

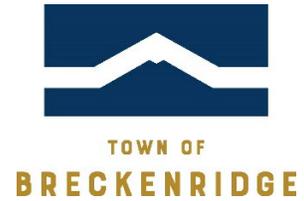


TOWN OF
BRECKENRIDGE

Town Council Work Session
Tuesday, April 23, 2024, 3:00 PM
Town Hall Council Chambers
150 Ski Hill Road
Breckenridge, Colorado

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

- I. SWEARING IN OF NEWLY ELECTED MAYOR AND COUNCIL MEMBERS (3:00-3:15pm)**
- II. ORGANIZATIONAL MEETING OF THE COUNCIL/ GOOD GOVERNANCE TRAINING (3:15-4:45pm)**
Good Governance Training
- III. PLANNING COMMISSION DECISIONS (4:45-4:50pm)**
Planning Commission Decisions
- IV. LEGISLATIVE REVIEW (4:50-5:00pm)**
Entrada Zoning Ordinance (Second Reading)
Outdoor Irrigation Days (Second Reading)
Demolition by Neglect Ordinance (Second Reading)
- V. MANAGERS REPORT (5:00-5:25pm)**
Public Projects Update
Mobility Update
Sustainability Update
Housing Update
Open Space Update
Committee Reports
Financials
- VI. PLANNING MATTERS (5:25pm)**
Transferable Development Rights Program Overview



Memo

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

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

CLASS A APPLICATIONS: None.

CLASS B APPLICATIONS: None.

CLASS C APPLICATIONS: None.

TOWN PROJECT HEARINGS: None.

OTHER: None.

PLANNING COMMISSION MEETING

The meeting was called to order at 5:32 pm by Chair Leas.

ROLL CALL

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

APPROVAL OF MINUTES

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

APPROVAL OF AGENDA

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

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

WORK SESSIONS:

1. State of the Open Space Report

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

Commissioner Questions / Comments:

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

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

2. Planning Commission Rules of Procedure Update Regarding Virtual Attendance

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

Commissioner Questions / Comments:

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

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

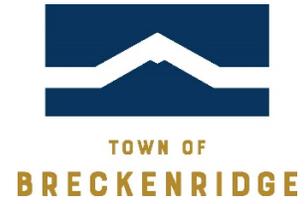
OTHER MATTERS:

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

ADJOURNMENT:

The meeting was adjourned at 6:56 pm.

Mark Leas, Chair



Memo

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

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

COUNCIL BILL NO. ____

Series 2024

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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14 TOWN OF BRECKENRIDGE, a Colorado
15 municipal corporation

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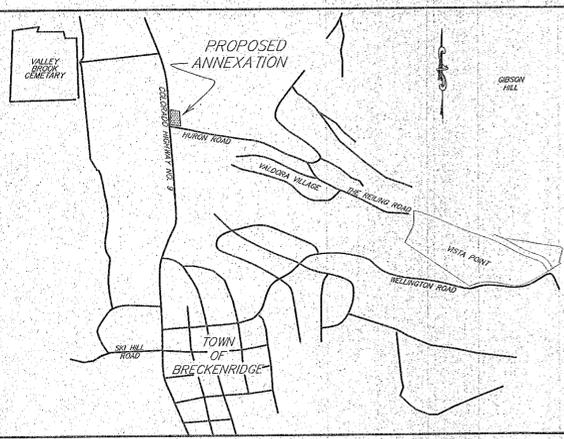
By _____
Kelly Owens, Mayor Pro Tem

ATTEST:

Town Clerk

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

"Exhibit A"



VICINITY MAP

TOTAL AREA TO BE ANNEXED=1,718 ACRES
PERIPHERY OF AREA TO BE ANNEXED=1,129.45'
1/6 OF TOTAL PERIPHERY=188.24'
CONTIGUOUS BOUNDARY OF ANNEXATION PARCEL=786.09'

LEGEND

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

PROPERTY DESCRIPTION:

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

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

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

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

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

COMMENCING AT THE SOUTHEAST PROPERTY CORNER OF TRACT A2, ENTRADA AT BRECKENRIDGE; THENCE S 17°49'20" W A DISTANCE OF 14.17 FEET TO THE POINT OF BEGINNING; THENCE S 21°49'20" W A DISTANCE OF 43.23 FEET; THENCE N77°04'50" W A DISTANCE OF 189.05 FEET; THENCE N18°50'53" W A DISTANCE OF 50.82 FEET; THENCE N77°04'50" W A DISTANCE OF 211.57 FEET TO THE POINT OF BEGINNING, CONTAINING 8,891 SQUARE FEET OR 0.204 ACRE MORE OR LESS.

TOWN OF BRECKENRIDGE CERTIFICATE:

THIS MAP IS APPROVED THIS _____ DAY OF _____ 2022.

BY: _____
DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT

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

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

SURVEYOR'S CERTIFICATE:

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

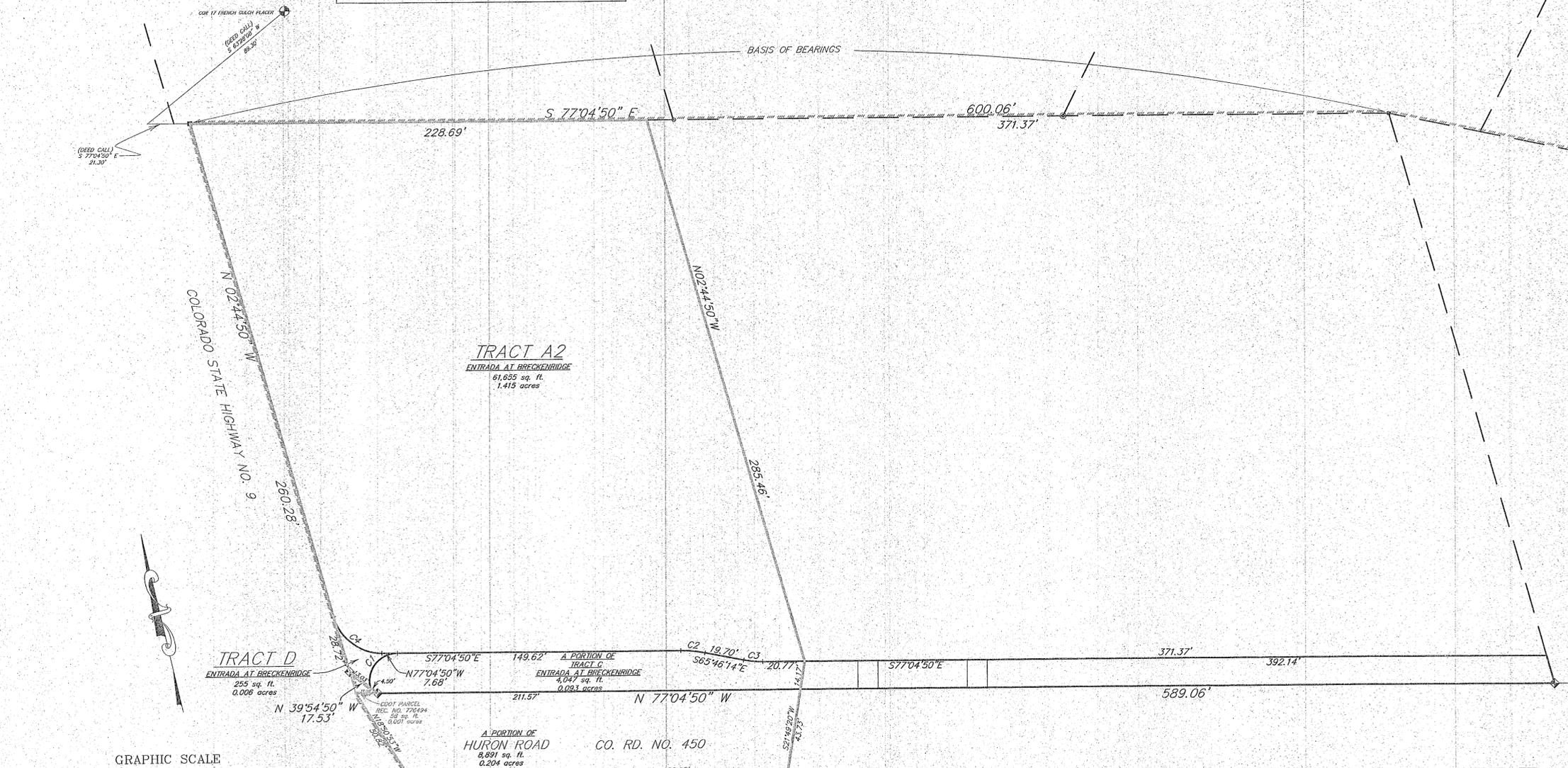
DATED THIS 24th DAY OF August, 2022, A.D. 2022.
Robert R. Johns
ROBERT R. JOHNS, P.L.S. NO. 26292



CLERK AND RECORDER'S CERTIFICATE:

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

SUMMIT COUNTY CLERK AND RECORDER

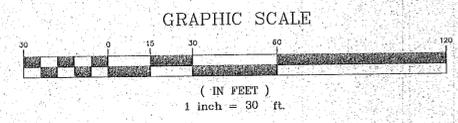


TRACT A2
ENTRADA AT BRECKENRIDGE
61,655 sq. ft.
1.415 acres

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

A PORTION OF HURON ROAD
CO. RD. NO. 450
8,891 sq. ft.
0.204 acres

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	25.30'	14.00'	103°32'52"	N51°08'42" E	22.00'
C2	12.24'	62.00'	11°18'36"	S71°59'52" E	12.22'
C3	9.61'	48.00'	11°28'05"	S71°30'16" E	9.59'
C4	32.41'	25.00'	74°20'00"	S39°54'50" E	30.21'
C5	69.58'	59.01'	66°35'30"	S53°19'59" W	64.79'
C6	41.14'	70.00'	33°40'24"	N60°14'38" W	40.55'
C7	51.14'	114.03'	25°41'38"	S59°53'02" E	50.77'
C8	71.37'	55.00'	74°20'53"	N39°29'17" W	66.42'



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

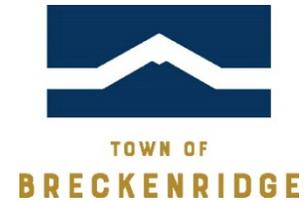
Drawn RW/LK Dwg ANNEXPLAT_A2 Project 17324
Checked RW Date 08/24/2022 Sheet 1 of 1

RANGEWEST
ENGINEERS & SURVEYORS INC.

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

Memo

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



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

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

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

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

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

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

COUNCIL BILL NO. ____

Series 2024

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

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

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

12-1-21: PERMANENT CONSERVATION MEASURES:

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

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

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

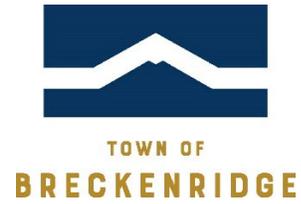
~~b. Outdoor watering on properties located east of the centerline of: 1) Main Street; or 2) Colorado Highway 9 north of Park Avenue and Colorado Highway 9 south of Park Avenue, whichever is applicable, whose last full number in the address is even~~ may lawfully occur only on Sundays, Wednesdays, and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

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

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

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

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



Memo

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

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

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

COUNCIL BILL NO. ____

Series 2024

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

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

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

9-11-2: DEFINITIONS:

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

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

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

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

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

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

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

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

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

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

19 1. Property Owner Consent:

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

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

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

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

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

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

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

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

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

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

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

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

16

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 D. Warnings and Notice.

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

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

7 E. Appeals.

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

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

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

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

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

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

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

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

17 Class B - Major:

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

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

3 Class B - Minor:

4 A. Change of use within a Residential District.

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

7 C. Operation of a home childcare business.

8 D. Vendor carts, large.

9 E. Application for exempt large vendor cart designation.

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

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

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

16 B. Master sign plans.

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

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

20 E. Matters relating to nonconforming uses.

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

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

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

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

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

10 *Class D - Major:*

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

- 15 a. Warrants the assessment of any negative points based upon the director's
- 16 preliminary assessment at the time the application is initially filed; or
- 17 b. Is located on a lot, tract, or parcel without a platted building or disturbance
- 18 envelope outside of the conservation district as defined in section [9-1-19-3A](#) of this
- 19 chapter (density).

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

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

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

1 *Class D - Minor:*

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

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

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

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

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

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

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

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

12
13 TOWN OF BRECKENRIDGE, a Colorado
14 municipal corporation

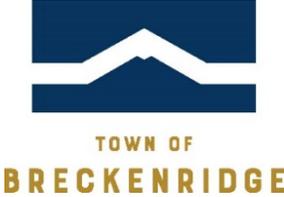
15
16
17
18 By: _____
19 Kelly Owens, Mayor Pro Tem

20
21 ATTEST:
22
23
24
25 _____
26 Helen Cospolich, CMC,
27 Town Clerk

28
29 ATTEST:
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32

Memo

To: Breckenridge Town Council Members
From: Town Staff
Date: 4/16/2024 (for the 4/23/24 work session)
Subject: Public Projects Update



McCain Access Road Construction

Work is underway for the McCain Access Road. The contractor has been moving snow within the areas of disturbance for the project and will begin waterline construction this week.

Project Funding	
2024 CIP	\$9,400,000
2024 Estimated Budget	\$4,500,000

Asphalt and Concrete Repair

Three bids were received for the 2024 Asphalt Overlay Project. Columbine Hills Construction was the low bidder at \$2.4M. The proposed locations for asphalt repair include Silver Circle, Valley Brook Street, Watson Avenue, Royal Tiger Road, Reiling Road, West Adams Avenue, Upper Boreas Pass Road, Highlands Drive, and Snowflake Drive. Locations will be adjusted for budget and coordination with other capital projects such as Fiber9600.

Concrete replacement, which is also included in the \$3.7M CIP budget, will be bid in the coming weeks.

Project Funding	
2024 CIP	\$3,700,000
TOTAL	\$3,700,000

Public Works Fuel System Replacement

The aging fuel system located at Public Works is planned for replacement beginning in May 2024. The two existing underground storage tanks will be removed and replaced with a single above ground split-tank for both diesel and unleaded fuel. There will also be new dispensers and related software upgrades to the system. The current fueling island will need to be taken out of service during the construction from May-July 2024 and we will implement a temporary fueling station for diesel equipment and vehicles at Public Works but may need off-site fueling for unleaded fleet vehicles.

Project Funding	
2023 CIP	\$750,000
TOTAL	\$750,000

Blue River Pathways

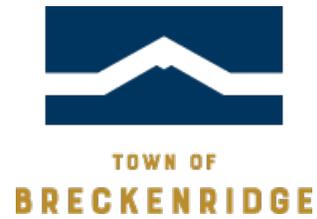
Current capital projects underway for the Blue River Pathways project are shown in the table below. Capital projects including the Living Lab Rec Path extension, pedestrian path, and circulation changes in the Gold Pan and Ice House Alleys were completed in spring 2022 & 2023.

E-Delivery & Logistics Program: Work on the temporary dock for the F&B Pilot, located in the south end of the Tiger Dredge parking lot, will begin in June with site work followed by the erection of the temporary structure in July. Public outreach for the project is also underway and is further detailed in the Sustainability update.

Master Plan: Staff presented an updated concept of the Ice House alley segment of the master plan to the Council on March 13th. The concept plan included a widened shared use path, a new pedestrian/bike bridge, and changes to the circulation in the parking area. Staff will bring a further refined concept sketch for review that incorporates Council direction to further limit vehicular circulation between the parking area and traveled alley.

	Project Funding		
	2023 CIP	MMOF Grant	2024 CIP
Underpass Feasibility and Design	\$ 675,000	\$ 675,000	
Blue River Flow Analysis			\$ 250,000
Schoonover De-construction			\$ 350,000
Living Lab Bike Plaza			\$ 250,000
Food & Beverage Delivery Pilot			\$ 2,000,000*
TOTAL	\$ 675,000	\$ 675,000	\$ 2,850,000

*includes estimated 2024 Supplemental Appropriation



Memo

To: Town Council
From: Sustainability Staff
Date: 4/23/24
Subject: Sustainability Update

Materials Management

Materials Management Fee

MMF Payments as of 4/15/2024:

- 113/178 users

Staff began deactivating keycards of users with unpaid MMF invoices following the April 1 deadline and two-week grace period. All users have been notified multiple times and staff will continue to work to close out invoices.

