



**Town Council Regular Meeting**  
Tuesday, March 10, 2026, 7:00 PM  
Town Hall Council Chambers  
150 Ski Hill Road  
Breckenridge, Colorado

THE TOWN OF BRECKENRIDGE CONDUCTS HYBRID MEETINGS. This meeting will be held in person at Breckenridge Town Hall and will also be broadcast live over Zoom. Join the live broadcast available by computer or phone: <https://us02web.zoom.us/j/83517414335> (Telephone: 1-719-359-4580; Webinar ID: 835 1741 4335). If you 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.

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**I. CALL TO ORDER, ROLL CALL**

**II. APPROVAL OF MINUTES**

- A. TOWN COUNCIL MINUTES - FEBRUARY 24, 2026

**III. APPROVAL OF AGENDA**

**IV. COMMUNICATIONS TO COUNCIL**

- A. PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT PLEASE)
- B. BRECKENRIDGE TOURISM OFFICE UPDATE
- C. BRECKENRIDGE SKI RESORT UPDATE

**V. CONTINUED BUSINESS**

- A. SECOND READING OF COUNCIL BILLS, SERIES 2026
  - 1. COUNCIL BILL NO. 2, SERIES 2026 — AN ORDINANCE AMENDING TITLE 9, SECTION 1, POLICIES 3R, COMPLIANCE WITH DENSITY/INTENSITY GUIDELINES, 5R ARCHITECTURAL COMPATIBILITY, 7R SITE AND ENVIRONMENTAL DESIGN, 33R ENERGY CONSERVATION, AND 48R VOLUNTARY DEFENSIBLE SPACE OF THE BRECKENRIDGE TOWN CODE
  - 2. COUNCIL BILL NO. 3, SERIES 2026 — AN ORDINANCE AMENDING TITLE 9, SECTION 1, POLICY 24 (ABSOLUTE) THE SOCIAL COMMUNITY, SECTIONS B,C,E, AND F REGARDING EMPLOYEE HOUSING IMPACT MITIGATION, OF THE BRECKENRIDGE TOWN CODE

**VI. NEW BUSINESS**

- A. FIRST READING OF COUNCIL BILLS, SERIES 2026
- B. RESOLUTIONS, SERIES 2026
  - 1. RESOLUTION NO.4, SERIES 2026 — A RESOLUTION APPOINTING THE PRESIDING JUDGE OF THE TOWN OF BRECKENRIDGE MUNICIPAL COURT AND FIXING THE COMPENSATION THEREFOR

2. RESOLUTION NO. 5, SERIES 2026 — A RESOLUTION EXTENDING THE APPOINTMENT AND EMPLOYMENT AGREEMENT OF PRESIDING JUDGE
3. RESOLUTION NO. 6, SERIES 2026 — A RESOLUTION APPOINTING A DEPUTY JUDGE AND FIXING COMPENSATION THEREFOR

C. OTHER

**VII. PLANNING MATTERS**

A. PLANNING COMMISSION DECISIONS

**VIII. REPORT OF TOWN MANAGER AND STAFF**

**IX. REPORT OF MAYOR AND COUNCIL MEMBERS**

A. CAST/MMC

B. BRECKENRIDGE OPEN SPACE ADVISORY COMMITTEE

C. BRECKENRIDGE TOURISM OFFICE

D. BRECKENRIDGE HISTORY

E. BRECKENRIDGE CREATIVE ARTS

F. CML ADVISORY BOARD UPDATE

G. SOCIAL EQUITY ADVISORY COMMISSION

H. ARTS & CULTURE MASTER PLAN STEERING COMMITTEE

**X. OTHER MATTERS**

**XI. SCHEDULED MEETINGS**

A. SCHEDULED MEETINGS FOR MARCH, APRIL AND MAY

**XII. ADJOURNMENT**

**EXECUTIVE SESSION CERTIFICATE**

Town of Breckenridge )  
County of Summit )  
State of Colorado )

Kelly Owens the duly elected, qualified and acting Mayor of the Town of Breckenridge, hereby certifies as follows:

As part of the town council regular meeting on Tuesday, February 24<sup>th</sup>, 2026 at 5:20 pm, Council Member Beckerman moved to convene an executive session pursuant to Paragraph 4(a) of Section 24-6-402, C.R.S., to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest and Paragraph 4(e) of Section 24-6-402, C.R.S determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations. Council Member Gerard seconded the motion.

The Mayor stated a motion had been made to go into executive session pursuant to Section 24-6-402, C.R.S Paragraph 4(a) to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest and Paragraph 4(e) determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiations.

The subject of the executive session as stated in the motion included:

- (i) Negotiations for use of Old Masonic Hall, which is town property, by partner organizations.

A roll call vote was taken, and all were in favor of the motion.

All were in favor of the motion to adjourn, and the executive session was adjourned at 6:22 pm. Mayor Owens stated Council instructed negotiators and no decisions were made as a result of the executive session when Council returned to the open meeting and no further discussion was had. This certificate shall be included before the minutes of the regular Town Council meeting of Tuesday, February 24<sup>th</sup>, 2026.

ATTEST:

TOWN OF BRECKENRIDGE

\_\_\_\_\_  
Mae Watson, Town Clerk

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

[ONLY SIGN IF APPLICABLE]

As Town Attorney, I hereby attest that it is my opinion that the portion of the discussion in executive session which was not recorded constitutes a privileged attorney-client communication that is not required to be recorded pursuant to C.R.S. §24-6-402(2)(d.5)(II)(B).

ATTEST:

\_\_\_\_\_  
Keely Ambrose, Town Attorney

**I) CALL TO ORDER, ROLL CALL**

Mayor Kelly Owens called the meeting of February 24, 2026, to order at 7:00pm. The following members answered roll call: Marika Page, Steve Gerard, Carol Saade, Jay Beckerman, Dick Carleton, and Mayor Kelly Owens. Todd Rankin was absent.

**II) APPROVAL OF MINUTES**

There were no changes or corrections to the Town Council meeting minutes of February 10, 2026. Mayor Owens declared they would stand approved as presented.

**III) APPROVAL OF AGENDA**

Town Manager Shannon Haynes stated there are no changes to the agenda. Haynes noted that in regards to the Breck Montessori remodel decision, Town Council will answer the questions during the managers report.

**IV) COMMUNICATIONS TO COUNCIL**

**A) PUBLIC COMMENT (NON-AGENDA ITEMS ONLY; 3-MINUTE TIME LIMIT)**  
Mayor Kelly Owens opened public comment.

Katherine Califf, Chair of Breckenridge Montessori, spoke on behalf of the Board of Directors to outline what is at stake. While acknowledging the Town's financial responsibilities, Califf stated the decision could jeopardize the program's existence. Califf emphasized the school's mission, full enrollment with a waitlist, and the importance of preserving program diversity and family choice in the community. Califf also noted that closure would mean lost capacity for the community. Califf asked the Town to remain committed to the partnership by allocating previously approved renovation funds and proceeds from the building sale toward a the Board's future facilities proposal. Califf noted the Board has formed a building committee to explore options and thanked Town Council for considering meaningful action in support of a family-oriented, community-focused program.

Brittney Krieger, Breckenridge Montessori Building Transition Committee Chair, stated the committee is actively exploring reasonable options for the school. Krieger asked the Town to maintain and earmark previously committed funds for a new facility and requests continued partnership with the Town.

Sloan Rodriguez, Lead Teacher at Breckenridge Montessori, shared how her experience at the school transformed her as an educator and described its life-changing impact on both her and her students. Rodriguez spoke in support of Breckenridge Montessori and urged Town Council to support the Montessori legacy.

Lea Dreux, Local Educator, spoke in support of the school, noting its unique services and the importance of continuity of care in childhood development—something often difficult to maintain in mountain communities where staff turnover is high. Dreux emphasized that Breckenridge Montessori is able to provide that stability and urged Town Council to continue its support.

Kristen Chasky, a parent of a Breckenridge Montessori student, spoke in support of the school, emphasizing that it is more than a building—it is a vital part of Breckenridge's early childhood education landscape. Chasky stated that the school's location helps connect children to the community and acknowledged the building's financial and historic preservation challenges. If renovation is not feasible, she respectfully asked the Town to work with the school to identify a path forward.

Tiernan Gannon, previous Director of Mountaintop Explorium, encouraged Town Council to be equitable as it continues its partnership with other local childcare centers by continuing to partner with Breckenridge Montessori.

Julia Chamberlain, mother of a three-year-old student, spoke in support of the school. Chamberlain described her daughter's struggles at other childcare centers in Summit County and shared that, despite limited hours, Montessori remains the best option for her daughter's education and care. She urged Town Council to consider non-monetary and non-quantitative factors in its decision.

George Kokoefer, President of the Stables Village HOA, requested the Town engage in a collaborative problem-solving process to address parking issues in the neighborhood.

Kokoefer stated that the current parking design and supply are insufficient, creating livability and traffic efficiency concerns, and noted the shortage is unevenly distributed. While acknowledging the intent behind not requiring one parking space per bedroom, Kokoefer questioned that approach given the realities of living in Summit County. Kokoefer asked Town Council to engage with homeowners and the HOA to identify solutions and a path forward..

With no additional public comments, Mayor Owens closed public comment.

**VII) CONTINUED BUSINESS**

- A) SECOND READING OF COUNCIL BILLS, SERIES 2026 - PUBLIC HEARINGS
- 1) COUNCIL BILL NO. 1, SERIES 2026 – AN ORDINANCE AMENDING CHAPTER 4 OF TITLE 12 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE “TOWN OF BRECKENRIDGE WATER ORDINANCE”, CONCERNING CERTAIN FEES FOR SERVICE

Mayor Kelly Owens read the title into the record.

