



**BRECKENRIDGE TOWN COUNCIL WORK SESSION**

Tuesday, October 14, 2014; 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.*

<b>3:00-3:10pm</b>	<b>I</b>	<b><u>PLANNING COMMISSION DECISIONS</u></b>	<b>2</b>
<b>3:10-3:30pm</b>	<b>II</b>	<b><u>LEGISLATIVE REVIEW*</u></b>	
		Condo Hotels Ordinance	<b>9</b>
		Penalty Assessment Ordinance	<b>16</b>
		County Multi-Hazard Mitigation Plan Resolution	<b>23</b>
<b>3:30-3:45pm</b>	<b>III</b>	<b><u>MANAGERS REPORT</u></b>	
		Public Projects Update	<b>60</b>
		Housing/Childcare Update	
		Committee Reports	<b>66</b>
<b>3:45-4:45pm</b>	<b>IV</b>	<b><u>OTHER</u></b>	
		Town Prosecuting Attorney Recommendation	<b>67</b>
		Amendment to Town Smoking Ordinance	<b>71</b>
		Healthy Futures Initiative	<b>79</b>
<b>4:45-6:00pm</b>	<b>V</b>	<b><u>PLANNING MATTERS</u></b>	
		Planning Commission Interviews	<b>82</b>
		Child Care Committee Survey Presentation & Recommendations	<b>92</b>
		Sustainable Breck Business Task Force Recommendations on Sign Code Amendments	<b>107</b>
<b>6:00-7:15pm</b>	<b>VI</b>	<b><u>EXECUTIVE SESSION - NEGOTIATIONS AND ACQUISITIONS</u></b>	

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, Director of Community Development

**Date:** 8, 2014

**Re:** Planning Commission Decisions of the September 16, 2014, Meeting.

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***DECISIONS FROM THE PLANNING COMMISSION AGENDA OF September 16, 2014:***

**CLASS C APPLICATIONS:**

1) Sheldon Residence (MGT) PC#2014078, 33 Rounds Road

Construct a new, single family residence with 4 bedrooms, 4 bathrooms, 3,295 sq. ft. of density and 4,050 sq. ft. of mass for a F.A.R. of 1:11.40. Approved.

**CLASS B APPLICATIONS:**

None.

**CLASS A APPLICATIONS:**

None.

**TOWN PROJECT HEARINGS:**

None.

**OTHER:**

None.

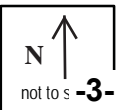


Shelden Residence  
33 Rounds Road



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# Breckenridge North



## PLANNING COMMISSION MEETING

The meeting was called to order at 7:00pm

### ROLL CALL

Eric Mamula                      Dan Schroder                      Jim Lamb  
Ron Schuman                      Gretchen Dudney                      Kate Christopher  
Dave Pringle  
Ben Brewer, Town Council Liaison

### APPROVAL OF AGENDA

With no changes, the October 7, 2014, Planning Commission Agenda was approved as presented.

### APPROVAL OF MINUTES

Mr. Schuman: On pages 6 and 7, what is the Applicant's real name? (Ms. Puester: It is O'Connor.) Also on page 10, it should read "I think the staff should consider positive points for meeting spaces and then negative points for snow stack not being out of public view."

With no other changes, the September 16, 2014, Planning Commission Minutes were approved as presented.

### CONSENT CALENDAR:

1) Shelden Residence (MGT) PC#2014078, 33 Rounds Road

Ms. Dudney: There is no envelope on this property? (Mr. Thompson: The Highlands are telling them there is an envelope; however, it is not on the plat so we are treating it that way.)

Mr. Mamula: I have a question on the six foot retaining wall, so I request to see the plans in person. (Mr. Thompson showed the plans.) I understand and have no objections.

With no requests for call up, the consent calendar was approved as presented.

### WORKSESSIONS:

1) Wireless Communication Facilities

Ms. Puester presented. Planning staff have recently processed several wireless communication facility applications. We continue to field questions from wireless providers seeking locations throughout Town. Wireless facilities are necessary for providing residents, businesses, visitors and emergency services with adequate data capacity for wireless devices. Ms. Puester showed a power point presentation with photos of different treatments for wireless communication facilities to introduce the topic.

*Commissioner Questions / Comments: (during the power point presentation)*

Mr. Schroder: I saw one at Dos Locos in Keystone which behind it has a fake tree cell tower. It didn't look very good.

Mr. Mamula: The issue we had on the fire department was the fact that it was proposed to be on a two story building and the cell tower overwhelmed the rest of the building

Mr. Schuman: Maybe in a larger community you need a larger array.

Mr. Pringle: Your view angle is a better on a bigger building, where you wouldn't see it but from a distance further away. (Mr. Grosshuesch: We are trying to encourage a more blended smaller antennae system and we are hearing from AT&T that they only have one more large antennae system and the rest will be smaller distributed antennae system (DAS) that is smaller.) The picture of the tree antennae looks so out of context with its surroundings, it brings more attention than if it was a barren pole. (Ms. Puester: We've talked to carriers to see if you can put a "mono-pine" amongst an area that already has a lot of other trees and they said that can sometimes work.)

Ms. Christopher: The mono-pine in Keystone is at least partially hidden by the buildings in the front of it.



Mr. Lamb: Have they ever integrated the DAS into traffic lights? (Ms. Puester: Yes on the pole on top of them. A lot depends on if it can be a DAS site or a larger macro site.)

Currently, all new cellular facilities are Class A applications which require a public hearing. Height of the communication equipment and density for the equipment sheds or cabinets are issues not adequately addressed in the existing Development Code. These applications have required Development Agreements to waive points under Policy 6R Building Height and Policy 3R Density (although the Agreements have required the applicants to purchase necessary TDRS). Reviews requiring Development Agreements are complex and far from an ideal process.

Due to federal laws governing wireless communication facilities, local jurisdictions have some limitations on what kind of regulations can be implemented. In short, these limitations restrict local jurisdictions from discussing the radio frequency spectrum (regulated by the Federal Communication Commission-FCC) and from allowing sites to go in where needed by providers if a hole in coverage is proven.

Staff has worked with the Town Attorney to develop an ordinance intended to provide design standards, address height and density related to such structures and installations, and create a review process. The ordinance has in part worked in other communities and has been modified to address the unique issues to Breckenridge. Staff has also sent the ordinance to providers for input as well.

Primary issues addressed include:

- A simpler Class D process as an incentive for locations, types and design of facilities which are encouraged (e.g. Facilities outside of the Conservation District, meeting height, with a camouflaged design).
- A Class A process for facilities which are more visually prominent or undesired location and design.
- Higher building heights and densities (with TDR transfers) allowed without requiring Development Agreements to waive negative points under the Development Code policies.

Staff presented the draft ordinance for the Planning Commission's preliminary review and comment. Staff provided photos of different facility installations. The Planning Commission field trip on October 10<sup>th</sup> will also provide an opportunity to see different installations in the field. Staff anticipated further discussion in more detail at another work session.

*Commissioner Questions / Comments (during the power point presentation):*

Mr. Schuman: Does it become revenue for the Town if the site is on the town property? (Ms. Puester: Yes it is revenue and it would generate some money.) (Mr. Grosshuesch: I think they will pay Red, White and Blue \$1000 a month.)

Ms. Dudney: So how likely is it that they have to be in the conservation district? (Ms. Puester: I think perhaps a few depending on installation type and then they have to prove that there is a hole in coverage there. Not in the recommended areas.) Is this something rapidly changing? (Mr. Grosshuesch: Yes, it is rapidly changing. It is a data capacity issue. The sites for cell service are needed in neighborhoods as the demand for data increases.) Do any of the old ones come down? (Mr. Grosshuesch: Yes and there are provisions (in the draft ordinance) for the old ones coming down.) (Ms. Puester: With the DAS system, they are smaller but there may need to be more of them as so many people use the data streaming.) (Mr. Grosshuesch: The carriers say that we probably won't see the latticed tower structures in Breckenridge.)

Mr. Pringle: Is it possible that we'd get a macro site on Gibson Hill where other antennas are? (Mr. Grosshuesch: AT&T needs to do one more macro site but Gibson Hill doesn't work, then they will install DAS sites.) I read this and saw that this may all be irrelevant as technology changes. Maybe we should identify a couple of macro sites now and help prepare people.

(Mr. Grosshuesch: They won't tell anyone publicly where they want to go beforehand. You do need to regulate them and get them into the locations and configurations you want. It will change based on where the demand is. We really tried to get it mapped with the providers.) Maybe we put out some public service announcements to tell people that there will be some large cell sites. I think the DAS could be almost anywhere in the current state and people will be accustomed to them. (Mr. Grosshuesch: There are some of these all around Highlands Ranch (south of Denver).) I'm really opposed to building structures on top of buildings. Because the DAS will make the large sites irrelevant. (Mr. Grosshuesch: I don't know if the other carriers will be operating like AT&T. I think it will be a combination of getting this ordinance out and doing some hard negotiating with the carriers. The two big ones are Verizon and AT&T and then just a handful of others. There are 3 carriers that aren't real active in the game.) (Ms. Puester: It will be interesting when we go on the Vail field trip to look at the AT&T DAS set up. The town will encourage others providers to use these DAS sites but they can't require them to use only the locations installed.)

Ms. Christopher: Can that be an item added to the priority list? (Ms. Puester: Yes, if you co-locate you it would be considered Class D.)

Mr. Pringle: Why don't we look at this like a sanitary sewer system where the town owns the DAS site? (Mr. Grosshuesch: Save that question for our trip to Vail because this is the model they tried to use. We need to drill a little deeper and see if their idea is to require the carriers to co-locate. Vail classifies it as a utility, they don't require a permit and they work with the IT department with the town.) That seems to me a very logical forward model.

Mr. Schuman: Then we have to pay all the maintenance, and when the technology moves on then we are left with the equipment. (Mr. Grosshuesch: The third party contractor takes care of that for the Town. Also, the permits contemplated in our draft ordinance are for 10 years.) (Ms. Puester: Would we require them to pull old infrastructure out?) By design you want to push people to a Class D so that we never see these applications. (Ms. Puester: Yes.)

Mr. Lamb: It would be nice to see these just so we know what they look like and get a list of them, like what you do with the Class D.

Mr. Pringle: I really don't want to see us putting up structures on top of buildings. If there is a way to stop what they are doing on the fire department I would be happy to see that. (Ms. Puester: Architectural compatibility will still be in here and we will still be reviewing it especially if it is in the historic district.)

Mr. Mamula: It (the new RWB installation) looks fine; it looks like an old air raid tower. My concern is the historic district and making it look out of place. I don't want to see anymore 50 by 30 large boxes that are sitting on top of the buildings. (Ms. Puester: Yes, we totally agree with you and spell out in the proposed ordinance that you have to meet Policy 5 and the Historic District Handbook of Design Standards.) (Mr. Grosshuesch: When there are big events they will bring in temporary Cellular On Wheels (C.O.W.) but we want to avoid any long term installation of these.) (Ms. Puester: Does this sound like a good start and the right direction?) Yes (all).

Ms. Dudney: When you met with the carriers, do they say that not going before the Planning Commission is an incentive? (Mr. Grosshuesch: Yes.)

Mr. Shroeder: The FCC can do what they want anyway so let's guide them how we want it in our community.

Mr. Pringle: I would like Tim Berry's opinion on how this could be a town wide utility system and then force the carriers to use it.

Mr. Lamb: I'm concerned with getting in the cell phone business.

Mr. Mamula: My concern is that if they don't have to co-locate, how can you force them to co-locate?

Mr. Lamb: We are providing the infrastructure to meet the FCC regulations so the carriers can't come and say they need to build more. I want to take the argument away from the carriers that they have a hole in service if we provide and dictate the look on the sites. (Mr. Grosshuesch:

- I'm amazed that Vail thinks it's only going to take 23 antennae.)
- Mr. Brewer: I think the down side is having 23 ugly poles throughout Breckenridge, if this is the capacity now, then we need another 23 a few years from now. When I was a little kid, my parents took me to a town gathering to pick out the new street lights and I'm happy to see alternatives to the industrial looking antennae. I think you could design one that looks just like the light poles. (Ms. Puester: Here is a photo from Vail that shows how they've modified the street light, creating a new 35' pole.)
- Mr. Mamula: It might be interesting to have Mike Khavari give an opinion on this topic and talk about potential downfalls that ATT and Verizon won't tell us. This is a great start.

### **TOWN COUNCIL REPORT:**

Mr. Brewer: We approved a lease for the Barney Ford and Tin Shop building with the Saddle Rock Society. Pinewood I has been refinanced with favorable terms and that will save them a bunch of money and we will start getting land lease payments from them finally. We did pass the condo-hotel ordinance unanimously on first reading which reflects your good work. We passed a resolution to put the marijuana question to the voters, but this won't be binding just an advisory question. We plan to take the direction of the majority of voters, but if it is really close vote then we will have to address this again. Public projects update, we did open the Arts District, which was a unique event. Abby Hall will be open next summer. They are working really hard on this project. Governor Hickenlooper is coming this weekend to see the Arts District. Abby Hall is exciting. The new Community Center on Harris Street is planned to be open for December 5, but if it gets delayed it will be moved to February. The medians won't be done until next year, but all the infrastructure and concrete will be done by this winter. The final look with the poles, flags and flower baskets will be done next summer. There wasn't any infrastructure in the medians which took a lot of time. The construction on Highway 9 will be done by the end of October; it is close to being done. The astro turf field is done; the grassy knoll is removed resulting in a bigger sideline area. The field is much flatter now. That project will save 8 million gallons of water a year. The concrete is almost done in the skate park and they need to finish the landscaping. It will probably be open around October 20. I'm being told by the skaters that it is a unique and cool skate park. Someone has already taken a drone Go Pro video of it and put it on Facebook. I think it is going to be an amazing feature for Breckenridge and is well worth the investment. The skater community now needs to raise funds for the benches and structure. They are also proposing the name for the park. We heard the proposed 2015 CIP budget; there is a lot of stuff in there and a lot that has been in there a long time that we might get to execute.

We did a big study of childcare to take a survey of the community in the aftermath of the failed election question that would have funded our child care program with a mill levy, so we asked a firm to find out why it failed and what we could do to ensure that future generations have access to early childhood education. Please take a look at it if you are curious. This is probably one of the most comprehensive studies I've seen, very interesting. The study isn't showing that voters didn't want to turn down better child care, but it did say they didn't want a mill levy tax to fund it this way at this time. The community does value early childhood education; we as the Town Council are trying to figure out how best to address this. The mill levy proposed did not have a sunset provision and it wasn't a sales tax. (The Planning Commission requested to get a link to get to the study.)

Financially, every tax is tracking up. Sales tax is up by double digits. Parking study: Employees and locals are parking in the spots that we want our guests to park in. If we can't solve that problem, then we could be looking at a big parking structure in town that would be very expensive, or paid parking in town. There is a whole menu of options but the Town Council consensus is that it is definitely a problem in town, identified by guests, locals and business owners. I haven't (personally) committed to any actual strategies yet. You should all be thinking about this as it is coming down the pike. I hesitate to support a \$50 million project but the smallest version of a parking structure is around the \$15 million range, which could be a scale that could be creatively financed. The hotel idea in the gondola lot, which the parking issue could dovetail with this. If we

are going to make an investment in our town then it may not be necessary to build such big parking structures in the gondola lots. This is all being bantered about. (Mr. Mamula noted that we did try to get the parking structure on the hill side (of the Gold Rush Lot), but Vail Resorts didn't like people moving across the highway. Vail is not ready now and the Town needs to catch them when it is a financial positive to do something.) There are 15 units left to sell at One Ski Hill Place and then another several units at their other location so this will probably be 5 years down the road.

Sidewalk snow removal plan: We have a pilot program for heated sidewalk from Ridge down to Main on the south side of Lincoln. There is, in the CIP, an expansion of that program if this experiment works for other south side sidewalks in town. They will remove snow from the sidewalks but they are trying to avoid times that guests are on them. This will be done in the middle of the night now. It will be incumbent on the shop owners to remove snow between 8am-10pm. (Mr. Mamula stated that he does not believe that shop owners will take responsibility to shovel the town sidewalks.) The Town PW department believes that this is the best solution, so Council is willing to give it a try. Also, Main Street Breckenridge is a hodgepodge of property lines so we are hoping that it is incumbent upon all of us to remove the snow. (Mr. Mamula also noted that there is no place to put the snow.) The snow piles will still be removed. (Mr. Pringle suggested that all of the sidewalks be heated.) (Mr. Mamula said that no guests have come to him stating that they were concerned that the walks were being plowed during the day.) There are some safety concerns with the snow clearing during the day and that there have been some improvements with snow stacking locations. There are competing public purposes between energy conservation concerns and public safety. The cost of installing heated sidewalks is expensive.

**OTHER MATTERS:**

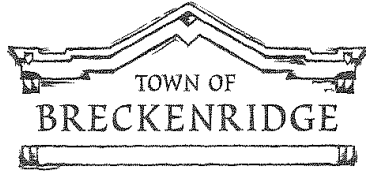
Ms. Puester: Planning Commission field trip is Friday, 8:00am leaving from Town Hall and we will return by 4:00pm.

**ADJOURNMENT:**

The meeting was adjourned at 8:33pm.

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Jim Lamb, Chair



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## MEMORANDUM

**TO: Town Council**

**FROM: Julia Puester, AICP, Senior Planner**

**DATE: October 7, 2014 for meeting of October 14, 2014**

**SUBJECT: Second Reading: Condo-Hotel Code Modification**

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This is the second reading of the ordinance amending the definition of condo-hotel and condominiums into one combined definition as well as related code references.

From first reading, there is a proposed change to the definition of *Limited Kitchen* (for a hotel use) to clarify that no gas piping or 220 volt electrical service to the unit is allowed. This will eliminate the ability to easily install a standard oven in the hotel units. This change has been shown in bold and double underline in the attached ordinance.

I will be happy to any questions on Tuesday.

1 ***FOR WORKSESSION/SECOND READING – OCT. 14***

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

5  
6 COUNCIL BILL NO. 35

7  
8 Series 2014

9  
10 AN ORDINANCE AMENDING TITLE 9 OF THE BRECKENRIDGE TOWN CODE  
11 CONCERNING CONDOMINIUMS AND CONDO HOTELS

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

15  
16 Section 1. The definition of “condominium” contained within the definition of  
17 “Residential Use” in Section 9-1-5 of the Breckenridge Town Code is repealed.

18  
19 Section 2. The following definitions contained within the definition of “Residential Use”  
20 in Section 9-1-15 of the Breckenridge Town Code are amended to read as follows:

21  
Condominium: A multi-unit structure in which units may be individually owned and which provides on the site of the development recreation and leisure amenities.

Hotel/Lodging/Inn: A multi-unit structure owned by a single owner which provides a centralized management structure incorporating the following features or standards: limited kitchens in the units, a twenty four (24) hour front desk check in operation, a central phone system to individual rental units, meeting rooms, food services, and recreational or leisure amenities.

22  
23 Section 3. Section 9-1-5 of the Breckenridge Town Code is amended by the addition of  
24 the following definition:

25  
Limited Kitchen: May include a refrigerator, dishwasher, cook top, and cupboards. ~~An oven is not allowed in a limited kitchen.~~ **Gas piping and 220-volt electrical service may not be provided or roughed-in in a limited kitchen.**

26  
27 Section 4. Subsection B of Section 9-1-19-3A, “Policy 3 (Absolute) Density/Intensity,”

1 of the Breckenridge Town Code is amended to read in its entirety as follows:

2  
3 B. Residential: Residential uses whose allowed densities are calculated in terms of  
4 units within the land use guidelines shall utilize the following square footage  
5 conversion tables to determine the maximum dwelling area allowed within a  
6 specific project. (The town requires dwelling units to be converted to square  
7 footage rather than units because the town has determined that the impacts of a  
8 development are more closely related to the total square footage of the project  
9 than the number of units.) Furthermore, it is the intention of the town to  
10 encourage uses which have been determined to be needed and desirable for the  
11 general benefit of the town, and to discourage those uses which it determines  
12 provide little or no benefit or are a detriment to the community.

13  
14 **CONVERSION TABLE - RESIDENTIAL USES**

15  
16 Within Conservation District:

17		
18	Single-family	One unit = 1,600 sq. ft.
19	Duplexes and townhouses	One unit = 1,600 sq. ft.
20	Condominiums or boarding	One unit = 900 sq. ft.
21	houses	
22	All other residential (including bed	One unit = 1,200 sq. ft.
23	and breakfast, apartment, and	
24	condominium)	

25  
26 Outside Conservation District:

27		
28	Single-family	One unit = unlimited sq. ft.*
29	Duplex included within site plan level	One unit = unlimited sq. ft.*
30	development permit with net density	
31	of less than 5 units per acre	
32	Duplex included within site plan level	One unit = 1,600 sq. ft.
33	development permit with net density	
34	of 5 units per acre or more	
35	Townhouse	One unit = 1,600 sq. ft.
36	Hotel, inn, motel, bed and breakfast	One unit = 1,380 sq. ft.
37	Boarding houses	One unit = 900 sq. ft.
38	All other residential (including	One unit = 1,200 sq. ft.
39	apartment and condominium)	

40  
41 \*Refer to Section A of Section 9-1-19-4A, "Policy 4 (Absolute) Mass,"  
42 subsection A of this Chapter for mass limitations in certain subdivisions that may  
43 further limit above ground density.

44  
45 Section 5. Subsections (A)(3) and (A)(4) of Section 9-1-19-4R, "Policy 4 (Relative)  
46 Mass," of the Breckenridge Town Code are amended to read as follows:

1  
2 (3) Apartments and Boarding Houses: Apartment and boarding house  
3 developments may be allowed an additional fifteen percent (15%) of aboveground  
4 floor area for the provision of amenities and/or common areas.

5  
6 (4) Condominiums, Hotels, Inns, And Lodges: Condominiums, hotels, inns,  
7 lodges, and other similar uses may be allowed an additional twenty five percent  
8 (25%) of aboveground floor area for the provision of amenities and/or common  
9 areas.

10  
11 Section 6. Section 9-3-8 of the Breckenridge Town Code is amended to read as follows:

12 **9-3-8: OFF STREET PARKING REQUIREMENT:**

13 A. Within The Service Area: In connection with the development of all property within  
14 the service area there shall be provided the following amount of off street parking:

<b>Land Use Category</b>	<b>Number Of Required Off Street Parking Spaces (Per TSF-GFA* Unless Otherwise Noted)</b>
Residential:	
Single-family	1.1
Duplex	1.1
Multi-family; efficiency, studio	1.1
Multi-family; 1 bedroom plus	1.1
Condominium; efficiency, studio	1.1
Condominium; 1 bedroom plus	1.1
Divisible unit	1.1
Lodging, hotel, motel	1.1
Dormitory	1.1
Commercial:	
Retail sale, commercial:	
General retail, commercial	1.4
Supermarket	2.5
Financial	1.9



Office:

General office	1.4
Government office	2.2
Auto service station	3.0 per bay plus 1 per pump
Restaurant, sit down	3.5
Auditorium, theater	0.3 per seat
Church	0.5
Convention center	3.1
Library, museum	1.8
Medical/dental clinic	3.3
Commercial recreation	2.0

1 \*TSF-GFA = 1,000 square feet of gross floor area.

2

3 Note: If the required parking is less than 1 space, and for any fractional parking space  
4 required, the applicant shall be required to pay the in lieu fee provided in section [9-3-12](#) of  
5 this chapter.

6 B. Outside The Service Area: In connection with the development of all property outside  
7 the service area there shall be provided the following amount of off street parking:

Residential:

Single-family	2.0 per dwelling unit*
Duplex	1.5 per dwelling unit
Multi-family:	
Efficiency - studio	1.0 per dwelling unit
1 bedroom and larger	1.5 per dwelling unit
Divisible unit	+0.5 for each divisible room
Condominium:	
Efficiency, studio, 1 bedroom	1.0 per dwelling unit
2 bedroom and larger	1.5 per dwelling unit
Divisible unit	+0.5 for each divisible room

Lodging, hotel, motel	1.0 per guestroom
Dormitory	0.5 per bed
Schools:	
Elementary and junior high	2 per classroom
High school	1 per 4 students and faculty
College	1 per 4 students and faculty
Commercial:	
Retail sale, commercial and office	1 per 400 square feet GFA (minimum 2 per building)
Construction - contracting	1 per 200 square feet plus 1 loading bay per 1,000 square feet
Industrial use	1 per 400 square feet plus 1 loading bay per 1,000 square feet
Auto service stations	3 per service bay plus 1 per pump
Restaurants - sit down	1 per 4 persons capacity
Restaurants - drive-in	1 per 100 square feet GFA
Auditoriums - theaters	1 per 4 seats
Churches	1 per 6 seats
Convention center facility	By special review of the director and planning commission
Library and museum	1 per 500 square feet GFA
Medical and dental clinics	1 per 300 square feet GFA
Hospital	1 per 3 beds
Commercial recreation indoor and outdoor	By special review of the director and planning commission

1 \*du = dwelling unit

2

3 Note: The required number of parking spaces shall be rounded up to the nearest whole

4 number.

5 Section 7. Except as specifically amended hereby, the Breckenridge Town Code, and the

6 various secondary codes adopted by reference therein, shall continue in full force and effect.