Construction and Demolition (C+D)

The Zero Waste Task Force's (ZWTF) C+D group met on March 28th to hear the recap of the Builders Association meeting and results of the builder survey. In addition, Emily Freeman with City of Boulder gave a presentation on the City's C+D program and lessons learned. Attached is the slide deck and survey results from that meeting. Next steps are to brief town and county staff who have not been a part of the ZWTF group but who would potentially be impacted by any proposed policy.

E-Logistics and Delivery Pilot

Staff created a webpage with a project description, contractor information, standards of procedure, and FAQs. This page will be updated as details are ironed out and as we learn more from the community about what questions they have. Info can be found at [E-Delivery + Logistics \(sustainablebreck.com\)](https://sustainablebreck.com) Staff is reaching out directly to Breckenridge Tourism Office and Breckenridge Creative Arts for further input and to ways in which the town will mitigate concerns related to events this year.

Staff from 106West have been canvassing Main Street to meet with owners and managers from local establishments to introduce the program and answer specific questions. Interactions have been beneficial and will help inform the development of the program. This outreach will continue throughout the spring and early summer.

Two roundtables will be hosted in May for businesses to learn more about how this program will impact their current operations. This is a space for community members to ask questions of staff and representatives from 106West. The sessions will be hosted at Public Works and an RSVP will be required. Answers to questions from these roundtables will be posted in the FAQ section of the website as well as a recording of the meeting. More info can be found on the [E-Delivery + Logistics page](#).

Finally, the Town will be hosting the June 5th meeting of the Breckenridge Restaurant Association at Town Hall to discuss this pilot program for the upcoming summer. The public is encouraged to reach out to sustainablebreck@townofbreckenridge.com with questions about the project.

Breck E-Ride

Preparations are underway for the second year of the Breck E-Ride e-bikeshare program. Town staff have begun work on preparing hub pads and deploying the racks. Drop Mobility has hired and on-boarded a new local Operations Manager, and they are currently going through maintenance checks and preparing the E-Ride fleet for launch.

New this year, the Breck E-Ride will utilize a cargo e-tricycle to facilitate battery swaps and in-field maintenance as well as an e-transit van for rebalancing and transporting e-bikes for maintenance. As long as the weather cooperates, the operations team plans to begin deploying at hub locations starting May 1st with the goal to have the full system running by May 10th.

This year's program will consist of 125 e-bikes (50 more than 2023) and [25 hub locations](#) (eight more than 2023). The Breck E-Ride team will have a public launch tent at the June 1st town clean-up day event, offering free test rides, and answering questions, promoting the program. Additionally, Common Spirit Hospital's Trauma Program will give out free bike helmets, do proper helmet-fittings, and provide bike safety information.

TO: JENNIFER SCHENK, HC3 & RACHEL ZEROWIN, HC3
FROM: RESOURCE RECYCLING SYSTEMS
DATE: MARCH 28, 2024
RE: ZERO WASTE TASK FORCE MEETING 3 NOTES

Attendees

- Jen Schenk, Rachel Zerowin, and Christy Turner, HC3
- Coryanne Mansell and Juri Freeman, RRS
- Kat Slaughter, VERT Sites
- Aaron Byrne and Bill Schenk, SCRAP
- Alex Kalkman, Cambell Construction and Engineering
- Sarah Connelly, and Ashley Brubaker, Summit County
- Abbey Browne, Wood Winds Property Management
- Bill Ashley, Ashley Enterprises
- Gaston Feuereisen, Timberline Disposal & Recycling
- Carolanne Powers, Summit Homes Construction
- Hayden van Andel, Town of Breckenridge
- Jon Blank, Town of Dillon
- Kristi D'Agati, Town of Silverthorne
- Nico Cruz, Town of Frisco
- Scott Hutchings (Hutch), Waste Management
- Stephen Oppito, Pinnacle Mountain Homes
- Kelly Owens, Town of Breckenridge
- Jonnah Glassman, Silverthorne Town Council
- Dan McCrerey, Board of HC3
- Lisa Holenko, Frisco Town Council
- Kyle Hendricks- Town of Dillon Council
- Jeff Grasser- Copper Mountain
- Mike Nathan and Helena Robinowitz- Araphahoe Basin
- Jessie Burley, Town of Breckenridge
- Emily Kimmel, Breckenridge Grand Vacations
- Hilary Sueoka, Town of Frisco
- Paul Camillo, Summit County Builders Association
- Jennifer Cawley, Summit County

Discussion

- Overview of the Builders' Survey, highlighting the key findings:
 - There is agreement that recycling is important and general support for policy.
 - Policy should be phased in, consistent across Summit County, and consider project size/type.
 - A small majority reported a policy requiring recycling of select materials could work.
 - Respondents felt complying with a diversion plan and/or recycling rate may be challenging.
 - 73% either support or would consider a deposit with more information.
- Presentation by Emily Freeman from City of Boulder to discuss Deconstruction Ordinance, implemented in 2020 and incorporates a deposit structure, as well as mandatory recycling from New Construction projects.
 - Lessons learned: implement easier weight tracking forms, suggest policies developed around evolving infrastructure (i.e., requiring recycling of materials with markets)
 - 85% total diversion since the deconstruction ordinance was implemented.
 - The Nexus Study indicated \$1 per square foot deposit was justified.
- Breakout Group Highlights:
 - Diversion Plans
 - Need to address the recyclability of concrete and wood with nails.
 - Preferential to start with both residential and commercial new construction.
 - Requirement for all project sizes
 - Consider resources or options for tracking (Pitkin County offers examples for measuring and tracking weights)
 - Plan could be applicable to all but modified for deconstruction vs. new construction.
 - Target Materials
 - Start with the easiest materials (cardboard and scrap metal)
 - Consider biggest impact items such as e-waste, paint, or hazardous materials.
 - Consider what loopholes might arise from only including mandatory list of three (and not just three easiest)
 - Offer/include "stretch" goals such as:
 - drywall, shingles, etc.
 - clean lumber (noted semantics around wood vs. lumber) and concrete is recyclable at SCRAP.
 - Consider combining concrete and asphalt as "aggregate" materials.
 - Need support in tracking weights.
 - Additional information gathering requested on Green Halo's platform, Pitkin County's success, and SCRAP's current method for tracking materials.
 - Deposits
 - Make sense to encourage compliance.
 - Consider starting after a 1-year period of conducting other policy components (construction materials management plans/diversion plans).
 - Starting with new construction seems easier.
 - Lessons learned from Pitkin County included raising deposit prices to increase compliance.
 - Boulder started out with deposits Year 1 but returned all deposits as a way of driving education and compliance.



HIGH COUNTY CONSERVATION CENTER ZERO WASTE TASK FORCE MEETING 3

March 28, 2024



PROJECT GOAL

Develop a recommendation for a policy framework to increase the recycling and recovery of C&D waste in Summit County.

TODAY'S AGENDA

ITEM	START TIME
Introductions	2:30pm
Survey Results	2:40pm
City of Boulder Presentation and Discussion	2:55pm
Present Framework	3:25pm
Break out Groups	3:30pm
Close Out	3:55pm



INTRODUCTIONS

Name

Organization



MEETING #3 GOAL

Incorporating lessons learned from the survey and neighboring community, discuss considerations that could work within a proposed policy framework.

BUILDERS SURVEY KEY FINDINGS

Builders agree that recycling is important and are generally supportive of a policy, *if it makes sense.*

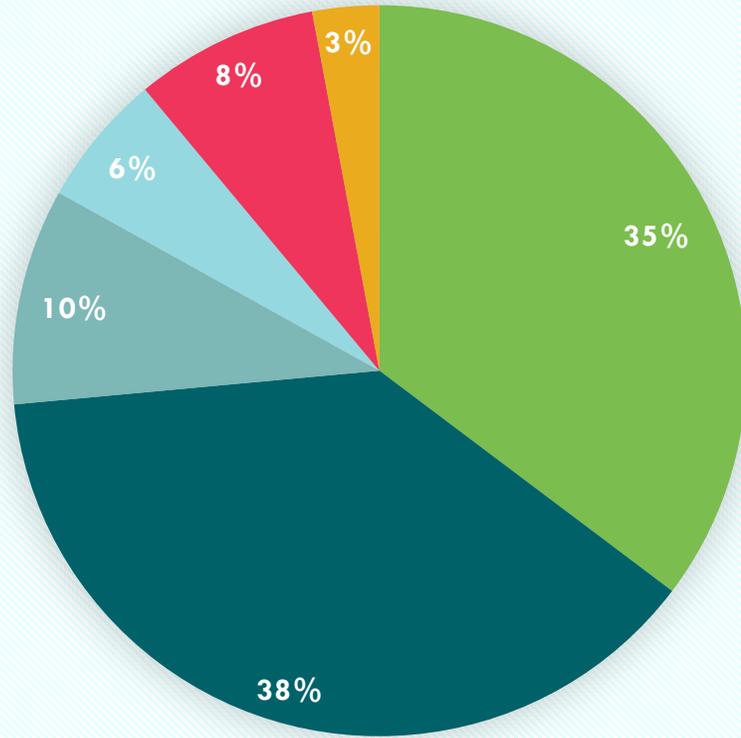
A policy should be phased in gradually, with consistency across Summit County and considerations for project size and type.

Majority of builders felt complying with a diversion plan and/or a required recycling rate will be a challenge.

A slight majority reported that a policy requiring the recycling of select materials could work in Summit County.

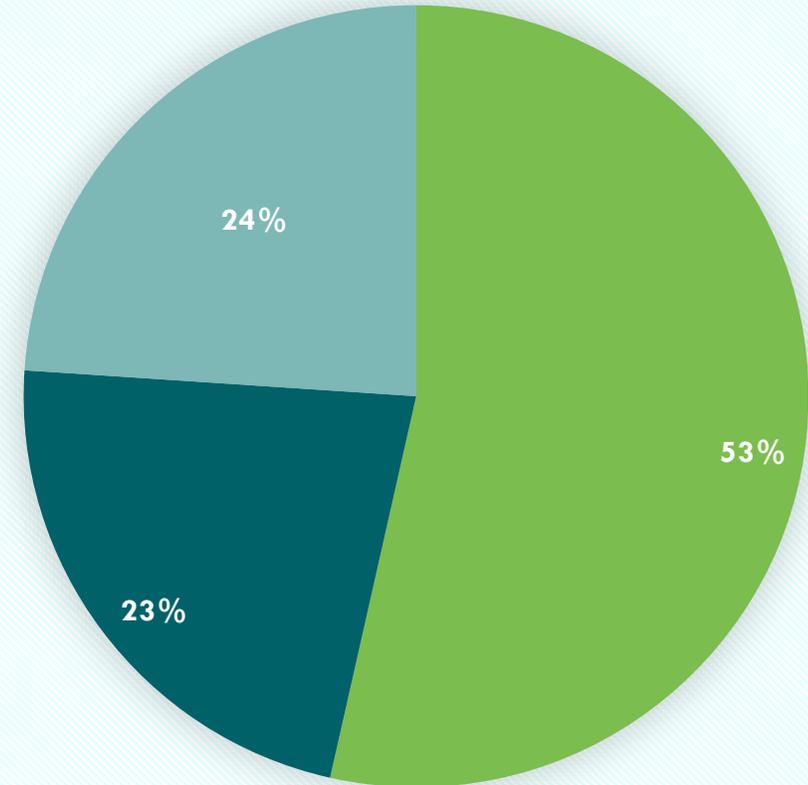
RESPONDENTS (71)

Types of Projects



- New Homes
- Remodels/Additions
- Commercial Multi-Family
- Commercial Business
- Demolition/Deconstruction
- Other (Please Specify)

Number of Projects (annually)



- 1 to 5
- 6 to 15
- More than 15

BUILDERS KEY FINDINGS



Over **90%** of respondents currently **recycle**.



The most common recycled materials include **cardboard** and **scrap metal**.



90% reported experiencing challenges that prevent them from recycling and recovering more materials.



Top three challenges include **cost**, **transportation**, and **space**.

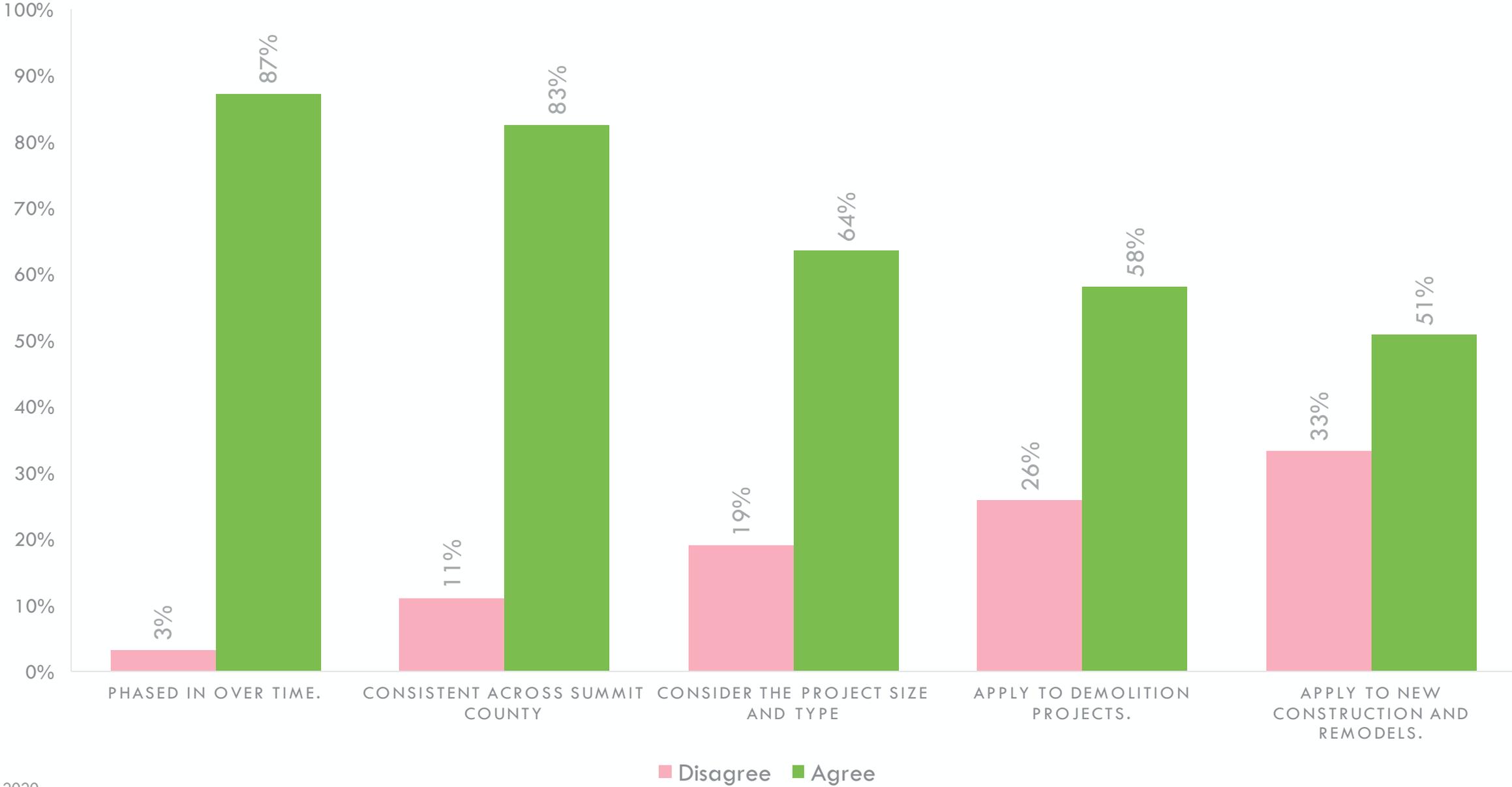
“Any of these could work if the correct parameters were implemented along with them. The key is allowing flexibility as each project is unique and different.”

