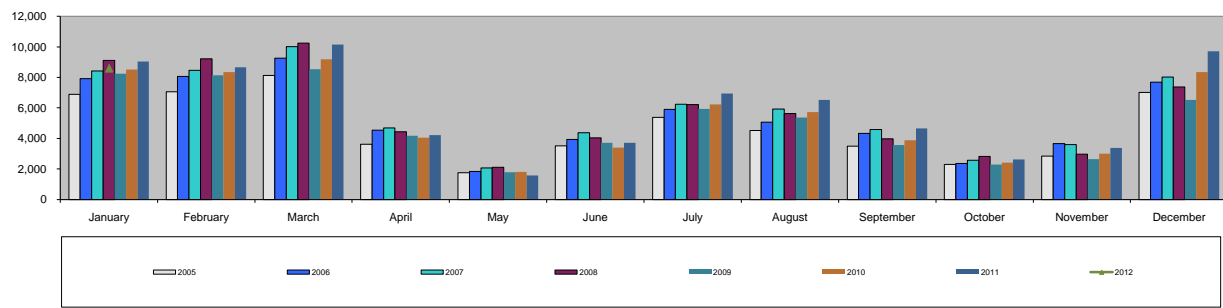
**TOWN OF BRECKENRIDGE
TAXABLE REVENUE ANALYSIS BY BUSINESS SECTOR**

(In Thousands of Dollars)

Restaurants/Bars

	2005		2006		2007		2008		2009		2010		2011		2012		Monthly 11-12	YTD 11-12
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD				
January	6,897	6,897	7,924	7,924	8,414	8,414	9,117	9,117	8,231	8,231	8,515	8,515	9,039	9,039	8,613	8,613	-4.7%	-4.7%
February	7,047	13,944	8,058	15,982	8,467	16,881	9,208	18,325	8,129	16,360	8,343	16,858	8,660	17,699	0	8,613	n/a	n/a
March	8,117	22,061	9,256	25,238	10,015	26,896	10,240	28,565	8,527	24,887	9,186	26,044	10,151	27,850	0	8,613	n/a	n/a
April	3,609	25,670	4,552	29,790	4,678	31,574	4,440	33,005	4,173	29,060	4,042	30,086	4,222	32,072	0	8,613	n/a	n/a
May	1,760	27,430	1,832	31,622	2,058	33,632	2,107	35,112	1,783	30,843	1,812	31,898	1,570	33,642	0	8,613	n/a	n/a
June	3,525	30,955	3,938	35,560	4,370	38,002	4,030	39,142	3,712	34,555	3,397	35,295	3,704	37,346	0	8,613	n/a	n/a
July	5,375	36,330	5,905	41,465	6,249	44,251	6,218	45,360	5,931	40,466	6,222	41,517	6,949	44,295	0	8,613	n/a	n/a
August	4,521	40,851	5,067	46,532	5,933	50,184	5,639	50,999	5,365	45,851	5,729	47,246	6,526	50,821	0	8,613	n/a	n/a
September	3,498	44,349	4,340	50,872	4,585	54,769	3,971	54,970	3,565	49,416	3,883	51,129	4,656	55,477	0	8,613	n/a	n/a
October	2,290	46,639	2,352	53,224	2,564	57,333	2,818	57,788	2,285	51,701	2,420	53,549	2,618	58,095	0	8,613	n/a	n/a
November	2,841	49,480	3,651	56,875	3,593	60,926	2,972	60,760	2,649	54,350	3,006	56,555	3,380	61,475	0	8,613	n/a	n/a
December	7,017	56,497	7,681	64,556	8,028	68,954	7,371	68,131	6,524	60,874	8,351	64,906	9,701	71,176	0	8,613	n/a	n/a
Totals	56,497		64,556		68,954		68,131		60,874		64,906		71,176		8,613			

2012 Monthly Sales Tax Activity (in thousands of dollars)



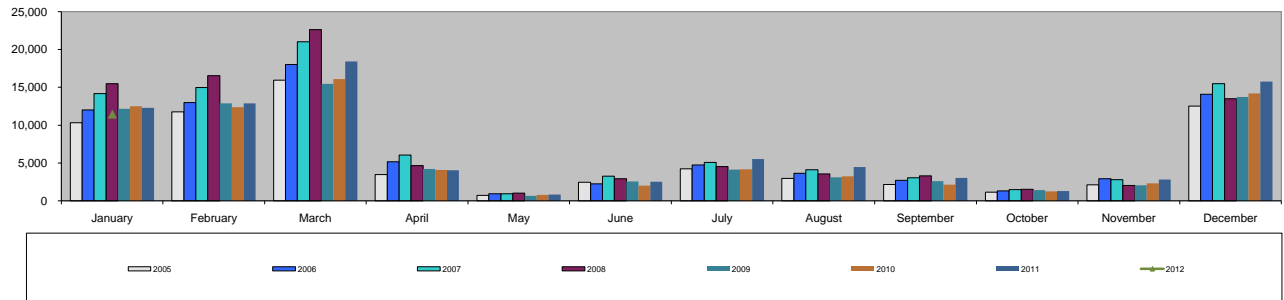
**TOWN OF BRECKENRIDGE
TAXABLE REVENUE ANALYSIS BY BUSINESS SECTOR**

(in Thousands of Dollars)

Short-Term Lodging

	2005		2006		2007		2008		2009		2010		2011		2012		Monthly 11-12	YTD 11-12
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD		
January	10,342	10,342	11,997	11,997	14,179	14,179	15,489	15,489	12,141	12,141	12,493	12,493	12,273	12,273	11,458	11,458	-6.6%	-6.6%
February	11,762	22,104	12,972	24,969	14,965	29,144	16,540	32,029	12,871	25,012	12,369	24,862	12,862	25,135	0	11,458	n/a	n/a
March	15,956	38,060	18,021	42,990	21,002	50,146	22,619	54,648	15,452	40,464	16,099	40,961	18,400	43,535	0	11,458	n/a	n/a
April	3,486	41,546	5,176	48,166	6,080	56,206	4,669	59,317	4,206	44,670	4,080	45,041	4,053	47,588	0	11,458	n/a	n/a
May	711	42,257	957	49,123	923	57,129	1,039	60,356	667	45,337	773	45,814	828	48,416	0	11,458	n/a	n/a
June	2,478	44,735	2,262	51,385	3,258	60,387	2,929	63,285	2,559	47,896	2,010	47,824	2,532	50,948	0	11,458	n/a	n/a
July	4,217	48,952	4,730	56,115	5,074	65,461	4,528	67,813	4,134	52,030	4,189	52,013	5,513	56,461	0	11,458	n/a	n/a
August	2,981	51,933	3,622	59,737	4,124	69,585	3,545	71,358	3,110	55,140	3,230	55,243	4,481	60,942	0	11,458	n/a	n/a
September	2,150	54,083	2,695	62,432	3,050	72,635	3,296	74,654	2,604	57,744	2,163	57,406	3,046	63,988	0	11,458	n/a	n/a
October	1,130	55,213	1,305	63,737	1,504	74,139	1,524	76,178	1,424	59,168	1,270	58,676	1,290	65,278	0	11,458	n/a	n/a
November	2,130	57,343	2,936	66,673	2,790	76,929	2,024	78,202	2,045	61,213	2,298	60,974	2,832	68,110	0	11,458	n/a	n/a
December	12,503	69,846	14,084	80,757	15,489	92,418	13,482	91,684	13,740	74,953	14,188	75,162	15,751	83,861	0	11,458	n/a	n/a
Totals	69,846		80,757		92,418		91,684		74,953		75,162		83,861		11,458			

2012 Monthly Sales Tax Activity (in thousands of dollars)



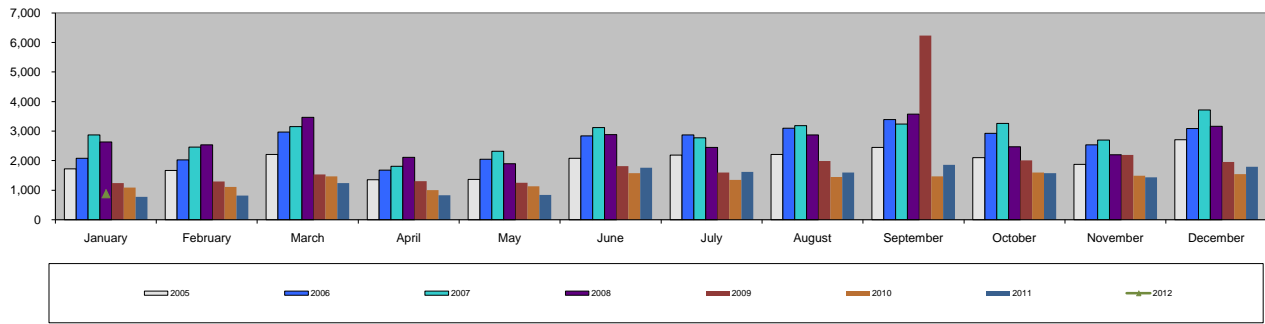
**TOWN OF BRECKENRIDGE
TAXABLE REVENUE ANALYSIS BY BUSINESS SECTOR**

(in Thousands of Dollars)