7

1 Section 8. The Town Council hereby finds, determines and declares that this ordinance is  
2 necessary and proper to provide for the safety, preserve the health, promote the prosperity, and  
3 improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants  
4 thereof.  
5

6 Section 9. The Town Council hereby finds, determines and declares that it has the power  
7 to adopt this ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act,  
8 Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal  
9 zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv)  
10 Section 31-15-401, C.R.S.(concerning municipal police powers); (v) the authority granted to  
11 home rule municipalities by Article XX of the Colorado Constitution; and (vi) the powers  
12 contained in the Breckenridge Town Charter.  
13

14 Section 10. This ordinance shall be published and become effective as provided by  
15 Section 5.9 of the Breckenridge Town Charter.  
16

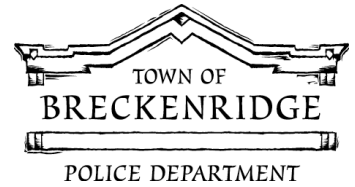
17 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
18 PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2014. A Public Hearing shall be held at the  
19 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the \_\_\_ day of  
20 \_\_\_\_\_, 2014, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the  
21 Town.  
22

23 TOWN OF BRECKENRIDGE, a Colorado  
24 municipal corporation  
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27  
28 By: \_\_\_\_\_  
29 John G. Warner, Mayor  
30

31  
32 ATTEST:  
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36 \_\_\_\_\_  
37 Helen Cospolich  
38 Town Clerk  
39  
40



## MEMORANDUM

**To:** Mayor and Town Council  
**From:** Shannon Haynes, Chief of Police  
**Date:** October 7<sup>th</sup>, 2014  
**Subject:** Penalty Assessment Notices & Authority of Community Service Officers

---

While updating several ordinances over the past year staff recognized that the language in our Penalty Assessment ordinance was inconsistent with newer, modernized language. A penalty assessment refers to the issuance of a ticket, which allows for the payment of a fine or the option to appear in court, as opposed to a summons, which requires a court appearance.

In order to ensure consistency in our ordinances, staff recommends updating the current penalty assessment ordinance to provide specific detail on:

- When a penalty assessment should be issued;
- How a penalty assessment should be issued;
- The way penalty assessments must be handled by Municipal Court if the defendant fails to pay.

Also, the ordinance governing offenses related to marijuana includes a section addressing the issuance of a penalty assessment notice. This section is lengthy and repeats language contained in the penalty assessment ordinance. Staff recommends removing the redundant language and simply referencing the penalty assessment ordinance.

The recommended changes are clarifying in nature and do not substantively change the intent of either ordinance.

While reviewing penalty assessments and evaluating the list of code violations that can be addressed by Community Service Officers (CSO), staff recognized four violations that can be safely addressed by CSOs, but that they are currently not allowed to deal with. Based on an assessment by staff, we request Council approve a change to the ordinance governing the authority of Community Service Officers, which would allow CSOs to take action on the following violations:

- Parking Motor Vehicle on Private Ground
- Unlawful Use of Skiing Facilities
- Distribution of Handbills
- Riverwalk Restrictions

The recommended changes will allow staff needed flexibility in covering calls for service during busy times.

I will be available at the Council work session on Tuesday October 14<sup>th</sup> to answer any questions.

1 ***FOR WORKSESSION/FIRST READING – OCT. 14***

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 2014

9  
10 AN ORDINANCE AMENDING THE BRECKENRIDGE TOWN CODE CONCERNING  
11 PENALTY ASSESSMENT NOTICES AND THE AUTHORITY OF COMMUNITY SERVICE  
12 OFFICERS

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

15  
16 Section 1. Section 1-8-12(K) of the Breckenridge Town Code is amended to read as  
17 follows:

18  
19 **K. Penalty Assessment and Municipal Court Procedure.**

20  
21 1. **Except as provided in Subsection (K)(2), below, any offense described in this**  
22 **Code as an infraction may be written using a penalty assessment procedure if**  
23 **the offense is listed on the Municipal Judge's list of designated violations the**  
24 **penalties for which may be paid at the office of the Municipal Court Clerk as**  
25 **described in Rule 210(b)(5) of the Colorado Rules of Municipal Court**  
26 **Procedure.**

27 2. **The penalty assessment procedure may not be used for:**

28 A. **Any violation of this Code that is not listed on the Municipal Judge's list of**  
29 **designated violations the penalties for which may be paid at the office of the**  
30 **Municipal Court Clerk;**

31 B. **Offenses resulting in an accident causing personal injury, death, or appreciable**  
32 **damage to the property of another;**

33 C. **Reckless driving;**

34 D. **Exceeding the speed limit by more than twenty-four miles per hour; or**

35 E. **Exhibition of speed or speed contest.**

- 1           3. Penalty assessment procedures shall not apply where the defendant is charged  
2 with two (2) or more violations, any one (1) of which is a criminal violation  
3 requiring a court appearance.
- 4           4. The Municipal Judge shall establish appropriate practices and procedures for  
5 infraction cases involving minor defendants under the age of eighteen (18) years.
- 6           5. At the time a person is charged with an infraction for which a penalty  
7 assessment notice may be issued as provided in this Section (K) the defendant  
8 may be issued or tendered a penalty assessment notice in accordance with the  
9 following procedures:
- 10          A. A penalty assessment notice shall be signed and served on or tendered to the  
11 defendant and shall contain the information required to be contained in a  
12 municipal summons and complaint by Rule 204 of the Colorado Municipal  
13 Court Rules of Procedure; the fine or penalty specified by the Municipal Judge  
14 in the schedules adopted pursuant to Rule 210(b)(5) of the Colorado Municipal  
15 Court Rules of Procedure for the violation charged, and the surcharge, costs,  
16 and other applicable fees; and the date the penalty assessment notice is served on  
17 the defendant. The notice shall direct the defendant to appear in the Municipal  
18 Court on a specified date, time, and place in the event the prescribed fine or  
19 penalty, surcharge, costs, and applicable fees are not paid. The notice shall also  
20 contain any additional information that is required to convert the penalty  
21 assessment notice into a summons and complaint should the fine or penalty,  
22 surcharge, costs, and applicable fees not be paid within the time allowed.
- 23          B. The date and time specified in the penalty assessment notice for an appearance if  
24 the defendant fails to pay the penalty shall be at least thirty (30) days and not  
25 more than ninety (90) days after the date the penalty assessment notice is issued.
- 26          C. One copy of the penalty assessment notice shall be served upon the defendant,  
27 and the remaining copy shall be filed with the Clerk of the Municipal Court.
- 28          D. If the defendant refuses to accept service of the penalty assessment notice when  
29 such notice is tendered, the officer shall issue a summons and complaint in  
30 accordance with the Colorado Municipal Court Rules of Procedure.
- 31          E. The fine or penalty, surcharge, costs, and applicable fees may be paid by the  
32 defendant at the office of the Clerk of the Municipal Court, either in person or  
33 by postmarking such payment within twenty (20) days from the date the penalty  
34 assessment notice is served upon the defendant.
- 35          F. A defendant who does not furnish satisfactory evidence of identity or who the  
36 officer has reasonable and probable grounds to believe will disregard the  
37 summons portion of such notice may be issued a penalty assessment notice only  
38 if the defendant consents to be taken by the officer to the nearest mailbox and to

1 mail the amount of the fine or penalty, surcharge, costs, and applicable fees to  
2 the Clerk of the Municipal Court.

3 G. Acceptance of a penalty assessment notice and payment of the prescribed fine or  
4 penalty, surcharge, costs, and applicable fees to the Clerk of the Municipal  
5 Court shall be deemed a complete satisfaction for the violation, and the  
6 defendant shall be given a receipt which so states when such fine or penalty,  
7 surcharge, costs, and applicable fees are paid in currency or other form of legal  
8 tender.

9 H. Should the defendant accept service of the penalty assessment notice but fail to  
10 pay the prescribed fine or penalty, surcharge, costs, and applicable fees within  
11 twenty (20) days after service of the notice, the penalty assessment notice shall be  
12 converted into and construed to be a summons and complaint, and the defendant  
13 shall appear at the Municipal Court on the date and time specified in the notice  
14 and answer the complaint against him or her. The case shall thereafter be heard  
15 in the Municipal Court.

16 I. If the defendant fails to appear on the date and time specified in the penalty  
17 assessment notice and answer the complaint, or if the defendant appears and  
18 answers that he or she is liable for the alleged violation, judgment shall be  
19 entered against the defendant in accordance with such procedures as may be  
20 established by the Municipal Judge.

21 J. If the defendant denies the allegations in the penalty assessment notice or  
22 complaint, a final hearing shall be held before the Municipal Court.

23 K. If judgment is entered against a defendant, he or she shall be assessed the fine or  
24 other penalty specified in the penalty assessment notice, plus any applicable  
25 surcharge, costs, and fees.

26 L. In no event shall a bench warrant be issued for the arrest of any person who fails  
27 to appear for a final hearing on an infraction charged under this Code. The  
28 entry of judgment and assessment of the fine or penalty, surcharge, costs, and  
29 applicable fees as provided herein shall constitute the sole penalties for failure to  
30 appear for the final hearing, or for being found liable for the violation.

31 M. In the event of a conflict between the penalty assessment requirements and  
32 procedure described in this Section (K) and the penalty assessment procedure  
33 set forth in Chapter 1 of Title 7 of this Code concerning the Town's Traffic  
34 Code, the provisions of Chapter 1 of Title 7 shall control.

35 Section 2. The caption of Section L of Section 1-8-12 of the Breckenridge Town Code is  
36 amended to read "L. Enforcement of Default Judgment."

37 **Note: The referenced caption currently reads as follows: "L. Default of Judgment."**  
38

1  
2 Section 3. Section 2-1-6(A) of the Breckenridge Town Code is amended to read as  
3 follows:  
4

5 A. Any duly appointed community service officer of the police department is authorized,  
6 as part of his or her duties, to issue a summons and complaint, penalty assessment notice,  
7 or other appropriate citation into the Municipal Court for any alleged violation of any  
8 ordinance or code of the Town of Breckenridge, except an alleged violation of Title 6,  
9 Chapter 3, Articles A through ~~HI~~ of this Code; **provided that a duly appointed**  
10 **community service officer is authorized to issue a summons and complaint, penalty**  
11 **assessment notice, or other appropriate citation into the Municipal Court for an**  
12 **alleged violation of Section 6-3B-12 (Parking Motor Vehicle On Private Ground);**  
13 **Section 6-3B-18 (Unlawful Use of Skiing Facilities); Section**  
14 **6-3H-2 (Distribution of Handbills) and Section 6-3H-5 (Riverwalk Restrictions).** To  
15 the extent permitted by law, and for the sole purpose of issuing Municipal Court  
16 summons and complaints, penalty assessment notices or other citations as authorized by  
17 this ~~paragraph~~**section**, a community service officer shall be deemed to be a peace officer  
18 duly authorized law enforcement officer within the meaning of Rule 203(d) of the  
19 Municipal Court Rules of Procedure.  
20

21 Section 4. Section 2-1-6(B) of the Breckenridge Town Code is deleted.  
22

23 **Note:** The deleted Section reads as follows:  
24

25 B. Any duly appointed community service officer of the police department is  
26 authorized, as part of his or her duties, to issue a summons and complaint, penalty  
27 assessment notice, or other appropriate citation into the Summit County court for  
28 any alleged violation of the state traffic laws. To the extent permitted by law, and  
29 for the sole purpose of issuing county court summons and complaints, penalty  
30 assessment notices or other citations as authorized by this subsection, a  
31 community service officer shall be deemed to be a peace officer, level III, as  
32 defined by section 18-1-901(3)(I)(IV), Colorado Revised Statutes.  
33

34 Section 5. Section 6-3I-9(B) of the Breckenridge Town Code is amended to read as  
35 follows:  
36

37 B. At the time that any person is arrested for the commission of a violation of Section 6-  
38 3I-3 (Unlawful Possession of Marijuana), Section 6-3I-4 (Open and Public Consumption  
39 or Use of Marijuana), (6-3I-6 (Unlawful Transfer of Marijuana to Person Twenty-One  
40 Years of Age or Older), or Section 6-3I-7 (Open Containers of Marijuana Prohibited) the  
41 arresting officer may offer to give a penalty assessment notice to the defendant. ~~Such~~  
42 ~~penalty assessment notice shall contain all the information required of a summons under~~  
43 ~~the Colorado municipal court rules of procedure. The fine or penalty specified by the~~  
44 ~~municipal judge in the schedules adopted pursuant to rule 210(b)(5) of the Colorado~~



1 municipal court rules of procedure for the violation charged and the surcharge thereon  
2 may be paid at the office of the clerk of the municipal court, either in person or by  
3 postmarking such payment within twenty (20) days from the date the penalty assessment  
4 notice is served upon the defendant. A defendant who does not furnish satisfactory  
5 evidence of identity or who the officer has reasonable and probable grounds to believe  
6 will disregard the summons portion of such notice may be issued a penalty assessment  
7 notice only if the defendant consents to be taken by the officer to the nearest mailbox and  
8 to mail the amount of the fine or penalty and surcharge thereon to the department.  
9 Acceptance of a penalty assessment notice and payment of the prescribed fine or penalty  
10 and any applicable surcharge thereon to the clerk of the municipal court shall be deemed  
11 a complete satisfaction for the violation, and the defendant shall be given a receipt which  
12 so states when such fine or penalty and surcharge thereon is paid in currency or other  
13 form of legal tender. Checks tendered by the defendant to and accepted by the clerk of  
14 the municipal court and on which payment is received by the clerk of the municipal court  
15 shall be deemed sufficient receipt. **The provisions of Section 1-8-12(K) of this Code**  
16 **shall apply to such penalty assessment notice.**  
17

18 Section 6. Except as specifically amended hereby, the Breckenridge Town Code, and the  
19 various secondary codes adopted by reference therein, shall continue in full force and effect.  
20

21 Section 7. The Town Council hereby finds, determines and declares that this ordinance is  
22 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

26 Section 8. The Town Council hereby finds, determines and declares that it has the power  
27 to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article  
28 XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.  
29

30 Section 9. This ordinance applies to any violation of the Breckenridge Town Code  
31 occurring on or after the effective date of this ordinance.  
32

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

36 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
37 PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2014. 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 \_\_\_\_\_, 2014, 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  
43 municipal corporation  
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By: \_\_\_\_\_  
John G. Warner, Mayor

ATTEST:

\_\_\_\_\_  
Helen Cospolich  
Town Clerk



## MEMORANDUM

**To:** Mayor and Town Council  
**From:** Shannon Haynes, Chief of Police  
**Date:** September 24, 2014  
**Subject:** Resolution to adopt the Summit County Multi-Hazard Mitigation Plan

---

Staff is recommending the Town Council approve a resolution adopting the Summit County Multi-Hazard Mitigation Plan. FEMA has conditionally approved the plan pending adoption by all participating jurisdictions. The plan meets the mitigation planning requirements established by the Code of Federal Regulations (44 CFR Part 201.6). Federal regulations require a local jurisdiction to “review and revise its plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities” every five years in order to remain eligible for mitigation project funding. This includes eligibility in the Hazard Mitigation Grant Program (HMGP) which provides potential grants to local governments for long-term mitigation after a major disaster declaration.

The Emergency Management Director, Joel Cochran, has fully reviewed and appropriately revised the Multi-Hazard Mitigation Plan for the County, including the local annexes, which have been reviewed by staff.

Based on Director Cochran’s recommendation, as well as the overall plan approval from FEMA, staff recommends Council approve the proposed resolution to adopt the Summit County Multi-Hazard Mitigation Plan.

I will be available at the work session on Tuesday, October 14<sup>th</sup> to answer questions.

1 ***FOR WORKSESSION/ADOPTION – OCT. 14***

2  
3 RESOLUTION NO. \_\_\_\_

4  
5 Series 2014

6  
7 A RESOLUTION ADOPTING THE SUMMIT COUNTY MULTI-HAZARD  
8 MITIGATION PLAN 2013  
9

10 WHEREAS, the Town Council of the Town of Breckenridge recognizes the threat that  
11 natural hazards pose to people and property within our community; and  
12

13 WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to  
14 people and property from future hazard occurrences; and  
15

16 WHEREAS, an adopted Multi-Hazard Mitigation Plan is required as a condition of  
17 future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation  
18 grant programs; and  
19

20 WHEREAS, the Town of Breckenridge resides within the Planning Area, and fully  
21 participated in the mitigation planning process to prepare the Summit County Multi-Hazard  
22 Mitigation Plan 2013; and  
23

24 WHEREAS, the Colorado Office of Emergency Management and Federal Emergency  
25 Management Agency, Region VIII officials have reviewed the Summit County Multi-Hazard  
26 Mitigation Plan 2013, and approved it contingent upon the official adoption of the plan by the  
27 participating governing bodies.  
28

29 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF  
30 BRECKENRIDGE, COLORADO:  
31

32 Section 1. The Town Council of the Town of Breckenridge hereby adopts the  
33 Summit County Multi-Hazard Mitigation Plan 2013 , as an official plan.  
34

35 Section 2. The Summit County Emergency Management will submit a certified copy  
36 of this resolution to the Colorado Office of Emergency Management and Federal Emergency  
37 Management Agency, Region VIU officials to enable the Plan’s final approval.  
38

39 Section 3. This resolution is effective upon adoption.  
40

41 RESOLUTION APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_, 2014.  
42  
43  
44

TOWN OF BRECKENRIDGE

By: \_\_\_\_\_  
John G. Warner, Mayor

ATTEST:

\_\_\_\_\_  
Helen Cospolich  
Town Clerk

APPROVED IN FORM

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

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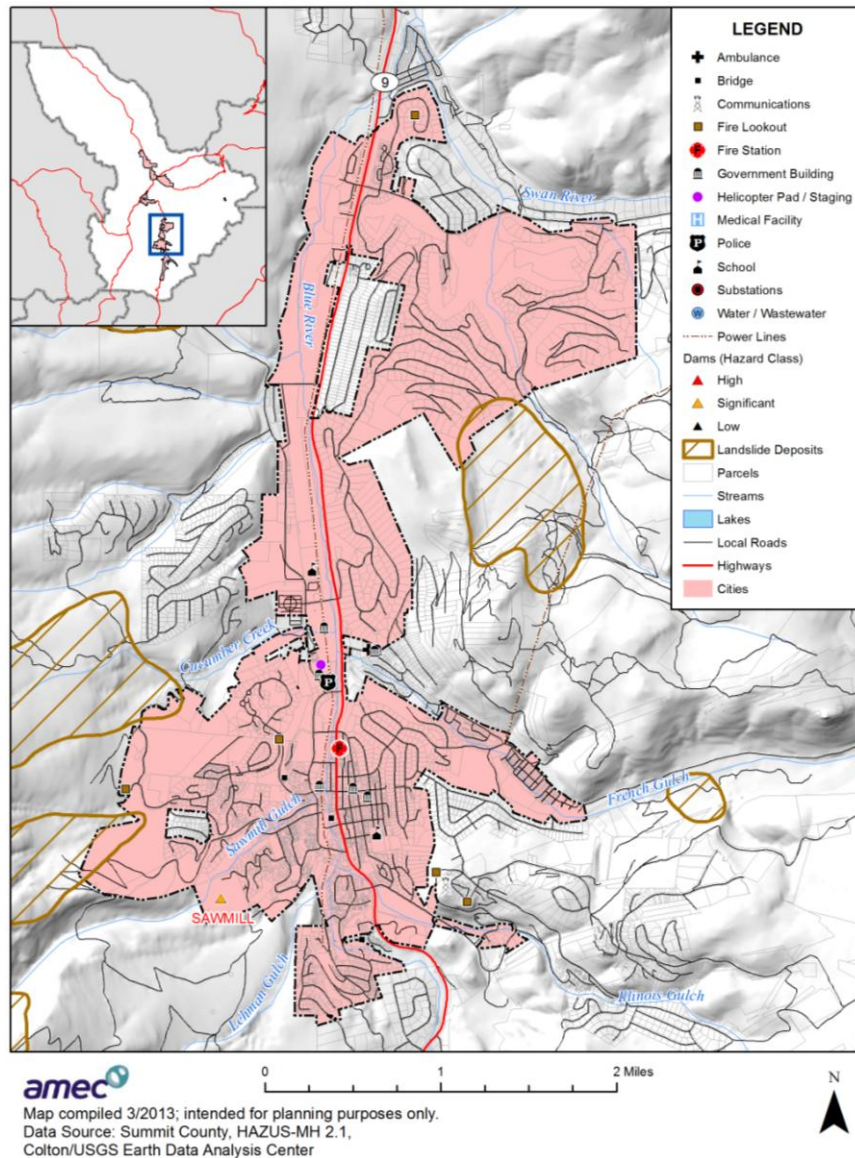


# ANNEX C: TOWN OF BRECKENRIDGE

## C.1 Community Profile

Figure C.1 shows a map of the Town of Breckenridge and its location within Summit County. The map also shows critical facilities and landslide deposits.

Figure C.1. Map of Breckenridge



---

## Geography

The Town of Breckenridge encompasses approximately 3,700 acres of land, ranging in elevation from 9,017 to 14,265 feet and including a portion of the Continental Divide. The Blue River flows northerly through Breckenridge along the valley floor. It has a steep narrow channel with a slope of approximately 108 feet per mile from the Goose Pasture Tarn to the Dillon Reservoir and an average width of about 30 feet. Breckenridge is surrounded by three mountain ranges: the Ten Mile Range to the west, Bald Mountain and the Front Range on the east, and Hoosier Pass and the Mosquito Range on the south. Annual precipitation exceeds 30 inches in the higher elevations and includes over 300 inches of annual snowfall.

## Population

The population of Breckenridge fluctuates throughout the year because of the resort nature of the community. Thus, the population of Breckenridge has two important components: permanent and peak. The permanent population is the number of people who reside in the town on a year-round basis and was estimated at 4,351 in 2011 and at 4,540 in 2010. Peak population is the total number of people who are in the town at one time, including residents, second homeowners, overnight guests, and day visitors, along with an assumed 100 percent occupancy of all lodging units. Peak population in 2009 was estimated at 38,624. According to the Town’s master plan, the months with the largest peak populations are December through March, with a summer spike in July.

Data collected through employer surveys indicated that there were about 3,700 winter seasonal employees and 2,400 summer seasonal employees in 2006. However, this segment of the population is not well-documented or understood.

Select American Community Survey (ACS) 2011 and 2010 US Census demographic and social characteristics for Breckenridge’s “permanent” population are shown in Table C.1.

---

**Table C.1. Breckenridge—Demographic and Social Characteristics**

Characteristic	2010	2011
<b>Gender/Age</b>		
Male (%)	55.7	52.9
Female (%)	44.3	47.1
Under 5 Years (%)	4.3	6.0
65 Years and Over (%)	5.8	11.2
<b>Race/Ethnicity (one race)</b>		
White (%)	93.1	91.3
Black or African American (%)	0.7	1.4
American Indian and Alaska Native (%)	0.1	4.5
Asian (%)	1.2	0.3
Other (%)	3.4	5.1
Hispanic or Latino (Of Any Race) (%)	9.0	11.7

Characteristic	2010	2011
<b>Other</b>		
Average Household Size	2.09	2.23
High School Graduate or Higher (%)	99.1	99.7

Source: ACS 2011, 2010 US Census, factfinder2.census.gov

## History

Long before white settlers from the east crossed the Continental Divide, Breckenridge was part of the summer hunting grounds of the nomadic White River and Middle Park Ute Native Americans. The Town of Breckenridge was born out of the mid-nineteenth century gold rush and formally created in November 1859.

In the fall of 1861, the Town secured the Denver, Bradford, and Blue River Road Wagon Company connection, which gave lifeblood to the little gold mining community. Breckenridge was established as the permanent county seat of Summit County. However, by the mid-1860s there was a drop in the Breckenridge population due to both the Civil War and the increasing difficulty in locating free, accessible gold. Many businessmen and merchants moved on to other boomtowns.

The late-1860s saw the introduction of large-scale hydraulic placer mining and Breckenridge was once again busy with mining endeavors. By 1879, Breckenridge was an important hard-rock mining location and prominent supply center. The discovery of rich silver deposits and lead carbonates in the hillsides nearby put the Breckenridge mining district on the map, and the community was formally incorporated in 1880.

Breckenridge remained a prosperous frontier mining town for many years, but by the turn of the century, the local mining technology had shifted primarily to dredge mining, which employed relatively few people. The population and economy continued to decline during the Great Depression. The last gold dredge shut down in 1942 as resources shifted to the war effort associated with World War II.

In 1961, the Breckenridge Ski Area opened and breathed new life into the Town, drawing new visitors to discover and settle in Breckenridge. To this day, the “recreation” rush to Breckenridge continues.

## Economy

Mining activity was the primary economic force from the time Breckenridge was founded in 1859 until the early 1940s. The 1960s marked the beginning of a new era for Breckenridge, as recreation became the principal economic and population generator. Specifically, in 1961 the Breckenridge Ski Area was established, creating an enormous increase in the job market. The completion of I-70, the Eisenhower Tunnel, and Dillon Reservoir further enhanced the area’s attractiveness and continued the drive towards a tourism-based economy.



In addition to the tourism economy, the second-home building market has been a major contributor to the local economy. The second-home building market not only creates numerous jobs in construction, but also creates the need for a number of jobs that support the construction industry (e.g., material supplies, landscaping services, realtors) and the additional need for retail and service businesses to accommodate the construction workers. In turn, this creates the demand for more construction to provide housing for the workforce. The second-home and investment property market in Summit County has become an economic driver approaching the level of tourism and may soon overtake winter tourism in economic importance.

According to the ACS 2011 estimates, the industries that employed the highest percentage of Breckenridge’s labor force were arts, entertainment, recreation, accommodation, and food services (38.5%); professional, scientific, and management, and administrative and waste management services (12.0%); retail trade (11.1%); and finance, insurance, real estate, and rental and leasing (8.3%). Select economic characteristics for Breckenridge from the 2011 ACS estimates and 2010 US Census are shown in Table C.2.

**Table C.2. Breckenridge—Economic Characteristics**

Characteristic	2010	2011
Families below Poverty Level	3.2%	0.0%
Individuals below Poverty Level	7.6%	4.4%
Median Home Value	\$682,100	\$465,000
Median Household Income	\$54,000	\$55,982
Per Capita Income	\$31,087	\$30,443
Population in Labor Force*	3,733	3,725

Source: ACS 2011, 2010 US Census, factfinder2.census.gov

\*Age 16 years and over

## C.2 Hazard Identification and Profiles

Breckenridge’s planning team identified the hazards that affect the community and summarized their geographic location, probability of future occurrence, potential magnitude or severity, and planning significance specific to the Town (see Table C.3). In the context of the countywide planning area, there are no hazards that are unique to Breckenridge.