“There are no options to recycle most materials, we cannot recycle drywall, insulation, shingles or wood. We only recycle concrete and metal.”



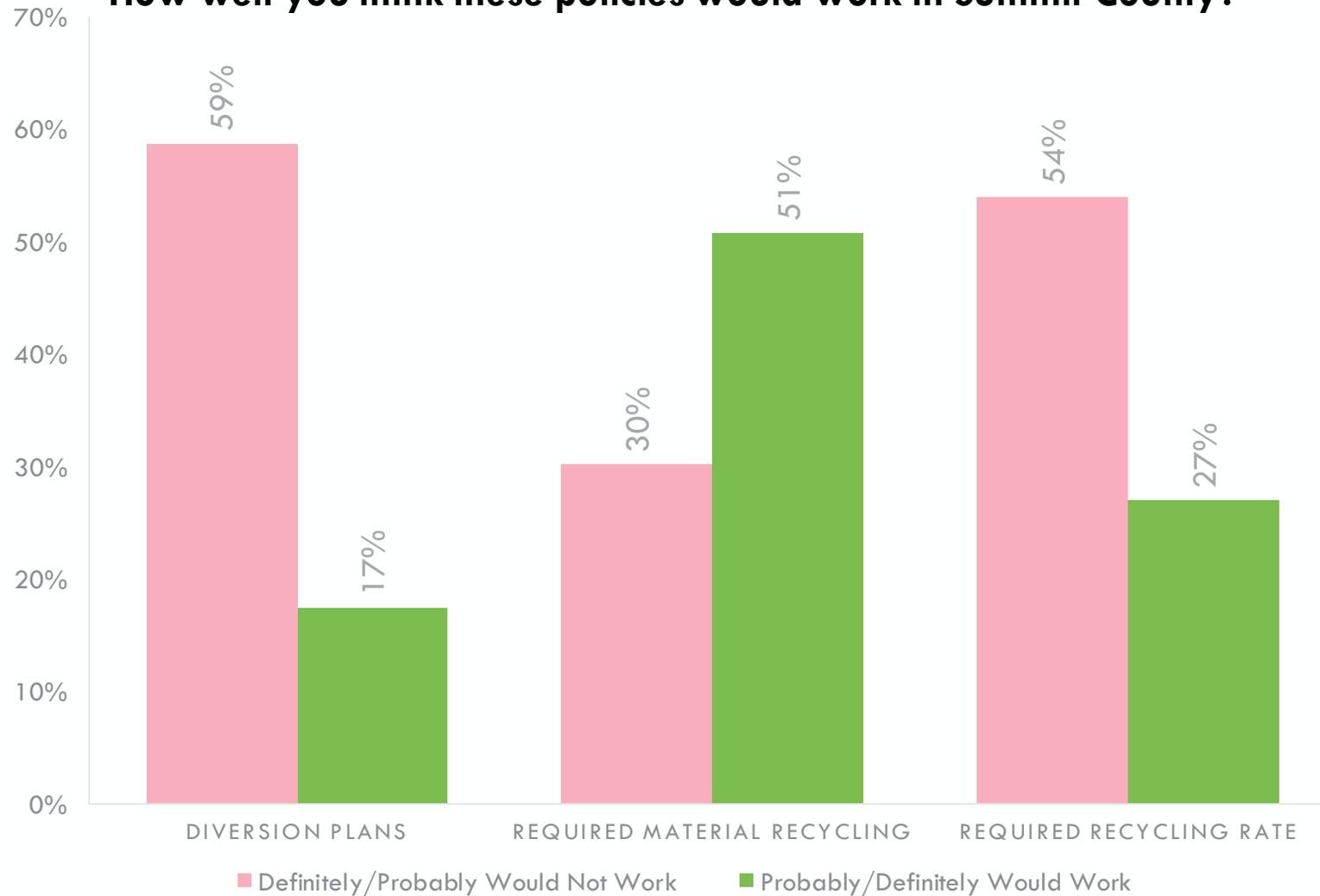
- More than **80%** of respondents agree increasing recycling and recovery of C&D materials is **important** for Summit County's environment, residents, and businesses.
- Policies should be phased in, consistent, and consider project sizes/types.
 - Builders generally support their application to demo, remodel, and new construction.

Policy Preferences



BUILDERS SURVEY RESULTS

How well you think these policies would work in Summit County?



DEPOSITS

“With clear information for everyone about costs and procedures this could be a good asset for the County.”

73%

Support or would consider a deposit with more information.

REQUESTED RESOURCES



Majority requested: Jobsite assistance and case studies of successful jobsites.



Many expressed interest in developing SCRAP's infrastructure to manage and recycle additional materials.

“It feels like the whole program is well intended but it needs to start with the infrastructure and options for the recycling being in place, then education on how to utilize them, followed by reasonable construction action plans and policy implementation over time.”

BOULDER, COLORADO



SAMPLE FRAMEWORK



Covered Projects Require a Construction Materials Management Plan



Projects Must Recycle Targeted Materials



Projects Require a Refundable Deposit

POLICY TYPE



Covered Projects Require a Construction Materials Management Plan

- Highly supported by the Zero Waste Task Force.
- Incorporates data collection for informed decision-making.
- Foundational for many policy types.

POLICY TYPE



Projects Must Recycle Targeted Materials

- Strong advocacy and support for recycling from the Zero Waste Task Force and Builders’.
- Majority supported mandatory materials recycling in survey.
- Designed to align with current county infrastructure.
- Aims to drive recycling actions.

POLICY TYPE



Projects Require a Refundable Deposit

- Research indicates that deposits are key for driving compliance.
- Highest performing policies often incorporate this component.
- Builders and the Zero Waste Task Force have expressed interest in this policy, with reservations.