James Phelps, Director of Public Works, stated the ordinance would introduce a \$100 water maintenance fee for out-of-compliance meters and reduce the paper billing fee from \$10 to \$2. He noted no changes since first reading. Staff recommended approval of the ordinance.

Mayor Owens opened public comment.  
With no comments, Mayor Owens closed public comments.

Council Member Gerard moved to approve COUNCIL BILL NO. 1, SERIES 2026 – AN ORDINANCE AMENDING CHAPTER 4 OF TITLE 12 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE “TOWN OF BRECKENRIDGE WATER ORDINANCE”, CONCERNING CERTAIN FEES FOR SERVICE. Council Member Beckerman seconded the motion.

The motion passed 6-0. Todd Rankin was absent.

**VIII) NEW BUSINESS**

- A) FIRST READING OF COUNCIL BILLS, SERIES 2026
- 1) COUNCIL BILL NO. 2, SERIES 2026 – AN ORDINANCE AMENDING TITLE 9, SECTION 1, POLICIES 3R, COMPLIANCE WITH DENSITY/INTENSITY GUIDELINES, 5R ARCHITECTURAL COMPATIBILITY, 7R SITE AND ENVIRONMENTAL DESIGN, 33R ENERGY CONSERVATION, AND 48R VOLUNTARY DEFENSIBLE SPACE OF THE BRECKENRIDGE TOWN CODE  
Mayor Kelly Owens read the title into the record.

Sarah Crump, Senior Planner, stated the ordinance would amend Town Code to address perceptions of residential mass, expand the range of permitted exterior materials, and streamline Policy 7R related to site disturbance while creating additional opportunities for positive points. The ordinance would also establish new Policy 48R to award positive points for defensible space.

Mayor Owens opened public comment.  
With no comments, Mayor Owens closed public comments.

Council Member Gerard moved to approve COUNCIL BILL NO. 2, SERIES 2026 – AN ORDINANCE AMENDING TITLE 9, SECTION 1, POLICIES 3R, COMPLIANCE WITH DENSITY/INTENSITY GUIDELINES, 5R ARCHITECTURAL COMPATIBILITY, 7R SITE AND ENVIRONMENTAL DESIGN, 33R ENERGY CONSERVATION, AND 48R VOLUNTARY DEFENSIBLE SPACE OF THE BRECKENRIDGE TOWN CODE. Council Member Saade seconded the motion.

The motion passed 6-0. Todd Rankin was absent.

- 2) COUNCIL BILL NO. 3, SERIES 2026 — AN ORDINANCE AMENDING TITLE 9, SECTION 1, POLICY 24 (ABSOLUTE) THE SOCIAL COMMUNITY, SECTIONS B,C,E, AND F REGARDING EMPLOYEE HOUSING IMPACT MITIGATION, OF THE BRECKENRIDGE TOWN CODE

Mayor Kelly Owens read the title into the record.

Sarah Crump, Senior Planner, stated the ordinance would amend Policy 24A to eliminate employee housing mitigation requirements for changes of use, allow off-site housing units to satisfy mitigation, and require an independent study for any application seeking to challenge established employee generation rates.

Mayor Owens opened public comment.  
With no comments, Mayor Owens closed public comments.

Council Member Gerard moved to COUNCIL BILL NO. 3, SERIES 2026 — AN ORDINANCE AMENDING TITLE 9, SECTION 1, POLICY 24 (ABSOLUTE) THE SOCIAL COMMUNITY, SECTIONS B,C,E, AND F REGARDING EMPLOYEE HOUSING IMPACT MITIGATION, OF THE BRECKENRIDGE TOWN CODE.  
Council Member Carleton seconded the motion.

The motion passed 6-0. Todd Rankin was absent.

- B) RESOLUTIONS, SERIES 2026
- C) OTHER

**VII) PLANNING MATTERS**

**A) PLANNING COMMISSION DECISIONS**

Mayor Kelly Owens declared the Planning Commission decisions would stand approved as presented.

**VIII) REPORT OF TOWN MANAGER AND STAFF**

Town Manager Shannon Haynes noted that while Council received a presentation on Breckenridge Montessori during the work session, there had been no open discussion. Haynes presented three questions for Council: whether to approve staff's recommendation not to proceed with the previously proposed building repairs, whether to extend the school's lease through July 2027, and whether to continue working with the Montessori Board to explore ways the Town can support the school.

Haynes explained the cost increase: in July 2025, Council approved \$1.7 million for foundation repairs only. By the October budget process, additional costs—contractor fees, architect fees, and contingency—raised the total to \$2.65 million.

Council Members Beckerman, Saade, Carleton, Page, and Gerard each expressed appreciation for public comments and emphasized the importance of balancing fiscal responsibility with community needs. All supported staff recommendations: not to move forward with building repairs, to extend the Montessori lease through July 2027, and to continue partnering with the school to explore future support.

Mayor Owens thanked the public for their input, noting it was heard and impactful, and confirmed support for staff's recommendations.

Town Manager Haynes provided several updates: the Council Spring Retreat is scheduled for May 12th, pending everyone's availability; the BOCC will hold a Wildfire work session on March 17th; and Haynes plans to bring an update on water restrictions in May in response to community concerns. Haynes also noted that the Summit Foundation Duck Race is canceled going forward, and the Town can explore alternative events for Labor Day. Additionally, Haynes described the ongoing judge hiring process.

**IX) REPORT OF MAYOR AND COUNCIL MEMBERS**

**A) CAST/MMC**

No update.

**B) BRECKENRIDGE OPEN SPACE ADVISORY COMMISSION**

Council Member Beckerman stated they discussed restroom access at B&B trailhead, and BOSAC decided to go with the double-vault toilet in that location.

**C) BRECKENRIDGE TOURISM OFFICE**

Council Member Carleton stated there is a retreat next week.

- D) **BRECKENRIDGE HISTORY**  
Council Member Rankin was not present for a report.
- E) **BRECKENRIDGE CREATIVE ARTS**  
Council Member Gerard stated there was no report.
- F) **CML ADVISORY BOARD UPDATE**  
No update.
- G) **LEGISLATIVE UPDATE**  
Town Attorney Ambrose noted that the Colorado Municipal League (CML) recommended taking an opposed position on several bills. Mayor Owens expressed interest in reviewing the most impactful bills at a future meeting. Attorney Ambrose highlighted the Home Act as one of these key bills, while Town Manager Haynes mentioned that CAST has an upcoming meeting on the topic and that Deputy Town Manager Scott Reid will be testifying on a drone-related bill.
- H) **SOCIAL EQUITY ADVISORY COMMISSION**  
Council Member Saade noted that last week's meeting included updates that Communications will release Police Department videos in both Spanish and English covering basic functions. The meeting also featured presentations from the Gore Range Gravity Alliance, a Black History Month Culinary Class, and discussions regarding the Town Party.
- I) **ARTS & CULTURE MASTER PLAN STEERING COMMITTEE**  
Council Member Beckerman stated kickoff will be March 10<sup>th</sup>.
- X) OTHER MATTERS**  
Mayor Owens stated she appreciated the Mountain Pals program with the BOEC and she's happy to see that kind of program being offered.
- XI) SCHEDULED MEETINGS**  
SCHEDULED MEETINGS FOR FEBRUARY AND MARCH
- XII) ADJOURNMENT**  
With no further business to discuss, the meeting adjourned at 7:55 pm. Submitted by Helen Cospolich, Director of Municipal Services and Engagement.

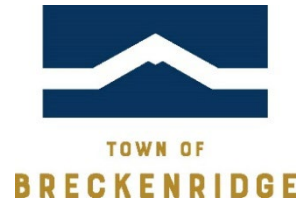
ATTEST:

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Mae Watson, Town Clerk

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Kelly Owens, Mayor



# Memo

**To:** Town Council  
**From:** Sarah Crump, AICP, Senior Planner  
Chris Kulick, AICP, Assistant Community Development Director  
**Date:** 3/4/2026 (for 3/10/2026 meeting)  
**Subject:** Bill for Ordinance Amending Policies 3R, 5R, 7R, 33R and 48R (NPP Phase 2) Second Reading

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**Town Council Goals** (Check all that apply)

- |                                                                |                                                                         |
|----------------------------------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/> More Boots & Bikes, Less Cars         | <input checked="" type="checkbox"/> Leading Environmental Stewardship   |
| <input type="checkbox"/> Deliver a Balanced Year-Round Economy | <input checked="" type="checkbox"/> Hometown Feel & Authentic Character |
| <input type="checkbox"/> Organizational Need                   |                                                                         |

**Summary**

Staff recommends Town Council adopt the attached code amendments related to neighborhood preservation at second reading. First reading was held February 24, 2026 and there have been no changes to the bill since first reading. Based on feedback from community partners and Town Council members gathered through a comprehensive public outreach process and Council work sessions, staff has revised five Development Code policies related to neighborhood preservation for Council consideration:

Policy 3R (Density/ Intensity):

- Limits floor area above the main level and counts lofted spaces with a floor to ceiling height of 16 ft. or greater as density on two levels for homes that are larger than 4,500 sq. ft. above ground density in Neighborhood Preservation Policy (NPP) neighborhoods. Since the original work session, this proposed policy was revised from an Absolute to a Relative Policy based on Council direction.
- Allows positive points to be awarded to projects that voluntarily sunset 10% or more of allowed density.