**Table C.3. Breckenridge—Hazard Summary**

Hazard Type	Geographic Location*	Probability*	Magnitude*	Hazard Rating
Avalanche	Isolated	Unlikely	Limited	Low
Dam Failure	Small	Unlikely	Critical	Moderate
Drought	Large	Occasional	Limited	Moderate
Earthquake	Large	Unlikely	Limited	Low
Erosion/Deposition	Small	Likely	Limited	Low
Flood	Small	Likely	Critical	High

Hazard Type	Geographic Location*	Probability*	Magnitude*	Hazard Rating
Hazardous Materials Release (Transportation)	Isolated	Unlikely	Critical	Low
Landslide, Mudflow/Debris Flow, Rock Fall	Isolated	Occasional	Limited	Low
Lightning	Large	Likely	Critical	Moderate
Mountain Pine Beetle Infestation	Medium	Highly Likely	Limited	Moderate
Severe Winter Weather	Large	Highly Likely	Critical	High
Wildfire	Large	Likely	Catastrophic	High
Windstorm	Large	Likely	Limited	Low

\*See Section 3.2 for definitions of these factors

The likelihood of mud and debris flow is small within the Town limits. There is no historic evidence of large debris flows.

Information on past events for each hazard can be found in Section 3.2 Hazard Profiles in the body of this document.

### C.3 Vulnerability Assessment

The intent of this section is to assess Breckenridge’s vulnerability separately from that of the planning area as a whole, which has already been addressed in Section 3.3 Vulnerability Assessment. The following vulnerability assessment analyzes the population, property, and other assets at risk to hazards ranked of moderate or high significance that may vary from other parts of the planning area. For more information about how hazards affect the County as a whole, see Chapter 3 Risk Assessment.

### Community Asset Inventory

Table C.4 shows the total population, number of structures, land value, and assessed value of improvements to parcels in Breckenridge. Land values have been purposely excluded from the Total Value because land remains following disasters, and subsequent market devaluations are frequently short-term and difficult to quantify. Additionally, state and federal disaster assistance programs generally do not address loss of land or its associated value.

**Table C.4. Breckenridge—Maximum Population and Building Exposure**

Land Use	Total Parcel Count	Improved Parcel Count	Land Value	Improved Land Value	Estimated Content Value	Total Value*
Commercial	203	132	\$109,464,599	\$113,100,251	\$113,100,251	\$226,200,502
Government	66	1	\$51,950	\$632,820	\$632,820	\$1,265,640
Industrial	10	6	\$1,725,914	\$7,447,916	\$11,171,874	\$18,619,790
Mixed Use	68	44	\$24,857,850	\$268,864,644	\$268,864,644	\$537,729,288
Other	195	10	\$11,939,599	\$119,433,986	\$119,433,986	\$238,867,972
Residential	2,992	2,478	\$963,674,870	\$2,881,539,697	\$1,440,769,849	\$4,322,309,546

Land Use	Total Parcel Count	Improved Parcel Count	Land Value	Improved Land Value	Estimated Content Value	Total Value*
<b>Total</b>	<b>3,534</b>	<b>2,671</b>	<b>\$1,111,714,782</b>	<b>\$3,391,019,314</b>	<b>\$1,953,973,424</b>	<b>\$5,344,992,738</b>

Source: Summit County Assessor 2013

\*Content Value estimated

Table C.5 lists critical facilities and other community assets identified by Breckenridge’s planning team as extremely important to protect in the event of a disaster.

**Table C.5. Breckenridge—Critical Facilities and Other Community Assets**

Name of Asset	Replacement Value (\$)	Occupancy/ Capacity #	Hazard Specific Info/Comments
Breckenridge Town Hall	3,000,000	N/A	Governmental operations for the Town of Breckenridge
Breckenridge Police Department	4,500,000–facility 150,000–equipment	N/A	Public safety (law enforcement) services for the Town of Breckenridge
Red, White, and Blue Fire District	4,000,000–facilities 3,000,000–equipment	N/A	Public safety (fire/EMS) services for the Upper Blue Valley
Carriage House	1,400,000	104	Childcare facility
Little Red Schoolhouse	1,560,000	102	Childcare facility
Timberline Learning Center	3,900,000		Childcare facility
Breckenridge Elementary	10,000,000	310	Public school
Upper Blue Elementary	10,000,000	275	Public school
Transit Centers	950,000	N/A	Public transportation
Water Treatment Facilities	5,800,000	N/A	Provides safe, healthy water for citizens and guests
Water Storage Facilities	9,592,524	N/A	Provides a water supply for citizens and guests
Colorado State Highway 9	–		Main thoroughfare in and out of Breckenridge
Boreas Railroad Station Site	147,000		On Colorado State Register of Historic Properties and National Register of Historic Places
Breckenridge Historic District	660,000		On Colorado State Register of Historic Properties and National Register of Historic Places

Sources: Town of Breckenridge; Directory of Colorado State Register Properties, [www.coloradohistory-oahp.org/programareas/register/1503/](http://www.coloradohistory-oahp.org/programareas/register/1503/); National Register Information System, [www.nr.nps.gov/](http://www.nr.nps.gov/)

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The locations of critical facilities in Breckenridge identified by Summit County GIS are illustrated in Figure C.2 DFIRM and Critical Facilities in Breckenridge.

A major concern of the Town's planning team is the necessary evacuation of the Town residents on Highway 9 (northbound and southbound) in the event of a disaster or significant emergency. There are two areas that seriously impact the possible speed of any evacuation. One is the development at the base areas of Peaks 7 and 8, which would have to enter into the Town limits before being able to leave the area. The other is the Block 11 planned development on Airport Road in Breckenridge, which consists of more than 400 units.

The Town also needs to further evaluate the seasonal workforce, which is greater than the Town's permanent population, to better understand their impact on the community and what needs to be done to protect them.

## **Vulnerability by Hazard**

This section examines those existing and future structures and other assets at risk to hazards ranked of moderate or high significance that vary from the risks facing the entire planning area and estimates potential losses. These hazards include dam failure, flood, and wildfire.

### **Dam Failure**

#### ***Existing Development***

The Goose Pasture Tarn is located upstream of Breckenridge and has a maximum storage capacity of approximately 812 acre-feet. The Sawmill Reservoir Dam is also located upstream. Likelihood of failure is based on a dam's inspection rating, which in the case of both of the Breckenridge dams is conditionally satisfactory. An inundation map is included in the most recent Emergency Action Plan dated December 2006; however the inundation maps were not available for this project. Therefore, structures and potential loss estimates in these areas could not be calculated. The Goose Pasture Tarn Dam does have a high hazard ranking indicating that loss of life is likely to result from its failure.

#### ***Future Development***

There are probably no impacts to future development since the inundation zone is already developed below the Goose Pasture Tarn Dam. For the Sawmill Dam, the inundation zone of the Snowflake and Westridge subdivisions below the dam was excluded from development during the platting phases about 10 to 15 years ago. Below those subdivisions development had already occurred before the inundation mapping was updated in 2006.

### **Flood**

The major drainageway through Breckenridge is the Blue River, which flows through the center of Town. The streambed is straight and rough containing large rocks. The floodplain is largely

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confined to the channel, but does increase to between 300 to 400 feet in width in the ponds and behind some of the culverts. Most of the floodplain in Breckenridge contains no vegetation but is covered in rocks. The downstream reaches have willow bushes and gravel tailings covering much of the floodplain. Tributaries flowing into the Blue River are steep and shallow (FEMA, 2001).

Flooding in Breckenridge is primarily caused by the overflow of the Blue River, Sawmill Gulch, Illinois Gulch, and Lehman Gulch, which is mostly likely to occur in mid-June due to runoff from snowmelt. According to the 2011 Flood Insurance Study, stream gage records indicate that 97 percent of the annual peak flow in the Blue River basin has been the result of melting winter snow accumulations. The largest discharge recorded during 64 years of record on the Blue River near Dillon was 1,250 cubic feet per second on June 17, 1965. The high discharge was a result of snowmelt and a high-intensity thunderstorm center centered on a tributary above the Town of Breckenridge; it was a 2 percent annual chance flood event. Flooding within the town was caused by backwater from blocked culverts and bridges. Many of the culverts have since been replaced; however, if these become blocked, they would again cause flooding around the major crossings. Some shallow flooding is caused by the culverts backing up and overland flow from gulches (FEMA, 2011).

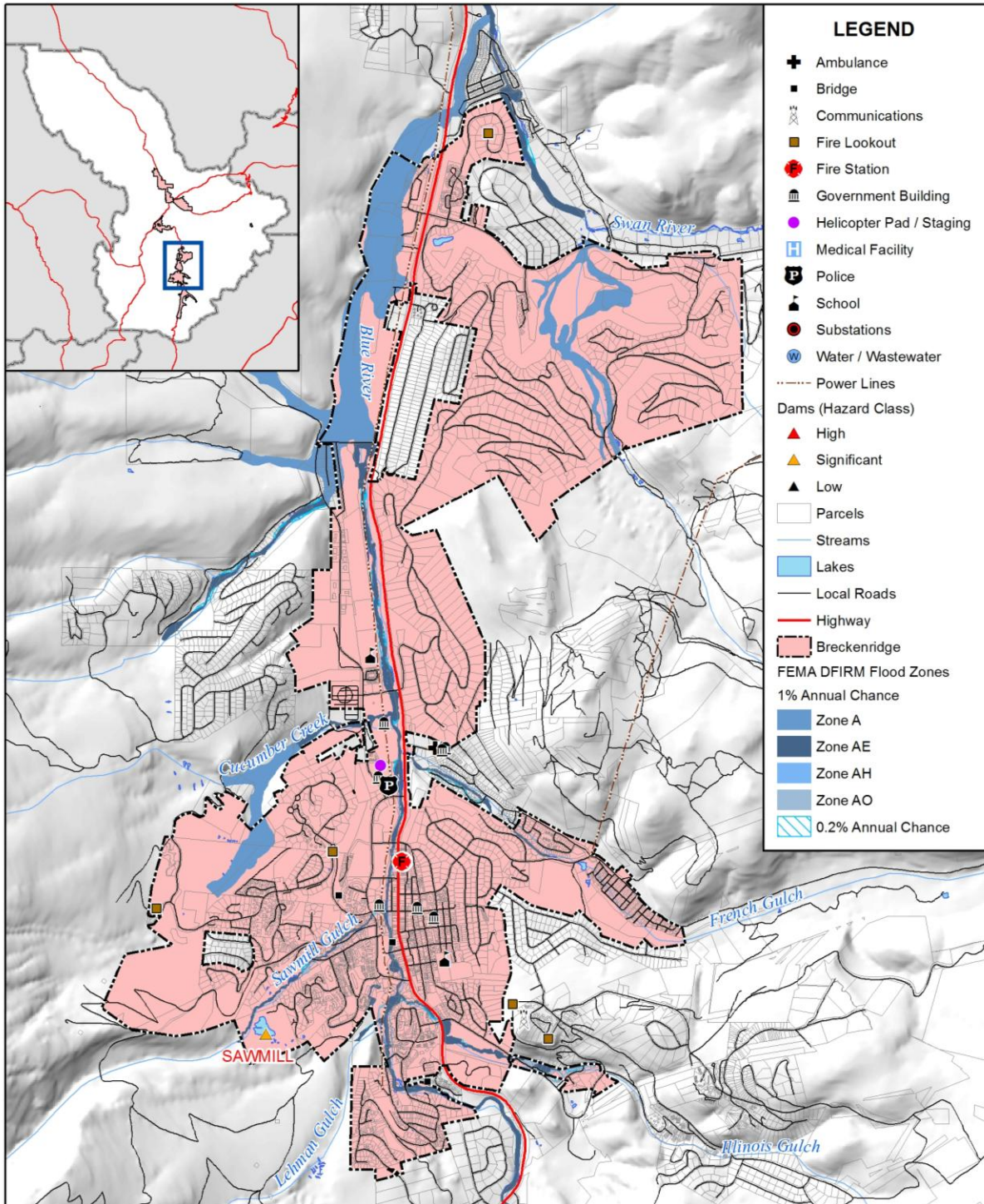
The Goose Pasture Tarn, a small reservoir immediately upstream of Breckenridge, also serves as a flood protection measure for the Blue River. The tarn has a drainage area of approximately 43.5 square miles, a storage capacity of nearly 1,000 acre feet, and a spillway design capacity of 5,000 cubic feet per second. The reservoir is important in reducing the peak discharge of the Blue River due to rainfall. The reduction, however, is only marginal for runoff due to snowmelt, which is normally the major cause of peak flows. Other reservoirs in the Blue River basin above Breckenridge provide only incidental flood protection (FEMA, 2011).

### ***Existing Development***

The Town's DFIRM became effective on November 16, 2011.

The DFIRM was used to generate a 1% and 0.2% annual chance flood event in the Town of Breckenridge. Figure C.2 shows the DFIRM and critical facilities.

**Figure C.2. DFIRM and Critical Facilities in Breckenridge**



0 1 2 Miles



Map compiled 3/2013; intended for planning purposes only.  
Data Source: Summit County, HAZUS-MH 2.1, Preliminary DFIRM

GIS was used to create a centroid, or point, representing the center of each parcel polygon. Only parcels with improvement values greater than zero were used in the analysis, which assumes that improved parcels have a structure of some type. The DFIRM flood zones were overlaid in GIS on the parcel centroid data to identify structures that would likely be inundated during a 1% annual chance and 0.2% annual chance flood event. An effort was made to remove centroids from the analysis that may have been located within a flood zone, but the actual structure, based on imagery interpretation, was located outside of the flood hazard area. Building improvement values for the points were based on the assessor's data. Property exposure located in flood hazard zones by land use type is shown in Table C.6. Breckenridge's AE Zone has the highest exposure with a total value of nearly \$350 million.

Building related losses are shown in Table C.7, which indicates a total loss estimate of over \$101 million. Flooded structures for the 1% and 0.2% annual chance floods are depicted in Figure C.3. Table C.8 summarizes the footprint count in Breckenridge's flood hazard area. More information on the methodology used for this loss estimation can be found in Section 3.3 Vulnerability Assessment.

There are no critical facilities located in the floodplain in Breckenridge.

**Table C.6. Breckenridge—Flood Exposure by Land Use**

Land Use	Total Parcel Count	Improved Parcel Count	Land Value	Improved Value	Estimated Content Value	Total Value
<b>Zone A</b>						
Commercial	5	1	\$2,045,079	\$1,754,139	\$1,754,139	\$3,508,278
Mixed Use	6	2	\$3,711,841	\$188,203	\$188,203	\$376,406
Other	10	0	\$327,312	\$0	\$0	\$0
Residential	10	10	\$3,049,124	\$10,180,832	\$5,090,416	\$15,271,248
<b>Total</b>	<b>31</b>	<b>13</b>	<b>\$9,133,356</b>	<b>\$12,123,174</b>	<b>\$7,032,758</b>	<b>\$19,155,932</b>
<b>Zone AE</b>						
Commercial	3	2	\$1,541,678	\$759,333	\$759,333	\$1,518,666
Government	5	0	\$0	\$0	\$0	\$0
Mixed Use	6	6	\$772,633	\$122,110,696	\$122,110,696	\$244,221,392
Other	7	1	\$1,295,722	\$607,430	\$607,430	\$1,214,860
Residential	26	23	\$5,673,046	\$68,610,362	\$34,305,181	\$102,915,543
<b>Total</b>	<b>47</b>	<b>32</b>	<b>\$9,283,079</b>	<b>\$192,087,821</b>	<b>\$157,782,640</b>	<b>\$349,870,461</b>
<b>Zone AO</b>						
Residential	8	7	\$2,311,849	\$23,614,974	\$11,807,487	\$35,422,461
<b>Total</b>	<b>8</b>	<b>7</b>	<b>\$2,311,849</b>	<b>\$23,614,974</b>	<b>\$11,807,487</b>	<b>\$35,422,461</b>
<b>0.2% Annual Chance</b>						
Mixed Use	1	1	\$924,897	\$255,415	\$255,415	\$510,830
Residential	4	3	\$1,421,213	\$1,575,863	\$787,932	\$2,363,795
<b>Total</b>	<b>5</b>	<b>4</b>	<b>\$2,346,110</b>	<b>\$1,831,278</b>	<b>\$1,043,347</b>	<b>\$2,874,625</b>

Source: AMEC analysis of DFIRM

**Table C.7. Breckenridge—DFIRM 1% and 0.2% Annual Chance Flood Estimated Building Losses**

Flood Zone	Improved Parcel Count	Improved Value	Estimated Content Value	Total Value	Loss Estimate	Loss Ratio
Zone A	13	\$12,123,174	\$7,032,758	\$19,155,932	\$4,788,983	0.1%
Zone AE	32	\$192,087,821	\$157,782,640	\$349,870,461	\$87,467,615	1.6%
Zone AO	7	\$23,614,974	\$11,807,487	\$35,422,461	\$8,855,615	0.2%
1% Annual Chance	52	\$227,825,969	\$176,622,885	\$404,448,854	\$101,112,214	1.9%
0.2% Annual Chance	4	\$1,831,278	\$1,043,347	\$2,874,625	\$718,656	0.01%
<b>Total</b>	<b>56</b>	<b>\$229,657,247</b>	<b>\$177,666,232</b>	<b>\$407,323,479</b>	<b>\$101,830,870</b>	<b>1.9%</b>

Source: AMEC analysis of DFIRM

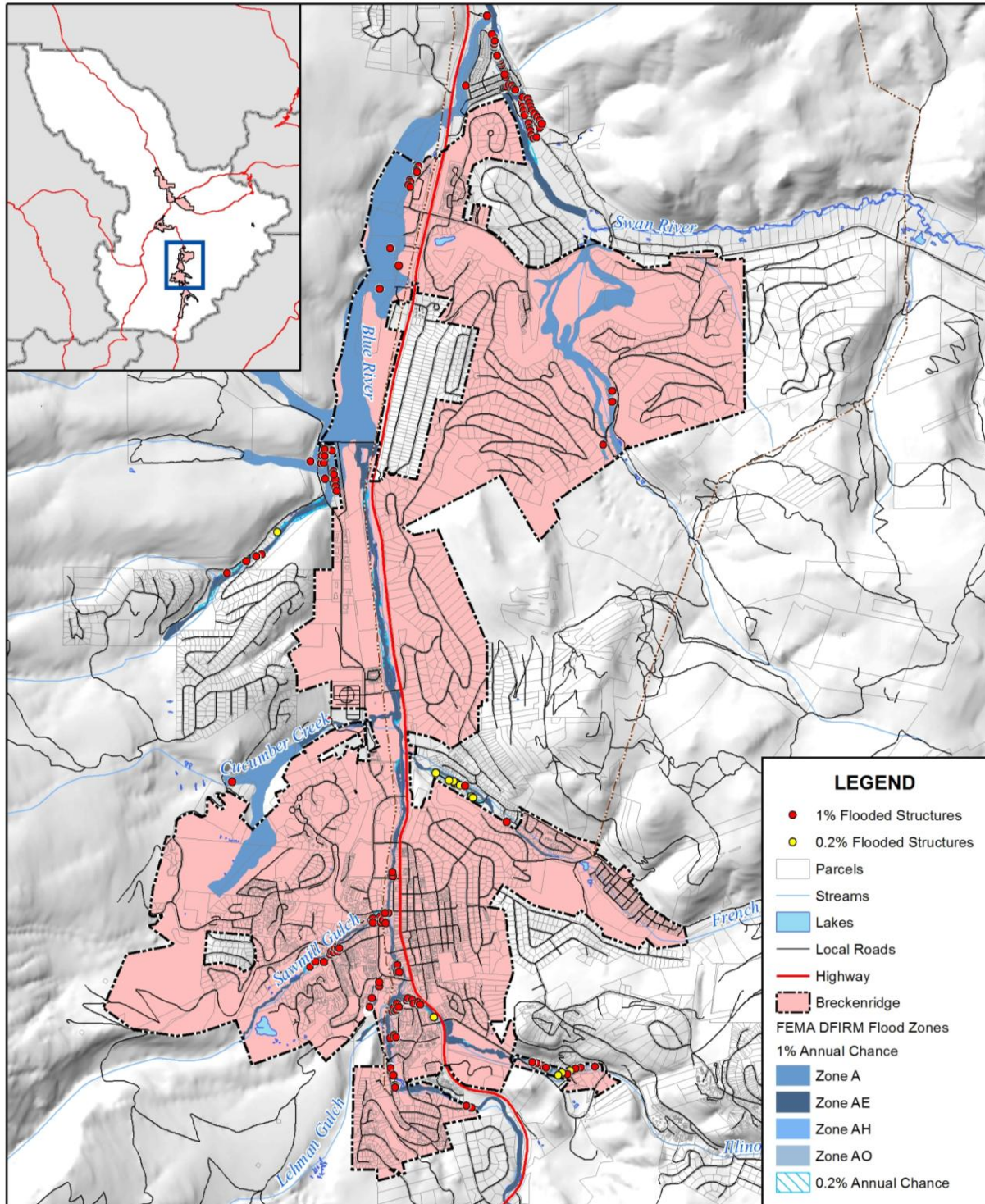
**Table C.8. Breckenridge Building Footprints in DFIRM Flood Zones**

Flood Zone	Footprint Count
Zone A	38
Zone AE	36
Zone AO	8
1% Annual Chance	82
0.2% Annual Chance	3
<b>Total</b>	<b>85</b>

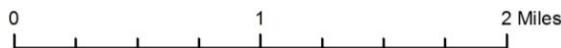
Source: AMEC analysis of DFIRM



**Figure C.3. DFIRM and Floodprone Properties in Breckenridge**



Map compiled 5/2013; intended for planning purposes only.  
Data Source: Summit County, Preliminary DFIRM



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### ***National Flood Insurance Program***

Breckenridge joined the National Flood Insurance Program (NFIP) on June 4, 1980. NFIP insurance data indicates that as of March 25, 2013, there were 46 flood insurance policies in force in the County with \$10,905,700 of coverage. This is an increase of 27 policies since 2008. Thirteen of the policies were in A zones, and 33 were located outside of the Special Flood Hazard Area.

There have been two historical claims for flood losses totaling \$28,060. There were no repetitive or severe repetitive loss structures.

### ***Future Development***

The Breckenridge Flood Damage Prevention Ordinance meets minimum NFIP requirements and regulates development in special flood hazard areas. In addition, the Town addresses floodplain management policies in its Master Plan and Development Code (see Regulatory Capabilities section below).

### **Landslide, Mud Flow/Debris Flow, Rock Fall**

Possible landslide areas are identified on steep slopes with unstable soil conditions. Areas identified in the Breckenridge area for possible landslides are in the Sawmill and Lehman gulches, Shock Hill, Ford Hill, Little Mountain, Silver Shekel, and Warriors Mark West (Breckenridge Comprehensive Plan, 2008).

### ***Existing Development***

Potential losses for landslide areas were estimated using Summit County GIS and assessor's data and were examined in terms of values and critical facilities at risk. GIS was used to create a centroid, or point, representing the center of each parcel polygon, which was overlaid on the landslide hazard polygons. The assessor's land and improved values for each parcel are linked to the parcel centroids. For the purposes of this analysis, if the parcel's centroid intersects the landslide hazard polygon, that parcel is assumed to be at risk to the landslide. Values were summed and sorted by landslide hazard zone. Additional landslide hazard analysis was completed using the more comprehensive USGS landslide deposits layer during the 2013 update. The results of the overlay analysis for the Town of Breckenridge are presented in Table C.9. Breckenridge has 13 building footprints in Colton landslide deposit areas based on data obtained from Summit County.

**Table C.9. Breckenridge—Landslide Exposure by Land Use**

Land Use	Total Parcel Count	Improved Parcel Count	Land Value	Improved Value	Estimated Content Value	Total Value
<b>Colton Landslide Deposits</b>						
Other	2	0	\$0	\$0	\$0	\$0
Residential	5	4	\$1,297,960	\$3,971,600	\$1,985,800	\$5,957,400
<b>Total</b>	<b>7</b>	<b>4</b>	<b>\$1,297,960</b>	<b>\$3,971,600</b>	<b>\$1,985,800</b>	<b>\$5,957,400</b>

**Future Development**

The Town’s Comprehensive Plan (2008) addresses requirements for development in areas with steep slopes. An engineer’s report is required prior to construction for development on slopes of 15% or greater. The Town discourages development on slopes of 15% or greater, and encourages the density allocated to these sites to be transferred to areas suitable for development.

**Wildfire**

**Existing Development**

A wildfire threat ranking was developed for the Summit County Community Wildfire Protection Plan by the County, fire protection districts, and U.S. Forest Service. It is based on fuel hazards, risk of wildfire occurrence, essential infrastructure at risk, community values at risk, and local preparedness and firefighting capability and classifies the wildfire threat as low, medium, high, and extreme. The wildfire threat GIS layer, updated in 2011, was used to determine the number of acres in each wildfire threat zone and map the wildfire threat in Breckenridge (see Table C.10 and Figure C.4). Figure C.5 shows the wildfire focus areas from the County CWPP and treatment areas in Breckenridge.

**Table C.10. Breckenridge—Acreage in Wildfire Threat Zones**

Low		Medium		High		Extreme		Total Acres
Acres	%Total	Acres	%Total	Acres	%Total	Acres	%Total	
477	12%	3,259	85%	86	2%	2	0.06%	3,824

Source: AMEC analysis with County data

Based on the methodology described for wildfire in Section 3.3.3 Vulnerability by Hazard, the property values in Breckenridge were separated into wildfire threat zones. The breakdown of property values in Breckenridge by wildfire threat zone is shown in Table C.11.