CORYANNE MANSSELL

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JURI FREEMAN

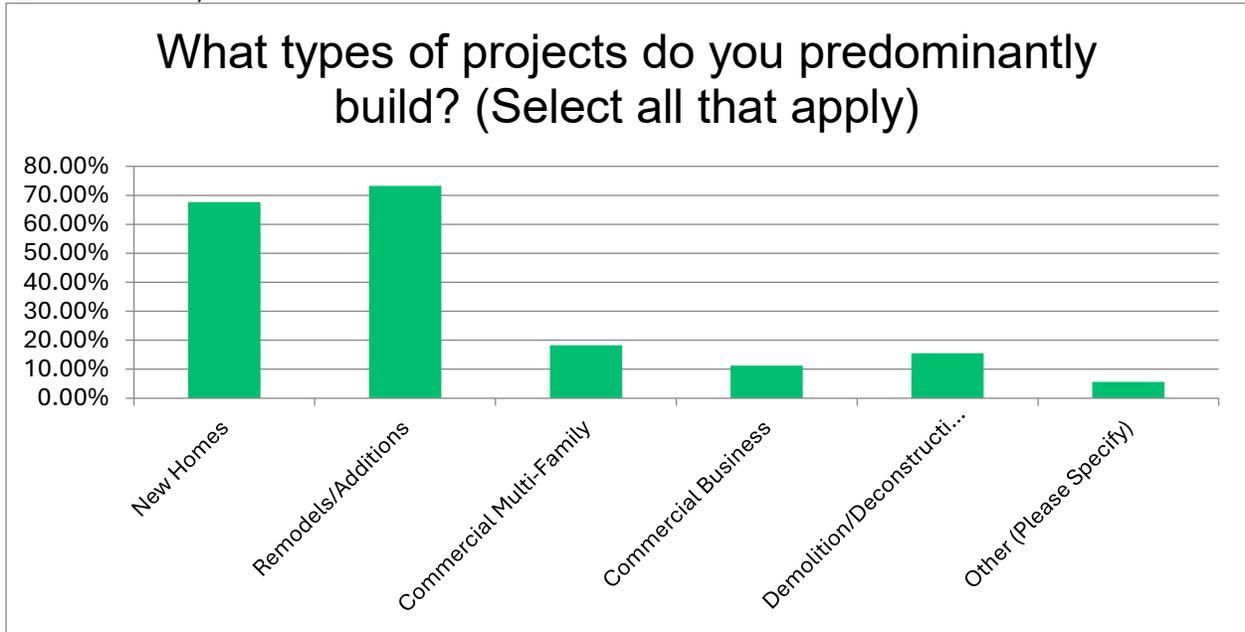
JFREEMAN@RECYCLE.COM

BUILDERS' SURVEY SUMMARY OF RESPONSES

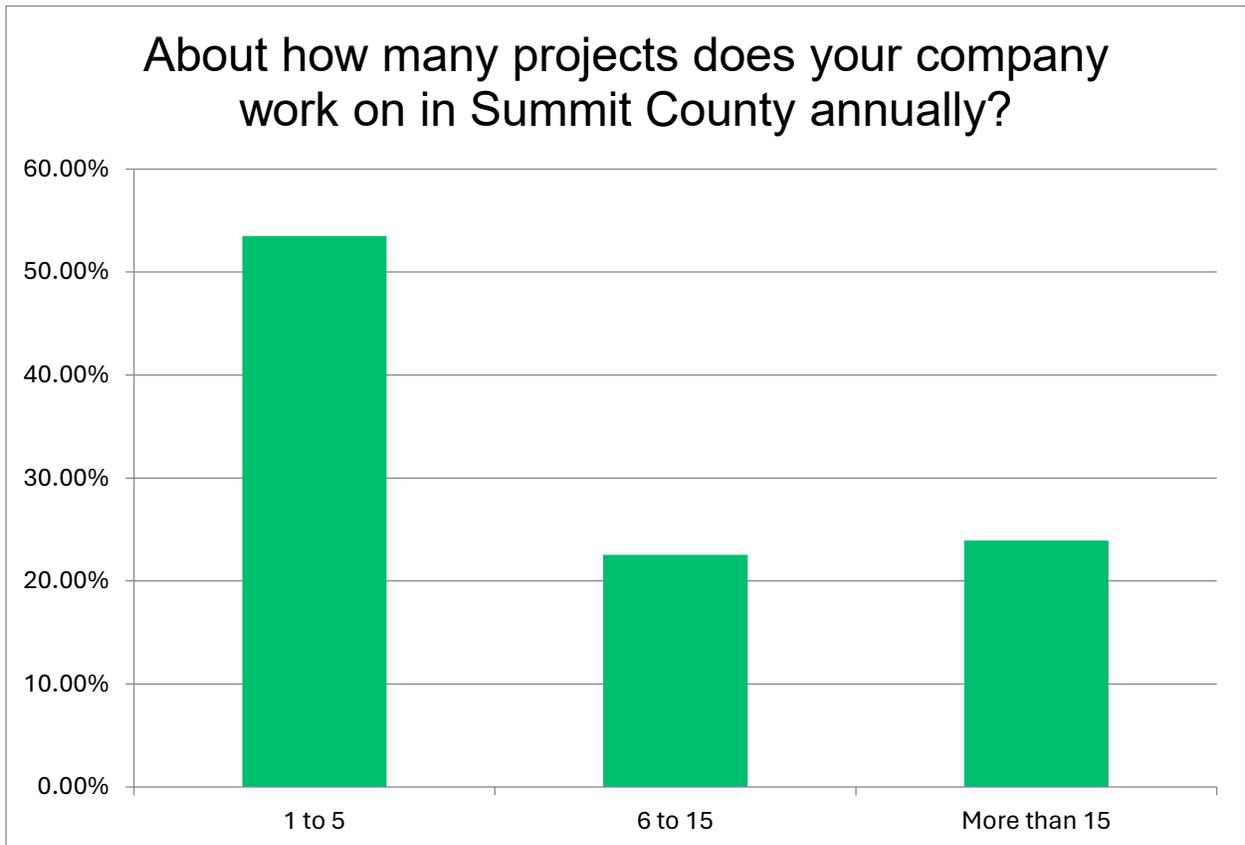
MARCH 27, 2024

TOTAL RESPONSES: 71

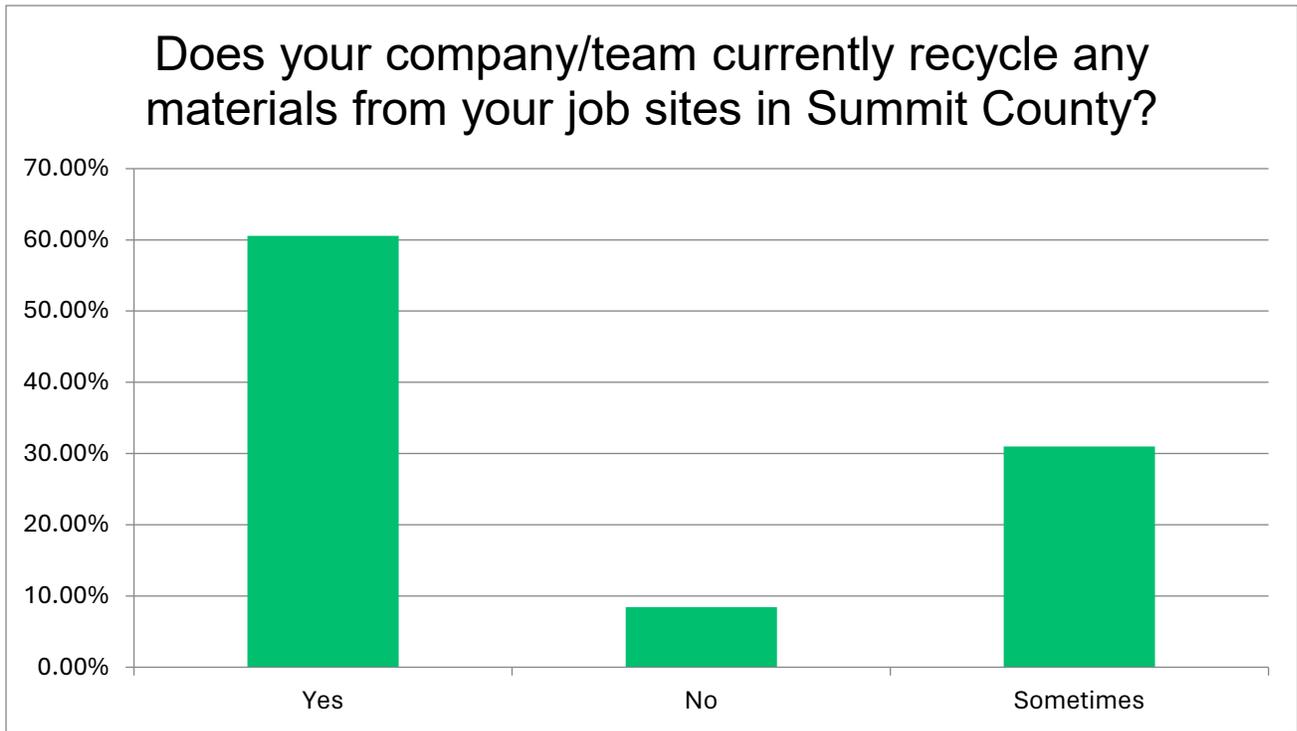
QUESTION 1 / 71 RESPONSES



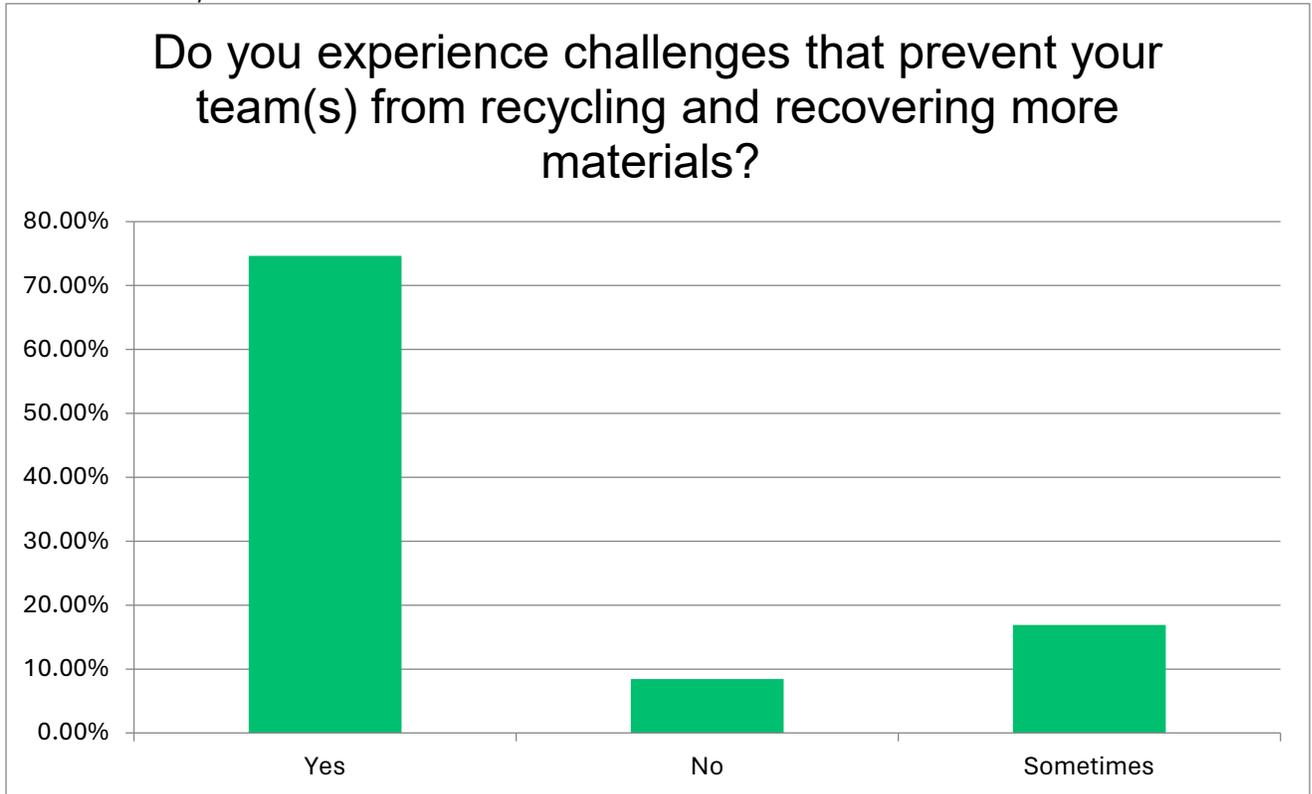
QUESTION 2 / 71 RESPONSES



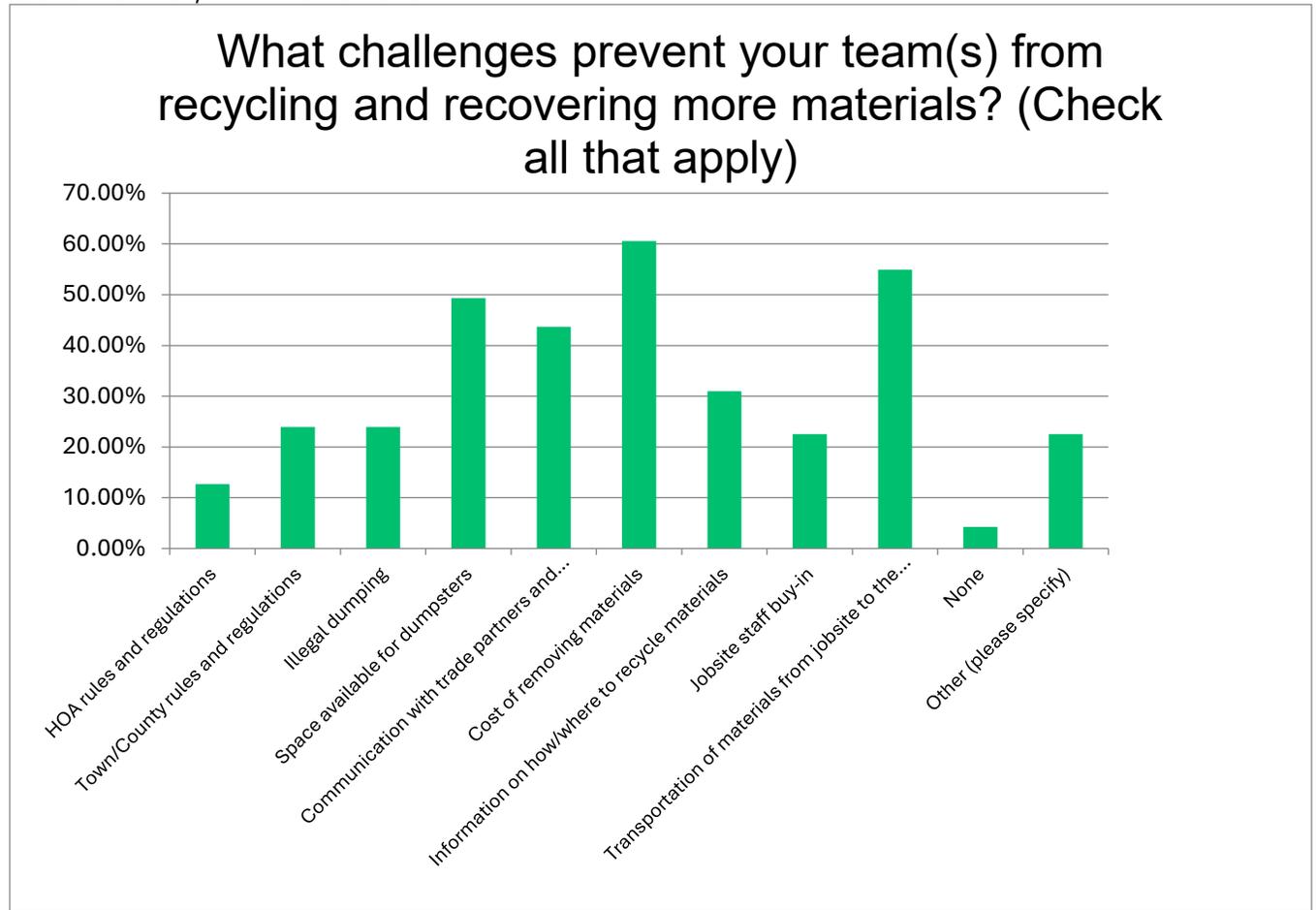
QUESTION 3 / 71 RESPONSES



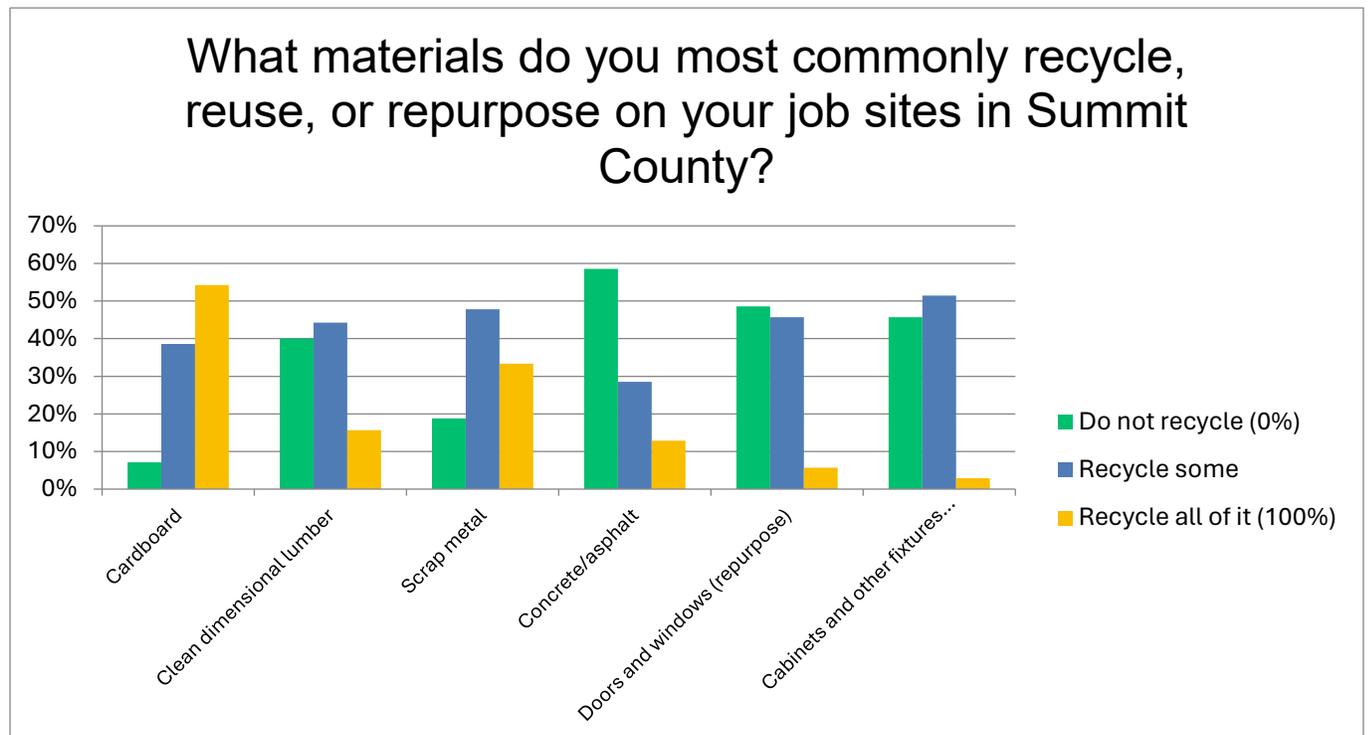
QUESTION 4 / 71 RESPONSES



QUESTION 5 / 71 RESPONSES

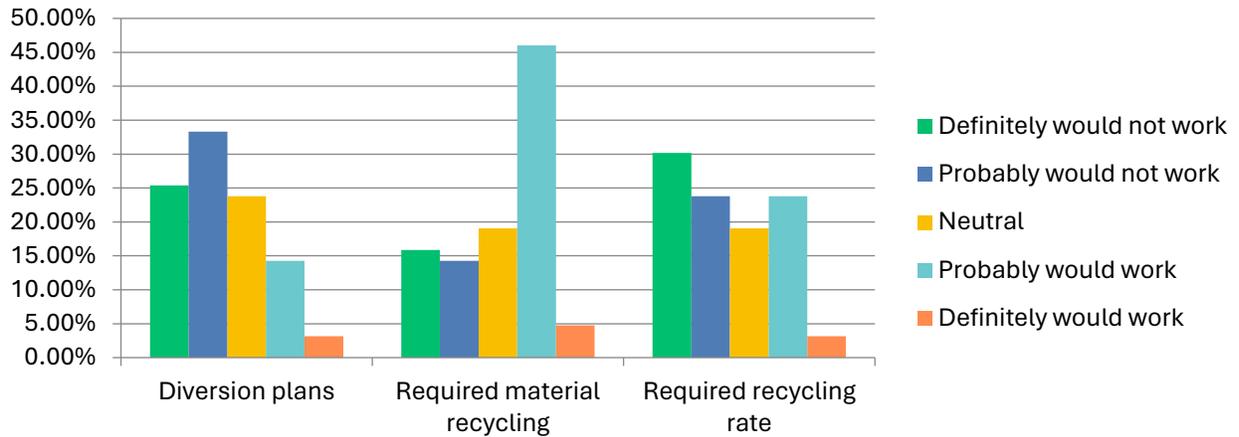


QUESTION 6 / 70 RESPONSES



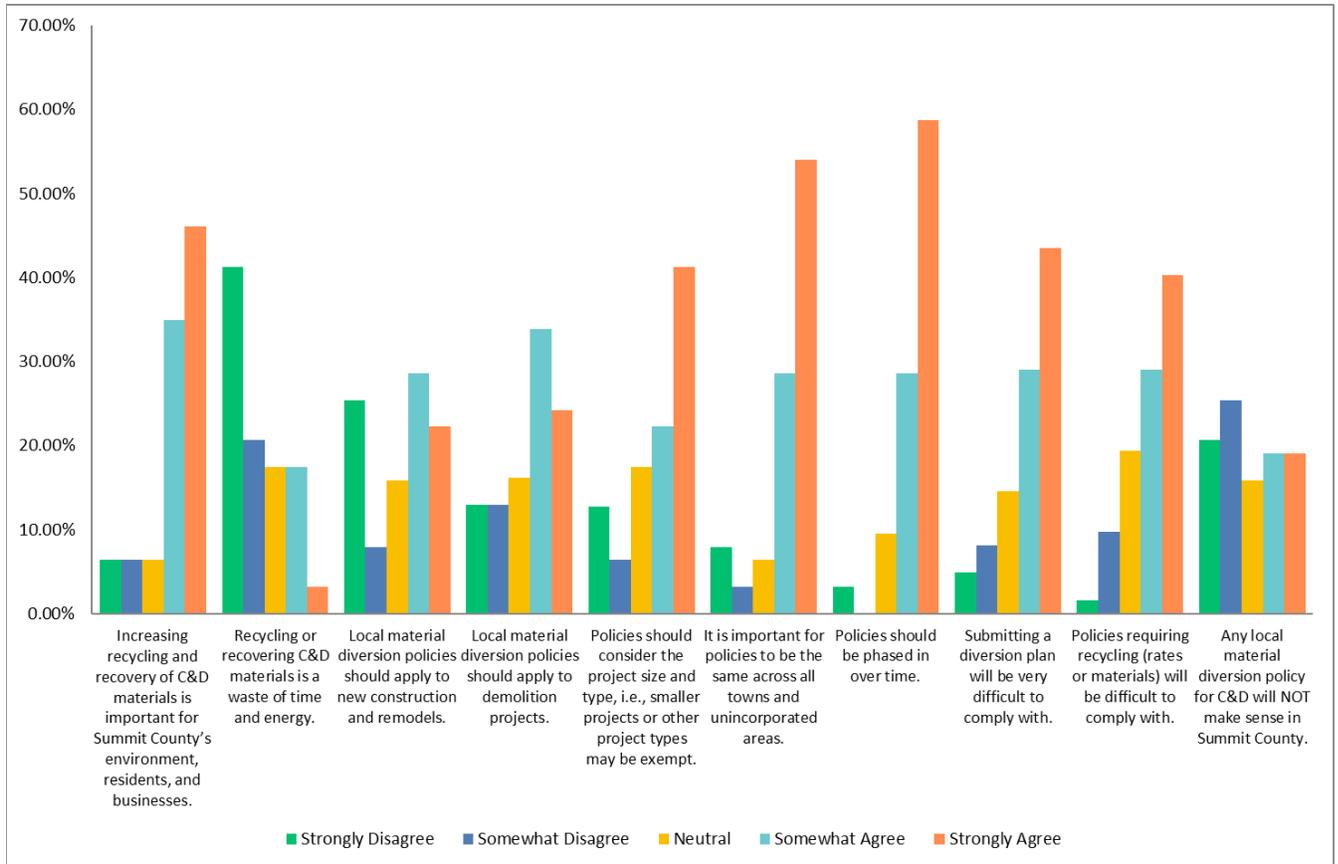
QUESTION 7 / 63 RESPONSES

Please rate how well you think these policies would work in Summit County.