Supplies

	2005		2006		2007		2008		2009		2010		2011		2012		Monthly 11-12	YTD 11-12
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD				
January	1,720	1,720	2,084	2,084	2,876	2,876	2,631	2,631	1,240	1,240	1,095	1,095	777	777	887	887	14.2%	14.2%
February	1,669	3,389	2,031	4,115	2,459	5,335	2,532	5,163	1,297	2,537	1,111	2,206	821	1,598	0	887	n/a	n/a
March	2,216	5,605	2,967	7,082	3,156	8,491	3,463	8,626	1,530	4,067	1,472	3,678	1,245	2,843	0	887	n/a	n/a
April	1,359	6,964	1,680	8,762	1,813	10,304	2,114	10,740	1,305	5,372	1,006	4,684	829	3,672	0	887	n/a	n/a
May	1,370	8,334	2,045	10,807	2,314	12,618	1,894	12,634	1,250	6,622	1,139	5,823	841	4,513	0	887	n/a	n/a
June	2,083	10,417	2,836	13,643	3,119	15,737	2,886	15,520	1,814	8,436	1,573	7,396	1,765	6,278	0	887	n/a	n/a
July	2,186	12,603	2,872	16,515	2,770	18,507	2,450	17,970	1,602	10,038	1,354	8,750	1,619	7,897	0	887	n/a	n/a
August	2,211	14,814	3,096	19,611	3,187	21,694	2,869	20,839	1,990	12,028	1,446	10,196	1,597	9,494	0	887	n/a	n/a
September	2,452	17,266	3,394	23,005	3,234	24,928	3,574	24,413	6,237	18,265	1,471	11,667	1,857	11,351	0	887	n/a	n/a
October	2,107	19,373	2,924	25,929	3,259	28,187	2,470	26,883	2,016	20,281	1,595	13,262	1,575	12,926	0	887	n/a	n/a
November	1,876	21,249	2,537	28,466	2,693	30,880	2,199	29,082	2,196	22,477	1,495	14,757	1,437	14,363	0	887	n/a	n/a
December	2,712	23,961	3,091	31,557	3,713	34,593	3,160	32,242	1,958	24,435	1,548	16,305	1,794	16,157	0	887	n/a	n/a
Totals	23,961		31,557		34,593		32,242		24,435		16,305		16,157		887			

2012 Monthly Sales Tax Activity (in thousands of dollars)



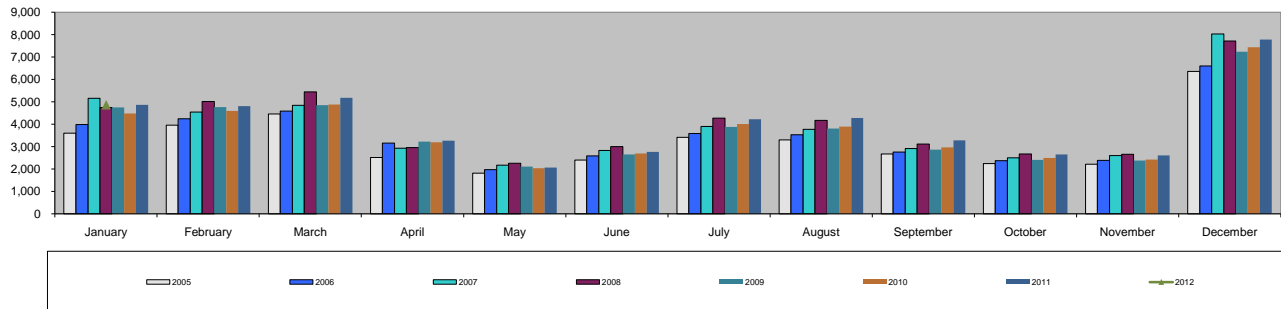
**TOWN OF BRECKENRIDGE
TAXABLE REVENUE ANALYSIS BY BUSINESS SECTOR**

(in Thousands of Dollars)

Grocery/Liquor Stores

	2005		2006		2007		2008		2009		2010		2011		2012		Monthly 11-12	YTD 11-12
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD				
January	3,589	3,589	3,977	3,977	5,149	5,149	4,744	4,744	4,741	4,741	4,472	4,472	4,854	4,854	4,857	4,857	0.1%	0.1%
February	3,949	7,538	4,233	8,210	4,536	9,685	5,009	9,753	4,755	9,496	4,590	9,062	4,803	9,657	0	4,857	n/a	n/a
March	4,449	11,987	4,585	12,795	4,844	14,529	5,436	15,189	4,852	14,348	4,877	13,939	5,180	14,837	0	4,857	n/a	n/a
April	2,503	14,490	3,149	15,944	2,920	17,449	2,959	18,148	3,213	17,561	3,186	17,125	3,261	18,098	0	4,857	n/a	n/a
May	1,806	16,296	1,969	17,913	2,169	19,618	2,246	20,394	2,100	19,661	2,024	19,149	2,053	20,151	0	4,857	n/a	n/a
June	2,392	18,688	2,584	20,497	2,822	22,440	2,990	23,384	2,643	22,304	2,682	21,831	2,757	22,908	0	4,857	n/a	n/a
July	3,414	22,102	3,588	24,085	3,899	26,339	4,264	27,648	3,881	26,185	3,999	25,830	4,219	27,127	0	4,857	n/a	n/a
August	3,292	25,394	3,529	27,614	3,771	30,110	4,161	31,809	3,807	29,992	3,896	29,726	4,271	31,398	0	4,857	n/a	n/a
September	2,671	28,065	2,757	30,371	2,908	33,018	3,113	34,922	2,864	32,866	2,955	32,681	3,278	34,676	0	4,857	n/a	n/a
October	2,239	30,304	2,372	32,743	2,494	35,512	2,673	37,595	2,408	35,284	2,488	35,169	2,648	37,324	0	4,857	n/a	n/a
November	2,214	32,518	2,377	35,120	2,600	38,112	2,647	40,242	2,379	37,643	2,422	37,591	2,599	39,923	0	4,857	n/a	n/a
December	6,356	38,874	6,604	41,724	8,028	46,140	7,705	47,947	7,234	44,877	7,432	45,023	7,776	47,699	0	4,857	n/a	n/a
Totals	38,874		41,724		46,140		47,947		44,877		45,023		47,699		4,857			

2012 Monthly Sales Tax Activity (in thousands of dollars)



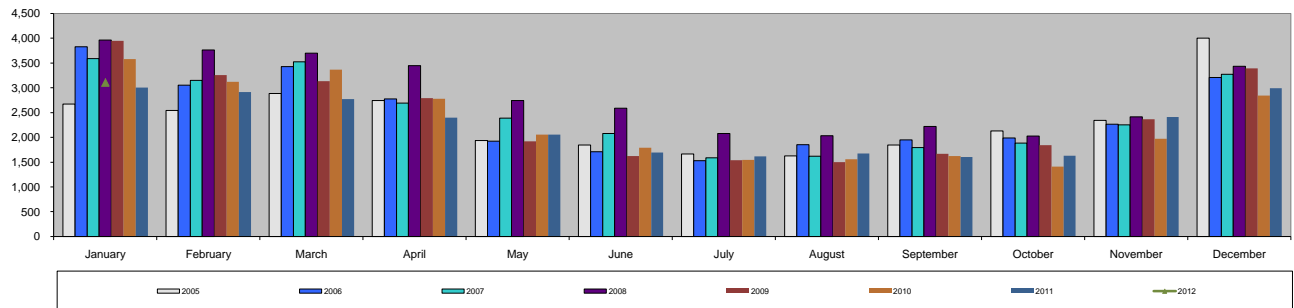
**TOWN OF BRECKENRIDGE
TAXABLE REVENUE ANALYSIS BY BUSINESS SECTOR**

(in Thousands of Dollars)