**Table C.11. Breckenridge—Property Values in Wildfire Threat Zones**

Threat Zone	Land Use	Improved Parcel Count	Land Value	Improved Value	Estimated Content Value	Total Value
<b>Low</b>	Commercial	1	\$490,854	\$1,150,167	\$1,150,167	\$2,300,334
	Residential	264	\$106,186,624	\$183,636,405	\$91,818,203	\$275,454,608
	<b>Total</b>	<b>265</b>	<b>\$106,677,478</b>	<b>\$184,786,572</b>	<b>\$92,968,370</b>	<b>\$277,754,942</b>
<b>Medium</b>	Commercial	131	\$98,577,079	\$111,950,084	\$111,950,084	\$223,900,168
	Government	1	\$0	\$632,820	\$632,820	\$1,265,640
	Industrial	6	\$979,583	\$7,447,916	\$11,171,874	\$18,619,790
	Mixed Use	42	\$10,752,967	\$237,862,821	\$237,862,821	\$475,725,642
	Other	10	\$6,179,631	\$119,433,986	\$119,433,986	\$238,867,972
	Residential	2,149	\$665,500,771	\$2,637,310,133	\$1,318,655,067	\$3,955,965,200
	<b>Total</b>	<b>2,339</b>	<b>\$781,990,031</b>	<b>\$3,114,637,760</b>	<b>\$1,799,706,652</b>	<b>\$4,914,344,412</b>
<b>High</b>	Mixed Use	2	\$0	\$31,001,823	\$31,001,823	\$62,003,646
	Residential	63	\$18,699,990	\$60,101,284	\$30,050,642	\$90,151,926
	<b>Total</b>	<b>65</b>	<b>\$18,699,990</b>	<b>\$91,103,107</b>	<b>\$61,052,465</b>	<b>\$152,155,572</b>
<b>Extreme</b>	Residential	2	\$455,228	\$491,875	\$245,938	\$737,813
	<b>Total</b>	<b>2</b>	<b>\$455,228</b>	<b>\$491,875</b>	<b>\$245,938</b>	<b>\$737,813</b>
<b>Grand Total</b>		<b>2,671</b>	<b>\$907,822,727</b>	<b>\$3,391,019,314</b>	<b>\$1,953,973,424</b>	<b>\$5,344,992,738</b>

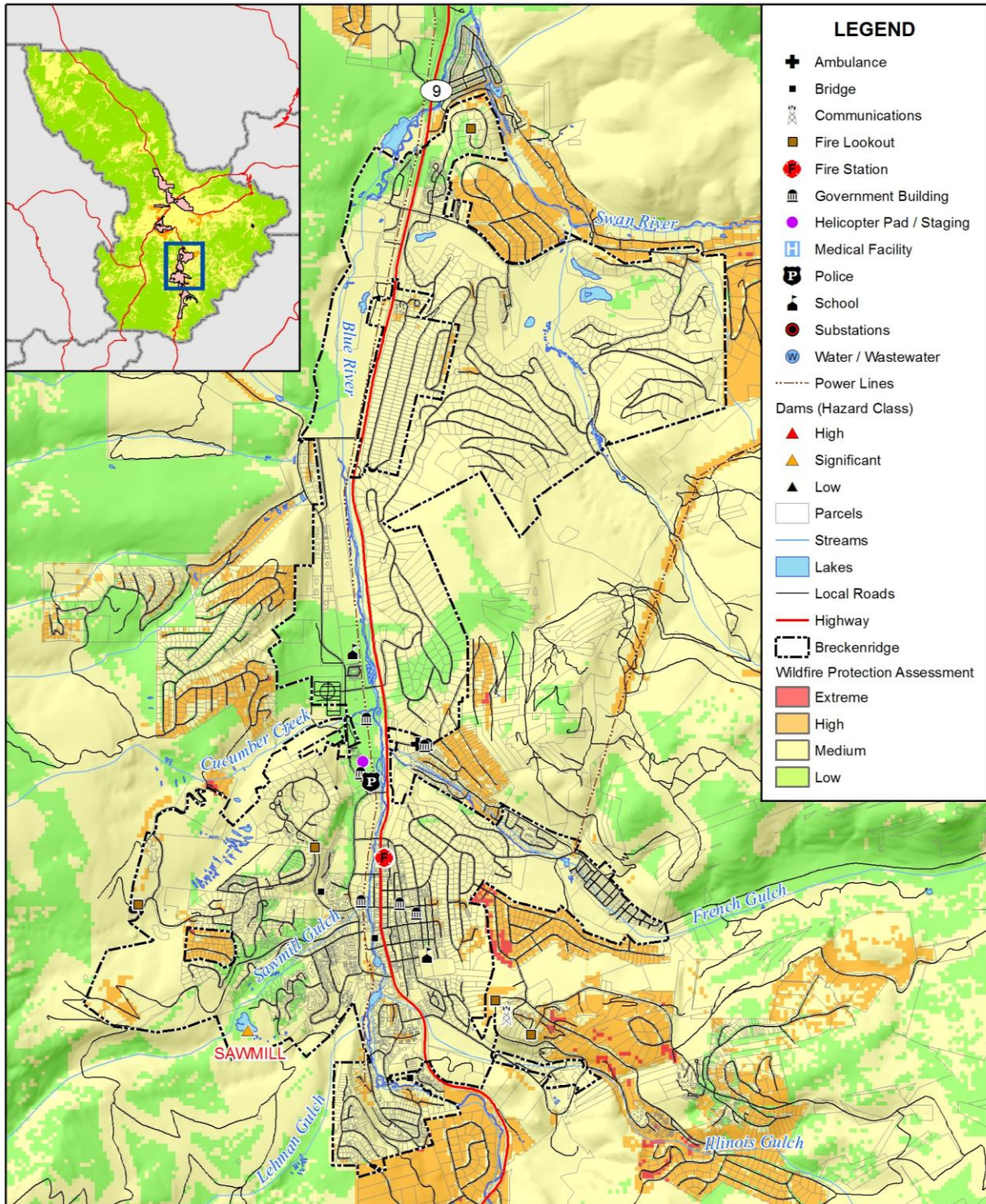
Source: AMEC analysis with County data

No critical facilities were identified in either extreme or high wildfire zones in Breckenridge. Two thousand nine hundred and thirty (2,930) buildings are located in Breckenridge’s wildfire hazard areas, based on footprint count. This includes 3 buildings in extreme wildfire threat zones, 127 in high threat zones, 2,615 in medium threat zones, and 185 in low threat zones. There is one critical facility, a helicopter pad/staging area, in a high wildfire threat zone in Breckenridge. Areas or subdivisions of particular concern are the following:

- Boulder Ridge
- Breckenridge South
- Christie Heights
- Corkscrew Flats
- Goldflake
- Highlands
- Iowa Hill
- Kenington Place
- Shock Hill
- Sunbeam Estates
- Vista Point
- Warriors Mark
- Wellington Neighborhood



Figure C.4. Wildfire Threat and Critical Facilities in Breckenridge



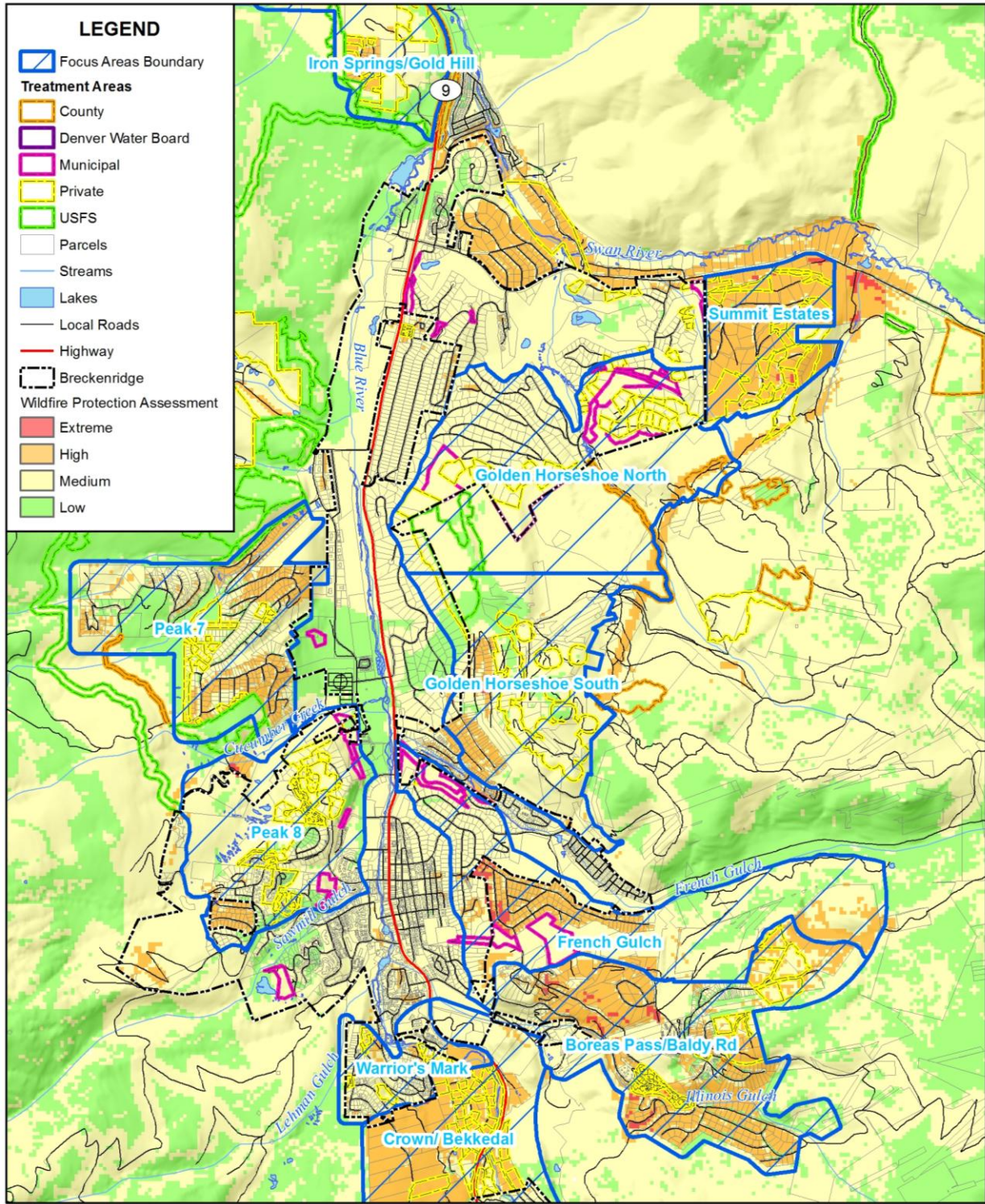
0 1 2 Miles



Map compiled 3/2013; intended for planning purposes only.  
Data Source: Summit County, HAZUS-MH 2.1



Figure C.5. Wildfire Focus Areas and Treatment Areas in Breckenridge



0 1 2 Miles



Map compiled 3/2013; intended for planning purposes only.  
Data Source: Summit County

The Red, White, and Blue Fire Protection District, which provides fire protection services to Breckenridge, Blue River, and the surrounding area, is considered an initial attack center for wildland fires on all private land and takes a joint responsibility with the U.S. Forest Service for fires on federal land.

**Future Development**

The Breckenridge Development Code requires that a wildfire plan is prepared and implemented for all areas designated with a “severe” wildfire rating and for all vegetated areas designated with a “hazard intensified due to slope” rating on the map of wildfire hazard and for all vegetated areas in excess of 30 percent slope. These plans must address wildfire prevention, mitigation, and control and shall further incorporate the recommendations contained within *Wildfire Hazards: Guidelines for Their Prevention in Subdivisions and Developments* prepared by the Colorado State Forest Service. The Town requires fuels mitigation for all properties seeking a development permit. Property owners with active development permits are now required to reduce fuels by limbing dead branches up to 10 feet off the ground and removing woody litter off the forest floor.

**Growth and Development Trends**

Table C.12 illustrates how Breckenridge has grown in terms of population and number of housing units between 2000 and 2011.

**Table C.12. Breckenridge—Change in Population and Housing Units, 2000-2011**

2000 Population	2011 Population Estimate	Estimated Percent Change 2000-2011	2000 # of Housing Units	2011 Estimated # of Housing Units	Estimated Percent Change 2000-2011
2,408	4,351	+80.7	4,270	6,765	+58.4

Source: ACS 2011 and US Census 2000, factfinder2.census.gov

Part of the growth in recent years can be attributed to the annexation of the Warrior’s Mark area in 2002.

The Town’s comprehensive plan estimates that the maximum build-out of housing units (7,514 excluding lodging and 7 accessory units) will eventually cap the maximum permanent population for the Town, assuming the current policy of approving no new density remains. Based on this build-out, the Town’s permanent population is projected to top out at approximately 5,681. Based on a medium growth rate of 6 percent, the Town should reach the maximum permanent population sometime in 2015. Even with the low growth rate projections (4 percent), the Town could expect to reach maximum population no later than sometime in 2020. As of the writing of the 2008 comprehensive plan, the Town estimated that maximum population could be reached as soon as sometime in 2011 with a high growth rate (8 percent), but evidently this did not occur. Regardless of which growth rate proves to be most accurate, in all likelihood, the Town can expect to reach maximum unit and population figures in the near future.

There is new development planned on the recently annexed Stan Miller property (155 units), at the base of Peak 7, 8, and 9 (mostly condominium and hotel units, 450-500 units, depending on size, mostly will be short-term rentals and time shares), some more units planned at Wellington Neighborhood Phase II (160 units, some already finished or under construction), about 45 units at Valley Brook (north of police and new childcare center), 250-300 units planned for Block 11 Airport (the old runway), and at Pinewood Village Phase 2 (30-40 units). The Town is also planning for the build-out of the skier parking lots in town (about 30 residential units and about 130 condominium and hotel units with about 35,000 square feet of commercial/skier services).

As far as new facilities, the Town is working on a new design for the Breckenridge Nordic Center located on Ski Hill Road, which also may double as a nature center.

## C.4 Capability Assessment

Capabilities are the programs and policies currently in use to reduce hazard impacts or that could be used to implement hazard mitigation activities. The capabilities assessment is divided into five sections: regulatory mitigation capabilities, administrative and technical mitigation capabilities, fiscal mitigation capabilities, mitigation outreach and partnerships, and other mitigation efforts.

### Regulatory Mitigation Capabilities

Table C.13 lists planning and land management tools typically used by local jurisdictions to implement hazard mitigation activities and indicates those that are in place in Breckenridge.

**Table C.13. Breckenridge—Regulatory Mitigation Capabilities**

Regulatory Tool (Ordinances, Codes, Plans)	Yes/No	Comments
Master Plan	Yes	Town of Breckenridge Comprehensive Plan (March 25, 2008)
Zoning Ordinance	Yes	
Subdivision Ordinance	Yes	
Growth Management Ordinance	Yes	Upper Blue Master Plan, updated 2011/Nonbinding agreement with Summit County government
Floodplain Ordinance	Yes	
Other Special Purpose Ordinance (Stormwater, Steep Slope, Wildfire)	Yes	Preventive Management Area Ordinance, Pine Beetle Ordinance
Building Code	Yes	Version: 2006 International Building Code
Fire Department ISO Rating	Yes	Rating: 4
Erosion or Sediment Control Program	Yes	
Stormwater Management Program	Yes	
Site Plan Review Requirements	Yes	
Capital Improvements Plan	Yes	
Economic Development Plan	No	



<b>Regulatory Tool (Ordinances, Codes, Plans)</b>	<b>Yes/No</b>	<b>Comments</b>
Local Emergency Operations Plan	Yes	Town of Breckenridge Emergency Operations Annex, revised 2012
Other Special Plans	Yes	Master Drainage Plan, 1993; Open Space, 2007
Flood Insurance Study or Other Engineering Study For Streams	Yes	FEMA Flood Insurance Study, November 16, 2011
Elevation certificates on file	Yes	
Other	Yes	Capacity Analysis for the Upper Blue Valley

## **Town of Breckenridge Master Plan, 2008**

The Breckenridge Master Plan guides the future development of the town. The purpose of the Master Plan is to promote the health, safety, and welfare of the community and provide guidelines for the conservation and development of community resources. The Plan identifies goals and policies for the following primary sections: Natural Environment, Population and Demographics, Transportation, Community Facilities, Economy, Housing, Recreation and Tourism, Cultural Resources, Historic Character, Community Character, and Land Use. It includes the following goals and policies related to hazard mitigation:

- **Goal:** Erosion/Landslide prevention and mitigation
  - **Policy:** Discourage development on slopes of 15 percent or greater or on land subject to natural hazards and require engineering when development on such sites is allowed.
  - **Policy:** Maintain undeveloped steep-slope areas exceeding 30 percent as natural open space to protect soils, vegetation, water, fish and wildlife, and open space resource value.
- **Goal:** Wildfire prevention and mitigation
  - **Policy:** Support hazardous and diseased tree removal and wildfire mitigation including the discouragement of wood shingles; but balance them with other goals such as landscaping, visual resources, buffers, etc.
- **Goal:** Flood loss prevention and mitigation
  - **Policy:** Maintain floodway areas in open and undeveloped land uses where legally permissible, including agriculture, parks, and open space.

## **Breckenridge Town Code**

The Breckenridge Town Code serves as the legal framework for the Town and contains 12 titles and various subsections. Sections of the Town Code related to hazard mitigation are summarized below:

### ***Title V. Public Health and Safety***

The Public Health and Safety section of the Town Code includes several ordinances related to wildfire prevention and mitigation:

- 
- Chapter 5: Except where otherwise allowed by this Code, it shall be unlawful for any person to conduct open burning anywhere in the town.
  - Chapter 7: No person shall use or explode any fireworks, or supervise the use or explosion of any fireworks, other than permissible fireworks during times when the use or explosion of permissible fireworks is permitted pursuant to section 6-3C-11 of this code, in connection with, or as part of, a fireworks display unless a permit for such display has first been obtained from the town pursuant to this chapter.
  - Chapter 11: ...all trees infested with mountain pine beetle must be removed from the property by July 15 of the year in which the notice is given, or that an acceptable plan and schedule for removal of the beetle infested trees must be submitted to the director by such date.

### ***Title IX. Land Use and Development***

The Breckenridge Development Code includes the following policies and guidelines related to development in hazardous areas:

- Chapter 1: No development shall occur in any area of, or affected by, a geologic hazard unless mitigated to the satisfaction of the Town. Proof of mitigation may require reports as specified by the Town.
- Chapter 1: Erosion control measures shall be installed where required by the Town through the Breckenridge Water Quality and Sediment Transport Control Ordinance.
- Chapter 1: A wildfire plan shall be prepared and implemented for all areas designated with a “severe” wildfire rating and for all vegetated areas designated with a “hazard intensified due to slope” rating on the map of wildfire hazard and for all vegetated areas in excess of 30 percent slope. Such plans shall address wildfire prevention, mitigation, and control and shall further incorporate the recommendations contained within *Wildfire Hazards: Guidelines for Their Prevention in Subdivisions and Developments*, prepared by the Colorado State Forest Service.
- Chapter 1: No development shall increase danger to life or property from flood hazard within the Town. This shall include but not be limited to prohibition of actions which might increase the size of the floodway, reduce flood channel capacity, constrict the size or flow of the flood channel, create a significant backflow condition, increase the potential for debris in the floodway, or increase the volume or velocity of flood waters.
- Chapter 1: For all areas located within the special flood hazard areas as delineated on the Flood Boundary Floodway Map, the Flood Insurance Rate Maps, and the Flood Insurance Study, a plan of onsite flood prevention, control, and hazard mitigation shall be prepared and implemented according to the provisions of the Breckenridge Flood Damage Prevention Ordinance.
- Chapter 1: Improvements to the floodway or any part thereof which will result in an overall reduction of flooding potential or a reduction to the flood hazard area are encouraged.

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**Title X. Flood Control**

This section includes ordinances for storm drainage, flood damage prevention, and water quality and sediment transport control standards:

- **Storm Drainage Ordinance:** Sets certain rules and standards for the control and drainage of storm and surface waters.
- **Flood Damage Prevention Ordinance:** The floodplain ordinance establishes the Town’s special flood hazard areas (as identified by the flood insurance study and flood insurance rate map) and prohibits development, construction, or improvement within such floodplains in an effort to prevent flood damage and protect public health, safety, and general welfare.

**Town of Breckenridge Emergency Operations Annex, revised 2012**

The purpose of the Town of Breckenridge Emergency Operations Annex is to provide general guidelines and principles for planning, managing, and coordinating the overall response and recovery activities of the town departments; Red, White, and Blue Fire Protection District; participating agencies; and volunteer agencies to be used before, during, and after a threatened, imminent, or actual major emergency or disaster. The plan’s guidelines are consistent with the accepted standards of the National Incident Management System as well as emergency planning guidelines developed by FEMA as adopted by the Town of Breckenridge.

**Master Drainage Plan, 1993**

The Master Drainage Plan’s purpose was to identify existing deficiencies and provide recommendations for corrections. This document identified and analyzed the drainage basins affecting the Town of Breckenridge. To date, all of those deficiencies have been corrected except for the addition of drainage structures to Main Street. In 2004, the Town initiated the planning process for improvements to Main Street. As part of these improvements, drainage will be evaluated and appropriate measures included with construction.

**Engineering Standards, 1987**

Street, storm drainage, flood damage prevention, water quality and sediment transport control standards (Engineering Standards) were developed in 1987 to address the design and implementation of the Town’s drainage systems. Any newly developed area is required to meet these standards and therefore provide a functioning drainage system. These standards deal with water quantity and quality.

**Breckenridge Open Space Plan, 2007**

The Breckenridge Open Space Plan provides the framework for how the open space sales tax revenues should be used. The plan addresses land acquisition, natural resource protection, land conservation values, stewardship and management of open space, and land protection strategies.

## Breckenridge Open Space Advisory Commission

In 1997, the Town Council established the Breckenridge Open Space Advisory Commission (the BOSAC), which advises the Council on the appropriate goals and objectives of the Town’s Open Space Program, such as the acquisition, stewardship, and preservation of open space. The BOSAC helps define the types of open space to be protected, the criteria used to select parcels for acquisition, and the priorities for stewardship practices. The BOSAC is also the public forum for discussion on open space issues.

## Town of Breckenridge Mountain Pine Beetle Program Guidelines, 2008

The overall goal of the Town of Breckenridge Mountain Pine Beetle Program Guidelines is to contain the spread of the pine beetle infestation that plagues lodgepole pine forests. This program supports efforts to prevent or mitigate wildfires, due to the fact that trees killed by the pine beetle contribute to escalated wildfire risk.

The program is a joint effort between the Town and property owners. Free beetle inspections are provided by Town staff for property owners, and beetle-infested trees that are a declared nuisance are required to be removed. Permits issued by the Town are required for tree removal. Property owners are responsible for cutting down the trees and the Town chips them at curbside and hauls the remaining debris.

## Administrative/Technical Mitigation Capabilities

Table C.14 identifies the personnel responsible for activities related to mitigation and loss prevention in Breckenridge.

**Table C.14. Breckenridge—Administrative and Technical Mitigation Capabilities**

Personnel Resources	Yes/No	Department/Position	Comments
Planner/Engineer with Knowledge of Land Development/Land Management Practices	Yes	Engineering and Community Development	
Engineer/Professional Trained in Construction Practices Related to Buildings and/or Infrastructure	Yes	Engineering	
Planner/Engineer/Scientist with an Understanding of Natural Hazards	No		
Personnel Skilled in GIS	Yes	Engineering	
Full Time Building Official	Yes		
Floodplain Manager	Yes	Town Engineer	
Emergency Manager	No	Partner with Summit County government	
Grant Writer	No		
Warning Systems/Services (Reverse 9-11, Cable Override, Outdoor Warning Signals)	Yes	Summit County Communications	Reverse 911

## Fiscal Mitigation Capabilities

Table C.15 identifies financial tools or resources that Breckenridge could potentially use to help fund mitigation activities.

**Table C.15. Breckenridge—Fiscal Mitigation Capabilities**

Financial Resources	Accessible/Eligible to Use (Yes/No)	Comments
Community Development Block Grants	Yes	
Capital Improvements Project Funding	Yes	
Authority to Levy Taxes for Specific Purposes	Yes	
Fees for Water, Sewer, Gas, or Electric Services	Yes	
Impact Fees for New Development	Yes	
Incur Debt through General Obligation Bonds	Yes	Town currently has two: golf course expansion and the indoor ice arena
Incur Debt through Special Tax Bonds	Yes	Town has done so in the past, but has not issued any in several years
Incur Debt through Private Activities	No	
Withhold Spending in Hazard Prone Areas	No	

In November of 1996, voters in Breckenridge passed a .5 cent sales tax to be used exclusively for open space and trails. The sales tax produced \$1.64 million in 2006.

## Mitigation Outreach and Partnerships

- The Town of Breckenridge uses the semiannual “Breckenridge Bulletin” to provide information to citizens in the Upper Blue Valley. It also uses local media (press releases), Town Council meetings, and pamphlets with information on wildfire, pine beetle, flooding, etc. that are available in town facilities and are free to the public.
- Each spring, the governments of Summit County, Breckenridge, Dillon, Frisco and Silverthorne distribute a packet of information to inform the communities about how to prepare for possible high water in May and/or June resulting from snowmelt.

## Past Mitigation Efforts

- The Town of Breckenridge constructed a flood bank project to keep the Blue River within its flood banks in the event of a significant flood.
- In the 1990s, the Town rerouted Sawmill Creek to remove structures from the floodplain.
- In 2005 and 2006, the Town’s staff inspected all Town-owned properties, including public rights of way, for beetle-infested or dead trees. The Town then had trees removed that were beetle infested. The Town also sprayed trees on visually sensitive Town-owned land as a preventive measure against pine beetle infestation.
- Breckenridge has received a Section 206 grant from the U.S. Army Corps of Engineers for a stream restoration project along approximately one mile of the Blue River north of Town.

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## C.5 Mitigation Goals and Objectives

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Breckenridge had adopted the hazard mitigation goals and objectives developed by the HMPC and described in Chapter 4 Mitigation Strategy.

## C.6 Mitigation Actions

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The planning team for Breckenridge identified and prioritized the following mitigation actions based on the risk assessment. Background information on how each action will be implemented and administered, such as ideas for implementation, responsible agency, potential funding, estimated cost, and timeline also are included.