Policy 5R (Architectural Compatibility):

- Allows for greater flexibility of exterior materials in an effort to achieve more hardened buildings related to wildfire risk.

Policy 7R (Site and Environmental Design):

- Streamlines introductory language that directs the intent of the policy
- Combines the "Site Design and Grading" with "Driveways and Site Circulation Systems" sections since both existing sections address minimizing site disturbance and reference access
- Eliminates repetitive language about minimizing disturbance
- Provides an opportunity for relief from the assignment of negative points for driveways that are necessary to achieve required grade on platted lots featuring steep slopes, have a designated building or disturbance envelope that is significantly setback from a public right-of-way, or provide access to a more environmentally logical building site
- Balances aesthetic character and visibility with site disturbance related to the location of garages
- Encourages development on existing highly disturbed sites such as parking lots and dredge mined areas
- Consolidates similar concepts while maintaining all specific requirements of the policy.

Policy 33R (Energy Conservation):

1

**Mission:** The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

- Creates an opportunity for one positive (+1) point for smaller scale sustainable design features such as smart breaker panels and enhanced controls for heat tape.
- Encourages waste diversion. Projects that complete the Summit County Resource Allocation Park Debris Recovery Plan Materials Management Plan program and recycle at least 25% of waste materials are eligible for positive points.

Policy 48R (Voluntary Defensible Space and Building Hardening):

- Creates a new relative policy that incentivizes building hardening above what is required by the Building Code, including voluntary installation of interior sprinkler systems, by providing positive point opportunities.

### **Neighborhood Preservation Policy Mission Statement**

The Town of Breckenridge values the diversity of homes throughout its neighborhoods, including diversity in home size, unit type, and architecture. The variety of different types of homes reflect the deep and colorful history of Breckenridge, from its small mining town roots through its evolution to a world-class resort destination. The recent trends of demolishing existing homes and replacing them with large residences that dominate the viewshed compromise the character of our town and neighborhoods and do not align with multiple Town goals and community values, including Community Character, Natural Resources, the Built Environment, and Sustainability.

### **Background**

In fall 2024, the Town Council directed staff to revisit the Town's NPP policies in response to current development trends and identified concerns. Following a six-month public engagement process that incorporated feedback from local architects, builders, the Planning Commission, and community members, the Town Council adopted "Phase 1" NPP code amendments. These amendments reduced positive points for EV chargers, eliminated positive point opportunities for above-average landscaping on single-family properties, and made greater setbacks an Absolute Policy requirement for single-family homes.

Beyond the Phase 1 NPP amendments, Council directed staff to explore additional Phase 2 amendments such as new positive point opportunities and the introduction of bulk plane regulations or floor area limits above the main level of single-family homes. In response, staff convened a work group of local architects, Andy Stabile, Mickey Florio, and Tim Gerken, along with Planning Commissioner Mike Giller to evaluate potential amendments. On November 18<sup>th</sup>, the Planning Commission held a work session to further evaluate the potential amendments. A week later, on November 25, 2025, the Town Council reviewed the recommended amendments at a work session, and directed staff to solicit input from local architects, builders, and interested members of the public prior to a second work session review.

More recently, on January 12<sup>th</sup>, staff hosted an open house and directly invited members of the building and design community via email. Staff also encouraged interested parties to provide written comments if they were unable to attend. Feedback from this most recent public outreach was included in the January 27, 2026, Council work session packet.

### **Financial Implications**

Staff anticipates work on the NPP in the short-term will result in more staff time dedicated to the topic from the Planning Division.

### **Equity Lens**

Related to the Town's Equity Blueprint, this policy does not further any of the Blueprint's goals since it pertains to preserving the character of single-family neighborhoods that are among the Town's most expensive and likely feature low levels of diversity. None of the potential possible outcomes, including no action to incorporating new development restrictions, will likely have any impact related to the four overarching goals of the Equity Blueprint.

### **Staff Recommendation**

Staff recommends the Town Council approve the proposed Code amendments to Policies 3R, 5R, 7R, 33R and 48R at second reading. There have been no changes to the bill since first reading.

Staff will be available on Tuesday to answer any questions.

1 COUNCIL BILL NO. \_\_\_\_

2  
3 Series 2026

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

7  
8 **AN ORDINANCE AMENDING TITLE 9, SECTION 1, POLICIES 3R,  
9 COMPLIANCE WITH DENSITY/INTENSITY GUIDELINES, 5R  
10 ARCHITECTURAL COMPATIBILITY, 7R SITE AND ENVIRONMENTAL  
11 DESIGN, 33R ENERGY CONSERVATION, AND 48R VOLUNTARY  
12 DEFENSIBLE SPACE OF THE BRECKENRIDGE TOWN CODE.**

13  
14 WHEREAS, the Town of Breckenridge is experiencing a high level of residential  
15 redevelopment whereby existing homes are being scraped and replaced with new  
16 structures; and

17  
18 WHEREAS, such redevelopment tends to result in buildings with significant mass  
19 which overwhelm the existing homes, are out of character with the surrounding  
20 neighborhood, and negatively impact the residents and visitors to the area by  
21 creating a dense wall of development that restricts view corridors and is not in  
22 keeping with the type of development originally envisioned for the area; and

23  
24 WHEREAS, in addition, scrapes of existing homes create a significant amount of  
25 waste which is not usually recycled or otherwise diverted from the landfill as it could  
26 be; and

27  
28 WHEREAS, the core values and vision plan of the Town of Breckenridge include  
29 efforts to preserve the community character of the town, rooted in its mining  
30 history; preserving the natural environment including views from town to the  
31 surrounding mountains; and encouraging a built environment that respects the  
32 historic context and natural setting; and

33  
34 WHEREAS, in order to achieve its goals and address the proliferation of large, out-  
35 of-character and environmentally impactful development, the Town Council  
36 desires to adopt development code provisions addressing building mass,  
37 appearance, siting, buffers, waste, and other amendments necessary to  
38 accomplish and facilitate the foregoing.

39  
40 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
41 TOWN OF BRECKENRIDGE, COLORADO:**

42  
43 **Section 1.** That section 9-1-5: DEFINITIONS, be amended by adding the  
44 language underlined to read as follows:  
45

1 COMPOSITE SIDING: An engineered wood product which treats wood pulp,  
2 strands, or fibers with waxes and resins which are then pressed as a board to  
3 mimic the look of real wood.

4 MAIN LEVEL: predominant floor of a structure which is at or nearest to grade  
5 level as viewed from the front setback(s), and has 75% or more of its density  
6 located above grade. The main level is not necessarily the floor with the living  
7 quarters, kitchen and living areas, of a residence. The main level does not  
8 necessarily include the formal entryway to the structure.

9 Section 2. That section 9-1-19-3R: POLICY 3 (RELATIVE) COMPLIANCE WITH  
10 DENSITY/ INTENSITY GUIDELINES be amended by adding the new subsections C.  
11 and D., to read as follows:

12  
13 -3 C. Floor Area Above Main Level: The floor area of any level above the main  
14 level of a single-family home or duplex outside of the conservation district  
15 that is larger than 4,500 sq. ft. in above ground density, on a parcel that does  
16 not have a building or disturbance envelope and is not within an area with a  
17 master plan, shall be limited to no more than 75% of the floor area of the level  
18 below it. This measurement excludes portions where the ceiling height is less  
19 than 5 feet. Any interior space with a floor to ceiling height of 16 feet or  
20 greater, as measured from the finished floor to the underside of the  
21 floor/ceiling assembly above, shall be calculated as density on two levels of a  
22 structure. Lofted area above stairways is exempted from being calculated as  
23 density on two levels.

24 D. Below density development – A property that is developed to an above  
25 ground density level at least 10% lower than maximum allowed by the Land  
26 Use Guidelines and Development Code is eligible for positive points. This  
27 provision applies only to properties subject to defined density maximums  
28 (measured in square footage, FAR, or UPA) and excludes properties in zones  
29 with unlimited or unspecified density limits.

**Density Reduction**

**Point Awards**

**10%**

**+1**

**20% or Greater**

**+2**

2  
3  
4  
5  
6  
7

**Section 3.** That section 9-1-19-5R: POLICY 5 (RELATIVE) ARCHITECTURAL COMPATIBILITY, subsection B, be amended by deleting the language stricken and adding the language underlined to read as follows:

8 B. Exterior building materials listed in the table below are regulated per façade. Exterior  
9 building materials not considered in this development code will be considered on a  
10 case-by-case basis and may require input from the planning commission regarding their  
11 use. This subsection B only applies to areas outside of the Historic District. Architecture  
12 within the Historic District is regulated by the Handbook of Design Standards for the  
13 Historic and Conservation Districts.