Utilities

	2005		2006		2007		2008		2009		2010		2011		2012		Monthly 11-12	YTD 11-12
	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD	Actual	YTD				
January	2,675	2,675	3,829	3,829	3,591	3,591	3,961	3,961	3,950	3,950	3,577	3,577	3,004	3,004	3,110	3,110	3.5%	3.5%
February	2,540	5,215	3,056	6,885	3,149	6,740	3,765	7,726	3,253	7,203	3,118	6,695	2,913	5,917	0	3,110	n/a	n/a
March	2,883	8,098	3,428	10,313	3,525	10,265	3,699	11,425	3,134	10,337	3,365	10,060	2,772	8,689	0	3,110	n/a	n/a
April	2,741	10,839	2,778	13,091	2,694	12,959	3,448	14,873	2,792	13,129	2,779	12,839	2,400	11,089	0	3,110	n/a	n/a
May	1,939	12,778	1,926	15,017	2,386	15,345	2,742	17,615	1,917	15,046	2,057	14,896	2,057	13,146	0	3,110	n/a	n/a
June	1,846	14,624	1,713	16,730	2,078	17,423	2,586	20,203	1,620	16,666	1,793	16,669	1,693	14,839	0	3,110	n/a	n/a
July	1,663	16,287	1,529	18,259	1,588	19,011	2,075	22,278	1,539	18,205	1,548	18,237	1,614	16,453	0	3,110	n/a	n/a
August	1,629	17,916	1,854	20,113	1,621	20,632	2,031	24,309	1,497	19,702	1,558	19,795	1,673	18,126	0	3,110	n/a	n/a
September	1,843	19,759	1,949	22,062	1,792	22,424	2,219	26,528	1,667	21,369	1,625	21,420	1,604	19,730	0	3,110	n/a	n/a
October	2,127	21,886	1,987	24,049	1,883	24,307	2,026	28,554	1,845	23,214	1,412	22,832	1,632	21,362	0	3,110	n/a	n/a
November	2,340	24,226	2,264	26,313	2,251	26,558	2,411	30,965	2,364	25,578	1,972	24,804	2,409	23,771	0	3,110	n/a	n/a
December	4,005	28,231	3,206	29,519	3,271	29,829	3,435	34,400	3,389	28,967	2,845	27,649	2,991	26,762	0	3,110	n/a	n/a
Totals	28,231		29,519		29,829		34,400		28,967		27,649		26,762		3,110			

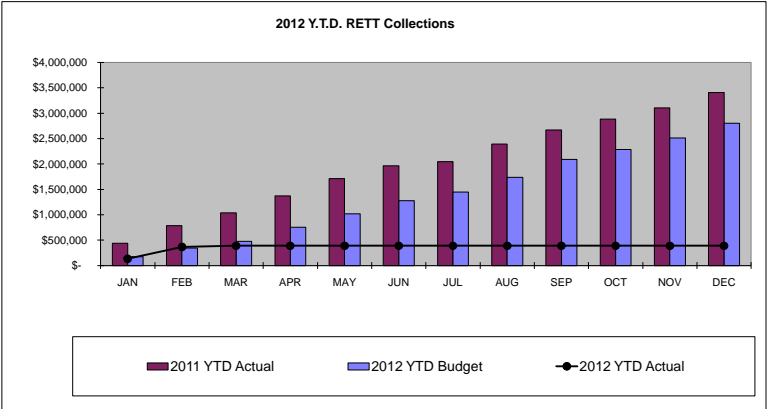
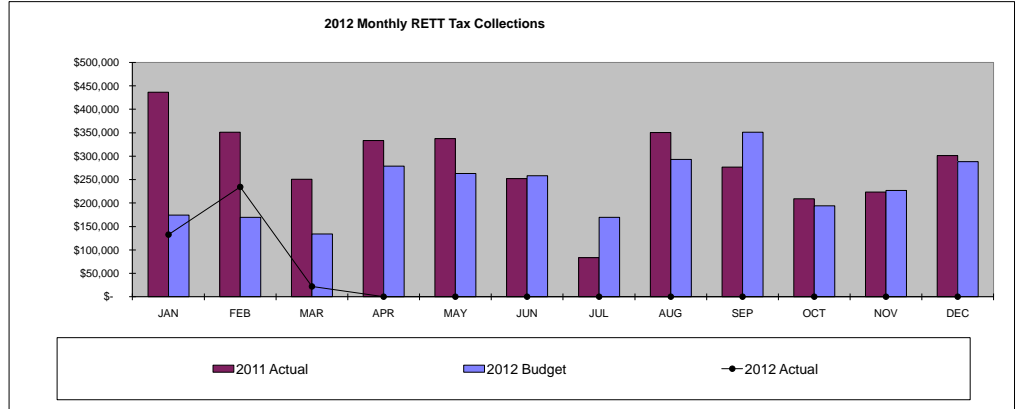
2012 Monthly Sales Tax Activity (in thousands of dollars)



TOWN OF BRECKENRIDGE REAL ESTATE TRANSFER TAX COLLECTIONS REPORTED IN THE PERIOD EARNED

Sales Period	2007 Collections			2011 Collections			2012 Budget			2012 Monthly				2012 Year to Date			
	Tax Collected	Year To Date	Percent of Total	Tax Collected	Year To Date	Percent of Total	Tax Budgeted	Year To Date	Percent of Total	Actual	% of Budget	% Change from 2007	% Change from 2011	Actual	% of Budget	% Change from 2007	% Change from 2011
JAN	\$ 352,958	\$ 352,958	6.2%	\$ 436,605	\$ 436,605	12.8%	\$ 174,140	\$ 174,140	6.2%	\$ 132,557	76.1%	-62.4%	-69.6%	\$ 132,557	76.1%	-62.4%	-69.6%
FEB	342,995	695,953	12.3%	350,866	787,471	23.1%	\$ 169,224	\$ 343,364	12.3%	234,630	138.7%	-31.6%	-33.1%	367,186	106.9%	-47.2%	-53.4%
MAR	271,817	967,770	17.1%	250,986	1,038,457	30.5%	\$ 134,107	\$ 477,470	17.1%	22,333	16.7%	-91.8%	-91.1%	389,519	81.6%	-59.8%	-62.5%
APR	564,624	1,532,394	27.0%	333,424	1,371,881	40.3%	\$ 278,570	\$ 756,040	27.0%	-	0.0%	n/a	n/a	389,519	51.5%	-74.6%	-71.6%
MAY	533,680	2,066,074	36.4%	337,577	1,709,458	50.2%	\$ 263,303	\$ 1,019,342	36.4%	-	0.0%	n/a	n/a	389,519	38.2%	-81.1%	-77.2%
JUN	522,999	2,589,073	45.6%	251,806	1,961,263	57.6%	\$ 258,033	\$ 1,277,375	45.6%	-	0.0%	n/a	n/a	389,519	30.5%	-85.0%	-80.1%
JUL	343,610	2,932,683	51.7%	83,522	2,044,785	60.0%	\$ 169,527	\$ 1,446,903	61.7%	-	0.0%	n/a	n/a	389,519	26.9%	-86.7%	-81.0%
AUG	594,349	3,527,032	62.1%	350,730	2,395,515	70.3%	\$ 293,235	\$ 1,740,138	62.1%	-	0.0%	n/a	n/a	389,519	22.4%	-89.0%	-83.7%
SEP	711,996	4,239,028	74.7%	276,774	2,672,289	78.5%	\$ 351,278	\$ 2,091,416	74.7%	-	0.0%	n/a	n/a	389,519	18.6%	-90.8%	-85.4%
OCT	392,752	4,631,779	81.6%	208,831	2,881,120	84.6%	\$ 193,773	\$ 2,285,189	81.6%	-	0.0%	n/a	n/a	389,519	17.0%	-91.6%	-86.5%
NOV	459,147	5,090,926	89.7%	223,271	3,104,391	91.2%	\$ 226,530	\$ 2,511,719	89.7%	-	0.0%	n/a	n/a	389,519	15.5%	-92.3%	-87.5%
DEC	\$ 584,308	\$ 5,675,235	100.0%	\$ 301,397	\$ 3,405,788	100.0%	\$ 288,281	\$ 2,800,000	100.0%	\$ -	0.0%	n/a	n/a	\$ 389,519	13.9%	-93.1%	-88.6%

*2012 budget is based upon 2007 monthly distribution
March #s are through 3/6/12.*