Breckenridge will continue participation in and compliance with the National Flood Insurance Program. Specific activities that the Town will undertake to continue compliance include the following:

- Working with FEMA and the Colorado Water Conservation Board in the review and adoption of new digital flood insurance rate maps (DFIRMs) as part of the map modernization program
- Reviewing the flood damage prevention ordinance and identifying opportunities to strengthen requirements and enforcement when adopting new DFIRMs
- Considering joining the Community Rating System after adopting the new DFIRMs and updating the floodplain ordinance
- Continuing strong enforcement of the floodplain ordinance and working with developers and property owners to understand the program
- Restoring a section of the Blue River damaged by past mining activities to improve overall ecological functions of the river and floodplain

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## Mitigation Action: Breckenridge—1 Culvert Inspections

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Inspect metal culverts to determine risk of failure
<b>Priority:</b>	High
<b>Issue/Background:</b>	Failure of culverts could lead to potential flooding issues or road collapse.
<b>Ideas for Implementation:</b>	The Town of Breckenridge would hire an inspection company to inspect metal culverts throughout the Town to determine risk of failure.
<b>Responsible Agency:</b>	Town of Breckenridge
<b>Partners:</b>	Colorado Department of Transportation Summit County Road and Bridge Department
<b>Potential Funding:</b>	Town of Breckenridge; other unknown
<b>Cost Estimate:</b>	\$50,000 for consultation services
<b>Benefits: (Losses Avoided)</b>	<ul style="list-style-type: none"><li>• Reliable culverts for water to move through reducing the risk of flooding</li><li>• Mitigated risk of water moving across roadways, which could lead to damage or collapse</li><li>• Passable transportation corridors</li></ul>
<b>Timeline:</b>	2009-2013
<b>Status:</b>	Ongoing. Culverts are inspected annually.

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## Mitigation Action: Breckenridge—2 Erosion Traps

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Install erosion traps
<b>Priority:</b>	High
<b>Issue/Background:</b>	Erosion hazards can contaminate the water supplies to the Breckenridge. The hazard could be severe after a wildfire.
<b>Ideas for Implementation:</b>	Install erosion traps throughout the valley to catch erosion silt that could contaminate water supplies to the Town of Breckenridge.
<b>Responsible Agency:</b>	Town of Breckenridge
<b>Partners:</b>	Breckenridge Water and Sanitation District
<b>Potential Funding:</b>	Town of Breckenridge; other unknown
<b>Cost Estimate:</b>	\$1,000,000 (+)
<b>Benefits: (Losses Avoided)</b>	<ul style="list-style-type: none"><li>• Reduce impacts to water quality from erosion hazards</li><li>• Sustain healthy water sources for the Town of Breckenridge</li><li>• Continue to provide water services after a wildfire</li></ul>
<b>Timeline:</b>	2009-2013
<b>Status:</b>	Ongoing. Erosion traps are installed as necessary. Sediment detention improvements.



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## Mitigation Action: Breckenridge—3 Defensible Space and Beetle-Infested Trees

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Promote defensible space and removal of beetle-infested trees
<b>Priority:</b>	High
<b>Issue/Background:</b>	Wildfire risk is high in several neighbourhoods in Breckenridge and public policy and education promoting defensible space could be further improved.
<b>Ideas for Implementation:</b>	<p>Create public policy and public education initiatives enforcing 15 feet of defensible space around homes. Public policy would be accomplished by the passing of ordinances by the Breckenridge Town Council. This would include development of mitigation rules and guidelines for the removal of beetle kill trees within the determined defensible space perimeter.</p> <p>Public education would be accomplished by hiring a production company to produce public service announcements for local television stations and radio stations and through awareness articles published in a biannual newsletter to citizens of Breckenridge.</p> <p>This action may also include the development of a program to subsidize homeowners for their compliance efforts, in the form of reforestation assistance or assistance in the removal of beetle kill trees</p>
<b>Responsible Agency:</b>	Town of Breckenridge
<b>Partners:</b>	Red, White, and Blue Fire Protection District
<b>Potential Funding:</b>	U.S. Forest Service, Town of Breckenridge
<b>Cost Estimate:</b>	\$250,000
<b>Benefits: (Losses Avoided)</b>	<ul style="list-style-type: none"><li>• Creation of a Firewise community</li><li>• Reduce wildfire risk to people and property</li></ul>
<b>Timeline:</b>	2009-2013
<b>Status:</b>	Ongoing. A defensible space ordinance is in place. All new construction must create defensible space as part of the project as of January 1, 2011 (Ordinance 1, 2011). The Mountain Pine Beetle Ordinance requires all property owners to remove dead and infested trees by July 15 <sup>th</sup> annually (Ord. 13, 2010).

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## Mitigation Action: Breckenridge—4 Winter Preparedness Kits

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Educate public about winter preparedness kits
<b>Priority:</b>	High
<b>Issue/Background:</b>	Severe winter weather is a priority hazard in Breckenridge, where frequent cold temperatures, high winds, and heavy snow events can make travel very dangerous for citizens and visitors.
<b>Ideas for Implementation:</b>	<p>The Town of Breckenridge would hire a production company to educate the public on preparing household winter preparedness or survival kits to have readily available during times of severe winter weather. These public service announcements would be run on local television and radio stations.</p> <p>The Town would partner with local merchants/grocers to educate the public about the types of supplies to include in the kits.</p> <p>The Town would host Winter Preparedness Kit sessions at local grocery stores, demonstrating a prepared kit, in addition to distributing a “shopping list” of items they can purchase while at that location.</p>
<b>Responsible Agency:</b>	Town of Breckenridge Police Department
<b>Partners:</b>	Local merchants
<b>Potential Funding:</b>	Town of Breckenridge, donation from local merchants
<b>Cost Estimate:</b>	\$20,000
<b>Benefits: (Losses Avoided)</b>	<ul style="list-style-type: none"><li>• Reduce number of cars/citizens on roadways during times of severe winter weather, as supplies would be kept in homes</li><li>• Sustain food resources in local markets in the event deliveries to the area become impaired by road and weather conditions</li></ul>
<b>Timeline:</b>	2009-2013
<b>Status:</b>	Complete

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## Mitigation Action: Breckenridge—5 Evacuation Planning

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Update and enhance evacuation plan
<b>Priority:</b>	Low
<b>Issue/Background:</b>	Evacuation of Town residents along Highway 9 (northbound and southbound) in the event of an emergency is a major concern. There are two areas that seriously impact the possible speed of any evacuation. One is the development at the base areas of Peaks 7 and 8, which would have to enter into the Town limits before being able to leave the area. The other is the Block 11 planned development on Airport Road in Breckenridge, which consists of more than 400 units.
<b>Ideas for Implementation:</b>	Update and expand upon current evacuation plans, such as egress and ingress routes. The enhanced plan would focus on high occupancy complexes and population centers and would include awareness notification, wayfinding, and sheltering options. Once the evacuation plans are developed, they will be reproduced in book form and distributed to all first responders (fire, police and EMS personnel).
<b>Responsible Agency:</b>	Town of Breckenridge Police Department
<b>Partners:</b>	Red, White, and Blue Fire Protection District Summit County Sheriff's Department
<b>Potential Funding:</b>	Staff time
<b>Cost Estimate:</b>	\$10,000
<b>Benefits: (Losses Avoided)</b>	Planned, safe, and effective evacuation of at risk populations during times of disaster.
<b>Timeline:</b>	2009-2013
<b>Status:</b>	Complete

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## Mitigation Action: Breckenridge—6 Hazardous Materials Mapping and Planning

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Inventory and map locations of hazardous materials
<b>Priority:</b>	Low
<b>Issue/Background:</b>	Locations of hazardous materials need to be better understood by emergency responders.
<b>Ideas for Implementation:</b>	The Town of Breckenridge would hire a consultant to compile an inventory of hazardous materials processes and their storage (i.e. bodyshops, woodworking businesses, plastics fabrication, pool and spa water treatments, etc.). These locations would be mapped and provided to first responders.
<b>Responsible Agency:</b>	Town of Breckenridge
<b>Partners:</b>	Red, White, and Blue Fire Protection District, Summit County Local Emergency Planning Committee
<b>Potential Funding:</b>	TBD
<b>Cost Estimate:</b>	\$20,000
<b>Benefits: (Losses Avoided)</b>	<ul style="list-style-type: none"><li>• Improve responder knowledge of potential hazardous material release</li><li>• Identify of populations at risk</li></ul>
<b>Timeline:</b>	2009-2013
<b>Status:</b>	Ongoing by fire department

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## Mitigation Action: Breckenridge—7 Portable Wayfinding Signage

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Locate portable wayfinding signage around Town during emergency events
<b>Priority:</b>	Low
<b>Issue/Background:</b>	During emergency events, communication with the public is essential. Communication could be enhanced through using wayfinding signage.
<b>Ideas for Implementation:</b>	Purchase portable “wayfinding” signage to place throughout the Town of Breckenridge to assist citizens and guests with navigation in times of disaster. Additionally, it would be necessary to purchase a trailer to store the signage and make ready the rapid deployment of it during times of need.
<b>Responsible Agency:</b>	Town of Breckenridge
<b>Partners:</b>	
<b>Potential Funding:</b>	Town of Breckenridge
<b>Cost Estimate:</b>	\$15,000 for the creation of signage and purchase of the trailer
<b>Benefits: (Losses Avoided)</b>	Improve safety of citizens during emergency events
<b>Timeline:</b>	2009-2013
<b>Status:</b>	Ongoing

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## Mitigation Action: Breckenridge—8 Emergency Generators

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Emergency generator power connections at pump stations
<b>Priority:</b>	Low
<b>Issue/Background:</b>	Quick connections and manual transfer switches for temporary power generators are needed during long term power outage at pump stations in order to fill water tanks.
<b>Ideas for Implementation:</b>	Received quotes from two local industrial electrical contractors.
<b>Responsible Agency:</b>	Town of Breckenridge Water Division, Gary Roberts, Water Division Manager
<b>Partners:</b>	None
<b>Potential Funding:</b>	Town of Breckenridge Water Fund-2014 Budget
<b>Cost Estimate:</b>	\$100,000
<b>Benefits: (Losses Avoided)</b>	Fill water tanks to sustain fire protection of structures during long term power outage.
<b>Timeline:</b>	Proposed for 2014
<b>Status:</b>	New in 2013

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## Mitigation Action: Breckenridge—9 Watershed Protection Plan

<b>Jurisdiction:</b>	Town of Breckenridge
<b>Action Title:</b>	Watershed Protection Plan
<b>Priority:</b>	High
<b>Issue/Background:</b>	The Town of Breckenridge produced a Forest Health Plan with proposed fuels treatments for the Breckenridge area. During the planning for that effort in conjunction with the pine beetle epidemic, the Town had increased concerns over vulnerability for the Town's sole water source, the Goose Pasture Tarn. According to the Blue River Watershed Assessment prepared by JW Associates, the drainages south of the Tarn are within a zone of concern, classified as Category 5. The Town then secured a grant for the USGS to produce a debris flow study in a post fire setting for this area. This narrowed down particular areas within Indiana Gulch which were highest risk post-fire to the Goose Pasture Tarn. The Town is taking this background information to produce a Watershed Protection Plan. This preplanning effort is intended to address immediate remediation efforts post fire as necessary and assist the BAER team after a burn.
<b>Ideas for Implementation:</b>	Tetra Tech is currently exploring the best options to reduce sediment and debris run off post fire. Revegetation, strategically located sediment basins and rock debris basins are potential options at this stage in the draft plan.
<b>Responsible Agency:</b>	Julia Puester, Planner II
<b>Partners:</b>	Town of Breckenridge, USFS. (Input on project from USFS, BAER Team rep, NRCS rep)
<b>Potential Funding:</b>	Town of Breckenridge self funded for planning efforts. May look for additional funding for implementation.
<b>Cost Estimate:</b>	\$38,000 for consultant (Peggy Bailey, Tetra Tech) /plan preparation
<b>Benefits: (Losses Avoided)</b>	Based on other municipalities which have experienced wildfire in their watersheds and primary water sources, the Town stands to save millions of dollars with preplanning efforts by giving the Town the ability to act quickly before a heavy rain event post fire.
<b>Timeline:</b>	The plan is expected to be completed in July 2013. Implementation is not expected until post fire.
<b>Status:</b>	New in 2013

## Memorandum

**TO:** TOWN COUNCIL  
**FROM:** Dale Stein, Assistant Town Engineer  
**DATE:** October 8, 2014  
**RE:** Public Projects Update

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### **SH 9 Median and Roundabout Improvements**

Work continues on schedule for the SH 9 Median Improvements. All of the concrete splash guard and concrete “ski track” has been completed for the project. This week, the remainder of the flat, stamped concrete is being poured in the medians and the roundabout. The project is on schedule to be substantially completed by the contract deadline of October 17<sup>th</sup>. The lane closures and detour will remain in place until project completion.

The planting areas in the median and roundabout will be left in their existing condition (no landscaping) over the winter. Next spring, the irrigation lines will be completed, the existing fill will be excavated, and topsoil, shrubs, and trees will be planted in these areas.



New stamped concrete and splash guard along the median.



Concrete “ski track” being formed and poured.



## Skate Park

Construction was completed on Tuesday, October 7<sup>th</sup> within budget and one week ahead of schedule. The park is now open for use and we will host a formal grand opening ceremony in the late spring / early summer of 2015, with an exact date to be identified as snow melt and weather permits. The facility exceeds the expectations of the skate park focus group that has been involved in the planning and design process, and the park is already getting a lot of attention and rave reviews from locals, visitors, and nationally in social media outlets. The skate park focus group is currently planning for the fundraising and installation of a 20'X20' pavilion to be located near the northwest corner of the skate park. The pavilion will be constructed next summer.

The Parks Department is scheduled to begin grading both the perimeter areas of the skate park and artificial turf field on October 13<sup>th</sup>. The planting of sod and installation of irrigation will be completed in summer of 2015.



Skateboarders enjoying the recently completed Breckenridge Skate Park.

### **Artificial Turf Field**

Construction of the turf field was completed on Friday, October 3<sup>rd</sup>. This turf portion of the project was completed on schedule and under budget. Remaining funds from the capital budget for this project will be used to pay for the installation of the irrigation system in the areas surrounding the field and the laying of sod. The field is now available for use, though a formal opening ceremony will not be held until the spring of 2015, and scheduled as weather allows. The new field will host a youth Lacrosse clinic, facilitated by the Denver Outlaws on October 24<sup>th</sup>.



### **North Main Street Park**

Site work on the North Main Street Park began last week with demolition work on the lot. The contractor is currently performing grading operations and constructing stone retaining walls on the site. The site work for the project (sidewalks, retaining walls, utilities, street lights) is scheduled to be completed by the end of October, while the landscaping and playground equipment will be installed next spring.



Grading work being completed for the upper sidewalk, which connects the park to Carter Museum. Also, the retaining wall which will border the playground area is being constructed.

### **Old Masonic Hall**

Work continues on schedule at the Old Masonic Hall rehabilitation project. The first floor interior concrete slab has been poured. Weather permitting, additional concrete landscaping walls and the Washington Ave sidewalk will be poured the week of October 13<sup>th</sup>. Staff is also working on the selection of light fixtures, wood stains, and other interior design elements.



## **Breckenridge Grand Vacations Community Center**

The work on the rehabilitation of the Community Center is moving forward. The recent stretch of good weather has allowed for progress on the exterior components of the building project including work on the new concrete sidewalks at the entrances to the building, final grading around the building and walks, installation of the masonry on the addition, and final coats of the cement parge coat on the lower portions of the exterior. If the warm weather continues work will begin the week of October 13th on the proposed landscaping features of the project which include a new irrigation system, turf and native grasses, scrubs and perennials and a few new trees. Due to the time of year it is likely the shrub and perennial gardens will be installed in the spring of 2015.

Regarding the interior the building, the contractor has completed all of the drywall finish in the 1909 and 1921 buildings and is currently working to insulate the new addition at the movie theater concessions. Once the insulation is completed the addition will receive drywall treatments and final finishes. Throughout the building work is continuing on wood trim, wood millwork and tile finishes in the restrooms. The interior of the 1909 building is scheduled to be painted the week of October 13<sup>th</sup>.



Photo left shows the recent effort in placement of the new concretes walks and final grading near the building.



Masonry crews began work this week on the installation of the exterior brick walls of the movie theater concessions addition.



Work is continuing on the installation of trim and millwork in the 1909 and 1021 buildings. The reading platform stairs are taking shape.

**MEMO**

**TO:** Mayor & Town Council  
**FROM:** Tim Gagen, Town Manager  
**DATE:** October 9, 2014  
**SUBJECT:** Committee Reports for 10-14-2014 Council Packet

*No committee report updates were submitted at this time.*

<b>Committees</b>	<b>Representative</b>	<b>Report Status</b>
CAST	Mayor Warner	Verbal Report
CDOT	Tim Gagen	No Meeting/Report
CML	Tim Gagen	No Meeting/Report
I-70 Coalition	Tim Gagen	No Meeting/Report
Mayors, Managers & Commissions Meeting	Mayor Warner	Verbal Report
Liquor Licensing Authority*	Taryn Power	No Meeting/Report
Wildfire Council	Matt Thompson	No Meeting/Report
Public Art Commission*	Jenn Cram	No Meeting/Report
Summit Stage Advisory Board*	James Phelps	No Meeting/Report
Police Advisory Committee	Chief Haynes	No Meeting/Report
CMC Advisory Committee	Tim Gagen	No Meeting/Report
Recreation Advisory Committee	Mike Barney	No Meeting/Report

***Note:** Reports provided by the Mayor and Council Members are listed in the council agenda.*

*\* Minutes to some meetings are provided in the Manager's Newsletter.*

# Memo



**To:** Breckenridge Town Council Members  
**From:** Helen Cospolich, Municipal Services Manager  
**Date:** 10/2/2014  
**Subject:** Prosecuting Attorney Appointment Recommendation

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The Council is required by Charter to appoint an assistant to the Town Attorney as deemed necessary. It has been tradition to appoint a Prosecuting Attorney, specifically for Municipal Court, separate from the Town Attorney. For the past 13 years, Seth Murphy has been appointed by the Council in this role. Two years ago, Seth took a new full-time job in the Denver area and moved there. When Seth was re-appointed by the Council last December, Council stated they preferred to appoint a local attorney for this position for 2015.

The purpose of this memo is to make a staff recommendation to Council for the appointment of a new Town of Breckenridge Prosecuting Attorney for the 2015 contract year.

On August 1, 2014, the Town's Municipal Services office posted an RFP for a Prosecuting Attorney. Four proposals were submitted by the due date of September 2, 2014. From those proposals, staff selected two local finalists, Robert Gregory and Catherine Cheroutes.

A panel, including the Municipal Services Manager and the Chief of Police, interviewed the finalists and unanimously agreed to recommend Mr. Robert Gregory for the Town of Breckenridge Prosecuting Attorney position.

Mr. Gregory has experience as a substitute Prosecuting Attorney for the Town of Breckenridge on Municipal Court days. In addition, he currently works as an attorney with West Brown Hunter Huntley Teodoru PC in Breckenridge and is very familiar with the community. He is passionate about practicing law, and has a background in prosecution. Mr. Gregory also has recent experience working with local law enforcement through his time as the Deputy District Attorney in the 5<sup>th</sup> Judicial District.

If Council accepts this recommendation, staff will present a Resolution to appoint Mr. Gregory as the Town of Breckenridge Prosecuting Attorney, along with a contract agreement, at the November 11<sup>th</sup>, 2014 meeting.

Staff will be present to answer any questions you may have about the RFP process or this recommendation.

## ROBERT N. GREGORY, ESQ.

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P.O. Box 1346  
Breckenridge, CO 80424  
970.389.7000  
rgregory@westbrown.com

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### EXPERIENCE

- West Brown, PC**, Breckenridge, CO (Mar. 2014 - Present)  
*Associate Attorney*
- Law Office of Robert Gregory, PC**, Breckenridge, CO (Oct. 2013 - Mar. 2014)  
*Founder/Solo Practitioner*
- District Attorney's Office**, Breckenridge, CO (Feb. 2011 – Oct. 2013)  
5th Judicial District  
*Deputy District Attorney*  
Managed a busy county court and juvenile docket, while training new staff and attorneys.  
Conducted over twenty jury trials and maintained a winning record.
- Reilly Pozner, LLC**, Denver, CO (Sept. 2010 – Jan. 2011)  
*Contract Attorney*  
Assisted a large legal team in the preparation of highly complex civil litigation involving multi-state plaintiffs and massive insurance fraud.
- United States Environmental Protection Agency**, Denver, CO (Mar. 2009 – May 2010)  
Office of Enforcement and Compliance Assurance, Air Enforcement Division  
*Law Clerk*  
Assisted and managed enforcement actions against domestic fuel producers and engine importers for violations of the Clean Air Act, and perform legal research.
- District Attorney's Office**, Boulder, CO (May 2008 – Apr. 2009)  
20th Judicial District  
*Law Clerk*  
Conducted arraignment proceedings and negotiated plea agreements in County Court.  
Drafted trial motions and appeal briefs for Deputy District Attorneys.
- Natural Resources Law Center**, Boulder, CO (May 2008 – Sept. 2008)  
University of Colorado Law School  
*Research Assistant*
- Center for Energy and Environmental Security**, Boulder, CO (Aug. 2007 – Jan. 2008)  
University of Colorado Law School  
*Research Assistant*



**EDUCATION**

- University of Colorado Law School, Boulder, CO** (May 2010)  
 Juris Doctor
- Gallagher & Gallagher, LLC (Spring 2010)  
*Legal Extern*
- Natural Resources Litigation Clinic (Fall 2009)  
*National Wildlife Federation*
- Environmental Law Society (2008 – 2009)  
*Outings Coordinator*
- Rothgerber Moot Court Competition (Fall 2008)
- Hogan & Hartson Mock Trial Competition (Spring 2008)
- Indiana University, Kelley School of Business, Bloomington, IN** (Dec. 2002)  
 B.S. in Business Economics and Public Policy
- Conservation and Outdoor Education Program (Spring 2002)  
 16 credit hours in Outdoor Leadership and Adventure Education
- Maastricht University Study Abroad Program - The Netherlands (Spring 2001)  
 15 credit hours in European Union Studies and International Economics

**RECOGNITION AND ACTIVITIES**

- Mt. Rainier Charity Climb** (Successful Summit – 14,410 ft.) (August 2010)  
 Raised over \$4,500 for Big City Mountaineers, a local non-profit dedicated to introducing inner-city teenagers to the virtues of wilderness, through their Summit for Someone fundraising program.
- Stigler and Nelson Alpine Endeavors Law Scholarship** (2009 – 2010)
- Chuck Mau Law Scholarship** (2008 – 2009)
- “The Common Good”** Film project shot by Just Media LLC, Denver, CO (July 2004)  
 Featured for my public service work with the Breckenridge Outdoor Education Center.  
 Aired on Comcast Channel 5 in the fall of 2004.

**ADDITIONAL EXPERIENCE**

- YMCA of Boulder Valley, Boulder, CO** (Summer 2007)  
*Director, Camp Program*  
 Recruited, hired, and managed 25 staff members and successfully managed a \$250,000 budget. Led and supervised camp program of 100 K-8th grade children.

**AIM House, LLC, Boulder, CO** (2006 – 2007)  
*Primary Mentor/ Team Leader*

Mentored young men ages 17-22 in a residential program that teaches participants to make positive life choices and transition into independence. Clients struggled with drug and alcohol abuse, severe anxiety, and depression.

**Queenstown Paragliders, Queenstown, New Zealand** (Winter 2004 - 2005)  
*Parasailing Instructor*

**Breckenridge Outdoor Education Center, Breckenridge, CO** (2003 – 2005)  
*Course Director*

Led over 25 successful wilderness courses up to 21 days in length. Clients included professional and corporate groups, at-risk youth, children and adults with a range of disabilities, and traditional elementary and high school students.

**Mountain Camp, Pollock Pines, CA** (Summer 2002)  
*Outings Director*

Led backpacking and kayak trips for youth ages 8-17 in the Sierra Nevada Range.

**Center for Behavioral Health, Bloomington, IN** (2001 – 2003)  
*Residential Aid*

Provided services for clients diagnosed with various forms of schizophrenia.

#### ADDITIONAL TRAINING

**Wilderness First Responder (WFR)** – Includes First Aid and CPR (Since Jan. 2002)  
Training by SOLO - Conway, NH and WMI – Lander, WY (re-certified Mar. 2007 and Mar. 2010)

**Whitewater Guide Training** – Performance Tours - Buena Vista, CO (2004)  
Over 100 documented hours guiding on rivers in Colorado (Class I - IV)

#### OTHER INTERESTS

Telemark and Alpine Skiing  
Extended River Trips  
Softball, Basketball  
Extended Backpacking Trips  
Home Improvement Projects  
Lazy Sundays with the Family



## MEMORANDUM

**To:** Mayor and Town Council  
**From:** Shannon Haynes, Chief of Police  
**Date:** October 7<sup>th</sup>, 2014  
**Subject:** Potential Change to the Town Smoking Ordinance

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### E-Cigarettes

Staff has heard Council express a concern regarding the use of e-cigarettes and similar products in locations where tobacco use is currently prohibited by ordinance. After reviewing other local ordinances, as well as a number of articles related to the use of these products, staff recommends a change to the current smoking ordinance to treat e-cigarettes and similar products the same as tobacco. If approved, the amended language would add a definition of an electronic smoking device to all areas of the current Smoking ordinance related to tobacco use.

Would Council like to update the smoking ordinance to include e-cigarettes and other similar products to current tobacco prohibitions?

### Smoking in Prohibited Areas

Staff has been made aware of complaints regarding exposure to tobacco smoke that has drifted into businesses, or has been present in other public spaces. As result, I have researched other locales with restrictions on smoking in public places, spoken with a representative from the restaurant association, as well as a representative from the Breckenridge Ski Resort.

It is important to note that the current town ordinance allows for smoking in the entryway of businesses where smoking is otherwise prohibited. The current ordinance places prohibitions on smoking in twenty-nine locations (See attached for details); however there is a specific exemption that allows smoking in “the entryways of all buildings and facilities” in the prohibited list. Based on conversations with the restaurant association and ski area, both indicated that they believed there was a distance requirement for smoking near the entryway of a business.

Given ongoing health concerns around the use of tobacco products and recent complaints, staff would like feedback from Council on adding additional prohibitions to the current ordinance. These might include:

- Town of Breckenridge controlled parks, open space, indoor/outdoor sports and athletic fields;
- Recreation Path;
- Within 25 feet of any playground;
- Golf course facilities and grounds, excluding the course of play;
- Within 15 feet of the entryway to any business or prohibited facility;
- Any public right of way within 25 feet of the outdoor seating area of a business;
- Public transit waiting areas (in addition to transit shelters).