<b>Material</b>	<b>Points*</b>	<b>Notes</b>
Brick	<p>Allowed as an accent or on smaller elements up to <del>25</del> <u>33%</u> of each façade with no negative points</p> <p>&gt; <del>25</del> <u>34</u> - <del>50</del> <u>66%</u> of any façade warrants negative two (-2) points</p> <p>&gt; <del>50</del> <u>67</u> – <del>75</del> <u>80%</u> of any façade warrants negative four (-4) points</p> <p>&gt; <del>75</del> <u>81-100%</u> of any façade is prohibited with some exceptions per section <u>9-1-19-5A(B)</u></p>	<p>Bricks should be a natural earth-tone color and brick style that is appropriate for the historical and mountain context of Breckenridge.</p> <p>Additional points under subsection <u>A</u> of this section may be assigned for bricks that are of a color or dimension not typical of the historic or mountain context of Breckenridge.</p> <p>Buildings defined as an institutional use may be constructed of brick without the assignment of negative points.</p>
Composite wood siding	<u>No negative points shall be awarded for the utilization of Composite Wood Siding.</u>	

	<p><del>&gt;0-33% of any façade warrants negative two (-2) points</del></p> <p><del>&gt; 33-66% of any façade warrants negative four (-4) points</del></p> <p><del>&gt; 66-100% of any façade warrants negative six (-6) points</del></p>	
Metal siding	<p>Up to <del>25</del> <u>33%</u> per façade warrants no negative points</p> <p>&gt; <del>25</del> <u>34</u> – <del>50</del> <u>66%</u> of any façade warrants negative two (-2) points</p> <p>&gt; <del>50</del> <u>67</u>- <del>75</del> <u>80%</u> of any façade warrants negative four (-4) points</p> <p>&gt; <del>75</del> <u>81</u>-100% of any façade is prohibited per section <a href="#">9-1-19-5A(B)</a></p>	Per section <a href="#">9-1-19-5A(A)(1)</a> all exterior metal elements must be nonreflective.
Fiber cement siding	<p><del><u>No negative points shall be awarded for the utilization of Fiber Cement Siding.</u></del></p> <p><del>Warrants negative three (-3) points when applied with no supplemental natural materials</del></p>	<del>No negative points will be assigned when applied with natural materials such as natural wood accents or a natural stone base on each elevation and provided the fiber cement siding is compatible with the general design criteria listed in the land use guidelines.**</del>
Stucco	<p>Up to <del>25</del> <u>33%</u> per façade warrants no negative points</p> <p>&gt; <del>25</del> <u>34</u> - <del>50</del> <u>66%</u> of any façade warrants negative two (-2) points</p>	Natural earth-tone colors are recommended. Additional negative points could be assigned under subsection <a href="#">A</a> of this section if nonnatural colors are applied.

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<p>&gt; <del>50-67-</del> <u>75 80%</u> of any façade warrants negative four (-4) points</p> <p>&gt; <del>75</del> <u>81-100%</u> of any façade is prohibited per section <u>9-1-19-5A(B)</u></p>	
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2           **Section 4.** That section 9-1-19-7R: POLICY 7 (RELATIVE) SITE AND  
3 ENVIRONMENTAL DESIGN, be amended by deleting the language stricken and adding  
4 the language underlined to read as follows:

5

6 Statement of Intent:

~~2-x(-~~ The Town hereby finds that it is in the public interest for all sites within the  
~~2/+2)~~ community to be designed, arranged, and developed in a safe and efficient  
manner that reflects the natural capabilities and limitations of the property. ~~The~~  
~~arrangement of all functions, uses, and improvements should reflect the natural~~  
~~capabilities and limitations of the property.~~ This policy is also intended to  
discourage levels of development intensity that result in generally compromised  
site functions, buffering and aesthetics. Taking into consideration the basic  
character of the site and the nature of the proposed uses, the development  
should be visually harmonious as perceived from both the interior and exterior of  
the project. Platted lots with building envelopes, site disturbance envelopes, or  
designated building locations are still subject to the following rules and  
recommendations unless noted otherwise.

The existence of Constraining physical conditions on some properties (including  
but not limited to ravines, topography, adverse soils, shape, and existing  
easements) may render some portion(s) of these sites unsuitable for  
development. ~~Constraining physical conditions may consist of, but are not limited~~  
~~to: ravines, the shape or topographical conditions of the specific property~~  
~~involved, adverse soils conditions and existing easements.~~ As a result of these  
conditions, buildings and other aspects of development should be located  
elsewhere on the site. The development rights associated with the non-  
developed areas of the sites should either be transferred off site, in accordance  
with section 9-1-17-12 of this chapter, or incorporated into the remainder of the  
site. If they can be incorporated into the remainder of the site, it should be done  
in such a way to allow the development to remain consistent with the  
development character and function intent of the applicable land use district  
guideline(s) or approved master plan. Due to site characteristics, the acceptable  
intensities recommended in the land use guidelines or approved master plan  
may not be achievable.

The overall design objectives shall be:

- To blend development into the natural terrain and character of the site and surrounding area.
- To minimize the negative impacts of offsite views of grading and building massing.
- To minimize site surface disruption; reduce the potential for erosion and other environmental degradation.
- To generally develop in a visually cohesive manner while providing privacy for the occupants of the site and buffering to the neighboring properties-as well.

### Scoring Criteria

Development plans will incur points based upon the criteria above and their design so as to:

- 2 x (- 2/+2) A. ~~Site Design, And Grading and Circulation: Developments should minimize in order to reduce the amount of~~ Site Design, And Grading and Circulation: Developments should minimize in order to reduce the amount of site disturbance, including vegetative removal, and developments should be designed in a manner that minimizes the amount of cut and fill on a site, particularly those areas visible from adjacent properties and rights-of-way. Placement of buildings on the site should be accomplished in a manner that balances site buffering and further minimizes new grading and any vegetative removal necessary for site access and drainage. Grading large areas to create a flat "benched" building pad is strongly discouraged unless disruption is planned to be minimized with Town-approved a mechanical shoring method. ~~The Town must approve any such plan.~~

Driveways and circulation systems are encouraged to be designed to efficiently utilize the existing topography rather than requiring excessive site disturbance to accommodate their installation. Vehicular circulation systems, including driveways, parking areas, and delivery areas should be designed in a manner that balances providing safe access to the site by adhering to Town's engineering standards with adequate site buffering through physical separation and tree retention not in conflict with required wildfire mitigation listed under section 9-1-19-22A(C). Long or double switchback drives are discouraged provided they are not necessary to achieve required grade on platted lots that feature steep slopes, have a designated building or disturbance envelope that is significantly setback from a public right of way, or provide access to a more environmentally logical building site. Garages should be sited in a manner that balances aesthetic character and visibility with site disturbance.

Development located in highly disturbed areas such as existing parking lots or previous dredge mining is encouraged and eligible for positive points.

- 2 x (-  
4/+4) B. Site Buffering: Developments should be buffered from adjacent properties and public rights-of-way ~~and should attempt to provide a maximum degree of privacy for occupants of both the site and surrounding properties. To achieve this, b~~Buildings and other development impacts should be located in a manner that allows for site buffering, which should emphasize: Buffering between the developments and neighboring properties may include, but are not limited to:
- Preservation of existing mature tree stands or specimen trees
  - The physical distance from property edge to the development
  - Landscaped berms at the property perimeter (only applicable in subdivision-scale or multifamily developments)

Providing greater buffers than those required by building envelopes, disturbance envelopes, designated building locations, and/or recommended setbacks are encouraged. However, no positive points may be awarded under this policy for new landscaping. Positive points for new landscaping shall only be awarded under section [9-1-19-22R](#), "Policy 22 (Relative) Landscaping", of this chapter of development.

- 2 x (-  
2/+2) C. Retaining Walls: Retaining wall systems with integrated landscape areas are encouraged ~~to be provided to retain slopes and make up~~ manage grade changes in grade rather than cut/fill slopes areas for retention.

Retaining wall systems made of, or faced with, natural materials such as rock or timbers are preferred. Other materials ~~that are~~ with similar in the nature of the finishes may be considered on a case by case basis, particularly if they are fire resistant, but are not recommended for use in locations visible from streets or public areas.

Smaller retaining wall systems generally not exceeding 4 feet in height that incorporate vegetation between walls without creating excessive site disturbance are preferred. ~~It is understood that,~~ Heights may vary depending on the slope of the site, ~~the height of retaining walls may vary to minimize site disruption. If an alternative site~~ Alternative layouts that incorporates retaining walls taller than 4 feet ~~but that causes less site grading and complies with all other relevant Development Code policies is viable, then it shall not be assessed negative points because of its~~ for height.

- 2 x (-  
4/+4) D. ~~Driveways And Site Circulation Systems: Driveways and circulation systems are encouraged to work efficiently with the existing topography rather than requiring excessive site disturbance to accommodate their installation. Vehicular circulation systems, including driveways, parking areas, and delivery areas should be designed in a manner that results in the minimum site disturbance possible to provide safe access to the site.~~

~~Garages should be located in a manner that eliminates the need for long or double switchback drives and reduces overall site disturbance. In some instances, this may require that a garage be placed in the front yard, or near a public right-of-way, rather than hidden behind a building.~~

2 x ~~ED~~. Wetlands: Enhance wetlands, if present, beyond the Town regulatory  
(0/+2) ~~requirements of the Town's applicable regulations.~~ Enhancements may  
include: the reintroduction of natural water flow, flora, fauna, and wildlife  
habitat.

2 x (- ~~FE~~. Significant Natural Features: Avoid development within areas of significant  
2/+2) natural features, if present on site. Significant natural features may include,  
but are not limited to:  
- Knolls or ridgelines.  
- Rock outcroppings.