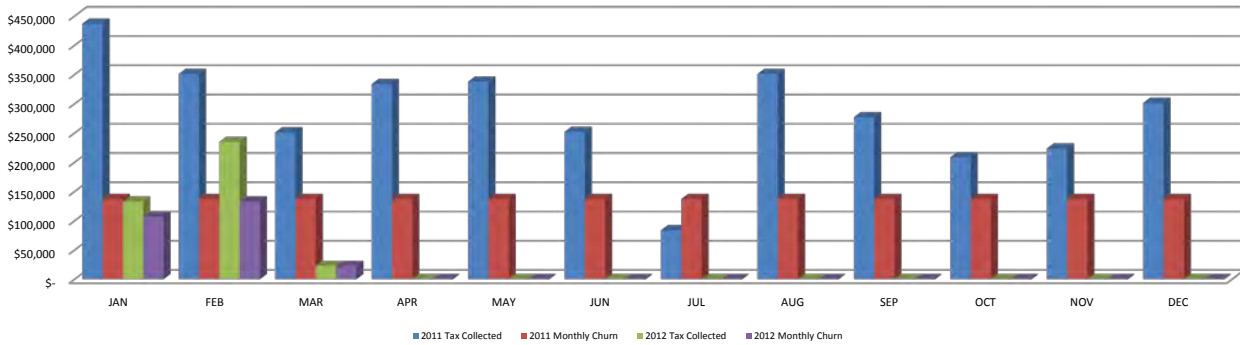


**TOWN OF BRECKENRIDGE
REAL ESTATE TRANSFER TAX CHURN
REPORTED IN THE PERIOD EARNED**

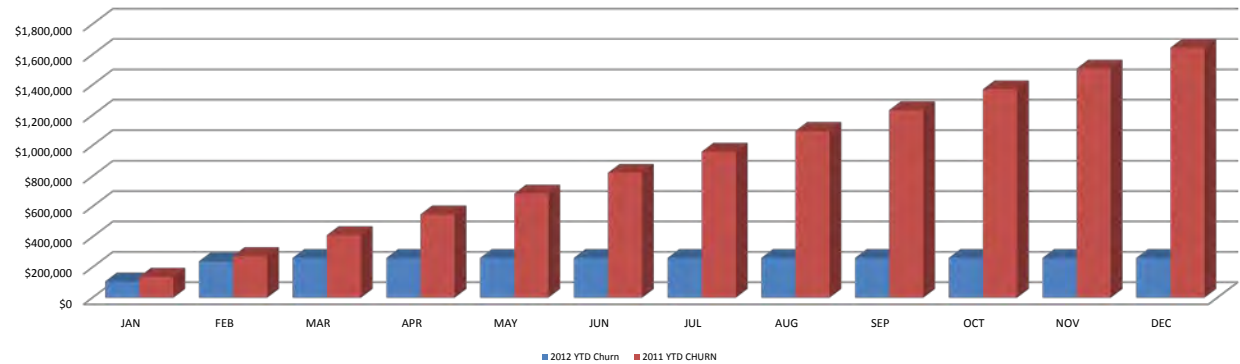
Sales Period	Tax Collected	Year To Date	2011 Collections				Monthly Churn	YTD Churn	% of YTD Total
			New Construction						
			Grand Lodge	1 Ski Hill	Water House	Other			
JAN	\$ 436,605	\$ 436,605	246,243	0	53,370	0	\$ 136,992	\$136,992	31.4%
FEB	\$ 350,866	\$ 787,471	173,763	26,482	11,550	0	\$ 136,992	\$273,985	34.8%
MAR	\$ 250,986	\$ 1,038,457	56,805	0	9,300	0	\$ 136,992	\$410,977	39.6%
APR	\$ 333,424	\$ 1,371,881	41,651	7,296	19,170	11,300	\$ 136,992	\$547,969	39.9%
MAY	\$ 337,577	\$ 1,709,458	87,830	36,403	0	0	\$ 136,992	\$684,962	40.1%
JUN	\$ 251,806	\$ 1,961,263	44,417	0	0	0	\$ 136,992	\$821,954	41.9%
JUL	\$ 83,522	\$ 2,044,785	14,277	0	0	0	\$ 136,992	\$958,946	46.9%
AUG	\$ 350,730	\$ 2,395,515	107,470	0	0	5,050	\$ 136,992	\$1,095,939	45.7%
SEP	\$ 276,774	\$ 2,672,289	27,114	0	0	0	\$ 136,992	\$1,232,931	46.1%
OCT	\$ 208,381	\$ 2,880,670	2,223	0	0	14,800	\$ 136,992	\$1,369,923	47.6%
NOV	\$ 223,271	\$ 3,103,941	5,083	17,212	0	0	\$ 136,992	\$1,506,916	48.5%
DEC	\$ 301,397	\$ 3,405,338	7,928	0	0	11,300	\$ 136,992	\$1,643,908	48.3%

Sales Period	Tax Collected	Year To Date	2012 Collections				Monthly Churn	YTD Budget	YTD Churn	% of YTD Total	% Change In Churn from Prior Year
			New Construction								
			Grand Lodge	1 Ski Hill	Water House	Other					
JAN	\$ 132,557	\$ 132,557	26,492	0	0	0	\$ 106,065	\$ 174,140	\$106,065	80.0%	-22.6%
FEB	\$ 234,630	\$ 367,186	69,718	0	0	32,250	\$ 132,661	\$ 343,364	\$238,726	65.0%	-12.9%
MAR	\$ 22,333	\$ 389,519	0	0	0	0	\$ 22,333	\$ 477,470	\$261,059	67.0%	-36.5%
APR	\$ -	\$ 389,519					\$ -	\$ 756,040	\$261,059	n/a	n/a
MAY	\$ -	\$ 389,519					\$ -	\$ 1,019,342	\$261,059	n/a	n/a
JUN	\$ -	\$ 389,519					\$ -	\$ 1,277,375	\$261,059	n/a	n/a
JUL	\$ -	\$ 389,519					\$ -	\$ 1,446,903	\$261,059	n/a	n/a
AUG	\$ -	\$ 389,519					\$ -	\$ 1,740,138	\$261,059	n/a	n/a
SEP	\$ -	\$ 389,519					\$ -	\$ 2,091,416	\$261,059	n/a	n/a
OCT	\$ -	\$ 389,519					\$ -	\$ 2,285,189	\$261,059	n/a	n/a
NOV	\$ -	\$ 389,519					\$ -	\$ 2,511,719	\$261,059	n/a	n/a
DEC	\$ -	\$ 389,519					\$ -	\$ 2,800,000	\$261,059	n/a	n/a

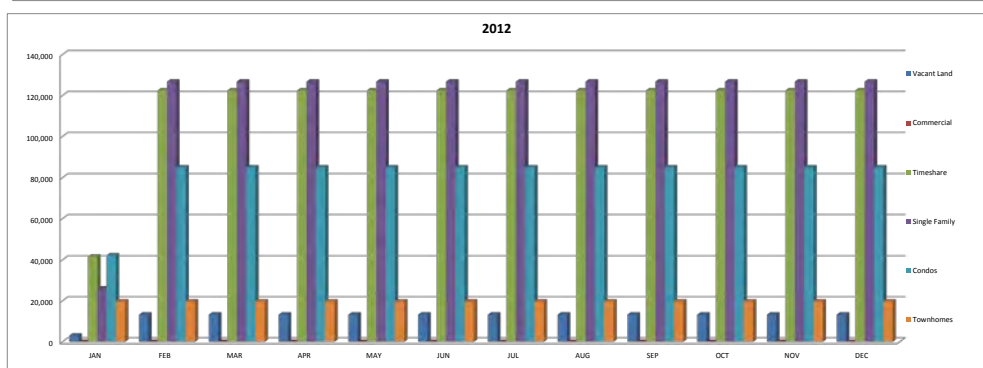
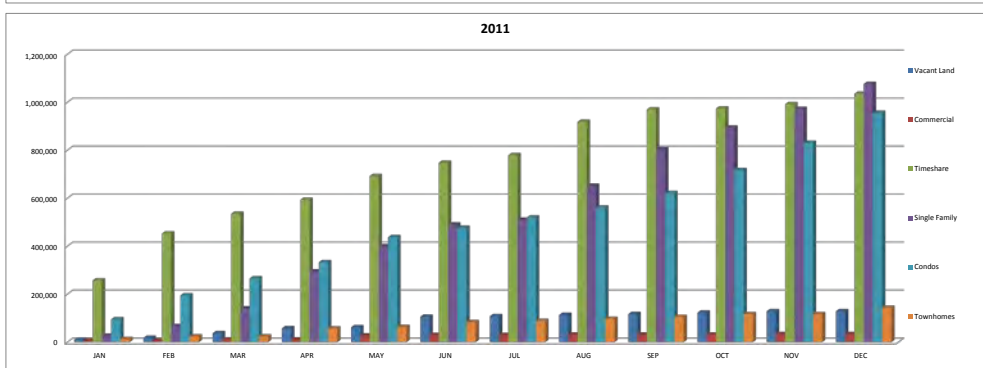
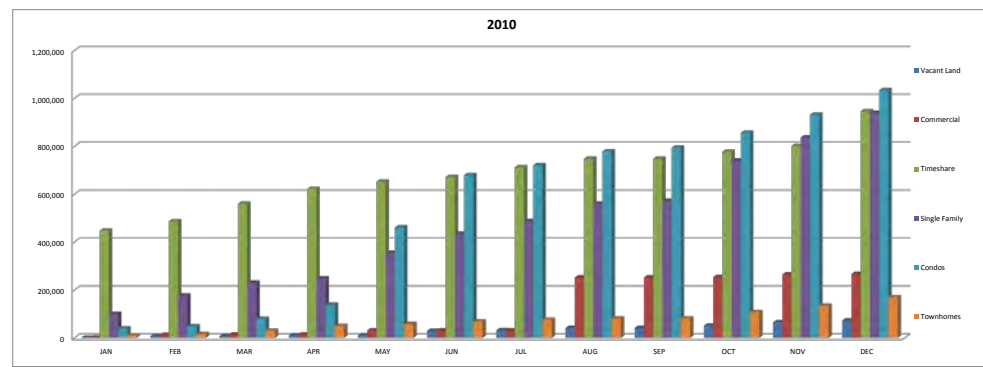
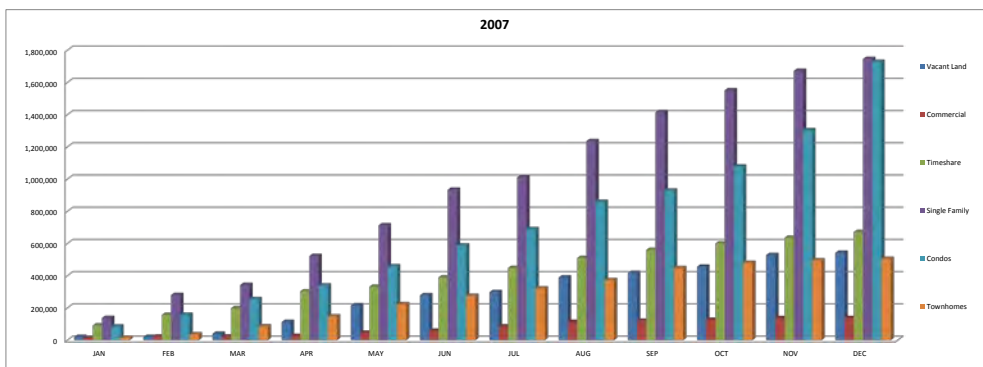
RETT Monthly Collections vs. Churn