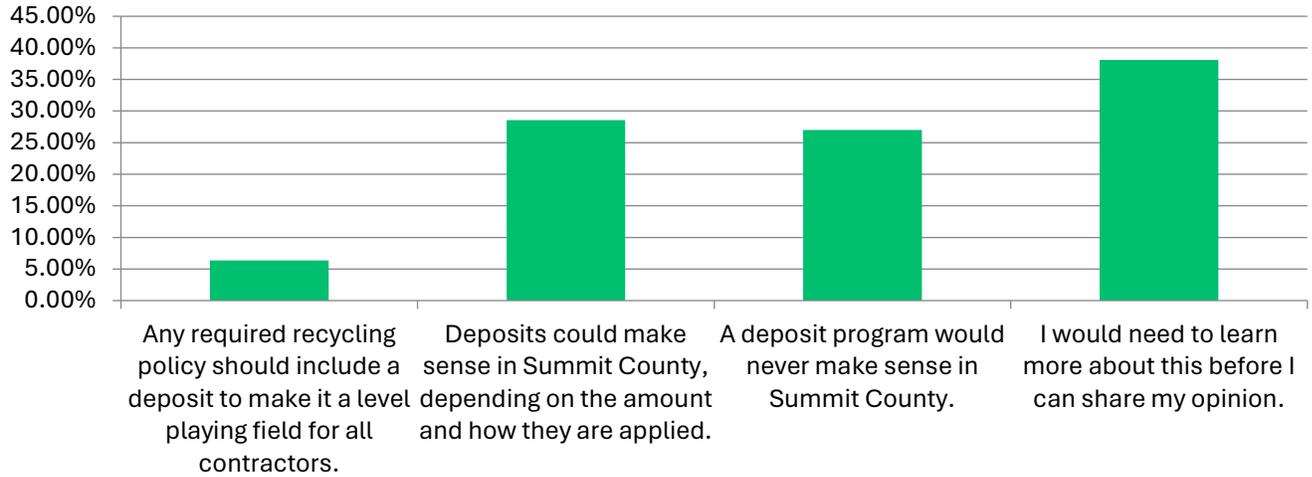
QUESTION 8 / 63 RESPONSES

Please let us know whether you agree or disagree with the following statements.



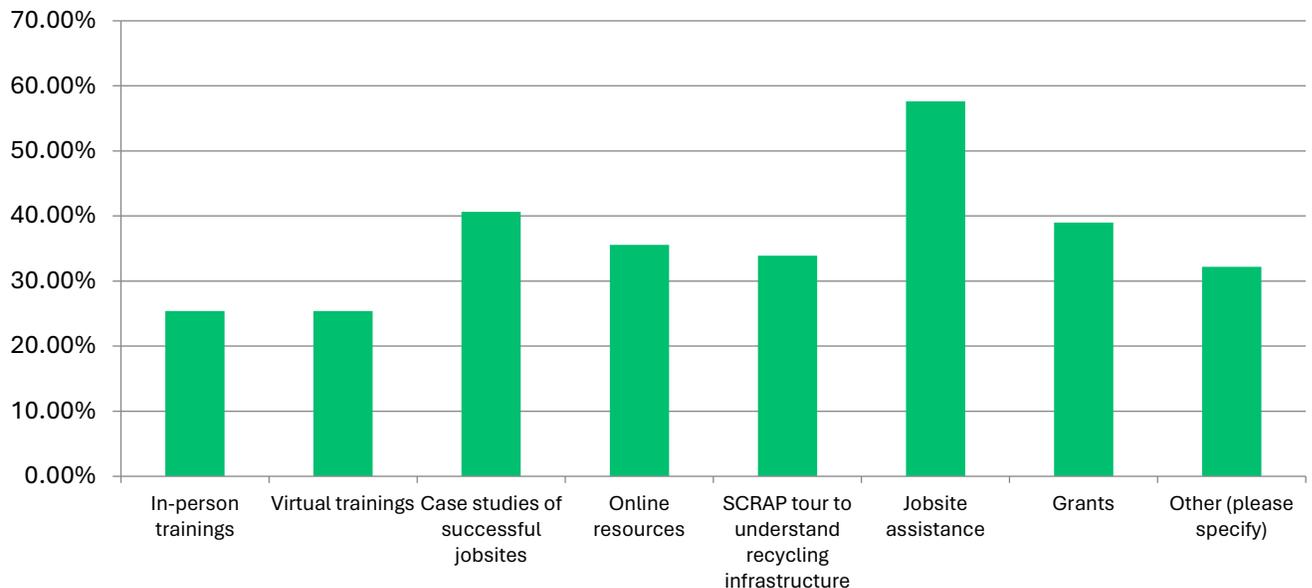
QUESTION 9 / 63 RESPONSES

Please let us know what you think about requiring deposits for recycling C&D materials. Choose one.



QUESTION 10 / 59 RESPONSES

What support would help you recycle more C&D in Summit County (Select all that apply)



Housing Workgroup Meeting

April 09, 2024 - 10:30 to Noon

Agenda

- 1) Lottery Recap for Stables Village
- 2) Updates to Rules and Regulations – Lottery process and additional items
- 3) Verbal Updates
- 4) Program Updates
 - a. Buy Down
 - b. Housing Helps
- 7) Other

NOTE: Workgroup Comments / Minutes from the 4/09/24 meeting are highlighted in a text box on pertinent slides. Attendees - Dick Carlton, Shannon Haynes, Scott Reid, Mark Truckey, Julia Puester, Darci Henning, Melanie Leas, Aubrey Ciol and Corrie Burr.

Lottery Recap for Stables Village



- The Stables Village lottery for phase 1B occurred on April 4th.
- 22 Homes were in the lottery: 2 single family homes, 8 duplexes and the remaining 12 townhomes.
- We had a total of 510 tickets with 233 unique applicants.
- The lottery was completed by a third-party vendor.
- SCHA will begin reaching out to the top 35 individuals in the lottery to begin the full buyer application process the week of April 8th.
- The homes in Phase 1B are anticipated to break ground this summer with completion in 2025.
- Phase 2A lottery is anticipated for Fall 2024.

NOTE: Council to do a tour of Stables in July. Lottery went smoothly, only one applicant was selected twice in the top 35 slots. Four parties did not qualify and all were notified individually.



Updates to Rules and Regulations

- Lottery process needs further clarification.
 - What Is the proposed purpose, to prevent side deals or provide equal access to all buyers?
 - How do we protect both buyers' and sellers' interests with contingent sales and delayed timelines?
- Address items relating to Health and Safety in Capital Improvement. (i.e. radon or mold mitigation). Propose to always allow those items to be recouped.
- Proposed maintenance items to be updated based upon life of newer products and cost of items.

NOTE: Would like as much consistency across the County as a whole for lotteries. First priority is consistency. SCHA will be discussing on 04/22. County has a list of lottery criteria but it appears to be different for each project. Smith Ranch issues have brought this discussion to light. It is important to try to overcome the advantage that cash buyers have in our deed restricted communities but also difficult to force a seller to take a contingent offer. Limit the items to add to Capital Improvement to Health related. Added component to ensure that the mitigation is still working, some sort of five or ten year check or at sale of property.



Verbal Updates

- Priority for emergency services employees.
- Allowance to add Special Assessments as a Capital Improvement.

NOTE: So many deserving priorities, how do you decide who meets the criteria. If we ever get a definition as a municipality of what constitutes a priority. There are a lot of challenges and pitfalls. Work with agencies/ employers directly and master lease. SCHA is looking at maybe offering downpayment assistance loans that could be used for special assessments. Owners can also use Housing Helps funds to pay for a special assessment, but cannot then recoup the cost in their sales price.

Buy Down Update

NOTE: looking at negotiations of two additional properties. Single Families or those with low HOA dues are a high priority.

2024 Buy Down Budget: \$2,500,000 Property Goal: 10

2019 Cost / Buy Down (4 properties): \$68,833 and 2019 Cost / Bedroom: \$37,964

2023 Cost / Buy Down (19 properties): \$186,173 and 2023 Cost / Bedroom: \$114,205

Total Buy Down properties since 2019: 50 Approximate Total Investment \$6.2M (includes \$1.6M income) \$124,000 / unit

2024 Acquisitions & Sales	<u>Purchase Date</u>	<u>Purchase Price</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Beds</u>	<u>Bath</u>	<u>Cost of Buy Down</u>	<u>Cost per Bedroom</u>	
BLUE is sold, Bold is Under Contract									
Gold Camp C66 (SG)*	12/3/2021	\$650,000	3/12/2024	\$433,834	2	1	-\$216,166	-\$108,083	-33.26%
Villas at Swans Nest 1903 (SG)*	6/1/2023	\$863,814.50	2024	\$614,249.86	2	2	-\$249,565	-\$124,782	-28.89%
Villas at Swans Nest 1805 (SG)	9/15/2023	\$857,184.91	2024	\$645,000.00	2	2	-\$212,185	-\$106,092	-24.75%
Villas at Swans Nest 1301 (SG)	10/27/2023	\$858,795.45	2024	\$655,000.00	2	2	-\$203,795	-\$101,898	-23.73%
350 Timberlane Circle	12/1/2023	\$1,580,000.00	1/31/2024	\$1,091,296.86	4	4	-\$488,703	-\$122,176	-30.93%
Woodglen, Unit 2 (KV)*	2/22/2024	\$860,000.00	3/29/2024	\$594,189.19	3	2	-\$265,811	-\$88,604	-30.91%

Housing Helps Update

NOTE: \$2.5M should be the Town contribution not total contribution. The net amount is the target so the County contribution adds to the total budget.

We have completed 7 Housing Helps applications in 2024 and have 2 applications currently in process/review looking to close in April.

Budget is 20 units with \$2.5M.

Current spend is \$1,085,850.00 with \$319,600 of that paid by Summit County.

Total Housing Helps Properties: 76

Total Investment: \$7,076,510 (Town Only)

Total Cost / Unit: \$93,112 (Town Only)

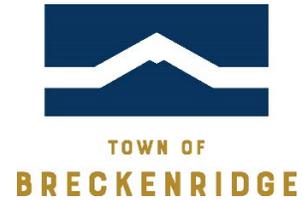
All UBB Investment: \$10,205,333

All UBB Cost / Unit: \$134,281



Other

NOTE: Going over Stables lottery recap and construction update in Housing update during council. Timberline update. Any way to make the addition available to infants. Might be more likely to be the younger toddler age as well. Focus on infant capacity.



Memo

To: Breckenridge Town Council Members
From: Helen Cospolich, Town Clerk
Date: 4/18/2024
Subject: Committee Reports

No Committee Reports reports were submitted for this meeting:

Committees*	Representative	Report Status
Summit Stage Advisory Board	Matt Hulsey	No Meeting/Report
Police Advisory Committee	Chief Jim Baird	No Meeting/Report
Recreation Advisory Committee	Molly Boyd	No Meeting/Report
Transit and Parking Advisory Committee	Matt Hulsey	No Meeting/Report
Liquor and Marijuana Licensing Authority	Tara Olson	No Meeting/Report
Breckenridge Social Equity Advisory Commission	Scott Reid	No Meeting/Report
Communications	Brooke Attebery	No Meeting/Report

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



TOWN OF
BRECKENRIDGE

March 31st, 2024

Department of Finance

Executive Summary

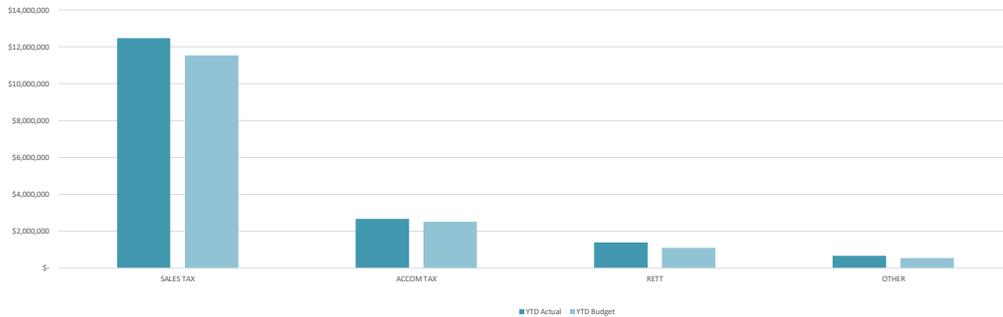
March 31, 2024

This report covers the 3 months of 2024. March is largely reflective of February tax collections.

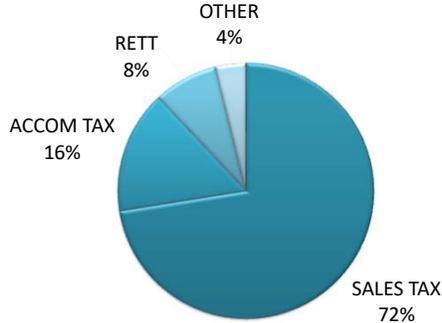
Overall, we are approximately \$1.5M above 2024 budgeted revenues in the Excise fund and \$.3M behind prior year. Sales tax is currently \$.9M over YTD budget, and \$.2M behind of prior year. Accommodations tax is ahead \$.2M in comparison with YTD budget and \$.2M behind of prior year. Real Estate Transfer Tax is ahead \$.3M in comparison with YTD budget and ahead \$.1M in comparison with prior year.

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

Excise YTD Actual vs. Budget - by Source



YTD Actual Revenues - Excise



	YTD Actual	YTD Budget	% of Budget	Annual Budget	Prior YTD Actual	Prior Annual Actual
SALES TAX	\$ 12,463,760	\$ 11,538,000	108%	\$ 35,700,000	\$ 12,640,357	\$ 36,424,495
ACCOMMODATIONS TAX	2,670,240	2,510,000	106%	6,000,000	2,867,927	6,314,016
REAL ESTATE TRANSFER	1,399,399	1,100,000	127%	5,000,000	1,243,687	6,225,510
OTHER*	663,699	544,085	122%	2,352,953	730,552	2,979,403
TOTAL	\$ 17,197,099	\$ 15,692,085	110%	\$ 49,052,953	\$ 17,482,523	\$ 51,943,424

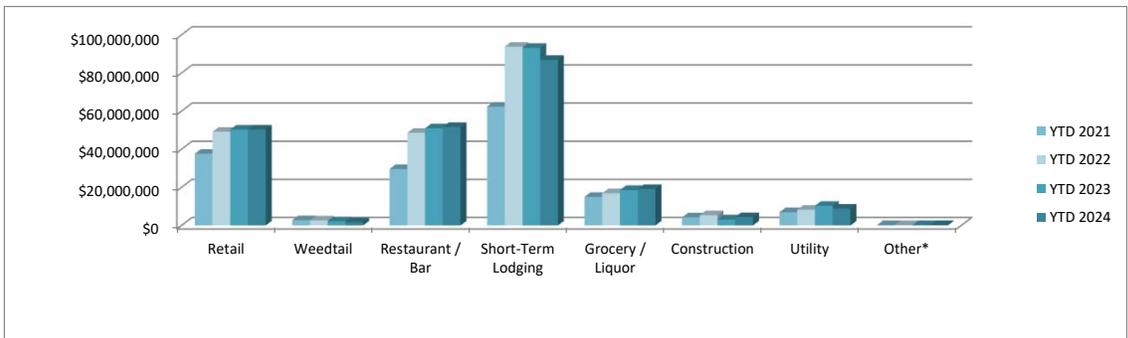
* Other includes Franchise Fees (Telephone, Public Service and Cable), Cigarette Tax, and Investment Income

The Tax Basics: February 2023

Net Taxable Sales by Industry-YTD

Description	YTD 2021	YTD 2022	YTD 2023	2023		2023/2024		2024	
				% of Total	YTD 2024	\$ Change	% Change	% of Total	
Retail	\$37,649,121	\$49,130,119	\$50,297,264	21.97%	\$50,318,244	\$20,980	0.04%	22.55%	
Weedtail	\$2,773,103	\$2,681,261	\$2,156,873	0.94%	\$1,702,082	(\$454,791)	-21.09%	0.76%	
Restaurant / Bar	\$29,666,444	\$48,566,299	\$50,975,172	22.27%	\$51,664,560	\$689,388	1.35%	23.15%	
Short-Term Lodging	\$62,354,056	\$93,783,041	\$93,197,864	40.71%	\$86,816,470	(\$6,381,394)	-6.85%	38.91%	
Grocery / Liquor	\$14,986,258	\$16,923,771	\$18,584,532	8.12%	\$19,148,689	\$564,157	3.04%	8.58%	
Construction	\$4,205,019	\$5,395,181	\$3,170,408	1.38%	\$4,406,313	\$1,235,906	38.98%	1.97%	
Utility	\$6,941,889	\$8,274,857	\$10,347,502	4.52%	\$8,823,700	(\$1,523,802)	-14.73%	3.95%	
Other*	\$197,514	\$192,953	\$187,566	0.08%	\$250,802	\$63,236	33.71%	0.11%	
Total	\$158,773,404	\$224,947,482	\$228,917,180	100.00%	\$223,130,860	(\$5,786,320)	-2.53%	100.00%	

* Other includes activities in Automobiles and Undefined Sales.