In addition, some locales have prohibited smoking in large public areas. For example, Boulder has prohibited smoking on the Pearl Street Mall; and is considering extending that prohibition to a larger area that includes the 11 block length of Pearl Street as well as additional blocks to the north and south. Is Council interested in considering a prohibition that would include Main Street or the Downtown Overlay District?

Would Council like to include any additional prohibitions to the smoking ordinance?

I will be present at the work session on Tuesday, October 14th to answer questions.

# Chapter 9 SMOKING

## 5-9-1: LEGISLATIVE DECLARATION; FINDINGS:

A. The town council hereby finds and determines as follows:

1. It is in the best interest of the people of the town to protect nonsmokers from involuntary exposure to environmental tobacco and marijuana smoke in most indoor areas open to the public, public meetings, food service establishments, and places of employment;
2. A balance should be struck between the health concerns of nonconsumers of tobacco and marijuana products and the need to minimize unwarranted governmental intrusion into, and regulation of, private spheres of conduct and choice with respect to the use or nonuse of tobacco and marijuana products in certain designated public areas and in private places;
3. Smoking should not be prohibited in the entryway of any building or facility, and such determination is expressly authorized to be made by the town pursuant to section 25-14-207(2)(a), Colorado Revised Statutes; and
4. "Cigar-tobacco bars", as defined in section 25-14-203(4), Colorado Revised Statutes, should not be exempted from the town's smoking regulations as set forth in this chapter. (Ord. 40, Series 2013)

B. The town council hereby declares that the purpose of this chapter is to preserve and improve the health, comfort, and environment of the people of the town by limiting exposure to tobacco smoke.

C. The town council further finds and determines that the local smoking regulations set forth in this chapter are no less stringent than the provisions of article 14 of title 25, Colorado Revised Statutes, known as the "Colorado clean indoor air act". (Ord. 37, Series 2006)

## 5-9-2: DEFINITIONS:

As used in this chapter, unless the context otherwise requires:

**AUDITORIUM:** The part of a public building where an audience gathers to attend a performance, and includes any corridors, hallways, or lobbies adjacent thereto.

**BAR:** Any indoor area that is operated and licensed under article 47 of title 12, Colorado Revised Statutes, primarily for the sale and service of alcohol beverages for on premises consumption and where the service of food is secondary to the consumption of such beverages.

**EMPLOYEE:** Any person who:

- A. Performs any type of work for benefit of another in consideration of direct or indirect wages or profit; or
- B. Provides uncompensated work or services to a business or nonprofit entity.

"Employee" includes every person described above in this definition regardless of whether such person is referred to as an employee, contractor, independent contractor, or volunteer or by any other designation or title.

**EMPLOYER:** Any person, partnership, association, corporation, or nonprofit entity that employs one or more persons. "Employer" includes, without limitation, the legislative, executive, and judicial branches of state government; any county, city and county, city, or town, or instrumentality thereof, or any other political subdivision of the state, special district, authority, commission, or agency; or any other separate corporate instrumentality or unit of state or local government.

**ENTRYWAY:** The area of public or private property located outside of the front or main doorway leading into a building or facility specifically listed in section [5-9-3](#) of this chapter.

**ENVIRONMENTAL TOBACCO SMOKE:** The complex mixture formed from the escaping smoke of burning tobacco or marijuana, and smoke exhaled by the smoker.

**FOOD SERVICE ESTABLISHMENT:** Any indoor area or portion thereof in which the principal business is the sale of food for on premises consumption. The term includes, without limitation, restaurants, cafeterias, coffee shops, diners, sandwich shops, and short order cafes.

**GONDOLA:** An aerial tramway carrier primarily used to convey persons and property to and from a "ski area" as defined in section [6-3B-18](#) of this code.

**INDOOR AREA:** Any enclosed area or portion thereof. The opening of windows or doors, or the temporary removal of wall panels, does not convert an indoor area into an outdoor area.

**MARIJUANA:** Has the same meaning as in section 16(2)(f) of article XVIII of the Colorado constitution.

**PLACE OF EMPLOYMENT:** Any indoor area or portion thereof under the control of an employer in which employees of the employer perform services for, or on behalf of, the employer.

**PUBLIC BUILDING:** Any building owned or operated by:

- A. The state, including the legislative, executive, and judicial branches of state government;
- B. Any county, city and county, city, or town, or instrumentality thereof, or any other political subdivision of the state, a special district, an authority, a commission, or an agency; or
- C. Any other separate corporate instrumentality or unit of state or local government.

**PUBLIC MEETING:** Any meeting open to the public pursuant to part 4 of article 6 of title 24, Colorado Revised Statutes, or any other law of the state or the town.

**SMOKE FREE WORK AREA:** An indoor area in a place of employment where smoking is prohibited under this chapter.

**SMOKING:** The burning of a lighted cigarette, cigar, pipe, or any other matter or substance that contains tobacco or marijuana.

**TOBACCO:** Cigarettes, cigars, cheroots, stogies, and periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff and snuff flour; cavendish; plug and twist tobacco;

fine cut and other chewing tobacco; shorts, refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or for smoking in a cigarette, pipe, or otherwise, or both for chewing and smoking. "Tobacco" also includes cloves and any other plant matter or product that is packaged for smoking.

TOBACCO BUSINESS: A sole proprietorship, corporation, partnership, or other enterprise engaged primarily in the sale, manufacture, or promotion of tobacco, tobacco products, or smoking devices or accessories, either at wholesale or retail, and in which the sale, manufacture, or promotion of other products is merely incidental.

WORK AREA: An area in a place of employment where one or more employees are routinely assigned and perform services for or on behalf of their employer. (Ord. 37, Series 2006; amd. Ord. 20, Series 2010; Ord. 40, Series 2013)

### **5-9-3: GENERAL SMOKING RESTRICTIONS:**

A. Except as provided in section [5-9-4](#) of this chapter, and in order to reduce the levels of exposure to environmental tobacco and marijuana smoke, smoking shall not be permitted and no person shall smoke in any indoor area, including, but not limited to: (Ord. 40, Series 2013)

1. Public meeting places;
2. Elevators;
3. Government owned or operated means of mass transportation, including, but not limited to, buses, vans, trains, and transit shelters;
4. Taxicabs and limousines;
5. Gondolas;
6. Grocery stores;
7. Gymnasiums;
8. Jury waiting and deliberation rooms;
9. Courtrooms;
10. Child daycare facilities;
11. Healthcare facilities including hospitals, healthcare clinics, doctor's offices, and other healthcare related facilities; (Ord. 37, Series 2006)
12. Any place of employment that is not exempted. In the case of employers who own facilities otherwise exempted from this chapter, each such employer shall provide a smoke free work area for each employee requesting not to have to breathe environmental tobacco and marijuana smoke. Every employee shall have a right to work in an area free of environmental tobacco and marijuana smoke; (Ord. 40, Series 2013)

13. Food service establishments;
14. Bars;
15. Indoor sports arenas;
16. Restrooms, lobbies, hallways, and other common areas in public and private buildings, condominiums, and other multiple-unit residential facilities;
17. Restrooms, lobbies, hallways, and other common areas in hotels and motels, and in at least seventy five percent (75%) of the sleeping quarters within a hotel or motel that are rented to guests;
18. Bowling alleys;
19. Billiard or pool halls;
20. Facilities in which games of chance are conducted;
21. The common areas of retirement facilities, publicly owned housing facilities, and nursing homes, not including any resident's private residential quarters;
22. Public buildings;
23. Auditoria;
24. Theaters;
25. Museums;
26. Libraries;
27. To the extent not otherwise provided in section 25-14-103.5, Colorado Revised Statutes, public and nonpublic schools;
28. Other educational and vocational institutions; and
29. Town owned motor vehicles. (Ord. 37, Series 2006)

#### **5-9-4: EXCEPTIONS TO SMOKING RESTRICTIONS:**

Except as otherwise expressly provided in this code, this chapter shall not apply to: (Ord. 40, Series 2013)

- A. Private homes, private residences, and private automobiles; except that this chapter shall apply if any such home, residence, or vehicle is being used for childcare or daycare or if a private vehicle is being used for the public transportation of children or as part of healthcare or daycare transportation;



- B. Limousines under private hire;
- C. A hotel or motel room rented to one or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed twenty five percent (25%);
- D. Any retail tobacco business;
- E. The entryways of all buildings and facilities listed in section [5-9-3](#) of this chapter;
- F. The outdoor area of any business; (Ord. 37, Series 2006)
- G. A place of employment that is not open to the public and that is under the control of an employer that employs three (3) or fewer employees; provided, however, that this exemption does not apply to the smoking of marijuana; or (Ord. 40, Series 2013)
- H. A private, nonresidential building on a farm or ranch, as defined in section 39-1-102, Colorado Revised Statutes, that has annual gross income of less than five hundred thousand dollars (\$500,000.00). (Ord. 37, Series 2006)
- I. The open and public consumption of marijuana in an outdoor area as described in [title 6, chapter 3, article I](#) of this code. (Ord. 40, Series 2013)

#### **5-9-5: OPTIONAL PROHIBITIONS:**

- A. The owner or manager of any place not specifically listed in section [5-9-3](#) of this chapter, including a place otherwise exempted under section [5-9-4](#) of this chapter, may post signs prohibiting smoking or providing smoking and nonsmoking areas. Such posting shall have the effect of including such place, or the designated nonsmoking portion thereof, in the places where smoking is prohibited or restricted pursuant to this chapter.
- B. If the owner or manager of a place not specifically listed in section [5-9-3](#) of this chapter, including a place otherwise exempted under section [5-9-4](#) of this chapter, is an employer and receives a request from an employee to create a smoke free work area as contemplated by subsection [5-9-3A12](#) of this chapter, the owner or manager shall post a sign or signs in the smoke free work area as provided in subsection A of this section. Such posting shall have the effect of including such place, or the designated nonsmoking portion thereof, in the places where smoking is prohibited or restricted pursuant to this chapter. (Ord. 37, Series 2006)

#### **5-9-6: OTHER APPLICABLE REGULATIONS OF SMOKING:**

This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted by any other applicable law. (Ord. 37, Series 2006)

#### **5-9-7: UNLAWFUL ACTS; PENALTY:**

- A. It is unlawful for a person who owns, manages, operates, or otherwise controls the use of a premises within the town to violate any provision of this chapter.

B. It is unlawful for a person to smoke in an area within the town where smoking is prohibited pursuant to this chapter.

C. A person who violates this chapter is guilty of an infraction. Any person found to be in violation of, or against whom a default judgment has been entered for a violation of this chapter, shall be punished by a fine not to exceed two hundred dollars (\$200.00) for a first violation within a calendar year, a fine not to exceed three hundred dollars (\$300.00) for a second violation within a calendar year, and a fine not to exceed five hundred dollars (\$500.00) for each additional violation within a calendar year. Each day of a continuing violation shall be deemed a separate violation. (Ord. 37, Series 2006)

#### **5-9-8: NONRETALIATION:**

No person shall retaliate in any manner against any person because such person exercises any right to a smoke free environment afforded by this chapter. (Ord. 37, Series 2006)



## MEMORANDUM

**To:** Mayor and Town Council  
**From:** Shannon Haynes, Chief of Police  
**Date:** October 7<sup>th</sup>, 2014  
**Subject:** Marijuana Prevention Campaign

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The Healthy Futures Initiative (formerly the Drug Free Community Coalition) has been working with community partners for several years to educate Summit County youth on the dangers associated with substance abuse. With the legalization of the sale of marijuana products there is increased risk of exposure for our youth, to include accidental exposure by parents. To proactively address this risk, the Healthy Futures coalition has developed a comprehensive plan for a county-wide multi-media campaign promoting positive messages of a healthy, diverse Summit County population from early childhood to seniors, including county visitors.

This campaign proposal has been presented to the Mayors & Managers and will be presented to the governing bodies of each Summit County jurisdiction, as well as a variety of community partners, in order to request funding to make this campaign a success. We have tentatively placed up to \$25,000 in the 2015 budget to contribute to this campaign depending on contributions from other partners. Attached you will find a brief description of the campaign plan, as well as the proposed budget, for your consideration and discussion.

I will be available at the Council work session on Tuesday October 14<sup>th</sup> to answer any questions.



Healthy Futures Initiative works to unite Summit County through prevention, education, and collaboration by providing solutions to substance abuse and harm reduction issues.

**Proposal:** Create a comprehensive, county-wide multi-media campaign with a vibrant brand and logo, promoting positive messages of a healthy, diverse Summit County population from early childhood to seniors, including county visitors.

**Project request:** \$56,000 collectively from the board of county commissioners and town councils, the state of Colorado, Summit County Ski Resorts and Summit Foundation for a media campaign, continued annually to ensure funding for a sustainable five year campaign. It is understood that only the towns of Breckenridge, Frisco and Silverthorne currently receive tax revenue, however the campaign will unify and benefit the county as a whole.

**Timeline:** The strategic plan for this initiative is anticipated to be a five year community campaign with the first and second year launch of brand and logo, year 3 as a benchmark for assessment and year 5 to release evaluation of the campaign.

**Collaborative Partnerships-** The media campaign highlighting healthy behavior in Summit County will be disseminated by a broad, diverse population to include: Local & County government (including Law Enforcement), all Summit County schools both private and public, Summit Chamber of Commerce, BRC/GoBreck, local lodging, merchant and restaurants partners, health care professionals , faith-based churches, county and local transit, Summit County ski resorts, FIRC, media outlets, and the Summit County Senior Center.

**Target Audiences:** The campaign will focus on two specific targeted and diverse populations. First, an English/Spanish sticker campaign with a safety message to preschool and elementary school youth using an instant, recognizable “unsafe for children” symbol to be attached to all edible marijuana products in partnership with parents, schools, law enforcement and marijuana businesses. Secondly, a county-wide print and visual media campaign focused on middle school, high school, young adult college, straight-to-work, resort and restaurant employees, adults and visitors intended to empower individuals to take charge of their choices by emphasizing their strengths and their physical, emotional and spiritual health.

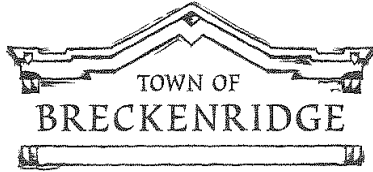
**Outcome Reporting:** We will hire a survey management and evaluation company to implement a Summit County tracking survey to understand population perception and use data. We will track successful outcomes from media outlets to include Summit Daily News readership, radio spots to targeted audiences, movie trailer viewings, town banners and number of local and visitor sightings on the Summit Stage wraparounds. Posters, brochures, stickers will be distributed throughout the county and survey results on drug use and perception of harm will be tabulated from Healthy Kids Colorado in 2015 and 2017. We will perform exit surveys (pre and post test) on the perception of healthy choices following safety presentations at preschools and elementary schools. And finally, the success of the campaign will be measured in building capacity by collaboration with new business and community partners who have a vested interest in targeted audiences affected by marijuana use and the low perception of harm.

**Ongoing Healthy Futures Initiative Programs to complement the requested media/marketing campaign:**

- “I am Summit” High School Empowerment Campaign
- Healthy Choices Middle School program- 7<sup>th</sup> Grade
- English and Spanish parenting classes around substance abuse, perception of harm and suicide prevention
- Educational community forums - Colorado Mountain College
- Dialogue Over Dinner and Conexiones Dinner meetings with conversations on relevant substance abuse topics
- School presentations and health classes
- A broad community coalition with substance abuse, suicide prevention, young adult healthy lifestyles workgroups

**Marijuana Media/Marketing Plan**

<u>Message</u>	<u>Medium</u>	<u>Cost</u>
Substance Abuse Education	You Tube Videos	Free
Community support links	Summit Source	Free
PSA’s	Radio	Free
Campaign DJ spots	Radio	Free
CDOT “Drive High, Get a DUI”	Posters	Free
Youth Use Sales to Minors	Stickers	Free
“Imagine That” Brand & Logo Strategy	Multi-use	\$16,000
Skyline Theater – 6 months	On screen advertising	\$ 6,000
SDN ¼ page ad – twice per month	Newspaper advertising	\$ 6,000
KSMT – rotate ads	Radio	\$ 1,000
Krystal – rotate ads	Radio	\$ 1,000
Summit Stage – King Curb Exterior	Summit Stage Bus ad	\$13,000
Summit County Tracking Survey		\$10,000 - \$13,000
	<b>TOTAL</b>	<b>\$53,000 - \$56,000</b>



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## MEMORANDUM

**TO:** Town Council

**FROM:** Julia Puester, Senior Planner

**DATE:** October 6, 2014 for Meeting of October 14, 2014

**SUBJECT:** Planning Commission Vacancy

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Attached please find four letters of interest for the Planning Commission. There are four seats available on the Commission. All four of the Commissioners whose terms expire October 31, 2014, wish to reapply for terms from November 1, 2014, through October 31, 2018.



# KATECHRISTOPHER

P. O. Box 6793  
Breckenridge, Co 80424  
(970) 389-8239  
[ubpl.kate@gmail.com](mailto:ubpl.kate@gmail.com)

[August 20, 2014]

**statement of interest** for reapplication to  
**Town of Breckenridge Planning Commission**

[TO]

**Town of Breckenridge Town Council**

C/O Julia Puester | Community Development | 150 Ski Hill Rd | Breckenridge, Co 80424 | tele: (970) 453-3174  
[juliap@townofbreckenridge.com](mailto:juliap@townofbreckenridge.com)

**HELLO!**

I am very interested in reapplying for the Town of Breckenridge Planning Commission. I have thoroughly enjoyed working with the Town, Commissioners, and Town Council the last four years to collaborate on the development of our beautiful Town – and I cannot believe it has already been four years! I have learned so much at the annual historical preservation conferences and APA meetings, as well as in daily life of living in our exemplary historical town. I look forward to another term of service for the Town of Breckenridge Community Development Department of Planning!

Please see the attached packet of information for my updated resume, qualifications, certifications and community involvement.

**SINCERELY,**

***Kate Christopher***

*Post Script:* Some of you may know that I have used this last few years in Breckenridge to take advantage of the relatively inexpensive education offered at Colorado Mountain College. I am pleased to announce that I am scheduled to graduate with academic honors this December with two additional degrees: Sustainability Studies and Outdoor Education. The internships necessary to complete these degrees have offered me the opportunity to volunteer at some of the Town's most prized outdoor educational centers – the BOEC, the Recreation Center, and CMC – where I loved every minute of teaching children and college students how to rock-climb in both indoor and outdoor settings and have worked on numerous outdoor leadership skills. I look forward to continuing volunteer work for these wonderful institutions in the future.



**Get Outside!**



# KATECHRISTOPHER

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(970) 389-8239  
[ubpl.kate@gmail.com](mailto:ubpl.kate@gmail.com)

## resumé

### [OBJECTIVE]

I want to positively impact my profession, my community and the environment.

### [QUALIFICATIONS]

Many of my past employment opportunities have allowed for advancement of my public ministrations and service industry skills.

I take great joy in helping people achieve happy, healthy lifestyles. The majority of my work experience lies in *graphic* and *interior design*. I also have medical work experience in dental and chiropractic offices, along with emergency room office management, and experience in customer service, general sales, and retail administration. I have exceptional project management and interpersonal skills, excellent coordination and prioritizing skills, as well as marvelous creativity.

### [EDUCATION]

#### ***AA in Outdoor Education***

June 2014-Dec 2015 | Colorado Mountain College | Breckenridge, Co | Cumulative GPA: 3.951

#### ***BA in Sustainability Studies***

June 2012-Dec 2015 | Colorado Mountain College | Breckenridge, Co | Cumulative GPA: 3.951

#### ***BFA in Interior Design***

Jan 2005-Dec 2007 | Fort Hays State University | Hays, Ks | Cumulative GPA: 3.46

#### ***AA in Computer Graphic Design***

Aug 2003-Dec 2004 | Hutchinson Community College | Hutchinson, Ks | Cumulative GPA: 3.526



**Get Outside!**



# KATE CHRISTOPHER

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## [EMPLOYMENT]

### **09/2012-PRESENT Information Specialist, Breckenridge Welcome Center, Breckenridge, Co**

- Direct visitors and locals to area hikes, driving tours, activities, local's favorites for dining and entertainment, and much more
- Advise community about wildfire mitigation practices and area forest health
- Inform public on Town rules and regulations regarding building and commerce

### **10/2010-PRESENT Planning Commissioner, Town of Breckenridge, Breckenridge, Co**

- October 2010: became the youngest member of the Town of Breckenridge Planning Commission, a seven-member planning committee with four-year terms
- October 15, 2013: elected to serve the final year of my term as Vice-Chair on the Commission
- Town officer duties include: remain independent, impartial and responsible to the people; helping enforce the development code, review variances and make recommendations to the Council on various proposed plans for Breckenridge

### **11/2011-12/2012 Purchasing Manager, Rockridge Building Company, Breckenridge, Co**

- Searching for the highest quality merchandise at the lowest possible purchase cost--evaluating suppliers based on cost, quality, service, availability, reliability and selection variety
- Requesting, filing and selecting quotes for sub-contractor labor and coordinating the job schedule
- Coordinating delivery dates of materials purchased for each of the homes that we were currently building as per the project schedule was a very important role of my position

### **12/2009-02/2012 General Manager, Slopeside Cowboy, Breckenridge, Co**

- Retail sales assistant for four stores in the Town of Breckenridge. *Timeless Collections*: high-end designer jewelry, *Breckenridge Jewelers*: Native American jewelry and merchandise, *Southwest Designs*: jewelry and home decor, and the newest location *Slopeside Cowboy*: western wear and custom cowboy-boot fittings
- Managerial responsibilities at our newest location, *Slopeside Cowboy*, include: keeping financial records, filing and organizing invoices for accounts payable, assessing inventory, ordering product for both inventory and for customer special orders, sending and receiving all shipped orders, purchasing materials and supplies as needed, maintaining confidential key and code access to the store, scheduling, supervising and training new employees as needed

**Get Outside!**

# KATE CHRISTOPHER

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(970) 389-8239  
[ubpl.kate@gmail.com](mailto:ubpl.kate@gmail.com)

## [CONTINUING EDUCATION + TRAINING]

### **February 2014 | Colorado Preservation Inc.'s *Saving Places Conference* | Denver, Co | 8.75 credit hours**

- Ski Town Forum
- Better Blocks Movement and Embedded Historic Districts
- Should I Stay or Should I Go?: Homestead Success and Failure in Eastern Colorado
- The Preservation and Interpretation of the Reiling Dredge
- A Look Back: Disaster Preparedness and Relief (1 of 2 part series)
- Barracks to Barns: Heart Mountain's Cultural Landscape
- Evolution of Barn Framing Systems
- Beyond Eames + Eichler: Evaluating Everyday Mid Century Architecture

### **February 2013 | Colorado Preservation Inc.'s *Saving Places Conference* | Denver, Co | 2.5 credit hours**

- Ski Town Forum
- Comprehensive Planning and Cultural Resources: Yellowstone National Park Case Study
- Saving Main Street: A Four-Point Approach to Preservation

### **February 2012 | Colorado Preservation Inc.'s *Saving Places Conference* | Denver, Co | 7.5 credit hours**

- Ski Town Forum
- Healthy Communities: Partnering Preservation, Planning & Public Health
- A Tale of Four Cities: The Story of Postwar Development
- The Georgetown Rockfall Projects and Collaborative Section 106 Mitigation
- Landscape Architecture
- Preserving Amache: Discovery, Research, Planning & Design
- Project Management Best Practices

### **October 2011 | Colorado Preservation Inc.'s *Historic Preservation Conference* | Denver, Co | 5 credit hours**

- Advocacy Tips for Commission
- The Legal Basis of Historic Preservation
- District Boundaries and Infill Development
- Demolition by Neglect and Economic Hardship

### **February 2011 | Colorado Preservation Inc.'s *Saving Places Conference* | Denver, Co | 5 credit hours**

- Ski Town Forum
- Incorporating Accessibility and Advanced Energy Solutions in Historic Buildings
- Progress: Can We Move Forward While Protecting the Past?
- Rural Preservations: Big Farms to Small Towns
- All I Needed to Know about Historic Preservation Easements, What I Learned at Saving Places!

### **November 2010 | Colorado Preservation Inc.'s *Historic Preservation Conference* | Broomfield, Co | 5 credit hrs**

- City of Broomfield Historic Landmark Preservation
- Other Small Mountain Towns and their Place in Colorado's History
- Workshop: Redesigning for Handicap Accessibility in a Historic Structure
- How to Apply for a Colorado Historic Preservation Grant: The Application Process Overview and Helpful Tips

**Get Outside!**

# KATE CHRISTOPHER

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Breckenridge, Co 80424  
(970) 389-8239  
[ubpl.kate@gmail.com](mailto:ubpl.kate@gmail.com)

## [CERTIFICATIONS]

August 2014 | Leave No Trace (LNT) Certification | Certificate expires TBD  
May 2014 | Desert Mountain Medicine Certification (WFR) | Certificate expires 05/2017  
May 2014 | Professional Rescuer Certification (CPR) | Certificate expires 05/2016  
March 2014 | Level 2 Reiki Practitioner (Usui/Holy Fire Reiki Ryoho system of healing) | Certificate never expires

## [ACADEMIC AWARDS]

Fall 2013 | Phi Theta Kappa member of the Beta Zeta Omicron chapter for academic honors at CMC  
November 4-8, 2013 | Flight Across America Student Flight Program with EcoFlight  
2003-2004 | Hutchinson Community College Student Ambassador Program

## [VOLUNTEERISM]

Fall 2014 | *Phi Theta Kappa* | Summit County, Co | *Habitat for Humanity* volunteer work  
*TBD volunteer hours and counting!*

July 2014-Aug 2014 | *Breckenridge Recreation Center* | Breckenridge, Co | rock-climbing instructor internship  
*72.5 volunteer hours!*

July 2014 | *Colorado Mountain College* | Breckenridge, Co | rock-climbing instructor internship  
*27.5 volunteer hours!*

June 2014 | *Breckenridge Outdoor Education Center* | Breckenridge, Co | rock wall and ropes course volunteer  
*13.25 volunteer hours!*

February 2014-June 2014 | *Beaver Ponds Environmental Education Center* | Fairplay, Co  
*8 volunteer hours!*

January 2014 | *Huts for Vets* | Aspen, Co  
*2.5 volunteer hours and counting!*

June 2013-July 2013 | *High Country Conservation Center* | Frisco, Co | awarded summer internship  
*58.5 volunteer hours!*

November 2011-PRESENT | *CSU Summit County Extension Advisory Committee* | Summit County, Co  
*3-year term | Elected President | 17.75 volunteer hours and counting!*

June 2011-October 2012 | *Summit Huts Association* | Summit County, Co  
*50.5 volunteer hours!*

**Get Outside!**





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## [REFERENCES]

*Jeremy Deem* | Director of Outdoor Studies | CMC | Breckenridge, Co | 970.453.6757

*Rachel Forbes* | Adjunct Faculty, Sustainable Studies | CMC | Breckenridge, Co | 970.453.6757

*Joyce Mosher* | Professor, English/Communications | CMC | Breckenridge, Co | 970.453.6757

*Jessica Jones* | Supervisor | Breckenridge Welcome Center | Breckenridge, Co | 970.453.5040

*Dan Schroder* | Extension Agent & County Director | CSU Extension, Summit County | Frisco, Co | 970.668.4140

*Jim Lamb* | VIS Dispatcher | USFS, Dillon Ranger District | Silverthorne, Co | 970.468.5400

*Peter Grosshuesch* | Director of Community Development | Town of Breckenridge, Community Development Department | Breckenridge, Co | 970.453.3160

*Jack Wolf* | Managing Partner | Wolfe & Company | Breckenridge, Co | 970.453.4342

*Peter Joyce* | Owner & Builder | Rockridge Building Company | Breckenridge, Co | 970.453.9647



**Get Outside!**

To: Breckenridge Town Council

9/17/14

Re: Planning Commission Opening

Cc: Community Development

Breckenridge Town Council, I would appreciate your consideration for reappointment to the Breckenridge Planning Commission.