YTD Churn Analysis



TOWN OF BRECKENRIDGE REAL ESTATE TRANSFER TAX COLLECTIONS YTD CATEGORIES BY MONTH



TO: BRECKENRIDGE TOWN COUNCIL
FROM: BRIAN WALDES, FINANCIAL SERVICES MANAGER
SUBJECT: FUND BALANCE ANALYSIS SPREADSHEET REVISIONS
DATE: 2-20-12
CC: TIM GAGEN, KATE BONIFACE

The purpose of this memo is to briefly describe the latest revisions made to the Fund Balance and Reserves Analysis spreadsheet (attached).

Council discussed this item during the 2-14-12 work session and requested of staff that several changes be made to the document. The changes have been made and the revised spreadsheet document is attached. The changes are highlighted.

The revisions include;

1. The General Fund total debt reserve (sum of discretionary and required amounts) has been reduced to \$926,000. This reserve is for the retirement of the G.O. debt currently held by the Town. The revised amount reflects the amount left to be paid in 2013 only, as the debt will be retired after that year's payment and the 2012 payment has been appropriated in the 2012 budget document.
2. The General Fund Operations Reserve has been increased to a total of \$8mm. This includes the TABOR required reserve, leaving the discretionary reserve at \$6.99mm.
3. The Capital Reserve column has been added to reflect the addition of 3 years funding reserve. The reserve was calculated assuming a budgetary funding level of \$2.75mm annually. The amounts programmed in the 2012-2016 CIP document above that level have been reserved, totaling \$4.34mm (see calculation below).

Year	2013	2014	2015	TOTAL
Base Funding Level	\$ 2,750,000	\$ 2,750,000	\$ 2,750,000	\$ 8,250,000
CIP Funding Level	4,965,000	3,580,000	4,045,000	12,590,000
Reserve Amount	\$ 2,215,000	\$ 830,000	\$ 1,295,000	\$ 4,340,000

This reserve exists in the Excise fund because the Capital fund does not have an adequate fund balance to cover this amount, and because the Excise fund transfers money to the Capital fund for budgeted amounts.

The end goal for this discussion is a final document reflecting the amount, purpose, and philosophy behind each of the Town's fund reserves.

Five Year Capital Improvement Plan Summary 2012 to 2016

11/22/2011

Dept/Project	2012	2013	2014	2015	2016	TOTAL
Administration						
Welcome Center Exhibit Update	50,000	-	-	-	-	50,000
RWC Bathroom Remodel	50,000	-	-	-	-	50,000
Riverwalk Center Master Plan	230,000	-	-	-	-	230,000
TOTAL	330,000	-	-	-	-	330,000

Recreation						
Rec Ctr Major Mtce & Repl	400,000	-	-	-	-	400,000
Rec Ctr Renovation & Upgrades	-	-	1,000,000	1,000,000	625,000	2,625,000
Artificial Turf Field	-	885,000	-	-	-	885,000
Water Slide Replacement	-	-	-	130,000	-	130,000
TOTAL	400,000	885,000	1,000,000	1,130,000	625,000	4,040,000

Public Works						
Utility Undergrounding	100,000	200,000	200,000	200,000	200,000	900,000
Roadway Resurfacing	500,000	380,000	400,000	420,000	440,000	2,140,000
Main Street/Riverwalk	600,000	450,000	450,000	250,000	250,000	2,000,000
Core Parking Lot Improvements	-	-	-	150,000	2,000,000	2,150,000
McCain MP/Implementation	80,000	80,000	80,000	80,000	80,000	400,000
Old High School Building	500,000	1,250,000	1,250,000	1,250,000	1,250,000	5,500,000
North Main Street Alley Realignment	100,000	-	-	-	-	100,000
Blue River Reclam/ACOE	1,750,000	-	-	-	-	1,750,000
Transit Next Bus	-	-	-	115,000	-	115,000
Public Works Admin Building	800,000	-	-	-	-	800,000
Town Hall HVAC Upgrade	40,000	-	-	-	-	40,000
Gondola Lot Development Partnership	-	-	-	-	1,000,000	1,000,000
Childcare Facility #2	-	-	-	250,000	3,500,000	3,750,000
Coyne Valley Road Bridge	-	1,500,000	-	-	-	1,500,000
Robert Whyte House Resoration	-	-	-	-	1,450,000	1,450,000
S. Park Avenue Underpass	-	-	-	-	1,650,000	1,650,000
Solar Buy Out	-	-	-	-	500,000	500,000
TOTAL	4,470,000	3,860,000	2,380,000	2,715,000	12,320,000	25,745,000

Community Development						
Public Art Commission	44,500	100,000	100,000	100,000	100,000	444,500
Arts District Improvements	-	120,000	100,000	100,000	100,000	420,000
Robert Whyte House Restoration	120,000	-	-	-	-	120,000
Barney Ford Lot	150,000	-	-	-	-	150,000
Burro Barn	200,000	-	-	-	-	200,000
TOTAL	514,500	220,000	200,000	200,000	200,000	1,334,500

GRAND TOTAL	5,714,500	4,965,000	3,580,000	4,045,000	13,145,000	31,449,500
--------------------	------------------	------------------	------------------	------------------	-------------------	-------------------

Funding Sources						
Current Revenue/Reserves	2,277,500	4,853,000	3,468,000	3,933,000	11,833,000	26,364,500
McCain Royalties	80,000	80,000	80,000	80,000	80,000	400,000
CDOT-S.Park Underpass	-	-	-	-	1,200,000	1,200,000
PW Admin Building funds	600,000	-	-	-	-	600,000
Arts District Bldg Grants	-	-	-	-	-	-
Conservation Trust Transfer	32,000	32,000	32,000	32,000	32,000	160,000
Total	2,989,500	4,965,000	3,580,000	4,045,000	13,145,000	28,724,500

Town of Breckenridge Fund Balance and Reserves Analysis

	Projected Net 12/31/12	Required Reserves						Discretionary Reserves and Appropriated Amounts											
		TABOR	Debt	PPA	Dedicated Revenue	Total	Net	Medical	Debt	Operations Reserve	BHA	Equipment	Aff. Housing	Childcare	Appropriated	Capital Reserve	Council Policy of 1/24/12	Total	Net
General Fund	19,596,186	1,009,379	171,212	1,200,000	2,380,591	17,215,595	600,000	754,788	6,990,621								8,345,409	8,870,186	
Excise Fund	14,061,369		573,815		573,815	13,487,554		526,185							4,340,000		4,866,185	8,621,369	
Sub 1						30,703,149												17,491,555	
Capital	2,989,500				-	2,989,500								2,989,500			2,989,500	-	
Special Projects	41,544				-	41,544				41,544							41,544	-	
Sub 2						33,734,193												17,491,555	
Utility	7,711,871		37,000		37,000	7,674,871											7,674,871	-	
Golf	1,571,081				-	1,571,081					(198,000)						1,769,081	-	
Sub 3						42,980,145												17,491,555	
Garage Fund	4,555,480				-	4,555,480								4,555,480			4,555,480	-	
Information Tech.	1,508,919				-	1,508,919								1,508,919			1,508,919	-	
Facilities	1,260,226				-	1,260,226								1,260,226			1,260,226	-	
Sub 4						50,304,770												17,491,555	
Affordable Housing	7,868,331			448,400	448,400	7,419,931						4,649,474	-				2,770,457	7,419,931	
Open Space	925,330			925,330	925,330	-											-	-	
Conservation Trust	3,634			3,634	3,634	-											-	-	
Marketing	275,000			-	-	275,000								275,000			275,000	-	
TOTAL	62,368,471	1,009,379	782,027	1,200,000	1,377,364	4,368,770	600,000	1,280,973	6,990,621	41,544	(198,000)	4,649,474	-	10,589,125	4,340,000		40,508,146	17,491,555	
Sub 1	The totals of the General and Excise funds. These are the most accessible funds for the Town, i.e. they have not been earmarked for specific purposes																		
Sub 2	This includes the Capital and Special projects fund totals. These funds have been designated for projects by Council, but they are not legally restricted.																		
Sub 3	Golf and Utility, the Town's enterprise funds, are included in this total. These funds are also not legally restricted, but do exist in enterprise funds and are designated for specific purposes. The operations and fund balances represented by these funds are funded by user fees.																		
Sub 4	The Town's internal service funds are included in this amount. These fund balances represent reserves for ongoing capital replacement expenses and have been accumulated over the years to service all the other funds' operations																		
TOTAL	Included in this total are the special revenue funds. Part or all of these fund balances are legally designated for specific purposes and cannot be used for any purpose other than those designated.																		
	Budgeted Capital Expenses																		
	2012	2013	2014	2015	2016	TOTAL													
Utility	800,000	800,000	800,000	1,100,000	1,177,500	4,677,500													
Golf	252,000	176,000	174,000	180,000	172,000	954,000													
Capital	2,989,500	4,965,000	3,580,000	4,045,000	13,145,000	28,724,500													
NOTES	Capital expenses are budgeted assuming future revenue streams are adequate to fund at the budgeted level. As such, short and long term Capital budgeted amounts are subject to change.																		