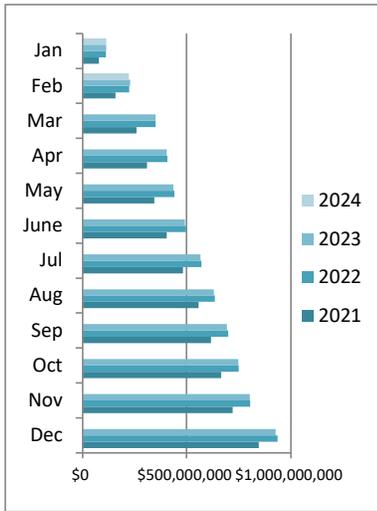
New Items of Note:

- February YTD net taxable sales are currently behind of YTD February 2023 by 2.53%.
- For February YTD 2024, there were increases in Retail (.04%), Restaurant/Bar (1.35%), Grocery/Liquor (3.04%), Construction (38.98%) and decline in Weedtail (-21.09%), Short-Term Lodging (-6.85%) and Utilities (-14.73%), compared to February YTD 2023.

Notes:

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

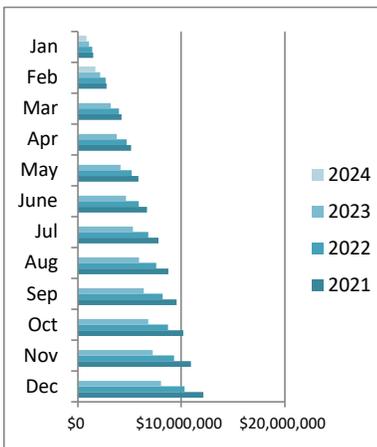
Net Taxable Sales by Sector-Town of Breckenridge Tax Base



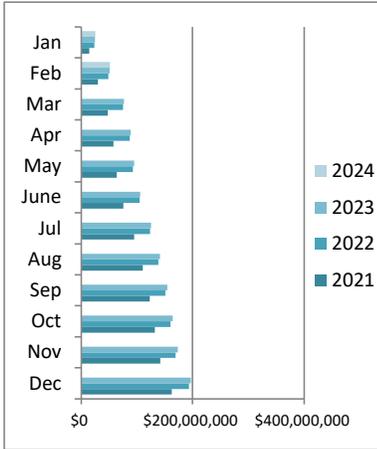
Total Net Taxable Sales					
	2021	2022	2023	2024	% change from PY
Jan	\$79,027,402	\$113,608,612	\$115,041,869	\$114,693,757	-0.30%
Feb	\$79,746,002	\$111,338,870	\$113,875,311	\$108,437,102	-4.78%
Mar	\$100,240,228	\$125,731,754	\$122,654,200	\$0	n/a
Apr	\$51,103,750	\$56,511,723	\$53,621,415	\$0	n/a
May	\$35,691,412	\$34,483,662	\$32,484,643	\$0	n/a
Jun	\$58,733,415	\$56,237,518	\$54,754,837	\$0	n/a
Jul	\$77,837,497	\$73,010,958	\$75,036,372	\$0	n/a
Aug	\$74,682,141	\$64,936,860	\$63,623,574	\$0	n/a
Sep	\$60,896,222	\$63,718,038	\$62,214,951	\$0	n/a
Oct	\$48,330,353	\$51,434,737	\$55,235,466	\$0	n/a
Nov	\$55,555,405	\$53,839,033	\$55,271,324	\$0	n/a
Dec	\$124,983,381	\$131,741,332	\$123,492,574	\$0	n/a
YTD	\$158,773,404	\$224,947,482	\$228,917,180	\$223,130,860	-2.53%
Total	\$846,827,209	\$936,593,097	\$927,306,536	\$223,130,860	-75.94%



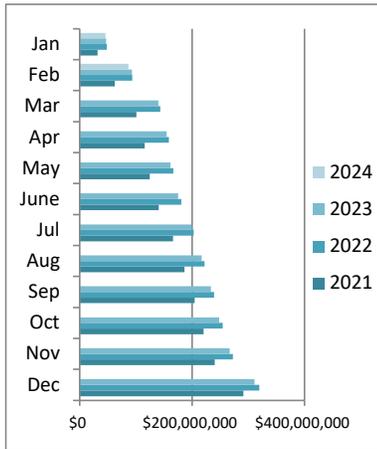
Retail					
	2021	2022	2023	2024	% change
Jan	\$18,352,836	\$24,339,664	\$25,219,824	\$25,937,854	2.85%
Feb	\$19,296,284	\$24,790,456	\$25,077,440	\$24,380,391	-2.78%
Mar	\$25,948,929	\$31,250,330	\$31,613,857	\$0	n/a
Apr	\$14,080,814	\$14,420,051	\$14,314,023	\$0	n/a
May	\$10,030,250	\$9,153,329	\$9,369,837	\$0	n/a
Jun	\$17,056,211	\$16,369,081	\$16,275,554	\$0	n/a
Jul	\$18,238,377	\$18,043,000	\$17,848,048	\$0	n/a
Aug	\$24,651,124	\$15,948,453	\$15,280,026	\$0	n/a
Sep	\$16,830,497	\$19,798,569	\$18,062,686	\$0	n/a
Oct	\$11,819,182	\$15,189,530	\$13,072,069	\$0	n/a
Nov	\$15,552,646	\$15,638,496	\$14,402,444	\$0	n/a
Dec	\$32,438,603	\$34,012,680	\$34,026,308	\$0	n/a
YTD	\$37,649,121	\$49,130,119	\$50,297,264	\$50,318,244	0.04%
Total	\$224,295,753	\$238,953,637	\$234,562,116	\$50,318,244	-78.55%



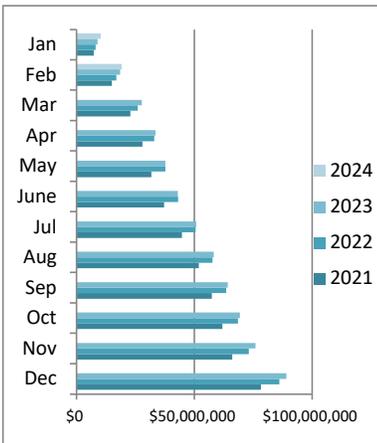
Weedtail					
	2021	2022	2023	2024	% change
Jan	\$1,478,465	\$1,390,691	\$1,085,499	\$835,116	-23.07%
Feb	\$1,294,638	\$1,290,570	\$1,071,374	\$866,966	-19.08%
Mar	\$1,441,196	\$1,310,491	\$1,021,416	\$0	n/a
Apr	\$942,276	\$732,968	\$577,496	\$0	n/a
May	\$695,750	\$499,512	\$382,445	\$0	n/a
Jun	\$841,867	\$670,484	\$513,462	\$0	n/a
Jul	\$1,116,858	\$912,870	\$697,911	\$0	n/a
Aug	\$936,140	\$777,363	\$578,590	\$0	n/a
Sep	\$802,336	\$611,456	\$463,014	\$0	n/a
Oct	\$665,889	\$529,983	\$413,804	\$0	n/a
Nov	\$737,780	\$581,583	\$447,069	\$0	n/a
Dec	\$1,195,620	\$1,014,636	\$785,178	\$0	n/a
YTD	\$2,773,103	\$2,681,261	\$2,156,873	\$1,702,082	-21.09%
Total	\$12,148,814	\$10,322,606	\$8,037,258	\$1,702,082	-78.82%



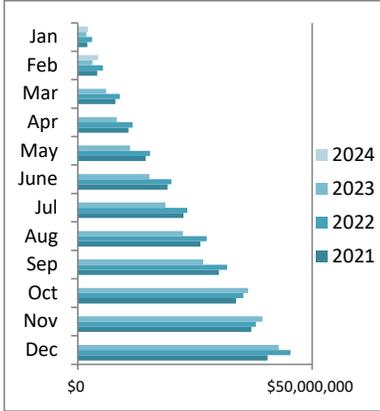
Restaurant / Bar					
	2021	2022	2023	2024	% change
Jan	\$14,372,467	\$23,591,432	\$25,009,257	\$25,042,953	0.13%
Feb	\$15,293,976	\$24,974,867	\$25,965,915	\$26,621,607	2.53%
Mar	\$18,001,752	\$26,280,138	\$25,821,441	\$0	n/a
Apr	\$10,082,518	\$12,415,528	\$12,209,139	\$0	n/a
May	\$6,065,196	\$5,669,343	\$5,883,754	\$0	n/a
Jun	\$12,074,689	\$11,796,384	\$11,309,552	\$0	n/a
Jul	\$19,085,898	\$18,692,700	\$19,294,325	\$0	n/a
Aug	\$15,737,756	\$14,956,807	\$15,634,593	\$0	n/a
Sep	\$12,545,273	\$12,668,238	\$13,197,620	\$0	n/a
Oct	\$9,073,163	\$9,309,000	\$9,879,709	\$0	n/a
Nov	\$9,429,392	\$9,038,337	\$9,285,260	\$0	n/a
Dec	\$20,911,542	\$24,150,159	\$23,302,685	\$0	n/a
YTD	\$29,666,444	\$48,566,299	\$50,975,172	\$51,664,560	1.35%
Total	\$162,673,623	\$193,542,933	\$196,793,250	\$51,664,560	-73.75%



Short-Term Lodging					
	2021	2022	2023	2024	% change
Jan	\$31,756,647	\$48,613,697	\$47,461,191	\$45,878,546	-3.33%
Feb	\$30,597,409	\$45,169,344	\$45,736,673	\$40,937,923	-10.49%
Mar	\$38,833,139	\$49,654,941	\$47,131,088	\$0	n/a
Apr	\$14,789,371	\$15,604,892	\$14,582,565	\$0	n/a
May	\$8,839,587	\$7,736,666	\$6,909,765	\$0	n/a
Jun	\$16,112,111	\$14,454,476	\$13,800,983	\$0	n/a
Jul	\$25,496,173	\$21,720,310	\$23,247,770	\$0	n/a
Aug	\$20,248,079	\$19,219,232	\$18,159,361	\$0	n/a
Sep	\$17,984,544	\$17,234,547	\$16,972,505	\$0	n/a
Oct	\$16,267,787	\$15,303,928	\$14,660,010	\$0	n/a
Nov	\$19,659,292	\$18,013,772	\$18,661,078	\$0	n/a
Dec	\$50,715,125	\$46,896,490	\$43,986,908	\$0	n/a
YTD	\$62,354,056	\$93,783,041	\$93,197,864	\$86,816,470	-6.85%
Total	\$291,299,264	\$319,622,294	\$311,309,897	\$86,816,470	-72.11%



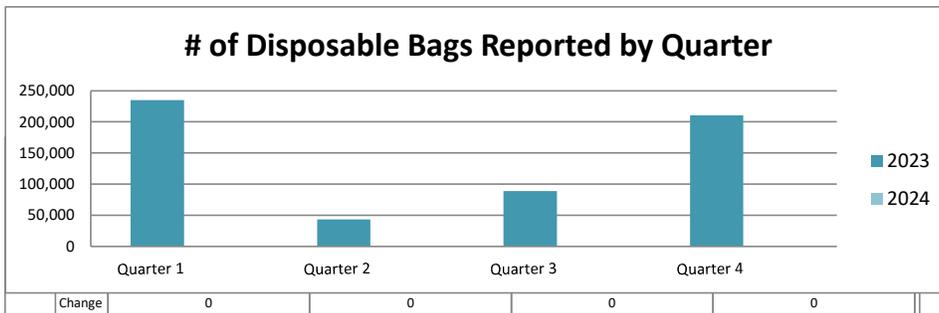
Grocery / Liquor					
	2021	2022	2023	2024	% change
Jan	\$7,287,839	\$8,170,578	\$8,997,217	\$10,314,078	14.64%
Feb	\$7,698,418	\$8,753,193	\$9,587,315	\$8,834,611	-7.85%
Mar	\$7,875,044	\$9,019,659	\$9,151,128	\$0	n/a
Apr	\$5,116,542	\$6,998,996	\$5,851,774	\$0	n/a
May	\$3,756,571	\$4,744,379	\$4,092,212	\$0	n/a
Jun	\$5,487,526	\$5,436,849	\$5,335,000	\$0	n/a
Jul	\$7,596,984	\$7,431,072	\$7,828,316	\$0	n/a
Aug	\$7,082,310	\$7,177,335	\$7,441,155	\$0	n/a
Sep	\$5,595,731	\$5,816,776	\$5,964,152	\$0	n/a
Oct	\$4,452,681	\$4,953,494	\$5,140,210	\$0	n/a
Nov	\$4,209,254	\$4,692,648	\$6,579,348	\$0	n/a
Dec	\$12,158,623	\$12,887,729	\$13,094,821	\$0	n/a
YTD	\$14,986,258	\$16,923,771	\$18,584,532	\$19,148,689	3.04%
Total	\$78,317,524	\$86,082,707	\$89,062,650	\$19,148,689	-78.50%



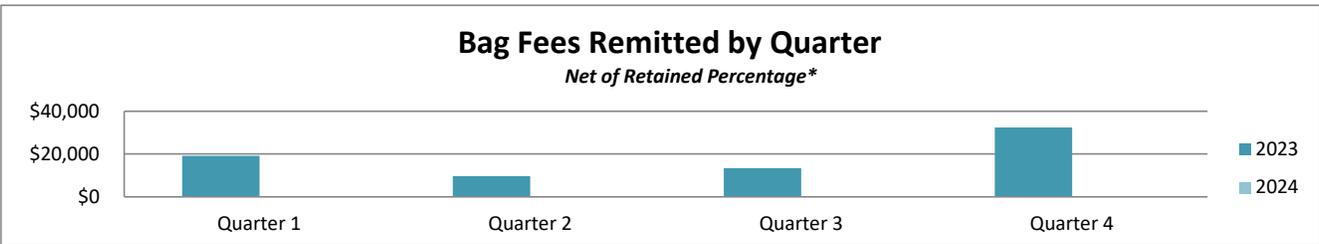
Construction					
	2021	2022	2023	2024	% change
Jan	\$2,045,042	\$3,077,308	\$1,854,350	\$2,173,633	17.22%
Feb	\$2,159,977	\$2,317,873	\$1,316,057	\$2,232,680	69.65%
Mar	\$3,868,043	\$3,617,474	\$2,937,682	\$0	n/a
Apr	\$2,769,984	\$2,672,162	\$2,223,695	\$0	n/a
May	\$3,685,952	\$3,730,705	\$2,817,845	\$0	n/a
Jun	\$4,652,944	\$4,557,130	\$4,161,503	\$0	n/a
Jul	\$3,420,357	\$3,410,482	\$3,376,420	\$0	n/a
Aug	\$3,543,658	\$4,140,033	\$3,785,993	\$0	n/a
Sep	\$3,980,594	\$4,364,373	\$4,325,638	\$0	n/a
Oct	\$3,674,508	\$3,455,974	\$9,572,289	\$0	n/a
Nov	\$3,222,863	\$2,644,260	\$3,065,334	\$0	n/a
Dec	\$3,470,948	\$7,431,923	\$3,476,283	\$0	n/a
YTD	\$4,205,019	\$5,395,181	\$3,170,408	\$4,406,313	38.98%
Total	\$40,494,869	\$45,419,697	\$42,913,089	\$4,406,313	-89.73%