1 If development in these or similar areas can be avoided, then every effort should be  
2 made to do so.

3 **Section 5.** That section 9-1-19-33R: POLICY 33 (RELATIVE) ENERGY  
4 CONSERVATION, subsection C. be amended by adding the language underlined and a  
5 new subsection G. added, both to read as follows:

6  
7 9-1-19-33R: POLICY 33 (RELATIVE) ENERGY CONSERVATION:

8 C. Other Design Features: 1 × (-4/+4) Other design features determined by the  
9 Planning Commission to conserve significant amounts of energy may be considered for  
10 positive points. Alternatively, other features that use excessive amounts of energy may  
11 be assigned negative points. However, positive points may not be assessed under this  
12 subsection if the project has been awarded positive points under subsection A or B of  
13 this section. Higher positive point awards will be given to larger scaled projects that  
14 conserve a significant amount of energy. Larger projects that consume large amounts of  
15 energy will be assessed more negative points. Smaller scale design features such as  
16 smart breaker panels and enhanced controls for heat tape are eligible for a maximum of  
17 one positive (+1) point.

18 G. Waste Diversion – Projects that register with the Summit County Resource Allocation  
19 Park and complete a Debris Recovery Plan Materials Management Plan checklist with a  
20 commitment of recycling 25%, or more, of construction site materials, coupled with  
21 required verification that the materials are recycled at the Summit County Resource  
22 Allocation Park, are eligible to receive two positive (+2) points.

23  
24 **Section 6.** That new section 9-1-19-48R: POLICY 48 (RELATIVE) DEFENSIBLE  
25 SPACE AND BUILDING HARDENING, be created by adding the language underlined  
26 to read as follows:

27  
28 9-1-19-48R: POLICY 48 (RELATIVE) VOLUNTARY DEFENSIBLE SPACE AND  
29 BUILDING HARDENING:

1 A. Phased Structure Hardening & Defensible Space: Positive Points will be awarded for  
2 work not otherwise triggered by building permit thresholds (e.g., not required by the  
3 Colorado Wildfire Resiliency Code (CWRC)).

4 a. (+2) – Basic measure: Completion of rudimentary measures for site requirements and  
5 structure hardening opportunities (e.g., install non-combustible base up to 6 inches, 0-5  
6 ft clear defensible space zone).

7 b. (+4) – Intermediate measure: Extension of defensible space into the 30 ft zone with  
8 material upgrades (e.g., non-combustible siding, roof-to-wall flashing, deck/fence  
9 retrofits).

10 c. (+6) – Comprehensive measure: Comprehensive hardening and defensible space  
11 management equivalent to CWRC standards, when not required.

12 B. Interior Fire Sprinkler Systems – Recognizes the significant public benefit of  
13 containing fires at the source and protecting adjacent properties.

14 a. (+3) Voluntary installation of interior sprinklers in residences in situations not required  
15 by the Building Code.

16  
17 **Section 7.** Except as specifically amended hereby, the Breckenridge Town  
18 Code, and the various secondary codes adopted by reference therein, shall continue in  
19 full force and effect.

20  
21 **Section 8.** The Town Council hereby finds, determines, and declares that it has  
22 the power to adopt this ordinance pursuant to the provisions of: (i) Section 31-35-402,  
23 C.R.S.; (ii) Article XIII of the Town Charter; and (iii) the powers possessed by home rule  
24 municipalities in Colorado.

25  
26 **Section 9.** The Town Council hereby finds, determines, and declares this  
27 ordinance to be in the best interest and preservation of the public health, safety, and  
28 welfare.

29  
30 **Section 10.** This ordinance shall be published and become effective as provided  
31 by Section 5.9 of the Breckenridge Town Charter.

32 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
33 PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2026. A Public Hearing shall be held at  
34 the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the  
35 \_\_\_\_ day of \_\_\_\_\_, 2026, at 7:00 P.M., or as soon thereafter as possible in the Municipal  
36 Building of the Town.

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TOWN OF BRECKENRIDGE, a Colorado  
municipal corporation

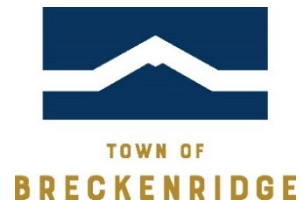
By: \_\_\_\_\_  
Kelly Owens, Mayor

ATTEST:

\_\_\_\_\_  
Mae Watson,  
Town Clerk

APPROVED AS TO FORM:

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



# Memo

**To:** Town Council  
**From:** Sarah Crump, AICP, Senior Planner  
**Date:** 3/4/2026 (for 3/10/2026 meeting)  
**Subject:** Employee Housing Impact Mitigation Policy Changes - Second Reading

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**Town Council Goals** (Check all that apply)

- |                                                                           |                                                                         |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/> More Boots & Bikes, Less Cars                    | <input type="checkbox"/> Leading Environmental Stewardship              |
| <input checked="" type="checkbox"/> Deliver a Balanced Year-Round Economy | <input checked="" type="checkbox"/> Hometown Feel & Authentic Character |
| <input type="checkbox"/> Organizational Need                              |                                                                         |

## Summary

Planning staff propose a bill for second reading to amend the employee housing impact mitigation policy, Policy 24 (Absolute) Social Community, so that it would no longer apply to changes of use as directed by the Council during the February 10<sup>th</sup> Town Council work session. The code amendment proposed also allows for off-site housing impact mitigation for any new development. The requirements for challenging the established employee generation rates have been updated to require an independent study produced by a reputable firm that would be reviewed and approved by the Planning Commission. Finally, some minor housekeeping edits were made to the policy text for Council review and approval. The amended policy bill is attached. There have been no changes to the bill since first reading on February 24, 2026.

## Background

In 2020, the Town adopted an employee generation policy (Policy 24A) requiring all new development (assessed by floor area) to mitigate the housing impacts for a percentage of the employees that are generated by the new development. This current requirement applies to both new construction and changes of use (increase in intensity of use), e.g. retail to restaurant use. The current policy requires employee housing impact mitigation for thirty-five percent (35%) of new employees generated. If the percentage of new employees generated is greater than one employee, a deed-restricted housing unit must be provided at a rate of 350 square feet per employee generated. For less than one employee, a fee-in-lieu may be paid at a rate of \$284 per square foot of housing required. For changes of use, credit is given toward the existing use and only the difference of new employees generated is required for housing mitigation. The current employee housing impact mitigation policy, [9-1-19-24A\(B\)](#), is linked for reference.

Since the adoption of the employee housing impact mitigation requirement in 2020, the Planning Division has fielded numerous change-of-use inquiries from would-be applicants or business startups - an estimated five inquiries or more per month. It is most common that potential applicants simply abandon plans for conversion or purchase/lease of a property upon learning of these fees or the need to provide deed restricted housing units for changes of use. Alternatively, we have seen some applicants decide to pursue much smaller conversions, attempt to split up their commercial space abnormally, or not pursue their desired business model to lessen the cost of the fees. For example, applicants have chosen to only offer a counter service restaurant instead of a sit-down table service restaurant to pay lower employee housing impact fees. Staff believe that this policy is effectively shaping business development in such a way that it is difficult for new business concepts to start unless they are able to find a vacant commercial location that exactly matches the business model they want to pursue. This policy is essentially “locking-in” the existing commercial real estate and business landscape making it more difficult for business turnover or growth.

Discussions with would-be development permit applicants and feedback from local business owners have identified this policy, when applied to changes of use within existing commercial space, as a significant hinderance to local

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**Mission:** The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

business development. Historically, changes of commercial use have been required to pay significant water plant investment and parking fees if adding use intensity to the space. The added layer of complying with the employee housing impact mitigation requirements by paying a fee or acquiring residential property rights to deed restrict has made conversion of commercial spaces cost prohibitive in some instances.

Since the policy was adopted in 2020, when applied to changes of use, the policy has delivered only two additional housing units and a single fee-in-lieu payment to the housing fund of \$43,736 over the five-year period. Planning and Housing staff do not believe the employee housing units and monies toward the housing fund gained are substantial enough to continue this policy given the negative effects the policy appears to be having on business development and transition. At the February 10<sup>th</sup> work session on this topic, six Council members unanimously recommended that staff move forward with drafting code amendments to eliminate changes of use from the required employee housing impact mitigation policy. Staff propose the recommendations below and attached amended code language at this second reading.

### **Recommendations**

The proposed amended code language addresses eliminating changes of use, allows off-site housing mitigation for any new development (new floor area), requires an independent study to challenge employee generation rates, and cleans up some formatting and housekeeping items.

1. Changes of Use Eliminated from Policy: Employee housing impact mitigation requirements were eliminated for changes of use throughout Policy 24 Section B. The employee housing impact mitigation requirements will now only apply to new floor area constructed. Businesses will still pay toward water plant investment fees (PIFs) and the parking district as applicable. A caveat was included regarding new construction to avoid the possibility of deceptive situations in which an applicant only provides housing for a low intensity use and then switches to a high intensity use immediately after construction. Any newly constructed floor area will be required to provide employee housing impact mitigation per the approved use at the time of Certificate of Occupancy/Certificate of Completion (CO). Should the approved use change prior to five years from receiving CO, the difference in employee housing impact mitigation must be provided for the new proposed use.
2. Off-site Housing Mitigation: The policy was amended to allow for flexibility in mitigation by the applicant. All new developments to which the policy applies will have the ability to provide housing mitigation either on-site, off-site, through a fee-in-lieu payment or a combination of all three methods. Fee-in-lieu payments are only allowed when the amount of housing to be provided is for a fraction of one employee. There is emphasis in the policy to consider the compatibility of on-site housing and whether housing is an agreeable use with on-site and adjacent uses; however, the applicant has discretion regarding the final mitigation method(s) to provide housing. This policy change frees up limited commercial density and removes previous code conflicts where negative points would be applied to code required on-site housing.
3. Employee Generation Rate Challenge: The process of challenging employee generation rates was amended to require an independent study from a reputable firm, as agreed to by the Town. The study will be reviewed by the Planning Commission. A determination of the validity of the study and subsequent change to the generation rates for the project will be at the discretion of the Planning Commission. This revised challenge process will only apply to new floor area construction; likely Class-A development permits.
4. Housekeeping Edits: The residential uses title in this section was amended to clarify that employee housing impact mitigation applies to all new “overnight accommodation” residential unit types. Some missing lodging types, bed and breakfasts and chalet houses, were added to this list although those models of lodging have been in decline and are less likely to be constructed in the future. The policy has never applied to single-family, duplex, or other residential types which are not considered lodging. The example calculations within the policy were updated to be consistent with the current employee generation rates and section numbering was revised throughout.