Memorandum

TO: Town Council
FROM: Tom Daugherty, Public Works Director
DATE: March 7, 2012
RE: Peaks School Request

Staff has received the attached request from the Peaks School which currently has a one year lease in the 103 S. High Street Building. Generally this request is asking to extend the current lease by 2 years with a 2 year extension option for a potential total of four years. They are also asking to use the entire upper floor.

The Council has previously determined that this building will ultimately be used primarily as a Town Hall as discussed at a recent Council retreat and per Council direction staff is moving forward with an RFP to program the building as a Town Hall. RFP's are due on March 23.

Council was clear in granting the Peak School lease that it was limited to one year because the Town has not completed the initial programming, design and timing of the Town Hall function and did not want to make any commitments until that task is completed.

The proposal from the Peak School states that they desire to expand their current lease space to the entire upper floor and that they would share space with other non profits through subleases. The Town does not allow subleases so that the Town will know who is in the building and how they are using it.

The Town has and will entertain additional leases in the building if they are able to fit into the building in a way that makes sense and can fulfill their lease obligations. Currently the upper floor of the wing of the building over the basketball court is a large space that is closed and not maintained which makes it difficult to use as leasable space.

Staff will be available to discuss the Peak School proposal if you have any questions.

To: Breckenridge Town Council
From: The Peak School
Date: March 13, 2012 – Town Council Worksession
Re: Harris St. Building – Lease

INTERESTED PARTIES

WORKING GROUP:

Chris & Shannon Renner, Founders	Rhonda & Mike Koehn
Rebekah Jordan, Founder and Head of School	Todd & Megan Morgan
Ryan & Kelly Sanders	Russell & Lisa Whitt
Ken & Margaret Bell	Bobby & Carol Craig
Tricia & JJ Hyon	Adam & Minda Garman

FOUNDING FAMILIES:

The Peak School now has a broad base of families representing **over 50 current and future students**, listed on our website at www.thepeakschool.org/founders.html

SUMMARY

The Peak School currently leases space on the top floor of the Harris St. Building. Through discussions with other current and prospective tenants, The Peak School has gathered information relating to “cost-savings and more efficient building utilization for the Town” and has been granted permission to present at the Town’s next work session on March 13th. This information presents a broader perspective on the current and future use of the Harris St. Building.

We understand that the council does not currently have a consensus or clear direction on long-term use of the Harris St. Building. Past discussions have varied - from moving forward with the building into a “town hall” using public funds currently estimated at \$5M or more, to a longer timetable and a broader contemplation of future use. The Peak School has ideas on ways to better utilize the building in the near term while the Council determines the ultimate use of the building.

REQUESTED OUTCOME

The Peak School requests to extend the length and expand the square footage of the existing lease in the old Harris St. Building, extending the period for two years with a yearly option to renew for two additional years (a total of 2+2), and expanding the footprint to include the remaining space on the top floor of the building.

RELEVANT DISCUSSION POINTS

TOWN COUNCIL OBJECTIVES

At the recent 11/9/11 Budget Retreat, the Council summarized their objectives for this building:

- To protect, preserve, and restore the building as an asset of the Town
- To provide space for nonprofits
- To better understand the best long-term use of the building

The Peak School’s current proposal seeks to meet these objectives.

RECENT DISCUSSIONS

The Peak School initially sought to lease space from various entities across the county, which included a discussion with CMC regarding their new campus on Airport Rd. As the building wasn't designed for "cohabitation" with an entity like the Peak School, that option wasn't viable. However, as CMC contemplates the next phase of construction on their campus, the conversation has resurfaced as an excellent opportunity for efficient building utilization between CMC and The Peak School possibly sharing space in a new wing of the building. This positive scenario between the two parties is obviously in the early stages of discussion and remains a few years in the future, but The Peak School has indicated to CMC that The Peak School needs to secure the next few years of leased space before contemplating our long-term location.

CURRENT BUILDING UPDATE

- The Peak School has begun revitalizing the building, to include all common areas as well. We've replaced over 300 light bulbs, painted the upper floor as well as the common area on the main level, and have steamed cleaned all carpets in the building (including other tenants and the Speakeasy).
- The Peak School has also reconnected the network in the building and is now providing free wireless internet to all tenants – including the CMC Pottery Studio, the Speakeasy, the Dance Studio, the Yoga Studio, as well as all prospective future tenants (listed below).

CURRENT TENANTS

- All current tenants have one year leases, with the exception of CMC's 7 year lease.
- Per our discussions with CMC, they currently intend to execute their "option to renew" for the next 7 years.

FUTURE TENANTS

- Through the expansion of The Peak School's lease, The Peak School desires to share space and sublease to multiple nonprofits currently interested in the space, including The Backstage Theater, the Breckenridge Film Festival, and the Breckenridge Heritage Alliance (among others)

FINANCIAL IMPLICATIONS

- Tom Daugherty has indicated that with The Peak School's current lease, the Town is now "basically breaking-even on the costs of the building".
- Additional leased space by The Peak School would represent added income and better utilization of facilities by the Town.
- As The Peak School contemplates long-term space planning, the school expects to spend between \$2-3M for a permanent home of the school in the next few years. This could include a long-term relationship with CMC on their new campus, a purchase of land and construction of a new building somewhere in the county, or possibly the renovation of the existing Harris St. building (using private dollars to renovate the Town's building rather than the Town spending over \$5M of public dollars).

FUTURE USE

- The Peak School recognizes the varying opinions regarding the ultimate future use of this building, and fully respects the position and responsibility of the Town Council to make that determination at some point in the future. While spending public money to create a "new

town hall” is one possible scenario, we believe that other scenarios also exist and look forward to the public process and participation that will come prior to that decision.

BUILDING LOGISTICS

- The remaining third floor space is directly above existing leased space (west end) and is heated by a relatively new forced air HVAC system installed in the 1990’s. The entire west end of the building also has a third stairwell access at the rear of the building.
- Current tenants have been briefed and are supportive of our request.

BUILDING CODE LOGISTICS

- Originally inspected by Glen Morgan, the historic building is deemed habitable, with wide halls and dual stairwells. Glen only requested that the tenant install early notification and provide a fire safety plan. The early notification system (horns and strobes) will be expanded to include the remaining space.
- Inspected by Jay Nelson of Red White and Blue Fire District, who indicated that extension of the notification system to the remaining space would be sufficient for leasing.

On behalf of The Peak School Founders, Working Group, Founding Families, the Breckenridge Film Festival, the Backstage Theater, and the Breckenridge Heritage Alliance, we respectfully submit this proposal for your consideration.

Chris Renner,
Founder



M E M O

Date: March 6, 2012 (*for 3.13.12 meeting*)
To: Mayor and Town Council Members
Cc: Town Manager, Assistant Town Manager, Director of Public Works & Director of Community Development
From: Director of Communications and Riverwalk & Events Manager
RE: Riverwalk Center Summer 2012 and 'Comprehensive Vision'

The purpose of this memo is to outline the short term and long term issues/plans for the Riverwalk Center.

Summer 2012:

AEG Live Concert Series – staff met with AEG Live staff following last summer's successful Lyle Lovett/John Hiatt concert to recap and debrief; AEG Live presented a proposal for a Summer Concert Series for 2012. At the August 23, 2011 work session, staff heard positive reactions and was directed to investigate infrastructure costs as well as to look to the Marketing Fund for funding for a 2012 series. At the May 2011 retreat, Council's direction was for increased programming diversity, but not at the expense of BMF and NRO; and for working with (and funding) AEG Live (or other promoters) for filling in the shoulder times (i.e. Sundays – Thursdays in the summer season and shoulder seasons), as well as to work with current users on more availability.