I served my first term on planning in 1998 with a reappointment in 2000. In 2004 I was elected to the Town Council and I stayed on Planning as Council Liaison (which was a full voting Commission member at the time). After two terms on Council I re-applied for Planning in 2012.

In my years with Planning, I have concentrated on learning the Development Code, Land Use District Guidelines and the Town Master Plan and I have attempted to utilize the Code for the benefit of both applicants and the community. I believe that I have made a positive contribution to the Town by emphasizing the need for compliance to the Code.

My time spent on Planning Commission and Town Council has been very valuable to me and I would greatly appreciate a reappointment to the Planning Commission. Thank you for your consideration.

Respectfully,

Eric Mamula

**Gretchen Dudney**

PO Box 7399-236, 229 Highlands Drive

Breckenridge, CO 80424

[gretchendudney@comcast.net](mailto:gretchendudney@comcast.net) 703-819-9900

October 1, 2014

Town Council, Town of Breckenridge  
c/o Community Development Department  
PO Box 168, 150 Ski Hill Road  
Breckenridge, CO 80424

Dear Councilmen and Women,

Please accept this letter as application for a second 4-year term as Planning Commissioner for the Town of Breckenridge.

Most of you know my background from my previous application, but in summary: Journalism undergrad SMU, brief stint as a newspaper reporter, Harvard Business School, 30+ years in real estate development in Washington DC and close-in suburbs (Arlington and Alexandria, Va). Moved to Breckenridge 4 years ago. I now work as a commercial broker with Wolfe & Company. In my development career I concentrated on "up-front" development tasks for trophy office buildings and hotels including acquisitions, equity and debt finance, schematic design and entitlement. I worked on many historic structures.

I believed when I joined the Planning Commission that this development expertise would translate to my duties as a commissioner. In truth, I'm not sure it has, other than providing an ability to read plans and understand the entitlement process from the developer's perspective.

I believe that what I have to offer now is a better understanding of our development code, which is quite complex, some knowledge of precedents, and a conscientious effort to be prepared for every meeting.

My work as a commercial broker will not be a conflict because I will either withdraw from working for clients who must go before the Planning Commission, or I will recuse myself from the relevant hearings and votes.

I view the Planning Commission as a form of community service and I enjoy learning about new projects as they come about. However, I would not be offended if you preferred that I step aside to let someone else serve. As you know, it takes a significant amount of time.

Whatever you decide, know that I sincerely appreciate the opportunity you have given me to provide a small service to such a wonderful town.

Sincerely,



October 6, 2014

To: Breckenridge Town Council

Subject: Planning Commission Letter of Interest

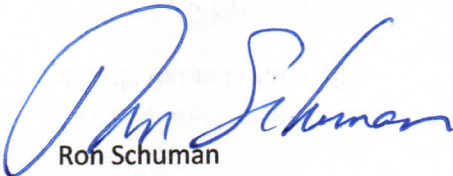
I, Ron Schuman, would like to submit my interest for the Town Planning Commission. I have lived in Breckenridge since 1999 after retiring from the US Army with a 23 year career. I have raised my daughters here and they graduated from Summit High School.

I am a small business owner and have always had an interest in maintaining the quality of our great town by participating in town. I currently serve on the Breckenridge Finance Authority and have for the past 13 years; in addition, I served on the Town Planning Commission from 2002 to 2006.

I believe with my experience and time available to commit to the Planning Commission I can contribute greatly to the Commission.

Thank you for your consideration and I look forward to a potential interview to further discuss.

Thank you!



Ron Schuman  
11 Willow Green  
Breckenridge, CO 80424

**MEMO**

**TO: Breckenridge Town Council**

**FROM: Laurie Best-Community Development  
Breckenridge Child Care Advisory Committee**

**RE: Voter Survey/Breckenridge Child Care Recommendation**

**DATE: October 1, 2014 (for worksession October 14<sup>th</sup>)**

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The Breckenridge Child Care Advisory Committee was created by a Council Resolution that was approved on December 10, 2013. The Committee members were appointed on January 14<sup>th</sup> and have been meeting regularly since then to prepare a recommendation to the Town Council concerning the tuition assistance program. The Committee has considered the results of the Breckenridge Telephone Survey which was conducted in July 2014 and has reviewed other models for public investment in child care. Based on this work, the Committee hereby presents its recommendation as described below. In addition some background information is important to understand the Committee's recommendation.

**Background/Process:**

In 2006 the Breckenridge Town Council was approached by local child care operators requesting immediate assistance because they were unable to accommodate the demand for child care and they were unable to collect sufficient tuition to cover their costs. As a result, the Centers could not retain the staff necessary to provide quality care, they could not cover operating costs, they were dealing with older aging facilities, and there were hundreds of families waiting for slots at the Centers. One of the local Centers had 94 teacher slots turn over in one year, and the problem was further exacerbated by the closing of the KinderHut Center in 2006. For years, going back to the early 1990's, the Town had been providing incremental and often emergency funding to the Centers in an effort to insure that local workforce and families would have access to child care. But, in 2006, after hearing from the Centers and analyzing the issues (including an updated Needs Assessment), the Town opted to launch a new more holistic approach to the on-going child care dilemma.

The Breckenridge Town Council approved a long range plan consisting of debt relief to the Centers, direct support to the Centers for program/salary supplements, tuition assistance for cost-burdened families, and construction of a new center on Town-owned land. Between 2007 and 2013 approximately \$7.75million was invested, including \$618,441 in debt relief to the Centers, \$1,089,388 direct support to the Centers, \$2,544,339 indirect support to the Center thru the tuition assistance program, and \$3.5 million for the construction/start up of Timber Line Learning Center. As a result, the Centers have been able to establish sustainable budgets, including capital reserve accounts, decrease staff attrition, and serve the needs of local families and workforce. By 2012 the Centers were passing the true cost of care onto the users and 100% of the Town's annual funding was directed to the cost-burdened families thru



tuition assistance. In November of 2013 the Council moved forward to establish a permanent revenue stream to offset the annual cost of the program, but a proposed property tax (1.653 mills) failed by a margin of 75 votes (596 no/521yes). The Council immediately established the Child Care Committee to “provide guidance regarding childcare programs and to perform other functions as delegated”.

The Committee has met monthly and has evaluated the pros and cons of the Town’s tuition assistance model, as well as different programs that have been implemented in other communities. This includes Kid’s First in Aspen, Denver’s Preschool Voucher Program, the City of Boulder Child Care Subsidy and Referral Program, as well as direct subsidies, sliding scales, and blended approaches. The Committee also discussed quality metrics, accountability and oversight, cost of care and the gap, eligibility requirements, impacts of child care assistance, central administration, education/outreach, and other related issues. The Committee reviewed the Town’s Vision Plan which identified community character and economic vitality as the two most important issues in Breckenridge and reaffirmed the Town’s goals for this program with the Housing/Child Care Committee, specifically:

- 1) Improve access to affordable quality care for the local workforce (all of the Town’s workforce including those living outside Town)
- 2) Ensure local families are not cost-burdened regardless of their income and amount of care they consume
- 3) Help Center’s achieve sustainable budgets, while providing quality care, maintaining sufficient reserves, and retaining and compensating teachers
- 4) The public investment should result in positive impact on child outcomes (improved language, literacy, kindergarten readiness, etc.)

Finally, the Committee considered the results of the Breckenridge Telephone Survey. Linda Venturoni will present a full report on the results at the Council’s worksession, but several key findings were discussed and considered by the Committee, specifically:

- 1) A majority of the anti-tax voters did not support a new tax to subsidize the cost of child care
- 2) Many of the anti-tax voters did not view the issue of child care as their problem or issue-they personally didn’t need or get help
- 3) Many of the anti-tax voters did not believe a problem exists
- 4) Much of the anti-tax vote came from Precinct #5 (Highlands), age 50-64, self-employed, and residents who have lived in the community 11-20 years
- 5) Much of the yes vote came from Precinct #4 (Wellington), age 20-35, and residents who have lived in the community 6-10 years.
- 6) Long time residents (over 20 years) were fairly evenly split
- 7) Seniors (65 and over) were evenly split
- 8) There was extremely low voter participation from residents in the 20-35 age group and very high voter participation from residents age 50 and above.
- 9) There were some concerns expressed about the eligibility requirements (live/work, family co-pay, etc.) and accountability/oversight, but overall these concerns were minor compared to the objection to a new tax.

It was clear to the Committee that the campaign messages regarding the need, the return on investment, the importance of local workforce, and the indirect benefits to the community at large did not resonate for the majority of the 'no' voters, and that the voters who might have potentially benefited directly from the program (age 20-35) did not participate in the election. It was also clear that many voters were unaware that the Town has been supporting child care for many years. Most of that support was direct to the Centers, so it wasn't always obvious to the families that there was public subsidy. There was concern expressed about families abusing the system and taking advantage of the program which was viewed by the Committee as an oversight and education issue. It was clear to the Committee that a new tax for this purpose, as opposed to the type and details of the program, was the most significant reason for the 'no' vote. Taking everything into consideration (Vision Plan, Council Goals, Survey Results) the Committee felt the best course of action was to continue to evaluate how the Town could support access to quality care for local working families in the most efficient way that would include oversight and accountability, as well as metrics and outreach/education. After evaluating many options and models the Committee settled on the following recommendation.

**Recommendation:**

The Committee's preference has been referred to as the blended model. Under this model, the Town would:

- 1) provide direct funding to the Centers to support the programs (which would enable the Centers to buy down rates for everyone) and
- 2) provide tuition assistance for the cost burdened families

The Committee feels this model is most similar to the support provided by the Town to other programs including parks, transit, housing, Riverwalk, recreation, golf course, heritage, etc. Because this model includes direct support to the Centers, which would benefit all of the users, it could be perceived as not entirely needs-based. This approach also masks the true cost of care and users can be unaware of the public subsidy. But the Committee felt that the focus of the tuition assistance under this model would be cost-burdened lower income families with high child care costs which might be more palatable. The most significant challenge with this approach is the cost. It is estimated that the cost of the program would increase by approximately 40% or \$250,000 a year under this blended model. While the Committee prefers this approach, the additional cost seems insurmountable.

Therefore, the Committee is more comfortable recommending a tuition assistance program, similar to the one that is already in place, as the best options because it is:

- 100% needs-based
- supports cost-burdened families after they meet their co-pay
- includes a high level of scrutiny
- is an established program that requires only minor adjustments/improvements
- and everyone knows the true cost of care

The Committee feels that the issues that have been raised in regard to the current program can be addressed by updating the eligibility criteria and adjusting the process, but it will basically remain a

tuition assistance program, only available to some families, and therefore it may always be contentious.

To address the program concerns the Committee suggests the following changes and next steps. Most of the recommendations are cost-neutral, unless noted **IN BOLD** below:

**Centers/Providers:**

- Use common budget templates and professional book-keeper/accountant
- Participate in shared services to reduce costs/improve quality (property management, billing, IT, tax prep, accounting, purchasing etc)
- Comply with new Colorado Quality Rating standards

**Town/Child Care Committee:**

- Evaluate options to replace Early Childhood Options (ECO). ECO has administered the tuition assistance program and processed all applications for a 5% fee (about .5 FTE) since it was launched in 2008. However, it is unlikely that ECO would continue to provide this service due to changes in their organization. Since the current tuition assistance awards are thru the 2014/2015 school year, if the Council is going to continue to support any program, a new processor will need to be established and in place before the next award cycle in June/July of 2015.
- In addition to the .5 FTE currently required for processing applications the Committee recommends that a program manager/central administration/logistic support/outreach function be added to oversee the Program, to assist the Center Directors, to oversee shared services, to increase education/outreach, and provide additional oversight. There are a variety of options to structure this function, as well as the processing function described above. Other programs that were reviewed were administered by County Human Services Departments, private contractors, or specific non-profit entities. This will be one of the first next steps. **(Potential increase to program cost-1 FTE)**
- Better education and increased outreach to the public (and to the business community) in regard to the program, the impacts, and the rationale for child care subsidies-the Committee believes that significant evidence exists to support public funding for child care based on improved outcomes for the children, increased kindergarten readiness, and long term financial return to the community. Cost is included above.
- Eliminate the current \$650 cap per child in order to ensure lower AMIs families are not cost-burdened **(minor cost implication-estimate 1% increase)**
- Consider shift to sliding scales as an alternative to the current tuition assistance model (sliding scales would make the awards more transparent and easier to administer and the focus of sliding scales is to make the cost affordable to cost burdened families which is similar to the Town's approach for Housing). **This could actually reduce cost of the program (estimate 2% decrease)**
- Evaluate options to discourage use of 'free days' once families have met their maximum co-pay, possibly converting monthly awards to daily awards with a penalty assessed for additional days

- Adjust the current cap of 150% AMI annually. Raise the cap if necessary to insure that families over 150% can generally afford the cost of care (**minor cost implication-1%**)
- Maintain the current live and/or work in the Upper Blue requirement.
- Match the work requirement to Housing Program (30 hours a week in Summit County) but apply it to both parents

**Early Childhood Options:**

- In addition to the on-going administration of Right Start Funds, which includes salary supplement, quality improvements, and capital funding, ECO would track child outcomes long term relative to the Breckenridge Tuition Assistance recipients

**Funding Support/Budget Implications and Cost:**

In the long term the cost of the program is impacted by many factors that create a gap in what local working families can afford to pay and what the Centers must charge in order to cover the cost of providing quality programs. It is clear that child care is expensive and particularly in Colorado which ranks as the 7<sup>th</sup> most expensive state as a percent of income. Furthermore, Summit County ranks as the 7<sup>th</sup> most expensive county within the State because of low wages and high cost of living. Given the importance of the workforce to a vibrant economy, the importance of families to the communities 'real Town' character, the importance of high quality financially sustainable Centers, and education in general, the Committee strongly recommends that the Council continue to ensure access to quality care for working families.

The program budget for 2014 is \$657,000 which is approximately 4% more than 2013. The Committee's recommendation includes the addition of 1 SFE which would add approximately \$70,000 annually. The other recommended changes are not anticipated to impact costs significantly, but eliminating the cap and considering a higher AMI cap have the potential to increase cost by 2% which could be offset if sliding scales are implemented. The Committee is not in a position to recommend or advocate for any one specific funding option, but whatever the Council may consider, the Committee does recommend that funding be assured for the long term to provide predictability for the Centers and for families, and that the funding plan take into account the addition of one FTE and an annual cost increase, projected at 4%.

**Summary:**

The Committee members have spent several months evaluating options and discussing strategies. They look forward to presenting this recommendation to the Council and will be available for discussion at your work session on October 14<sup>th</sup>. A summary of the recommendations is attached.

**Breckenridge Child Care Advisory Committee October 14, 2014 Recommendation Summary**

**Town Support and Model**

	Current	Recommendation	Rationale	Notes
Model	Tuition Assistance to cost-burdened families	Tuition Assistance to cost-burdened families w/modifications	100% needs based supports cost-burdened families high level of scrutiny based on each families income/cost established program requires parent co-pay	Recommend program changes as described below to increase oversight and control cost. Also consider Sliding Scale for more transparency and ease
Oversite and Governance	Town Staff (.15 FTE) Housing/Child Care Cmte	Breckenridge Child Care Advisory Committee Town Staff (.15 FTE) Housing/Child Care Cmte	The Committee, which was created by the Council in December 2013, will add additional oversight and manage the program with support from Town staff.	The Committee did not feel that it would be necessary or beneficial to create a new non-profit (ie BHA or Cultural Arts)
Administration	Early Childhood Options (.5 FTE)	.5 FTE for processing/income testing/eligibility <u>plus</u> 1 additional SFE for central administration/logistical support	The Committee felt that the Centers and the Program would benefit from shared services, additional marketing, education/outreach, tracking of metrics, etc. The goal would be to provide assistance to the Centers in budgeting, billing, contract and property management, etc., and achieve better coordination and leveraging with County Right Start.	Could be contract position or Town funded within an existing organization (ECO/County)
Cost of Program	\$657,000 (2014)	Plus 1 SFE w/ 4% annual cost adjustment	see above	
Cost of Care	Center expenses average \$804,000 (2014)	No significant change to the cost is anticipated however some benefits and cost-savings may be achieved with shared services	The cost of care is consistent throughout the participating Centers and the majority of the cost (80%) is related to staff. The Committee did not see significant opportunities to reduce the cost without increasing ratios which negatively impacts quality or reducing teacher compensation. Child care professionals are among the lowest-paid in the workforce (\$14-\$15/hr-teachers)	See Qualistar June 2014 report on cost of care/affordability
Education and Outreach	Mnimal-ECO website	Increase outreach and education	The voter survey results indicated there were still many opportunities to better educate the community about the program and the benefits. This includes outreach to business community, seniors, and long time residents. With central administration better reporting could address concerns about abuse.	Important messages include employer retention and recruitment (350 local businesses), family co-pays(12-15% of income), employment requirements, metrics/impacts, and the Town's long history of supporting child care

**Summary:** The Town has been investing in child care as far back as the early 1990s. Much of the early support was direct to Centers/program so many long time locals may not be aware of support they received. That model provided subsidy to all users of child care regardless of income or cost-burdened. The tuition assistance program launched in 2008 changed the model from direct Center/program support to needs-based support to families. Since 2008 employees from over 350 local business have received assistance and over 500 cost-burdened families have received assistance. All recipients must pay their share of the cost of care based on 12-15% of their income. The program has improved the retention at the Centers which impacts the quality of the programs and has allowed the Centers to establish sustainable operating budgets and capital reserve accounts. As of 2014, all four Breckenridge Centers have achieved quali-star rating. Based on the Vision Plan (Community Character and Economic Vitality) the Committee strongly recommends that the Council continue to ensure access to quality care for working families. Without support from the Town the Centers would need to cut expenses drastically-over 25%. The Committee feels these cuts would devastate the programs and reverse the progress that has been made since 2006. Ultimately it will be local families and the workforce who would be most impacted because approximately 55-60% of the children in care receive assistance.

**Breckenridge Child Care Advisory Committee October 14, 2014 Recommendation Summary**

**Eligibility and Program Guidelines**

	Current	Recommendation	Rationale	Notes
Live/Work	Live <b>and/or</b> work in the Upper Blue	Live <b>and/or</b> work in the Upper Blue	Based on the Program goals (support Breckenridge's workforce), the Committee believes the current eligibility criteria is appropriate. The Committee does not support modification to live <b>and</b> work in <b>Town</b> , or live <b>and</b> work in the Upper Blue because it would be inconsistent with supporting the local workforce.	Approximately 50% of the Town workforce resides outside Town limits. Many jobs and homes are located immediately adjacent to the Town, but outside the municipal boundaries, but within Breck's employee market (French Creek, Peak 7, Blue River, Continental Court, Silver Shekel).
AMI Cap	AMI cap of 150% (over 150% AMI are not eligible to participate)	Increase cap when and if market rate for care is unaffordable to 150 % AMI families. Review cap annually.	Based on Program goals (needs based/cost-burdened) the Committee feels it is appropriate to set the cap based on the affordability of market rates for care. Families earning more than 150% AMI may be cost-burdened based on their need for care, and the number and age of their children.	The AMI cap should be reviewed annually based on market cost of care and AMI
Award Cap	max award \$650/child	eliminate award cap	The current cap results in lower AMI families paying in excess of 15% of their income on child care which is inconsistent with the needs-based/cost burdened approach	
Pre-School Enrichment	Incentive for pre-K	eliminate this element of the program	The program was intended to improve kindergarten readiness, but is not needs based or workforce oriented so the Committee recommends it be eliminated from this program.	Opportunities to improve kindergarten readiness should be pursued thru other programs including Right Start
Asset Testing	The Town reserves the right to request additional information including an asset test at any time	The Town reserves the right to request additional information including an asset test at any time	The Town currently does not have specific guidelines for asset testing in the Housing Program. The Committee would suggest that asset testing for both programs be coordinated and consistent.	When and if specific standards are adopted they should take into consideration cash and investment assets

**Summary:** The Committee recommends that all eligibility criteria and guidelines be reviewed periodically with the Town Council based on program goals and budget.



# CHILD CARE PRICES AND AFFORDABILITY

## A STRUGGLE FOR COLORADO FAMILIES & PROVIDERS

JUNE 2014

### ABOUT THIS BRIEF: INFORMING ACTION

In 2013 The Women's Foundation of Colorado produced a comprehensive research report entitled *The Status of Women & Girls in Colorado*. Throughout the research phase for that report, many questions and concerns about child care access and affordability were raised. In particular, single mothers were found to be struggling with the price of child care. As a direct result, The Women's Foundation of Colorado provided a grant to Qualistar Colorado to investigate and address the barriers to affordable child care. Qualistar Colorado has produced this brief with that generous funding. Additional effort on this project has been provided by the Colorado Children's Campaign. This brief is the first in a series to be produced in conjunction with this project.

### CHILD CARE IN COLORADO

Child care is a term that refers to a wide range of settings in which young children are cared for and educated. Licensed child care includes programs that have gone through the necessary steps to become licensed by the State of Colorado. Licensing ensures that the facility has complied with basic health and safety standards, and that it has met certain requirements for staff training and background checks. In addition, licensing regulations outline the staff-to-child ratios required in each type of child care setting, the age range of children that can be cared for, and the total number of children that can be cared for at one time. In Colorado, child care licenses are issued to child care centers, part-day preschools, family child care homes and school-age facilities.<sup>1</sup>

### TYPES OF LICENSED CHILD CARE



**Child Care Centers and Preschools:** Care is provided in a setting similar to school where there may be many classrooms and children are usually grouped by age. These facilities are regulated by the Colorado Department of Human Services, Division of Early Care and Learning. Preschools are specifically licensed to serve children for only part of the day.



**Family Child Care Homes:** Care is provided in a home that has been licensed and is regulated by the Colorado Department of Human Services, Division of Early Care and Learning.



**School-Age Child Care:** Care is provided for children ages 5 and up before and after school, on holidays and during the summer. It is offered by many kinds of programs. Some programs serve only school-age children and some also serve younger children.

THE WOMEN'S  
FOUNDATION  
OF COLORADO





## WHY IS CHILD CARE SO EXPENSIVE?

Many families struggle to find child care that meets their needs. While the availability of care poses challenges in many areas of the state, perhaps the most common barrier to using licensed child care is affordability. Child care, particularly high-quality child care, is expensive to provide. Many new parents are shocked by the price of licensed child care and find that they are financially unprepared for it when they need it.

Child care is a labor-intensive industry. Child care professionals earn considerably less than workers in similar industries<sup>ii</sup>, and many do not receive employee benefits such as health insurance. Nevertheless, **personnel costs** are by far the largest expense category within child care programs' budgets. These costs (wages, payroll taxes and fees) are higher for child care programs than for many other types of businesses because of two main factors: staff-to-child ratios and multiple shifts.

**Staff-to-child ratios:** As in most states, Colorado's child care center licensing regulations dictate the maximum number of children that can be with one teacher. And while Colorado's ratio requirements do not meet nationally recommended levels, they nevertheless mean that child care programs need a large number of teachers on staff. For infants and young toddlers in Colorado's centers, there must be one teacher for every five children. For older toddlers that ratio is 1:7; for young preschoolers it is 1:8, and for 3- to 4-year olds the ratio is 1:10. Consider those ratios (and the associated staffing costs) compared to an elementary school classroom in which there is one teacher for 20 children, or a college lecture class in which there is one professor teaching hundreds of students at one time.

**Multiple shifts:** Full-time child care programs are generally open for 11 or 12 hours per day in order to accommodate the needs of working families. A parent working an eight-hour shift might need her children to be in care for 10 hours in order to give her time to get to and from work, and of course not all parents work the same schedules. In order for child care programs to operate for that many hours, they must be staffed with enough qualified teachers to cover all of the operating hours. A large child care center can employ 40 teachers and an additional 10 non-classroom staff such as administrators and cooks.

In addition to personnel costs are facility costs. **Facility costs** are significant because child care programs must ensure that the environment is safe for children and adequately supports their developmental needs. Whether facilities are rented or owned, the costs to occupy, maintain and improve them are substantial. **Food costs** are another major expense for most child care programs, as many children are in care for up to 10 hours per day and therefore require multiple well-balanced meals and snacks.