### **Public Outreach/Engagement**

While there has not been public outreach specifically requesting feedback on employee housing impact mitigation as applied to changes of use, staff have heard from numerous would-be applicants that this policy is stifling business plans and cost-prohibitive to economic changes and growth. This issue was the primary one identified by business owners in a separate outreach session regarding policy changes that could improve the Riverwalk Special Area. The normal public notice requirements were followed for development code amendment legislation.

**Financial Implications**

Staff anticipate short-term increased staff time to draft the policy amendments; however, long-term, far less staff time would be spent making these change of use calculations. The reduced fees for the Housing Fund would be negligible, as only a single payment of \$43,736 has been made to the fund since adoption of the policy in 2020. This policy change will support private businesses pursuing new locations or business expansions, allowing for a more market-driven commercial real estate landscape that does not artificially keep the existing business types fixed in their current locations. This policy change could generate economic growth and business development within the Town.

**Equity Lens**

Changing this policy could further the Town’s Equity Blueprint Goal 3, Community Outreach and Engagement, which calls for the Town to “address community needs and interests related to racial and social equity.” The current employee housing impact mitigation policy unfairly penalizes new or diverse business concepts and startups who seek a brick-and-mortar location. It is difficult for new businesses unless they are lucky enough to find an existing vacant space that already utilizes their preferred business model; otherwise they must pay a high-cost housing impact fee or acquire the rights to a residential property that will be encumbered by a deed restriction.

**Staff Recommendation**

Staff recommends the Town Council approve the proposed code amendments to Policy 24(A), Sections B, C, E, and F regarding Employee Housing Impact Mitigation, at second reading. There have been no changes to the bill since first reading.

Staff will be available at the work session to answer any questions.

COUNCIL BILL NO. \_\_\_\_

Series 2026

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

**AN ORDINANCE AMENDING TITLE 9, SECTION 1, POLICY 24 (ABSOLUTE) THE SOCIAL COMMUNITY, SECTIONS B, C, E, AND F REGARDING EMPLOYEE HOUSING IMPACT MITIGATION, OF THE BRECKENRIDGE TOWN CODE.**

WHEREAS, the Town of Breckenridge has evaluated the employee housing impact mitigation requirements for changes of use and finds that, when applied to changes of use, the employee housing impact mitigation policy creates unintended consequences for local business development including slowing or prohibiting business development, limiting the location of certain business types, and limiting certain models of service; and

WHEREAS, the Town Council finds that the intended benefit of the policy in generating additional employee units is presently outweighed by the unintended consequences of making business development more challenging in the context of changing the use of existing commercial space; and

WHEREAS, Council and Community goals of the Town of Breckenridge include delivering a balanced, year-round economy and a hometown feel and authentic character, initiatives to which local business development is paramount.

WHEREAS, the Town Council desires to amend the policy to remove barriers for businesses seeking a change of use within existing commercial spaces, as well as incorporate additional amendments clarifying the Town's intent with regards to employee housing impact mitigation.

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

**Section 1.** That section 9-1-19-24A: POLICY 24 (ABSOLUTE) THE SOCIAL COMMUNITY, SECTIONS B, C, E, and F, be amended by deleting the language stricken and adding the language underlined to read as follows:

*B. Employee Housing Impact Mitigation:*

1. The purpose of this subsection ~~B~~ is to ensure that new development ~~or changes in the intensity of use provide~~ **provides** a reasonable amount of employee housing to mitigate the impact on available employee housing caused by such development.

1 2. Subsections B through G, inclusive, of this policy shall apply to all new development  
2 **(new floor area)** and changes of use of the following land uses:

3 a. Commercial Use

4 b. Industrial Use

5 c. Mixed Use

6 d. Recreation and Leisure Amenities

7 e. The following Residential **“overnight accommodation”** Uses:

8 i. Boarding House

9 ii. Condominium/Hotel

10 iii. Divisible Unit

11 iv. Hotel/Lodging/Inn

12 v. ~~(Rep. by Ord. 26, Series 24)~~vi. Timeshare Interests

13 **vi. Bed and Breakfasts**

14 **vii. Chalet Houses**

15 3. This policy does not apply to institutional uses.

16 C. *Employee Generation and Mitigation Rates:*

17 1. The "Employee Generation Rates by Type of Use Table," below, shall be applied to each  
18 type of use listed in subsection B2 of this section. For any use not listed, the director shall  
19 determine the applicable employee generation rate by consulting the town's then-current  
20 current nexus study.

21 Employee Generation Rates by Type of Use Table

Type of Use	Employee Generation Rate
Restaurant – Food Service	
Fast food/counter service	3.26 employees per 1,000 square feet
Sit down/table service – outdoor space up to 25% of indoor size*	8.34 employees per 1,000 square feet

Sit down/table service – outdoor space greater than 25% of indoor size*	12.78 employees per 1,000 square feet
Outdoor additions**	4.44 employees per 1,000 square feet
Taphouse/Brewery/Bar (without food service)	2.73 employees per 1,000 square feet
Health and Wellness (e.g. yoga, fitness, gym, physical therapy)	3.41 employees per 1,000 square feet
Personal Service (e.g. salon, spa, nailcare, skincare)	5.54 employees per 1,000 square feet
Retail	2.95 employees per 1,000 square feet
Office	6.26 employees per 1,000 square feet
Hospitality (e.g. condominium/hotel, divisible unit, hotel/lodging/inn, timeshare interests)	0.23 employees per room/unit/divisible unit

1 \*Rate applied to indoor square footage.

2 \*\*Rate applied only if previous outdoor space was less than or equal to twenty-five percent  
3 (25%) of indoor size.

4 2. If an applicant **has confidence** ~~submits competent evidence demonstrating~~ that the  
5 employee generation rates contained in table "Employee Generation Rates by Type of Use  
6 Table," above, do not accurately reflect the number of employees generated by the  
7 proposed development, **an applicant may challenge the generation rates by providing**  
8 **an independent study from a reputable firm as agreed to by the Town, one which**  
9 **typically conducts such research, that sufficiently demonstrates with verifiable**  
10 **evidence that deviation from those employee generation rates is warranted.** ~~or change~~  
11 ~~of intensity of use and the planning commission finds that such evidence warrants a~~  
12 ~~deviation from those employee generation rates, the~~ **The** planning commission shall  
13 **review the independent study** and allow for such a deviation as the planning commission  
14 deems appropriate. ~~The town may, at its discretion, hire an independent third party~~  
15 ~~consultant to verify the evidence provided by an applicant. The cost of such verification~~  
16 ~~shall be paid or reimbursed by the applicant.~~

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

5 For example, for a new fast food/counter service restaurant proposing 2,500 square feet of  
6 new area, the required employee housing would be calculated as follows:

7  $([2,500 \text{ square feet} / 1,000 \text{ square feet}] \times [3.26]) = 8.15 \text{ new employees generated} \times 35\% =$   
8 2.85 employees to be housed.

9 4. ~~If an increase in employee generation is caused by a change in the intensity of a use in~~  
10 ~~existing square footage (e.g., retail to restaurant), the employee housing requirements of~~  
11 ~~this policy shall apply to the difference of new employees generated (e.g., difference~~  
12 ~~between retail and restaurant employee generation rate).~~ **If a new structure is replacing**  
13 **an existing structure, this policy shall only apply to the difference of floor area**  
14 **(additional floor area). Employee housing impact mitigation shall be provided for the**  
15 **proposed use at the time of Certificate of Occupancy/Certificate of Completion of a**  
16 **new structure. Should the original approved use of any new floor area change prior to**  
17 **five years after receiving a Certificate of Occupancy, the applicant shall provide**  
18 **employee housing impact mitigation for any difference between the original approved**  
19 **use at the time of Certificate of Occupancy and the new proposed use (e.g., pay the**  
20 **difference between retail and restaurant employee generation rate).**

21  
22 E. *Methods of Mitigation:* **For all new development projects (new floor area), the**  
23 **mitigation of employee housing required by this policy shall be accomplished through**  
24 **one or any combination of the methods further described in this section. Unless**  
25 **otherwise regulated by this policy, the choice of method(s) used to mitigate the**  
26 **employee housing requirements of this policy shall be at the discretion of the**  
27 **applicant.**

28  
29 1. *On-Site Mitigation:* For all:

- 30 i. ~~New construction (i.e., development that does not affect any existing~~  
31 ~~buildings or structures);~~  
32 ii. ~~Demo/rebuild projects;~~

1           iii. ~~Development that involves a changes in intensity of use of existing square~~  
2 ~~footage, no less than twenty-five percent (25%) of the mitigation of employee~~  
3 ~~housing required by this policy shall be accomplished with on-site units.~~

4           a. ~~Exceptions: At the sole discretion of the Planning Commission, an~~  
5 ~~exception may be granted from this subsection E1 based upon one of~~  
6 ~~the following findings:~~