Since Fall of 2011, staff has been evaluating and pricing out the AEG Live proposal, and has had communication with them regarding possible dates for concerts. The cost estimate totals over \$1 million for sound, lighting, and projection for the AEG Live request, not including labor and installation of this equipment; this does not include fencing, police staff, hotel rooms, marketing assistance, portapotties, or in kind services (rent, production, ticket fees, etc.). At the November retreat, staff heard the Council say that they wanted to invest in a long-term comprehensive plan and not to invest in equipment until this plan is completed.

Staff is presenting this opportunity to BMAC on March 12 regarding Marketing Fund availability/priority and will report at the Work Session on their recommendation. Staff will continue to negotiate with AEG Live for this summer keeping mind the direction of the long-term plan vs. short term capital investment.

Comprehensive Vision:

Based on what we heard at the November retreat, staff is asking Town Council for approval to move forward on forming a comprehensive vision and action plan for the Riverwalk Center and

the surrounding ‘open space’. The scope of this master plan will include an evaluation of the current programming and users, how to maximize the interior space (technical, programming, audio/visual, acoustics, etc.), what other uses can be accommodated (and costs associated) as well as the feasibility of the expanded uses. The scope will also focus on the surrounding spaces and how the exterior fits in to the overall vision of this core area (i.e. parking, park space, access, facilities (bathrooms, etc.).

The scope would include working with the current users, so they have an understanding of the opportunities for their organizations and to involve them in solving the challenges (i.e. scheduling, etc.). Staff also heard that the Arts District should be included in this comprehensive master planning, as the Riverwalk Center is the western anchor.

Upon Council approval, staff members Tom Daugherty, Peter Grosshuesch, Kim Dykstra-DiLallo and Vanessa Agee will develop an RFP to hire a consultant team with experience in the areas noted in the scope above, and to include but not limited to performing arts venues, concert halls, park/open space planning and utilization. The initial cost estimate for this study is expected to come in around \$50,000 to \$70,000. The actual capital expenses will depend upon the results. Currently there is \$225,000 in the CIP for this item.

BACKGROUND:

Who we are now -

The Town of Breckenridge operates the Riverwalk Center (RWC) as a performing arts facility with the National Repertory Orchestra (NRO) and Breckenridge Music Festival (BMF) as anchor tenants, and with the philosophy that it operates primarily as a ‘rental house’. The NRO and BMF utilize the facility free of charge except for a ticket surcharge (to fund the Box Office operations) and minimal cleaning fee.

ToB acts as a promoter and takes financial risk only when booking Imagination Express (formerly Kidz Calliope), which basically breaks even. The philosophy is to fill in where needs are being unmet such as children’s/family programming. The Town funds and produces Town Party and funds/books the July 4th afternoon entertainment and fireworks (as well as New Year’s Eve).

During the summer of 2011, the NRO and BMF utilized seven Friday nights (two are BRS) of 13 Fridays and nine Saturday nights of 13 Saturdays for June-August performances. There were 32 total NRO and BMF performances during the summer of 2011 with an average attendance of 403 (Sat night average 458 and Fri night average 487). Also, the NRO and BMF collectively had 98 rehearsals over 55 days (most rehearsals are between 9am and 4pm). During the summer of 2011, the RWC also had 11 Imagination Express performances (203 average attendance), 5 Blue River Series popular music concerts presented by the Breckenridge Music Festival (416 average attendance), 1 AEG event, 1 Timberline Learning Center comedy/dinner fundraiser, 4th of July festivities (2 free concerts), 2 misc. nonprofit events, 3 concerts from misc outside rentals, USA Pro free concert (Big Head Todd), Town Party, 2 gear swaps and 4 musical theater performances

(6 rehearsals days) with the Backstage Theater (300 average attendance). *This is total of 67 performance days and 104 rehearsals over the course of 95 days.*

During the fall/winter/spring of 2010/2011, the Riverwalk Center hosted 8 fundraisers (1 was a film event), 1 Comedy Works event, 1 conference group, 6 concerts, 1 memorial service, 1 for profit film event (not including the fundraiser event), Tuaca Body Art Ball, Snow Sculpture Snow Lounge for 2 weeks and Cleanup Day. *This is a total of 21 events over 34 event days (Snow Sculpture are multiple day events).*

During the fall/winter/spring of 2011/2012, the Riverwalk Center has hosted or will host 7 fundraisers (2 are film events), Still on the Hill Grand Tasting organized by the Breckenridge Restaurant Association, 3 for profit film events (not including the fundraisers), Community Thanksgiving dinner, 4 concerts (includes Ski Area 50th anniversary celebration), 3 memorial services, Snow Sculpture Snow Lounge for 2 weeks, 1 comedy event, 1 conference for 3 days, 1 dance recital and Cleanup Day. *This is a total of 23 events over 38 event days (Snow Sculpture and conference are multiple day events). More events may be added.*

In addition, the outside area around the Riverwalk Center (Tiger Dredge lot and lawn) are used for summer and winter events. During summer 2011, the Tiger Dredge Lot hosted 1 car show, 1 wedding (on the Adams Street bridge) and 1 family event, Tons of Trucks. The lawn hosted 4th of July festivities, AEG concert outdoor seating, Summit County Arts Council art festival, USA Pro festivities, Town Party, Summit Foundation Duck Race, Crest Mountain Marathon and Oktoberfest children's activities. During the winter of 2011/2012, the Riverwalk Center lawn hosted the Nike/Dew Tour rail jam and Ullympics. The Tiger Dredge lot and lawn also hosted the International Snow Sculpture Championships for 3 weeks and the lot hosted the boy scout Christmas tree sales. *This is a total of 15 events over 55 event days (Snow Sculpture and Christmas tree sales are multiple day events).*

Summary - the Riverwalk Center & adjacent areas currently accommodates:

- Classical music
- Contemporary music
- Comedy events
- Film events
- Weddings
- Conference events
- Receptions/dinners
- Dance recital
- Fundraisers
- Town Sponsored Events – 4th of July, Town Party, Snow Sculpture and Town Cleanup
- Family and children's entertainment
- Memorial services
- Lawn/parking lot events – rail jam, snow sculptures, outdoor concert seating, family activities, car shows, race events, boy scout Christmas tree lot

NOTE: in 2000/01, a dedicated conference center and hotel in this space was evaluated and found not to be feasible.

Potential other uses -

Community members and potential users have identified other possible uses for the Riverwalk Center amphitheater, lawn and parking lot. Currently, many of these uses are limited or unfeasible due to staffing, scheduling, physical plant, marketing/branding capabilities and/or equipment inventory.

Potential expanded or new uses:

- Concerts (AEG Concert Series)
- Winter concert series
- Dance
- Speaker Series
- Film
- Theatre/musical theatre
- Opera
- Conferences/Meetings
- Weddings
- Outdoor ice rink
- Park space

What other venues are doing -

In the spring of 2011, the Riverwalk Staff surveyed 6 similar venues: Center for the Arts in Jackson Hole, WY; Ford Amphitheatre in Vail, CO; Lincoln Center in Fort Collins, CO; Silverthorne Pavilion; Vilar Performing Arts Center in Beaver Creek, CO; and the Wheeler Opera House, Aspen, CO. The purpose of this survey was to investigate their business models, general operating procedures and philosophies, usage and staffing.

Primary programming focus for these venues:

- Theatre/musical theatre
- Music - both popular, opera and classical
- Dance
- Comedy
- Film
- Receptions/fundraisers
- Retail/gift shop/gallery space
- Office space – e.g. nonprofit offices
- Rehearsal space
- Weddings and private parties (Silverthorne Pavilion)

Council Action:

Staff is looking for approval to move forward with the Master Planning or Comprehensive Visioning.

Thank you.

MEMORANDUM

TO: Town Council

FROM: Mark Truckey, Assistant Director of Community Development
Scott Reid, Open Space and Trails Planner

DATE: March 13, 2012

SUBJECT: County Referral of V3 Ranch PUD

Summit County recently forwarded a referral to the Town regarding the proposed V3 Ranch PUD adjacent to Sallie Barber Road (at the upper trailhead to the Barney Ford Trail). The property, owned by John Vincze, is currently approximately 47 acres in size and has an existing home. The A-1 County zoning allows one unit per 20 acres and the County's Upper Blue Basin Master Plan allows the same density. The applicant is proposing to exceed this density by placing four units on the 47 acres. The applicant has stated this density would be more in character with density that surrounds a portion of the property. Staff's observation is that some properties nearby (Ranch at Breckenridge and subdivisions near Baldy Road) have higher densities while other properties near and to the north have existing densities of one unit per 20 acres or lower. The existing TDR map designates the property as a TDR sending site but the proposal is for the site to receive TDRs.