Disposable Bag Fees

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

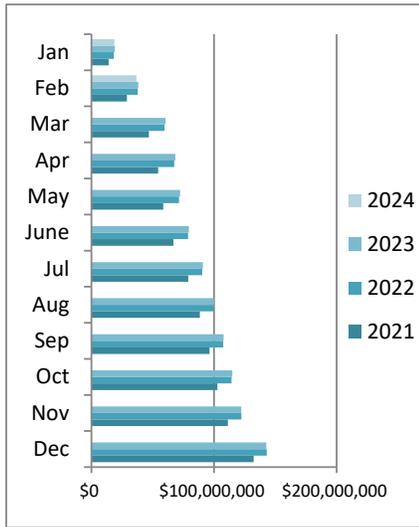


	2023	2024
Total	576,528	0

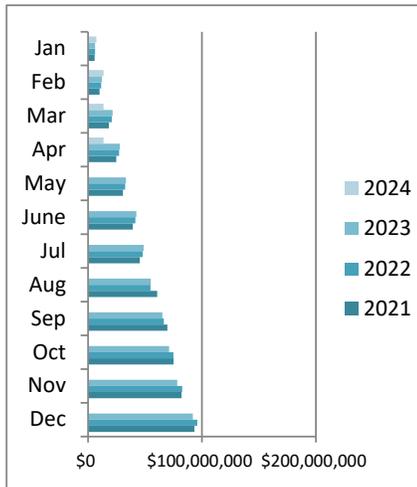


*As of May 4th 2023 a change has taken into effect and retailers are permitted to retain 40% of the fee (up to a maximum of \$1000/month through October 31, 2014; changing to a maximum of \$100/month beginning November 1, 2014) in order to offset expenses incurred related to the program. The retained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

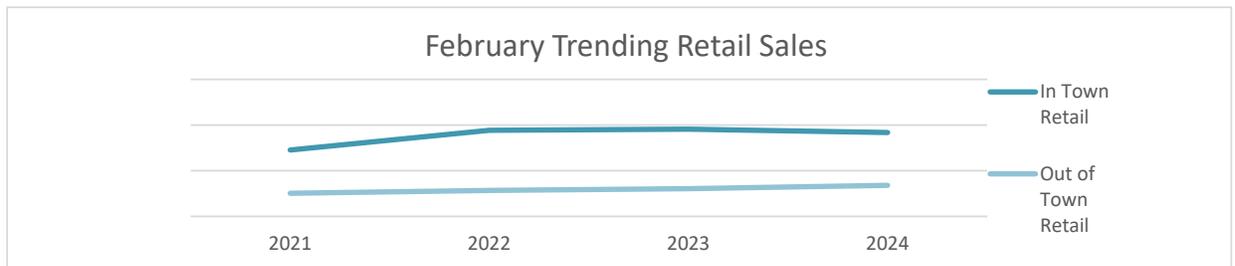
The Tax Basics: Retail Sales Sector Analysis



Retail: In-Town					
	2021	2022	2023	2024	% change from PY
Jan	\$14,061,714	\$18,194,406	\$19,116,099	\$18,687,068	-2.24%
Feb	\$14,959,540	\$19,518,248	\$19,051,762	\$18,021,942	-5.41%
Mar	\$17,802,910	\$21,840,435	\$22,237,618	\$0	n/a
Apr	\$7,646,149	\$8,009,146	\$8,044,624	\$0	n/a
May	\$4,158,557	\$3,831,529	\$3,871,524	\$0	n/a
Jun	\$8,269,058	\$7,375,440	\$7,107,360	\$0	n/a
Jul	\$12,106,548	\$11,579,232	\$11,417,984	\$0	n/a
Aug	\$9,468,381	\$9,120,396	\$8,979,611	\$0	n/a
Sep	\$7,824,858	\$8,105,486	\$7,917,605	\$0	n/a
Oct	\$6,412,309	\$6,760,223	\$7,157,048	\$0	n/a
Nov	\$8,579,644	\$7,946,225	\$7,352,202	\$0	n/a
Dec	\$21,064,436	\$20,697,427	\$20,283,102	\$0	n/a
YTD	\$14,061,714	\$18,194,406	\$19,116,099	\$18,687,068	-2.24%
Total	\$132,354,104	\$142,978,192	\$142,536,539	\$36,709,011	



Retail: Out-of-Town					
	2021	2022	2023	2024	% change
Jan	\$5,787,642	\$6,138,474	\$6,103,725	\$7,250,785	18.79%
Feb	\$4,333,863	\$5,272,208	\$6,025,678	\$6,358,332	5.52%
Mar	\$8,133,106	\$9,391,959	\$9,354,793	\$0	n/a
Apr	\$6,432,514	\$6,410,905	\$6,269,398	\$0	n/a
May	\$5,870,044	\$5,309,191	\$5,498,312	\$0	n/a
Jun	\$8,773,237	\$8,976,085	\$9,144,287	\$0	n/a
Jul	\$6,128,784	\$6,463,768	\$6,421,230	\$0	n/a
Aug	\$15,180,838	\$6,828,058	\$6,300,415	\$0	n/a
Sep	\$8,983,117	\$11,675,559	\$10,145,081	\$0	n/a
Oct	\$5,405,098	\$8,429,307	\$5,915,021	\$0	n/a
Nov	\$6,970,859	\$7,692,270	\$7,050,243	\$0	n/a
Dec	\$11,360,878	\$13,295,704	\$13,743,206	\$0	n/a
YTD	\$5,787,642	\$6,138,474	\$6,103,725	\$7,250,785	18.79%
Total	\$93,359,980	\$95,883,487	\$91,971,391	\$13,609,118	



New Items of Note:

- In-Town Retail sales comprise businesses that are in Town limits, the sector had an overall decrease of 5.41% in February 2024 as compared to 2023. The Out-of-Town Retail Sales had a overall increase in sales of 5.52% for February 2024 compared to 2023.

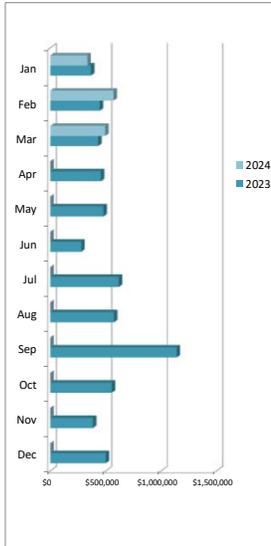
Real Estate Transfer Tax

New Items of Note:

- Revenue March is ahead \$.3M to budget and ahead \$.1M to prior year.
- Timeshare sales account for the majority of the sales (32.19%), with Condominium sales in the second position of highest sales (28.35%) subject to the tax. Timeshare sales are lower YTD by (-9.89%).

Continuing Items of Note:

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



Total RETT							
	2022	2023	2024	% change	2024 budget	+/- Budget	
Jan	\$328,719	\$366,761	\$334,088	-8.91%	\$300,000	\$34,088	
Feb	\$512,843	\$445,546	\$569,686	27.86%	\$400,000	\$169,686	
Mar	\$551,693	\$431,380	\$495,625	14.89%	\$400,000	\$95,625	
Apr	\$627,842	\$456,127	\$0	n/a	\$425,000	n/a	
May	\$851,657	\$478,584	\$0	n/a	\$425,000	n/a	
Jun	\$495,925	\$278,784	\$0	n/a	\$275,000	n/a	
Jul	\$765,641	\$617,133	\$0	n/a	\$450,000	n/a	
Aug	\$484,573	\$574,378	\$0	n/a	\$550,000	n/a	
Sep	\$742,908	\$1,139,485	\$0	n/a	\$550,000	n/a	
Oct	\$732,723	\$553,836	\$0	n/a	\$525,000	n/a	
Nov	\$384,336	\$384,307	\$0	n/a	\$300,000	n/a	
Dec	\$393,620	\$499,188	\$0	n/a	\$400,000	n/a	
YTD	\$1,393,255	\$1,243,687	\$1,399,399	12.52%	\$5,000,000	\$299,399	
Total	\$6,872,481	\$6,225,510	\$1,399,399		\$5,000,000		



by Category					
Description	2023 YTD	2024 YTD	\$ change	% change	% of Total
Commercial	\$ 5,600	\$ 22,275	\$ 16,675	297.77%	1.59%
Condominium	\$ 297,507	\$ 396,730	\$ 99,223	33.35%	28.35%
Timeshare	\$ 499,997	\$ 450,528	\$ (49,470)	-9.89%	32.19%
Single Family	\$ 378,997	\$ 385,790	\$ 6,793	1.79%	27.57%
Townhome	\$ 42,485	\$ 144,076	\$ 101,591	239.12%	10.30%
Vacant Land	\$ 19,100	\$ 0	\$ (19,100)	-100.00%	0.00%
Total	\$ 1,243,687	\$ 1,399,399	\$ 155,712	12.52%	100.00%



TOWN OF
BRECKENRIDGE

March 31, 2024

Financial Statement

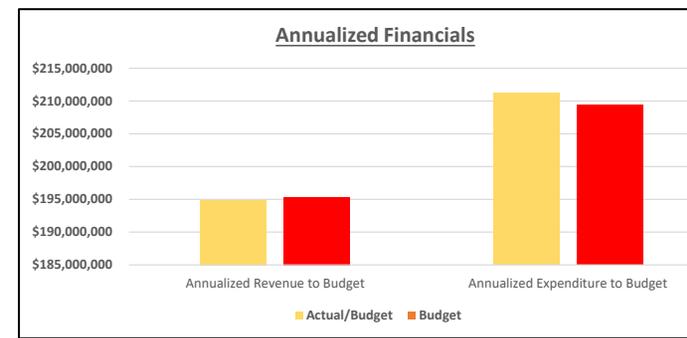
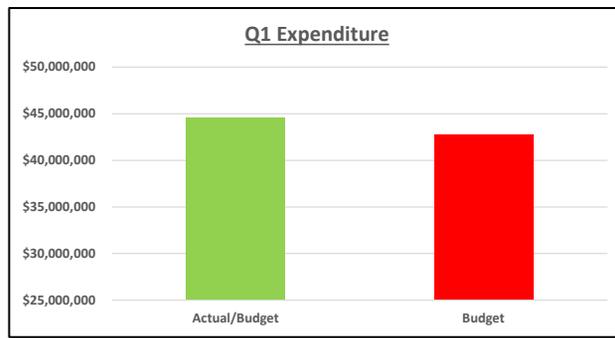
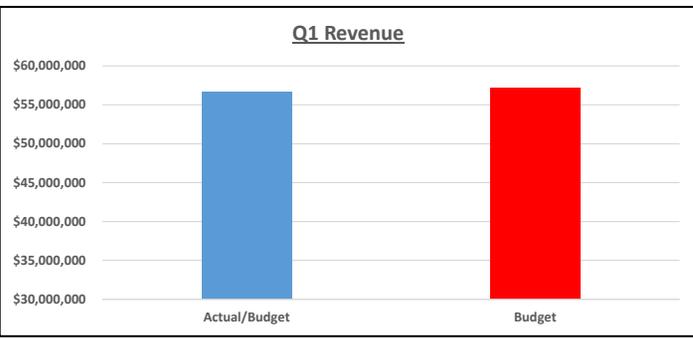
Town of Breckenridge

March 2024 Financial Review

Budget Year Ending: 12/31/2024

Current Month Ending: 3/31/2024

	Q1			Q2			Q3			Q4			FY2024		
	Actual/Budget	Budget	Variance	Actual/Budget	Budget	Variance	Actual/Budget	Budget	Variance	Actual/Budget	Budget	Variance	Actual/Budget	Budget	Variance
Begin. Fund Balance															
Revenue	\$ 56,691,208	\$ 57,146,987	\$ (455,779)	\$ 49,701,207			\$ 42,761,641			\$ 45,738,615			\$ 56,691,208	\$ 195,348,450	\$ (455,779)
Expenditure	\$ (44,614,653)	\$ (42,731,604)	\$ 1,883,050	\$ (56,448,191)			\$ (54,654,125)			\$ (55,516,026)			\$ (44,614,653)	\$ (209,349,946)	\$ 1,883,050
Net Income	<u>\$ 12,076,554</u>	<u>\$ 14,415,383</u>	<u>\$ (2,338,829)</u>	<u>\$ -</u>	<u>\$ (6,746,984)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (11,892,484)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (9,777,411)</u>	<u>\$ -</u>	<u>\$ 12,076,554</u>	<u>\$ (14,001,496)</u>	<u>\$ (2,338,829)</u>
End. Fund Balance															



March YTD comments

Revenue

- Taxes \$ 2,437,601 Budget phasing for lift ticket tax, sales tax and accommodation tax
- CWCB/FEMA \$ (3,415,768) Reversal of accrued 2023 revenue (payment delayed but will be received)
- Stop Loss \$ 179,113
- Water Rent \$ 248,000 2024 Rate increase
- \$ (551,054)

Expenditure

- Charges for Services \$ 3,341,513 Housing phasing for Comm Invest (Stables), Buydowns, Housing Helps
- Minor Capital \$ (1,442,362) Delay in Garage Fund asset purchases
- Personnel \$ (281,436) Vacancy and Non impacting annualized merit increase
- \$ 1,617,715