7                   (i) ~~Implementation of the on-site unit mitigation method would~~  
8 ~~not be compatible with the other on-site or adjacent uses;~~

9                   (ii) ~~Implementation of the on-site mitigation method would be~~  
10 ~~contrary to the goals of the applicable elements of the town's~~  
11 ~~land use guidelines;~~

12                   (iii) ~~Exceptional or unique conditions apply to the site, which~~  
13 ~~generally do not apply to other sites, that prevents the~~  
14 ~~implementation of the on-site unit mitigation method;~~

15                   (iv) ~~The method of mitigation proposed better achieves the~~  
16 ~~general and specific purposes of this policy than the on-site~~  
17 ~~mitigation unit method., as decided by the town through a~~  
18 ~~development agreement; or~~

19                   (v) ~~The project is located in the Conservation District.~~

20                   (vi) ~~An applicant may pay a fee in lieu instead of providing~~  
21 ~~required employee housing only when the amount employee~~  
22 ~~housing requirement required by this policy is less than 1.0~~  
23 ~~employee.~~

24 **a. On-site construction of employee housing should consider residential**  
25 **compatibility with the site and other proposed or adjacent uses.**

26 b. *Deed Restrictions:* All on-site employee housing shall be deed restricted in accordance  
27 with the town's Housing Guidelines and subsection G of this policy. **On-site units shall be**  
28 **provided at the time of Certificate of Occupancy/Certificate of Completion for the new**  
29 **development.**

30 c. *Remaining Portion of Requirement:* Any remaining portion of the mitigation requirement  
31 not provided with on-site units shall be provided in accordance with Subsection 2 **or 3** of  
32 this section.

33 2. *Off-Site Mitigation:*

1 a. ~~For all development projects except those mitigated by subsection E1 of this section,~~  
2 the mitigation of employee housing required by this policy shall be accomplished through  
3 one or any combination of the methods further described in this section. Unless otherwise  
4 regulated by this policy, the choice of method(s) used to mitigate the employee housing  
5 requirements of this policy shall be at the sole discretion of the applicant.

6 b. ~~Off-Site Units:~~ The required number of employee housing units **a. Required employee**  
7 **housing**, less the any on-site required provided mitigation, may be provided off-site within  
8 the Upper Blue Basin, provided given that such employee housing units are deed restricted  
9 in accordance with subsections ~~A through G~~ of this policy. **Off-site units must be provided**  
10 **prior to Certificate of Occupancy/Certificate of Completion of the new development.**

11 3. *Payment of Fees In-Lieu:*

12 a. The fee in-lieu for each employee required to be housed by this policy shall be  
13 established periodically by resolution of the town council

14 b. An administrative fee, established by resolution of the town council, shall be paid by the  
15 applicant in addition to the fee in-lieu

16 c. Fees in-lieu shall be due and payable prior to the issuance of a building permit for the  
17 development.

18 d. The town shall use monies collected from fees in-lieu only to provide additional  
19 employee housing units.

20 e. An applicant may provide a payment of fees in-lieu only for any fractional remainder of  
21 the requirement generated under this policy totaling less than 1.0 employee.

22 f. The fee in-lieu shall be calculated based on the market affordability gap for a two person  
23 household earning 80% Area Median income (AMI) in Summit County. The fee in-lieu  
24 calculation shall be updated periodically as new AMI information is published by the U.S.  
25 Department of Housing and Urban Development.

26 Fee In-Lieu Calculation Table

80% Area Median Income for 2 person Household	\$61,440
Affordable Monthly Payment	\$1,229
Taxes/Insurance/HOA	\$350
Mortgage Payment	\$879

Maximum Mortgage Amount	\$151,650
Affordable Purchase Price*	\$168,500
Average S.F. of Affordable Units	1370
Median Price per S.F. (Market Units)	\$513
Cost Per Unit	\$702,810
Affordability Gap per Unit in Lieu	\$543,310
Gap per Employee (1.4 employees/household on average)	\$381,650
Administrative Fee per Employee (2%)	\$7,633
Total Gap per Employee	\$389,283
Fee per Square Foot per Employee	\$279
Administrative Fee per Square Foot per Employee	\$6
Total fee in-lieu per S.F.**	\$284

1 \*Assumes 5.69% interest rate, 10% down payment, 30 year fixed loan, \$350 for HOA,  
2 Insurance, and Taxes. These assumptions will be updated in accordance with the Summit  
3 Combined Housing Authority assumption changes.

4 \*\*Number will be rounded up or down to the nearest whole number.

5 Sample fee in-lieu calculation:

6 For example, for an application proposing 100 square feet of new area for a retail  
7 establishment, the required fee in-lieu would be calculated as follows:

8  $([100 \text{ square feet of Additional Retail Space} / 1,000 \text{ square feet}] \times [2.42.95]) = 0.24 \text{ } \underline{0.30}$  new  
9 employees generated  $\times 35\% = .084 \text{ } \underline{0.11}$  employees to be housed

10 ~~0.084~~ 0.11  $\times 350 \text{ square feet} = 29.4 \text{ } \underline{38.5}$  total square feet to be assessed fee in- lieu

11 ~~29.4~~ 38.5 square feet  $\times \underline{\$284.00}$  Total fee in-lieu per S.F. = \$10,934.00 Total fee in-lieu to be  
12 paid In accordance with subsection E3a of this section, "Policy 24 (Absolute) Social  
13 Community," future changes to the amount of the fee in-lieu shall be made by resolution of  
14 the town council.

1 F. *Administration*: Each application for development review or change of intensity of use  
2 shall include an employee housing narrative which includes the following:

3 1. *Calculation Method*: The calculation of employee generation and the mitigation method  
4 by which the applicant proposes to meet the requirements of this policy;

5 2. *Plans*: A dimensioned site plan and architectural floor plan that demonstrates  
6 compliance with subsection D of this policy;

7 **Section 2.** Except as specifically amended hereby, the Breckenridge Town  
8 Code, and the various secondary codes adopted by reference therein, shall continue in  
9 full force and effect.

10  
11 **Section 3.** The Town Council hereby finds, determines, and declares that it has  
12 the power to adopt this ordinance pursuant to the provisions of: (i) Section 31-35-402,  
13 C.R.S.; (ii) Article XIII of the Town Charter; and (iii) the powers possessed by home rule  
14 municipalities in Colorado.

15  
16 **Section 4.** The Town Council hereby finds, determines, and declares this  
17 ordinance to be in the best interest and preservation of the public health, safety, and  
18 welfare.

19  
20 **Section 5.** This ordinance shall be published and become effective as provided  
21 by Section 5.9 of the Breckenridge Town Charter.

22 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED  
23 PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2026. A Public Hearing shall be held at  
24 the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the  
25 \_\_\_\_ day of \_\_\_\_\_, 2026, at 7:00 P.M., or as soon thereafter as possible in the Municipal  
26 Building of the Town.

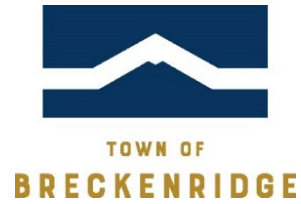
27  
28 TOWN OF BRECKENRIDGE, a Colorado  
29 municipal corporation

30  
31  
32  
33 By: \_\_\_\_\_  
34 Kelly Owens, Mayor

35  
36 ATTEST:

37  
38  
39

1 \_\_\_\_\_  
2 Mae Watson,  
3 Town Clerk  
4  
5  
6 APPROVED AS TO FORM:  
7 \_\_\_\_\_  
8 Town Attorney  
9  
10  
11



# Memo

**To:** Town Council  
**From:** Helen Cospolich, Director of Municipal Services and Engagement  
**Date:** 3/4/2026 (for 3/10/2026)  
**Subject:** Resolutions to Appoint Presiding Municipal Judge, Extend Current Judge Term and Appoint Deputy Municipal Judge

---

**Town Council Goals** (Check all that apply)

- |                                                                |                                                              |
|----------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> More Boots & Bikes, Less Cars         | <input type="checkbox"/> Leading Environmental Stewardship   |
| <input type="checkbox"/> Deliver a Balanced Year-Round Economy | <input type="checkbox"/> Hometown Feel & Authentic Character |
| <input checked="" type="checkbox"/> Organizational Need        |                                                              |

**Summary**

Per the Breckenridge Town Charter (Article 8, Section 2), Council must appoint a Presiding Municipal Judge every two years. Traditionally, this appointment is made in March. The Municipal Judge appointment subcommittee unanimously recommends appointing Mark Hurlbert to be the Presiding Municipal Judge and Buck Allen to be the Deputy Municipal Judge.

**Background**

The current Presiding Municipal Judge, Buck Allen, will be stepping down at the end of his contract year. Judge Allen has served as the Town’s Municipal Court Judge for the past fourteen two-year terms (28 years), beginning in 1998. The Town thanks Judge Allen for his time and service to the community.

Staff issued a Request for Proposals (RFP) in January for the Municipal Judge and received a strong response. A subcommittee consisting of the Deputy Town Manager, Chief of Police, Human Resources Director, Director of Municipal Services and Engagement, and two Town Council members conducted candidate interviews and reached a unanimous decision to recommend appointing Mark Hurlbert as the Presiding Municipal Judge, for a two-year term beginning May 1, 2026. Judge Allen’s current term ends April 9, 2026, so there is a second resolution presented to you that will extend his term accordingly. The extension will allow for a smooth transition with the onboarding of the Town’s new in-house prosecutor and the commencement of the term of the new presiding judge.