Mr. Vincze has been very cooperative in the past working with the Town and County to dedicate easements for trails running through his property, including the Barney Ford trail and most recently the V3 trail (the new trail alignment being constructed that avoids the Country Boy mine property). As part of the proposed PUD, 3.61 acres of open space would be dedicated to Summit County—this open space appears to include portions of the Barney Ford and Country Boy trails.

Staff has attached a site plan for the application for Council's review. We have also attached a draft referral letter to the County on which we would like Council input. Comments are due to the County on March 21.

Council feedback is requested on the following:

- Does the Council feel that the existing zoning and master plan designation for the area remains appropriate or do they feel that an increase in density at the site is warranted?
- Does Council agree with the other comments staff has drafted concerning Density, Site Design, and Open Space and Trails?
- Are there other issues the Council would like staff to address in this referral?



March 13, 2012

Kristin Dean
Summit County Planning Department
PO Box 5660
Frisco, CO 80443

Dear Ms. Dean:

Thank you for the opportunity to comment on the proposed V3 Ranch PUD. The Town Council had an opportunity to discuss the project at its March 13 meeting. I have included the Town's comments below, grouped under topic headings.

First, we would like to acknowledge the owner, John Vincze, for the cooperative approach he has taken with the Town and County regarding trails that cross his property. The dedication of easements for the Barney Ford, Country Boy, and V3 trails is much appreciated and ensures the use of these popular trails for future generations.

Density

The proposed density of four units on 47 acres is inconsistent with the existing zoning, as well the Upper Blue Basin Master Plan designation for the property. The zoning and master plan contemplate a maximum density of one unit per 20 acres in this area. In addition, the TDR map in the master plan and in the IGA regarding TDRs between Summit County and the Town of Breckenridge identify the property as a TDR sending area, which is inconsistent with the proposed PUD that would have the site serving as a TDR receiving area. It appears that a change to the master plan designation and the TDR maps would be necessary in order to allow this PUD amendment to be considered.

Insert here Council comments on merits of increasing density on the site.

Site Design

- We recommend the applicant maximize the visual buffer between the proposed home sites and Sallie Barber Road and Barney Ford Trail to afford privacy for the homeowner and screening for the recreational users.
- According to the Upper Blue Basin Master Plan Visually Important Lands Map, the property is in one of the higher visibility categories as viewed from public locations. Thus, efforts should be undertaken in site planning to minimize visual impacts. The proposed site disturbance envelopes of one acre in size seem excessive and we suggest these envelopes be reduced to minimize disturbance and visual impacts.

Open Space and Trails

- Previously, the applicant has voluntarily dedicated trail easements for the Barney Ford (2010) and V3 Trails (December, 2011). We agree with the applicant that both of these trails should also be included in the site plan and consideration should be given to the applicant's previous voluntary donations for public benefit.
- The 3.61 acres of dedicated open space is an additional public benefit and should explicitly include access along CR 565 (Country Boy Road) along the extent of the property. This parcel and access easement dedication would be an extension of existing National Forest lands and is in close proximity to existing Town of Breckenridge/Summit County open space lands. The 3.61 open space dedication assists with administrative and public recreational access, and should be considered a public benefit in conjunction with the trail dedications described above.
- This PUD process presents the opportunity to reiterate and memorialize the current "standstill" use agreement for Sallie Barber Road. Although it may be redundant, the existing agreement between the applicant and Summit County Government pertaining to this route could be memorialized or referenced via this PUD process.
- This PUD process also presents the opportunity to consider possible expansion of the previously dedicated parking area at the junction of Alphabet Lane and Sallie Barber Road. Given that the 3-4 parking spaces that were previously donated are consistently utilized, would the County be interested in accepting and managing additional parking in the area to improve overall parking in the Baldy area?

Thanks for your consideration of our comments.

Mark Truckey, AICP
Assistant Director of Community Development

AREA CALCS

LOT 1	9.19 ACRES
LOT 2	12.84 ACRES
LOT 3	10.75 ACRES
LOT 4	10.59 ACRES
SUMMIT CO OPEN SPACE	3.66 ACRES
TOTAL	47.03 ACRES

SUMMIT COUNTY
BOARD OF COUNTY
COMMISSIONERS

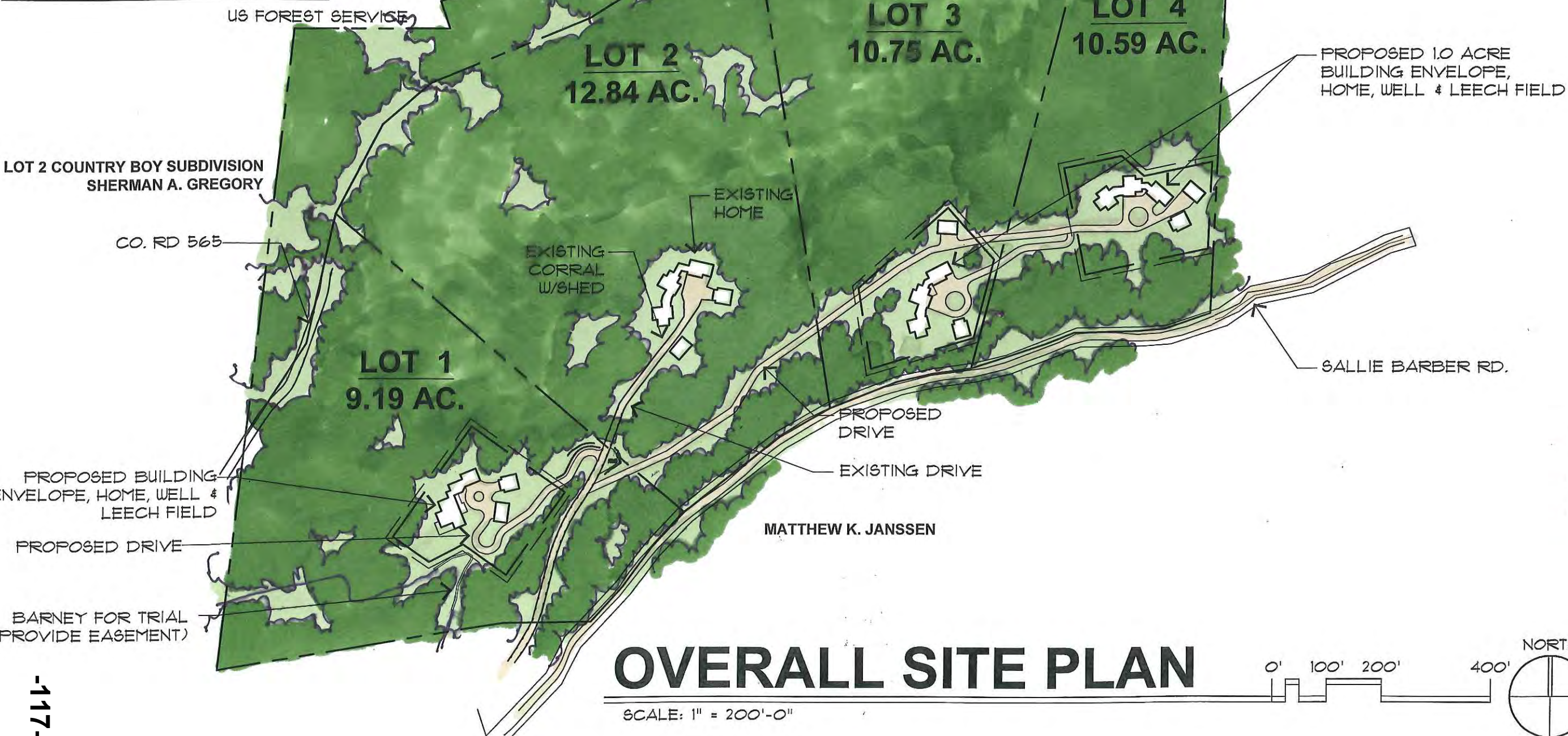
TOMLINSON
BROTHERS INC

SUMMIT COUNTY
BOARD OF COUNTY
COMMISSIONERS

**PROPOSED
SUMMIT COUNTY
OPEN SPACE
3.66 AC.**

JOB NO: 59514.1
02/20/12
DRAWN BY: YCBRYANT
CHECKED BY: MHOAGAN
MHOAGAN

SUMMIT COUNTY
BOARD OF COUNTY
COMMISSIONERS



bhh Partners

P.O. BOX 931, 160 EAST ADAMS BRECKENRIDGE, CO 80424 (970) 453-6880
P.O. BOX 2113, 560 ADAMS AVENUE SILVERTHORNE, CO 80498 (970) 513-1000

V3 RANCH - MASTER PLAN

© 2012

SHEET NUMBER:

SP-1

OF 4

OVERALL SITE PLAN

SCALE: 1" = 200'-0"