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

	BUDGET FY24	YTD			VARIANCE EXPLANATION
		ACTUAL FY24 YTD	BUDGET FY24 YTD	ACTUAL vs BUDGET FY24 YTD	
FUND BALANCE, JANUARY 1, 2024	\$ 254,857,536	\$ 254,857,536	\$ 254,857,536		
REVENUE SUMMARY					
GENERAL GOVERNMENT (GF)	\$ 142,000	\$ 9,424	\$ 34,923	\$ (25,499)	
EXECUTIVE MANAGEMENT (GF)	\$ 1,416,230	\$ 416,785	\$ 390,170	\$ 26,615	
MISCELLANEOUS (GF)	\$ 25,816,447	\$ 7,025,240	\$ 6,298,236	\$ 727,004	General property tax phasing
FINANCE (GF)	\$ 12,000	\$ 13,274	\$ 12,000	\$ 1,274	
PUBLIC SAFETY (GF)	\$ 48,400	\$ 13,393	\$ 8,260	\$ 5,133	
COMMUNITY DEVELOPMENT (GF)	\$ 1,111,493	\$ 181,345	\$ 167,327	\$ 14,018	
PUBLIC WORKS (GF)	\$ 823,923	\$ 182,953	\$ 122,048	\$ 60,905	
RECREATION (GF)	\$ 4,509,277	\$ 1,553,035	\$ 1,606,108	\$ (53,073)	
UTILITY FUND	\$ 10,204,055	\$ (1,067,647)	\$ 2,348,121	\$ (3,415,768)	Reversed accrued revenue booked to Dec 23
CAPITAL FUND	\$ 22,842,297	\$ 5,679,252	\$ 5,599,956	\$ 79,296	
MARKETING FUND	\$ 5,475,750	\$ 2,271,349	\$ 1,882,633	\$ 388,716	Accommodation tax phasing
GOLF COURSE FUND	\$ 4,374,604	\$ 185,874	\$ 75,025	\$ 110,849	
EXCISE TAX FUND	\$ 49,052,953	\$ 17,197,101	\$ 15,692,085	\$ 1,505,016	Sales tax phasing
HOUSING FUND	\$ 21,746,130	\$ 4,245,503	\$ 3,455,916	\$ 789,587	Sales tax phasing
OPEN SPACE ACQUISITION FUND	\$ 4,017,339	\$ 1,861,284	\$ 1,145,397	\$ 715,887	Sales tax phasing
CONSERVATION TRUST FUND	\$ 55,437	\$ 17,424	\$ 13,858	\$ 3,566	
GARAGE SERVICES FUND	\$ 7,164,106	\$ 1,361,455	\$ 1,322,959	\$ 38,496	
INFORMATION TECHNOLOGY FUND	\$ 2,032,700	\$ 513,085	\$ 508,155	\$ 4,930	
FACILITIES MAINTENANCE FUND	\$ 1,233,184	\$ 320,533	\$ 308,277	\$ 12,256	
SPECIAL PROJECTS FUND	\$ 3,607,102	\$ 903,304	\$ 901,740	\$ 1,564	
MARIJUANA FUND	\$ 646,088	\$ 151,864	\$ 201,522	\$ (49,658)	
CEMETERY FUND	\$ 20,536	\$ 1,902	\$ 1,260	\$ 642	
CHILD CARE FUND	\$ 1,819,839	\$ 471,309	\$ 454,953	\$ 16,356	
PARKING & TRANSPORTATION FUND	\$ 11,605,228	\$ 3,952,728	\$ 5,450,716	\$ (1,497,988)	Lift ticket \$1.8M below budget
HEALTH BENEFITS FUND	\$ 5,286,252	\$ 1,491,669	\$ 1,299,572	\$ 192,097	
SUSTAINABILITY FUND	\$ 3,028,552	\$ 823,583	\$ 740,960	\$ 82,623	
ACCOMMODATION UNIT COMPLIANCE FUND	\$ 7,256,528	\$ 6,914,187	\$ 7,104,810	\$ (190,623)	Accom regulatory fee below budget
TOTAL REVENUES	\$ 195,348,450	\$ 56,691,208	\$ 57,146,987	\$ (455,779)	
EXPENDITURES BY CATEGORY					
PERSONNEL	\$ 36,776,086	\$ 8,812,895	\$ 9,094,332	\$ 281,436	
MATERIALS & SUPPLIES	\$ 5,211,159	\$ 1,157,717	\$ 918,738	\$ (238,979)	
CHARGES FOR SERVICES	\$ 43,018,073	\$ 10,917,365	\$ 8,606,492	\$ (2,310,873)	
MINOR CAPITAL	\$ 41,224,161	\$ 4,483,537	\$ 4,631,466	\$ 147,929	
FIXED CHARGES	\$ 1,040,558	\$ 960,027	\$ 984,908	\$ 24,881	
DEBT SERVICES	\$ 7,127,791	\$ 73,784	\$ 422,901	\$ 349,117	
GRANTS/CONTINGENCIES	\$ 4,059,629	\$ 1,377,733	\$ 1,244,180	\$ (133,553)	
ALLOCATION	\$ 7,819,516	\$ 1,954,879	\$ 1,954,797	\$ (82)	
TRANSFERS	\$ 63,072,973	\$ 14,876,716	\$ 14,873,790	\$ (2,926)	
TOTAL EXPENDITURES BY CATEGORY	\$ 209,349,946	\$ 44,614,653	\$ 42,731,604	\$ (1,883,050)	
EXPENDITURES BY PROGRAM					
GENERAL GOVERNMENT (GF)	\$ 1,034,465	\$ 240,003	\$ 284,968	\$ 44,965	
EXECUTIVE MANAGEMENT (GF)	\$ 4,149,391	\$ 1,174,696	\$ 1,202,864	\$ 28,167	
MISCELLANEOUS (GF)	\$ 971,425	\$ 52,265	\$ 137,140	\$ 84,875	
FINANCE (GF)	\$ 1,400,423	\$ 376,313	\$ 372,074	\$ (4,239)	
PUBLIC SAFETY (GF)	\$ 5,058,431	\$ 1,382,934	\$ 1,329,052	\$ (53,882)	Phasing
COMMUNITY DEVELOPMENT (GF)	\$ 2,226,747	\$ 561,910	\$ 601,420	\$ 39,510	
PUBLIC WORKS (GF)	\$ 11,039,917	\$ 2,947,905	\$ 2,962,480	\$ 14,575	
RECREATION (GF)	\$ 8,633,081	\$ 1,929,266	\$ 2,203,001	\$ 273,736	
UTILITY FUND	\$ 8,264,135	\$ 876,801	\$ 1,196,925	\$ 320,124	
CAPITAL FUND	\$ 30,967,107	\$ 892,901	\$ 1,477,043	\$ 584,142	
MARKETING FUND	\$ 5,701,184	\$ 1,380,098	\$ 1,439,862	\$ 59,764	
GOLF COURSE FUND	\$ 3,936,347	\$ 325,244	\$ 346,844	\$ 21,600	
EXCISE TAX FUND	\$ 51,172,347	\$ 11,777,161	\$ 11,772,528	\$ (4,633)	
HOUSING FUND	\$ 24,231,643	\$ 8,812,188	\$ 5,468,420	\$ (3,343,768)	Community Investment, Housing helps, Buydown phasing
OPEN SPACE ACQUISITION FUND	\$ 3,964,665	\$ 2,229,909	\$ 876,911	\$ (1,352,998)	Daisy Lode
CONSERVATION TRUST FUND	\$ 55,000	\$ 13,750	\$ 13,749	\$ (1)	
GARAGE SERVICES FUND	\$ 7,303,924	\$ 1,037,069	\$ 2,143,846	\$ 1,106,777	Ordering delays
INFORMATION TECHNOLOGY FUND	\$ 2,058,816	\$ 389,985	\$ 376,053	\$ (13,932)	
FACILITIES MAINTENANCE FUND	\$ 1,018,466	\$ 62,550	\$ 11,510	\$ (51,040)	
SPECIAL PROJECTS FUND	\$ 3,668,209	\$ 1,045,402	\$ 1,144,552	\$ 99,150	
MARIJUANA FUND	\$ 672,361	\$ 170,891	\$ 196,851	\$ 25,960	
CEMETERY FUND	\$ 28,600	\$ -	\$ -	\$ -	
CHILD CARE FUND	\$ 895,848	\$ 284,178	\$ 109,001	\$ (175,177)	
PARKING & TRANSPORTATION FUND	\$ 15,594,128	\$ 3,305,355	\$ 3,394,415	\$ 89,060	
HEALTH BENEFITS FUND	\$ 5,200,000	\$ 1,030,971	\$ 1,058,316	\$ 27,345	
SUSTAINABILITY FUND	\$ 2,616,606	\$ 424,762	\$ 731,085	\$ 306,323	
ACCOMMODATION UNIT COMPLIANCE FUND	\$ 7,486,679	\$ 1,890,149	\$ 1,880,694	\$ (9,455)	ECO payment in advance
TOTAL EXPENDITURES BY PROGRAM	\$ 209,349,946	\$ 44,614,653	\$ 42,731,604	\$ (1,883,050)	
PROJECTED FUND BALANCE DECEMBER 31, 2024	\$ 240,856,039	\$ 266,934,090	\$ 269,272,919		
RESTRICTIONS	\$ 162,195,628	\$ 162,195,628	\$ 162,195,628		
NET FUND BALANCE	\$ 78,660,411	\$ 104,738,462	\$ 107,077,291	\$ (2,338,829)	
FTE FTE	215.33	208.14	215.33	7.19	

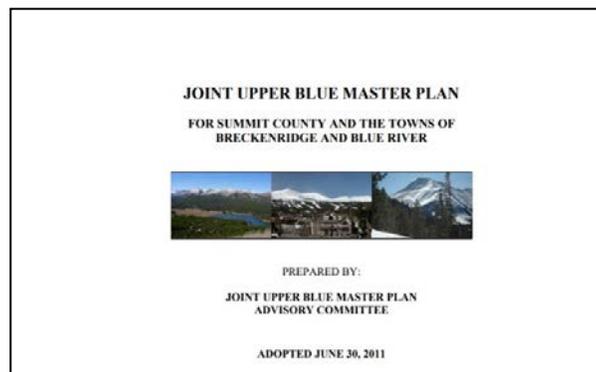
Memo

To: Town Council
From: Mark Truckey, Community Development Director
Date: April 16, 2024, for the meeting of April 23, 2024
Subject: Joint Upper Blue Master Plan and TDR Overview

The Council will sometimes see development approvals under Planning Commission Decisions that involve projects where additional density is transferred to a development site via Transferable Development Rights (TDRs). Staff also will on occasion reference the policies of the Joint Upper Blue Master Plan (JUBMP). Given we have some new Council members, staff thought it would be helpful to provide an overview of the JUBMP, which is a fundamental planning document for the Town, and the TDR program.

Joint Upper Blue Master Plan Overview

The Upper Blue Basin covers the southern portion of Summit County, extending from Lake Dillon and Farmers Korner on the north to Hoosier Pass on the south, including the towns of Breckenridge and Blue River. In the early 1990s the towns of Breckenridge and Blue River, together with Summit County, started a cooperative planning effort to address land use and related issues, which were considered crucial to maintaining the special sense of community and quality of life in the Upper Blue Basin. After over three years of discussion and numerous public meetings, the Joint Upper Blue Master Plan (JUBMP) was adopted by the three jurisdictions in 1997.



The JUBMP sets forth a common shared vision for the future, and informs citizens, landowners, and developers of the desired future for the basin as articulated by the adopting jurisdictions. Important land use and other growth-related issues are addressed in the JUBMP. Some of the key issues addressed include:

- A desire to sustain the quality of the Upper Blue valley's resources and community character. It was recognized that unrestricted growth could "kill the goose that laid the golden egg". As a

result, the JUBMP caps the ultimate development potential in the valley to that allowed by the zoning that existed in 1997.

- Because of this “density cap”, the JUBMP does not allow for any “upzonings” (e.g., requests for additional density on properties) unless the development rights are transferred from another property in the basin, thus keeping the overall basin density the same. These transfers are commonly referred to as Transferable Development Rights (TDRs).

- A realistic residential buildout density target for the basin is established of between 13,960 and 14,900 units. Of that, the realistic residential buildout number for the Town of Breckenridge is 8,714 units. As of early 2024 the Town had 8,100 residential units built, meaning we are at 93 percent of residential buildout.

- Policies to reduce the overall buildout in the basin (and associated impacts) by identifying a number of density reduction strategies that can be undertaken by the Town of Breckenridge and Summit County. Implementation of these strategies is expected to reduce the ultimate basin buildout by five to ten percent (710 to 1,460 units).

- A goal is set to preserve the undeveloped character of the Upper Blue Basin’s backcountry areas and limit development in the backcountry to the maximum extent possible. Promotion of the TDR program is identified as a means of protecting backcountry areas.

- Policies in the JUBMP encourage an increase in the supply of affordable housing units in the basin.

- A commitment from the Town of Breckenridge and Summit County to extinguish density that they own as new affordable workforce housing units are constructed, to offset impacts to overall activity levels in the basin. Properties owned by the Town equate to around 500 units of residential density. The Town has put a program in place to extinguish density as new workforce housing projects come online.

- JUBMP policies encourage an increase in capacities and efficiencies in the basin’s transportation and transit systems, including an emphasis on “complete streets” and providing for the full range of alternative transportation modes (e.g., biking, walking).

- Promotion of “sustainable” development and support for the Town and County sustainability planning efforts.

- Support for forest management projects that improve forest health and for long-term planning efforts to avoid impacts of wildfire and protect our watershed.

- Commitment of the County and Town to continue to jointly acquire open space and improve the basin’s trail network.

- Policies that support the provision of adequate infrastructure while recognizing that growth should be driven by character issues as opposed to ability to service areas.

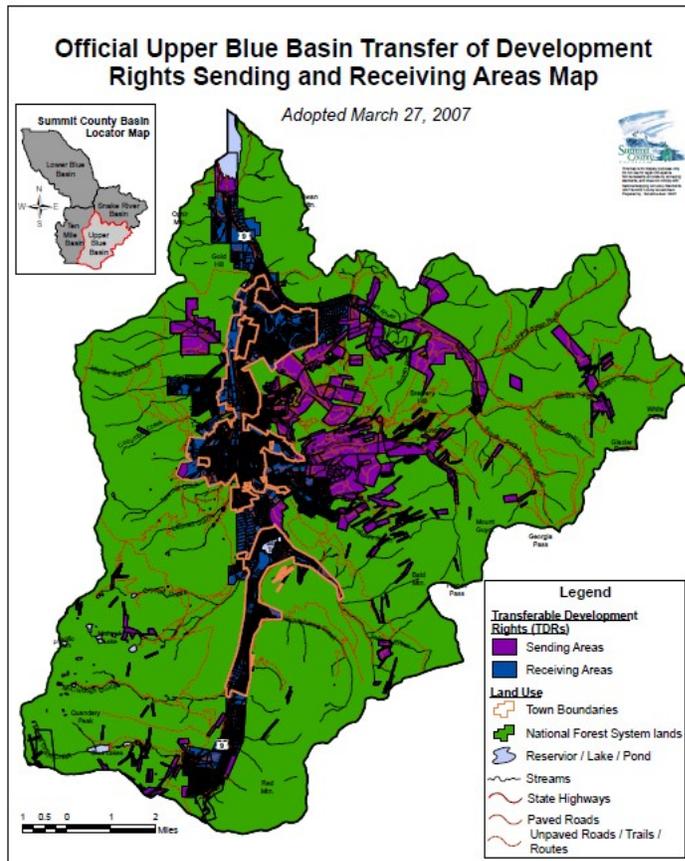
- Support for retaining lands that are zoned for commercial service/light industrial uses.

Since its initial adoption in 1997 the JUBMP has by most accounts been viewed as a successful plan that has helped control unbridled development and maintain our community character. The plan has been instrumental in providing a framework for joint cooperative planning regarding land uses in the Upper Blue Basin. In 2011 the Towns of Breckenridge and Blue River, along with Summit County, all unanimously re-adopted an updated version of the JUBMP at a joint meeting at the County Courthouse.

TDR Program Overview

As noted above, the JUBMP sets the framework for a TDR program. Through a series of subsequent steps, the Town of Breckenridge and Summit County have implemented an Upper Blue TDR Program.

- The Town of Breckenridge and Summit County entered into an Intergovernmental Agreement concerning TDRs in 2000 (most recently updated in 2007) that outlines the TDR program. The program maps out TDR sending areas (mostly backcountry areas) and TDR receiving areas (mostly in the urbanized valley floor).



- In conjunction with the TDR program, Summit County rezoned several thousand acres of private mining claims to a Backcountry Zoning designation. The Backcountry Zone restricts the size of residences---a typical five acre claim is allowed a 900 square foot cabin. Thus, the potential for large homes in backcountry areas is limited and this makes the TDR program an attractive alternative to backcountry property owners.
- The County administers a TDR Bank on behalf of the County and Town. The Upper Blue TDR Bank makes development rights available to interested developers at a set price. The 2024 TDR price is \$266,870 per unit or SFE. Development rights in the TDR Bank come from density that was stripped off of TDR “sending” parcels in the Upper Blue backcountry that were previously acquired jointly by the County and Town open space programs. Developers also have the option to acquire development rights by purchasing sending site density from private property owners. Twenty acres of backcountry land equals one development right.
- When a TDR transaction is proposed as part of a development proposal in Town, one development right is required to be transferred for each additional residential Single Family Equivalent (SFE) requested or for each 1,000 square feet of additional commercial space requested.
- Since its inception, dozens of separate TDR transactions have occurred in the Upper Blue Basin, resulting in protection of more than 2,200 acres of backcountry land. The TDR Bank has generated some \$4.5 million, which is placed into the Town and County’s open space funds and used to acquire additional backcountry property.
- The primary goal of the TDR program is to protect land in the Upper Blue backcountry. Certain high quality wetlands lots also qualify as TDR “sending” areas. A handful of wetlands lots have been involved in TDR transactions. In 2015, the Town tightened its rules regarding use of wetlands lots in TDR transactions so that only a quarter of any transaction could involve wetlands lots. This change was made to keep the focus of the TDR program on protection of backcountry areas. The Town of Breckenridge also allows, with some limitations, density to be transferred between properties in Town.

- The JUBMP provides a partial exemption from the requirement for TDRs for deed-restricted affordable housing projects. However, the Town has committed to transferring all of the density to Town workforce housing projects, using the Town's pool of density that it owns. As new Town workforce housing projects come online, density is sunset through a deed restriction to offset the new workforce housing density created on a property. At its discretion, the Town Council may also provide density to private workforce housing projects. At the May 14 Council meeting, Council will see a resolution to provide density to the Vista Verde housing project.

The TDR program has proven to be a successful complement to the Town and County open space acquisition programs. The two programs work together to maximize the opportunities to protect backcountry and other important lands.

Council Action

No action of the Council is required. This memo is intended to bring the Council up to speed on some of the key issues addressed in the JUBMP and in the TDR program. If Council members are interested in more information, you can access the entire JUBMP document online at <http://www.townofbreckenridge.com/home/showdocument?id=2014>.