## WHAT DOES ALL THIS MEAN FOR FAMILIES?

Licensed child care is a major expense for families who use it. It tends to be one of the largest expenses for families, particularly families with multiple young children.<sup>iii</sup> Married couples can expect to spend 15 percent of their



### COST vs. PRICE

Though they may sound like the same thing, the cost of child care and the price of child care are actually quite different. "Cost" refers to the full extent of resources needed to provide care; "price" is the amount that is actually charged to families. Child care, particularly high-quality child care, is expensive to provide. Most often child care programs cannot charge prices high enough to cover all their costs because families would not be able to afford it.



household income on infant care and another 10 percent on preschool-age care.<sup>iv</sup> The price for child care for an infant is nearly half (48 percent) the median annual income for single mothers, which is a particularly staggering amount for the third of single mothers who live in poverty.<sup>v</sup> Licensed child care in Colorado is more expensive than in-state tuition and fees at a public four-year college.<sup>vi</sup> While child care comprises a significant part of virtually any family's budget, there is some variation in child care prices. The price of child care varies according to the ages of children, the type of care setting and geographical factors.

### **Ages of children**

Infant care is particularly expensive to provide. It requires the highest staff-to-child ratios, the smallest group size, the most square footage per child, specific equipment and furnishings and, ideally, specially trained caregivers. Due to the added costs, many child care programs find the expense of providing infant care prohibitive. Child care prices drop as children age. The price for a preschooler in a child care center is approximately 20-25% lower than for an infant. In Arapahoe County, for example, full-time infant care in a center averages \$12,824 per year and full-time preschool-age care averages \$10,375 per year, a difference of 23.6%.<sup>vii</sup>

### **Type of care setting**

Center-based child care is more expensive than home-based care. Much of the difference can be attributed to personnel costs and facility costs. Home-based child care providers do not have to pay salaries or employer-related taxes and fees.<sup>viii</sup> Since home-based child care providers operate their businesses out of their homes, they do not have the extensive costs associated with operating a large facility. In Boulder County, centers charge an average of \$13,210 per year for care for 4-year-olds, and family child care providers charge an average of \$10,440 per year for 4-year-olds, a difference of 26.5%.<sup>vii</sup>

### **Geographical factors**

Families living in cities and large towns can expect to pay significantly more for child care than families in rural areas, with the exception of rural resort communities. The price difference is largely due to the overall cost of living. Families in urban areas also pay more for housing and transportation than rural families.<sup>iii</sup> The average annual price for full-time center-based infant care in non-resort rural counties in Colorado is \$8,800; in urban counties it is 55% higher, at \$13,662.<sup>vii,ix</sup> It is the resort areas in Colorado that have the highest prices for child care, with an annual infant care price of \$14,100.<sup>vii,ix</sup> Child care prices can vary significantly even within a large urban area. For example, child care prices in downtown Denver are 42% higher than in the Cherry Creek and Baker neighborhoods a few miles south of downtown.<sup>x</sup>

**The price for licensed center-based child care in Colorado ranges from \$6,000 to \$17,000 per year.<sup>vii</sup>**

## **AFFORDABILITY**

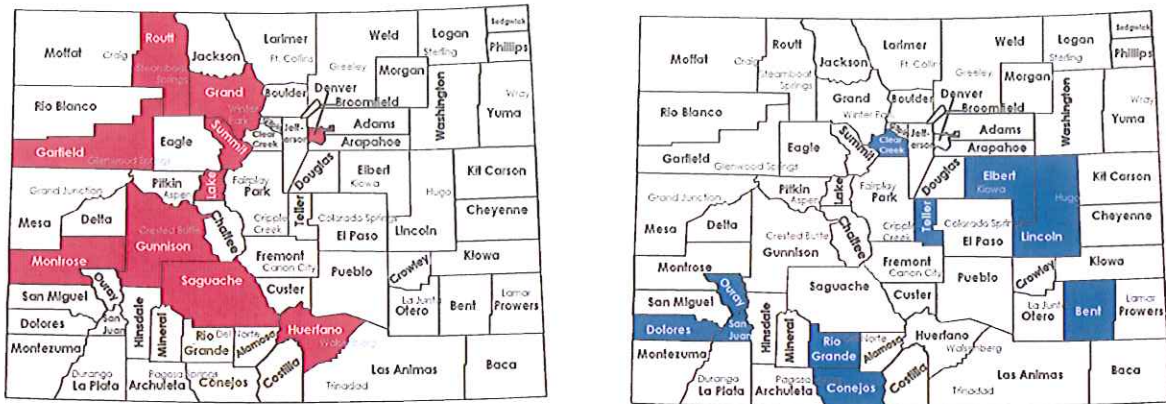
Child care prices have differing impacts on families. The impact of child care on a family's budget can be measured by comparing child care price to family income. Just as the price of child care varies throughout the state, so does family income. The median annual income for married couples with children ranges from \$38,281 in Saguache County to \$125,477 in Douglas County.<sup>xi</sup> For households headed by single mothers, median incomes range from \$12,401 in Fremont County to \$55,938 in Pitkin County.<sup>xi</sup>



### Least-Affordable and Most-Affordable Counties

The following figures and tables depict the top ten least-affordable and top ten most-affordable counties in Colorado for full-time preschool-age care in a child care center for married couples and for single mother families.<sup>vii, xi</sup> Child care affordability was calculated by dividing the average price of care in each Colorado county by the county median income.<sup>xii</sup> For a complete list of median incomes and child care prices by age group and county, see the Appendix on page 8.

**FIGURE 1: TOP 10 LEAST-AFFORDABLE AND MOST-AFFORDABLE COLORADO COUNTIES FOR CENTER-BASED PRESCHOOL-AGE CARE FOR MARRIED COUPLES WITH CHILDREN**



County	Average Annual Price of Preschool-age Care in a Center <sup>vii</sup>	County Median Income for Married Couples with Children <sup>xi</sup>	Price of Care as a Percentage of County Median Income
Routt	\$14,711	\$87,635	16.79%
Huerfano	\$6,495	\$41,000	15.84%
Lake	\$8,047	\$51,771	15.54%
Saguache	\$5,677	\$38,281	14.83%
Grand	\$10,522	\$71,047	14.81%
Gunnison	\$11,359	\$77,028	14.75%
Summit	\$12,588	\$86,494	14.55%
Denver	\$11,477	\$78,929	14.54%
Montrose	\$7,664	\$53,814	14.24%
Garfield	\$10,842	\$76,577	14.16%
San Juan	\$4,157	\$75,556	5.50%
Ouray	\$4,313	\$70,515	6.12%
Teller	\$6,982	\$88,250	7.91%
Lincoln	\$5,066	\$63,750	7.95%
Conejos	\$4,440	\$55,156	8.05%
Clear Creek	\$9,076	\$106,473	8.52%
Rio Grande	\$5,160	\$55,938	9.22%
Elbert	\$8,314	\$90,000	9.24%
Dolores	\$5,456	\$58,846	9.27%
Bent	\$4,780	\$51,500	9.28%

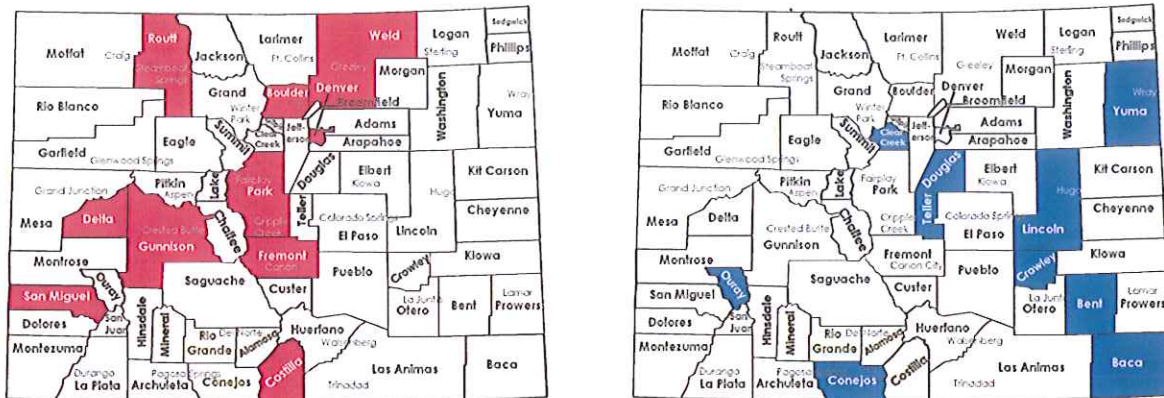
Top 10 Least Affordable

Top 10 Most Affordable





**FIGURE 2: TOP 10 LEAST-AFFORDABLE AND MOST-AFFORDABLE COLORADO COUNTIES FOR CENTER-BASED PRESCHOOL-AGE CARE FOR SINGLE MOTHER FAMILIES**



County	Average Annual Price of Preschool-age Care in a Center <sup>vii</sup>	County Median Income for Single Mother Families <sup>xi</sup>	Price of Care as a Percentage of County Median Income
Gunnison	\$11,359	\$13,262	85.65%
Park	\$9,888	\$20,284	48.75%
Denver	\$11,477	\$23,607	48.62%
Fremont	\$5,716	\$12,401	46.09%
Delta	\$6,646	\$14,600	45.52%
Weld	\$10,178	\$22,635	44.97%
San Miguel	\$11,431	\$25,694	44.49%
Routt	\$14,711	\$33,500	43.91%
Costilla	\$6,235	\$14,271	43.69%
Boulder	\$13,210	\$32,287	40.92%
Ouray	\$4,313	\$36,023	11.97%
Lincoln	\$5,066	\$36,688	13.81%
Crowley	\$5,196	\$29,583	17.56%
Teller	\$6,982	\$39,006	17.90%
Bent	\$4,780	\$24,357	19.63%
Yuma	\$6,322	\$29,942	21.11%
Clear Creek	\$9,076	\$38,750	23.42%
Conejos	\$4,440	\$17,782	24.97%
Douglas	\$12,359	\$49,089	25.18%
Baca	\$5,196	\$20,625	25.19%

Top 10 Least Affordable

Top 10 Most Affordable



## INFORMING ACTION

Despite the high prices being charged, many child care programs struggle to stay afloat. Programs cannot withstand long periods of decreased enrollment or habitual non-payment from the families they serve if they are to succeed financially. Often the price of care is not high enough to allow child care programs to pay teachers a living wage or offer benefits.

If the price of child care is not unnecessarily high, and if families cannot afford the price that is charged, then the solution to the affordability problem is not as simple as charging less or paying more. Child care affordability is a challenge nationally. However, the challenges for families in Colorado, especially for low-income single mother families, are particularly pronounced because Colorado ranks as the fifth least-affordable state for center-based care.<sup>xiii</sup> The Women's Foundation of Colorado, Qualistar Colorado and the Colorado Children's Campaign are working together to explore and address the reasons behind the affordability problem in our state.

Qualistar will continue analyzing our state's current system of child care funding and examining the costs of operating child care businesses in other states. This project will culminate in a large and detailed report in late 2014 that will include an action plan and innovative strategies for addressing child care affordability in Colorado.

## END NOTES

<sup>i</sup>Some child care programs are exempt from licensing requirements. A list of exemptions can be found in *General Rules for Child Care Facilities*, issued by Division of Child Care, Colorado Department of Human Services, accessible at <http://www.coloradoofficeofearlychildhood.com/#!rules-and-regulations/c86y>

<sup>ii</sup>United States Department of Labor, Bureau of Labor Statistics. (2013). May 2013 State Occupational Employment and Wage Estimates Colorado. [http://www.bls.gov/OES/current/oes\\_co.htm](http://www.bls.gov/OES/current/oes_co.htm)

<sup>iii</sup>Colorado Center on Law and Policy. The Self-Sufficiency Standard for Colorado, 2011: Self-Sufficiency Standard Tables by County, All Family Types.

<sup>iv</sup>See Figures 1-2 on pages 5-6.

<sup>v</sup>As reported in *The Status of Women and Girls in Colorado*, The Women's Foundation of Colorado (2013). Primary source: Child Care Aware® of America. 2012. Child Care In America: 2012 State Fact Sheets. <http://www.nacerra.org/public-policy/in-the-states/0>

<sup>vi</sup>CollegeBoard. *In-State Tuition and Fees by State, 2013-14, and Five-Year Percentage Changes*. <http://trends.collegeboard.org/college-pricing/figures-tables/in-state-tuition-fees-state-2013-14-and-5-year-percentage-changes>

<sup>vii</sup>Throughout this brief, references to Colorado child care prices come from Qualistar Colorado and its network of Child Care Resource & Referral partners and were the prices on record as of January 2014.

<sup>viii</sup>Some home-based family child care providers, particularly those licensed as Large Family Child Care Homes, do employ other caregivers.

<sup>ix</sup>For the purposes of this brief, counties are defined as urban, rural or rural resort as follows: Urban: Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, El Paso, Jefferson, Larimer, Mesa, Pueblo, Weld. Rural resort: Eagle, Garfield, Grand, Lake, Pitkin, Routt, Summit. The remaining 45 counties are defined as rural.

<sup>x</sup>Zip code 80202 was used to determine the downtown Denver price. Zip code 80209 was used to determine the price in Cherry Creek and Baker neighborhoods.

<sup>xi</sup>U.S. Census Bureau, American Community Survey, 2012 five-year estimates. Table B19126.

<sup>xii</sup>At the time of publication, in some counties there was no full-time licensed center-based care for one or more age groups. Additionally, there was no county median income reported for single mother families in Dolores, Hinsdale, Mineral or San Juan counties. Affordability rankings only include counties for which there is both child care price data and county median income data.

<sup>xiii</sup>Child Care Aware of America. *Parents and the High Cost of Child Care 2013 Report*. [http://usa.childcareaware.org/sites/default/files/cost\\_of\\_care\\_2013\\_103113\\_0.pdf](http://usa.childcareaware.org/sites/default/files/cost_of_care_2013_103113_0.pdf)



## APPENDIX

County	County Median Income for a Married Couple <sup>xi</sup>	County Median Income for a Single Mother Family <sup>xi</sup>	Average Annual Cost of Infant Care in a Center <sup>vii</sup>	Average Annual Cost of Preschool-age Care in a Center <sup>vii</sup>
Adams	\$72,918	\$28,683	\$13,009	\$10,231
Alamosa	\$55,348	\$18,068	\$6,695	\$6,076
Arapahoe	\$91,248	\$32,223	\$12,824	\$10,376
Archuleta	\$59,025	\$27,222	N/A	\$7,404
Baca	\$54,474	\$20,625	N/A	\$5,196
Bent	\$51,500	\$24,357	\$7,794	\$4,780
Boulder	\$113,971	\$32,287	\$15,193	\$13,210
Broomfield	\$119,277	\$49,208	\$15,734	\$12,790
Chaffee	\$67,971	\$25,278	N/A	\$7,559
Cheyenne	\$71,406	\$25,208	N/A	N/A
Clear Creek	\$106,473	\$38,750	\$11,119	\$9,076
Conejos	\$55,156	\$17,782	N/A	\$4,440
Costilla	\$58,417	\$14,271	\$6,235	\$6,235
Crowley	\$48,906	\$29,583	\$6,495	\$5,196
Custer	\$61,000	\$15,069	N/A	N/A
Delta	\$70,893	\$14,600	N/A	\$6,646
Denver	\$78,929	\$23,607	\$15,410	\$11,477
Dolores	\$58,846	-	\$4,936	\$5,456
Douglas	\$125,477	\$49,089	\$16,311	\$12,359
Eagle	\$86,809	\$29,300	\$13,033	\$11,105
El Paso	\$80,688	\$25,667	\$11,434	\$9,389
Elbert	\$90,000	\$31,696	N/A	\$8,314
Fremont	\$60,906	\$12,401	\$7,067	\$5,716
Garfield	\$76,577	\$37,162	\$12,297	\$10,842
Gilpin	\$99,063	\$26,250	\$13,769	\$9,613
Grand	\$71,047	\$27,917	\$13,250	\$10,522
Gunnison	\$77,028	\$13,262	\$12,539	\$11,359
Hinsdale	\$80,288	-	\$10,392	\$9,093
Huerfano	\$41,000	\$19,237	N/A	\$6,495
Jackson	\$67,778	\$26,429	N/A	N/A
Jefferson	\$103,404	\$35,950	\$14,125	\$10,675
Kiowa	\$61,250	\$14,821	N/A	N/A

County	County Median Income for a Married Couple <sup>xi</sup>	County Median Income for a Single Mother Family <sup>xi</sup>	Average Annual Cost of Infant Care in a Center <sup>vii</sup>	Average Annual Cost of Preschool-age Care in a Center <sup>vii</sup>
Kit Carson	\$60,380	\$16,125	\$5,975	\$5,975
La Plata	\$73,570	\$31,224	\$10,350	\$8,258
Lake	\$51,771	\$30,240	N/A	\$8,047
Larimer	\$89,763	\$29,128	\$14,683	\$11,101
Las Animas	\$68,871	\$30,078	N/A	\$7,989
Lincoln	\$63,750	\$36,688	N/A	\$5,066
Logan	\$59,650	\$17,917	\$7,015	\$6,430
Mesa	\$74,194	\$20,568	\$8,648	\$7,111
Mineral	\$63,214	-	N/A	N/A
Moffat	\$72,479	\$23,750	N/A	N/A
Montezuma	\$54,143	\$18,609	\$7,794	\$6,851
Montrose	\$53,814	\$21,007	\$7,729	\$7,664
Morgan	\$61,632	\$24,129	\$7,794	\$6,495
Otero	\$44,141	\$15,536	\$5,867	\$5,391
Ouray	\$70,515	\$36,023	N/A	\$4,313
Park	\$91,667	\$20,284	N/A	\$9,888
Phillips	\$71,149	\$16,833	\$7,145	\$6,625
Pitkin	\$116,771	\$55,938	\$18,186	\$16,333
Prowers	\$54,375	\$17,821	\$7,794	\$5,820
Pueblo	\$68,143	\$20,589	\$8,000	\$6,873
Rio Blanco	\$76,934	\$33,333	N/A	\$10,392
Rio Grande	\$55,938	\$19,279	N/A	\$5,160
Routt	\$87,635	\$33,500	\$16,497	\$14,711
Saguache	\$38,281	\$17,031	\$7,794	\$5,677
San Juan	\$75,556	-	\$5,716	\$4,157
San Miguel	\$92,000	\$25,694	\$12,990	\$11,431
Sedgwick	\$58,542	\$20,833	N/A	\$7,015
Summit	\$86,494	\$33,717	\$15,324	\$12,588
Teller	\$88,250	\$39,006	\$7,794	\$6,982
Washington	\$64,500	\$24,500	\$6,430	\$6,430
Weld	\$76,457	\$22,635	\$12,322	\$10,178
Yuma	\$59,057	\$29,942	\$6,495	\$6,322

No median income was reported for single mother families in Dolores, Hinsdale, Mineral or San Juan counties. N/A indicates there was no full-time licensed center-based care in these counties at the time of publication.



## THE WOMEN'S FOUNDATION OF COLORADO

The Women's Foundation of Colorado's mission is to build resources and lead change so that every woman and girl in Colorado achieves her full potential. The Women's Foundation of Colorado is a leader in conducting research, bringing together resources, impacting policy and investing in community partners who share their goals and impact their ability to dramatically change lives of women and girls in our state. Extensive, strategic research guides their work and is combined with their dedication to education, advocacy and collaboration as they set the agenda and lead systemic change in Colorado.

## QUALISTAR COLORADO AND THE COLORADO CHILDREN'S CAMPAIGN

Qualistar Colorado is a statewide non-profit dedicated to advancing quality early childhood education across Colorado. We believe that all children deserve a high-quality early childhood education experience. Qualistar works to improve early childhood education by helping families find child care through a free referral service, rating the quality of child care programs, providing college scholarships for child care teachers, managing grants to improve child care facilities and strengthening federal, state and local policy through the use of data and information.

The Colorado Children's Campaign is a non-profit, non-partisan advocacy organization that works to create hope and opportunity in Colorado, more than one million kids at a time. The Campaign uses accurate, compelling data and research on child well-being to champion policies and programs that improve children's lives.

THE WOMEN'S  
FOUNDATION  
OF COLORADO



## MEMORANDUM

TO: Town Council

FROM: Peter Grosshuesch, Community Development Director  
Mark Truckey, Assistant Director Community Development

DATE: September 29, 2014 for October 14 Council Meeting

SUBJECT: Recommendations of the Business Task Force on Sign Code Amendments

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Staff provided an overview of the Sign Code and recent sign enforcement issues at the Council's July 22 work session. The discussion primarily focused on the recent proliferation of sandwich boards in Town, which are not allowed under the existing Sign Code. At the conclusion of the discussion, the Council requested staff to bring together some local business owners to get their input on the issue.

The SustainableBreck Business Task Force, a standing committee that has provided recommendations to the Council on several business-related issues in the past (e.g., SustainableBreck Business certification program, disposable bag program), provided a good nucleus of business owners for purposes of the Sign Code discussions. In addition, staff invited a number of other business owners (both from retail and restaurants) who had indicated an interest in participating in this effort. Some of these business owners had been contacted by the Town previously about Sign Code violations. Two meetings were held, on August 21 and September 3. At the first meeting staff provided an overview of provisions of the Sign Code, as well as the Code section on outdoor display of merchandise, and took some initial comments from the group. At the second meeting, a "strawman" proposal was discussed, which forms the basis for the recommendations provided in this memo.

### **Current Code Restrictions**

As staff discussed previously with the Council, the primary intent of the existing Sign Code and outdoor display of merchandise section of the Code is to maintain the charm and character of the Town and avoid visual clutter on our sidewalks and on business exteriors. As such the Sign Code sets forth a number of restrictions, including limits on the square footage of signage allowed. The Code also prohibits the use of sandwich/chalk board signs. The outdoor display of merchandise section of the Code limits businesses in the downtown core to displaying a maximum of one piece of merchandise outside, which could include a mannequin.

### **Task Force Input**

Task Force comments included the following:

- Sandwich boards are an important advertising/marketing medium for some of the businesses. The boards announce to passing shoppers that the business is "open" and the signs may also provide information on some special or sale going on that may attract people into the store.
- Sandwich boards can particularly be of assistance to businesses that do not have direct Main Street access and which may not be noticeable to passing shoppers.
- Several business owners make use of the outdoor display of merchandise provisions of the Code, and

display merchandise items or mannequins outside their business. However, some of the business owners indicated that they did display more than one item at a time outside, which is technically in violation of the Code. One suggestion was that perhaps a square footage could be allowed for outdoor display, rather than just allowing one item.

- It was felt that if sandwich boards/outdoor display were allowed, it should be confined to private property and should not be located on the sidewalk where it could obstruct pedestrian movement or snow removal efforts. There was an agreement that the boards/displays should be taken inside during hours the business was closed.
- It was suggested that possibly a standardized sandwich board could be developed, perhaps with the Town's gable roof logo, and businesses would be required to use that board. There was not a consensus on this proposal.
- Several business owners suggested that plastic sandwich board sign or white board should not be permitted as they were not as aesthetically pleasing (chalk board sandwich board signs were favored).
- A couple of the business owners indicated a concern with allowing sandwich boards, as they would add to the clutter and if they were made legal every business might be putting one outside their store.
- There was general opposition to neon signs and other lighted signs on storefront windows, etc. and it was recommended that the Town's prohibition on these remain.
- The Task Force was in agreement that if the rules for sandwich boards and outdoor display were loosened, that the rules should be in effect for a one-year trial period. After a year, the Council could assess how the effective the rule changes had been and then decide whether the changes should be extended.

### **Task Force Recommendations**

Based on the above discussions, the Task Force reached consensus (with several minority opinions as noted above) on the following:

1. Each business is entitled to display one of the following outside of their business:
  - a. One sandwich board; or
  - b. One piece of outdoor display (e.g., mannequin, one item of for-sale merchandise).
2. Where a business has a front and rear entrance (e.g., one entrance on Main St., a second entrance on the Riverwalk) then one display (as provided in #1 above) may be provided at an entrance at each end of the store.
3. The following parameters apply to outside display:
  - a. Sandwich board sign areas shall not exceed four square feet per side.
  - b. Sandwich board signs should consist of high quality material such as wood and/or chalkboard.
  - c. Sandwich boards and other items of outdoor display must be placed on private property.
  - d. Exemptions:
    - i. Where a business is located in a building that sits on the "build-to-line", then a one-sided "leaner" sandwich board will be allowed to be placed on the sidewalk and rested against the building.
  - e. In no case shall sandwich boards or other outside display items be placed in a method that impedes pedestrian movement or snow removal operations.
  - f. Sandwich boards and other outside display items may not contain any type of illumination
    - i. No lighting, attachments or other decorations shall be hung on sandwich boards or outside display items.
  - g. Sandwich boards and other outside display items shall only be placed outside during the hours a business is open.



- h. Sandwich board signage shall not be displayed during snow removal operating hours.
4. Sunset clause
- a. If Council acts to amend the Code to address these issues, a one-year trial period is recommended.

### **Applicability Outside Downtown Core**

At the time the Task Force met, the Council was moving forward with a separate ordinance to allow sandwich boards outside the downtown core (e.g., Parkway Center/City Market). Currently sandwich boards are not allowed anywhere in Town. Subsequently the Council decided not to move forward with that separate ordinance. Thus, the Task Force did not weigh in separately on sign issues outside of the downtown core. In addition, the existing outdoor display limitations of the Code do not apply to businesses outside the downtown core. Staff suggests the following as a means to address areas outside of the downtown core:

- Regarding sandwich boards, staff suggests using the Task Force recommendations above for businesses outside the downtown core.
- Regarding outdoor display of merchandise, staff recommends maintaining the existing exemption for businesses outside the downtown core. There are numerous businesses that for years have been displaying many pieces of merchandise outside their stores (e.g., City Market), and it would be a huge shift to now limit those displays to one item.

### **Council Action**

Council input is requested on the following:

- Is the Council comfortable with the recommendations of the Task Force?
- Are there modifications or additions the Council would suggest to the Task Force recommendations?
- Are there other questions or issues the Council would like to see addressed?

If the Council is generally comfortable with the Task Force recommendations, with any suggested modifications, then staff will work incorporating the recommendations in a draft ordinance and Code change and return to Council for a first reading. If the Council desires, staff could also bring the draft to the Planning Commission for their input.