**Public Outreach/Engagement**

A full Request for Proposals was advertised January 16 – February 6, 2026. It was posted on the Town’s website and in newsletters and sent via email subscriber lists. It was also distributed by the Colorado Municipal League listservs.

**Financial Implications**

The Municipal Services and Engagement Division works within the division’s annual budget for all initiatives. The wage amounts for both municipal judge roles for 2026 were also established within the 2026 Town budget.

**Equity Lens**

The RFP was posted in multiple locations, including on the Town’s website, where translation and full ADA features are available.

**Staff Recommendation**

The subcommittee appointment recommendation is noted above. Staff will be available on Tuesday to answer any questions.

1

**Mission:** The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

1 RESOLUTION NO. \_\_\_\_

2  
3 SERIES 2026

4  
5  
6 **A RESOLUTION APPOINTING THE PRESIDING JUDGE OF THE TOWN OF**  
7 **BRECKENRIDGE MUNICIPAL COURT AND FIXING THE COMPENSATION**  
8 **THEREFOR**  
9

10  
11 WHEREAS, the Breckenridge Town Charter, Article VIII, Section 8.2(a), provides that  
12 Town Council shall appoint a judge to preside over and exercise the functions of the Town's  
13 Municipal Court; and

14  
15 WHEREAS, per Section 8.2(a) of the Town Charter, the presiding judge shall be appointed  
16 for a specific term of two (2) years; and,

17  
18 WHEREAS, Section 8.2(c) provides that the presiding judge shall receive a fixed salary  
19 or compensation set by the Town Council, which shall not be increased or decreased during their  
20 term of office; and,

21  
22 WHEREAS, the Town Council desires to appoint Mark Hurlbert as the presiding judge for  
23 the Town of Breckenridge Municipal Court.

24  
25 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF  
26 BRECKENRIDGE, COLORADO:

27  
28 Section 1. The Town Council hereby appoints Mark Hurlbert as the presiding judge  
29 for the Town of Breckenridge Municipal Court under the terms of conditions  
30 established by the Town Charter.

31  
32 Section 2. Judge Hurlbert's term as the presiding municipal judge shall commence  
33 as of May 1, 2026.

34  
35 Section 2. The Town Council hereby establishes the annual salary of the  
36 presiding judge at \$31,500.00.

37  
38  
39  
40 RESOLUTION ADOPTED AND APPROVED this 10th day of March, 2026.

41  
42  
43 ATTEST:

TOWN OF BRECKENRIDGE

44  
45  
46 \_\_\_\_\_  
47 Mae Watson, Town Clerk

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

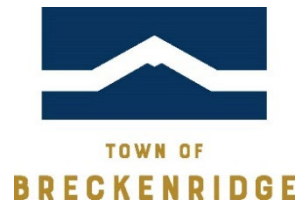
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49  
50 APPROVED IN FORM

51  
52  
53 \_\_\_\_\_  
54  
55  
56  
57

Town Attorney

Date

55  
56  
57



# Memo

**To:** Town Council  
**From:** Helen Cospolich, Director of Municipal Services and Engagement  
**Date:** 3/4/2026 (for 3/10/2026)  
**Subject:** Resolutions to Appoint Presiding Municipal Judge, Extend Current Judge Term and Appoint Deputy Municipal Judge

---

**Town Council Goals** (Check all that apply)

- |                                                                |                                                              |
|----------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> More Boots & Bikes, Less Cars         | <input type="checkbox"/> Leading Environmental Stewardship   |
| <input type="checkbox"/> Deliver a Balanced Year-Round Economy | <input type="checkbox"/> Hometown Feel & Authentic Character |
| <input checked="" type="checkbox"/> Organizational Need        |                                                              |

### Summary

Per the Breckenridge Town Charter (Article 8, Section 2), Council must appoint a Presiding Municipal Judge every two years. Traditionally, this appointment is made in March. The Municipal Judge appointment subcommittee unanimously recommends appointing Mark Hurlbert to be the Presiding Municipal Judge and Buck Allen to be the Deputy Municipal Judge.

### Background

The current Presiding Municipal Judge, Buck Allen, will be stepping down at the end of his contract year. Judge Allen has served as the Town's Municipal Court Judge for the past fourteen two-year terms (28 years), beginning in 1998. The Town thanks Judge Allen for his time and service to the community.

Staff issued a Request for Proposals (RFP) in January for the Municipal Judge and received a strong response. A subcommittee consisting of the Deputy Town Manager, Chief of Police, Human Resources Director, Director of Municipal Services and Engagement, and two Town Council members conducted candidate interviews and reached a unanimous decision to recommend appointing Mark Hurlbert as the Presiding Municipal Judge, for a two-year term beginning May 1, 2026. Judge Allen's current term ends April 9, 2026, so there is a second resolution presented to you that will extend his term accordingly. The extension will allow for a smooth transition with the onboarding of the Town's new in-house prosecutor and the commencement of the term of the new presiding judge.

### Public Outreach/Engagement

A full Request for Proposals was advertised January 16 – February 6, 2026. It was posted on the Town's website and in newsletters and sent via email subscriber lists. It was also distributed by the Colorado Municipal League listservs.

### Financial Implications

The Municipal Services and Engagement Division works within the division's annual budget for all initiatives. The wage amounts for both municipal judge roles for 2026 were also established within the 2026 Town budget.

### Equity Lens

The RFP was posted in multiple locations, including on the Town's website, where translation and full ADA features are available.

### Staff Recommendation

The subcommittee appointment recommendation is noted above. Staff will be available on Tuesday to answer any questions.

1

**Mission:** The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

1 RESOLUTION NO.

2  
3 SERIES 2026

4  
5  
6 **A RESOLUTION EXTENDING THE APPOINTMENT AND EMPLOYMENT**  
7 **AGREEMENT OF PRESIDING JUDGE**  
8

9  
10 WHEREAS, the Breckenridge Town Charter, Article VIII, Section 8.2(a), provides that the  
11 Town Council shall appoint a judge to preside over and exercise the functions of the Town's  
12 Municipal Court; and

13 WHEREAS, Resolution No. 11, Series 2024 appointed Buck Allen as the presiding judge  
14 and established an annual salary and employment agreement for such services, with such  
15 appointment and agreement to terminate as of April 9, 2026; and

16 WHEREAS, the Town Council desires to extend the appointment of Buck Allen as the  
17 presiding judge and extend and prorate his compensation accordingly.

18 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF  
19 BRECKENRIDGE, COLORADO:

20  
21 Section 1. The Town Council hereby extends the appointment of Buck Allen as a  
22 the presiding municipal judge until April 30, 2026.

23  
24 Section 2. The compensation established by Resolution No. 11, Series 2024 shall  
25 be prorated based on the previous termination date of April 9, 2026.

26  
27 Section 3. All other provisions of Resolution No. 11, Series 2024 and Buck Allen's  
28 employment agreement remain unchanged.  
29

30  
31  
32 RESOLUTION ADOPTED AND APPROVED this 10th day of March, 2026.  
33

34  
35 ATTEST:

TOWN OF BRECKENRIDGE

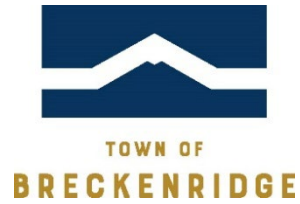
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39 \_\_\_\_\_  
Mae Watson, Town Clerk

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

40  
41 APPROVED IN FORM

42  
43  
44  
45 \_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Date



# Memo

**To:** Town Council  
**From:** Helen Cospolich, Director of Municipal Services and Engagement  
**Date:** 3/4/2026 (for 3/10/2026)  
**Subject:** Resolutions to Appoint Presiding Municipal Judge, Extend Current Judge Term and Appoint Deputy Municipal Judge

---

**Town Council Goals** (Check all that apply)

- |                                                                |                                                              |
|----------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> More Boots & Bikes, Less Cars         | <input type="checkbox"/> Leading Environmental Stewardship   |
| <input type="checkbox"/> Deliver a Balanced Year-Round Economy | <input type="checkbox"/> Hometown Feel & Authentic Character |
| <input checked="" type="checkbox"/> Organizational Need        |                                                              |

**Summary**

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**Equity Lens**

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**Staff Recommendation**

The subcommittee appointment recommendation is noted above. Staff will be available on Tuesday to answer any questions.

1

**Mission:** The Town of Breckenridge protects, maintains, and enhances our sense of community, historical heritage, and alpine environment. We provide leadership and encourage community involvement.

1 RESOLUTION NO.

2  
3 SERIES 2026

4  
5  
6 **A RESOLUTION APPOINTING A DEPUTY JUDGE AND FIXING**  
7 **COMPENSATION THEREFOR**  
8

9  
10 WHEREAS, the Breckenridge Town Charter, Article VIII, Section 8.2(b), provides that the  
11 Town Council may appoint one or more deputy judges as it deems necessary; and

12 WHEREAS, such deputy judges shall serve at the pleasure of the Town Council; and

13 WHEREAS, Section 8.2(c) of the Charter further states that Town Council shall establish  
14 the compensation of deputy judges; and

15 WHEREAS, the Town Council desires to appoint Buck Allen as a deputy judge to serve  
16 when called upon to act by Town Council.

17 NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF  
18 BRECKENRIDGE, COLORADO:

19  
20 Section 1. The Town Council hereby appoints Buck Allen as a deputy municipal  
21 judge to serve when the need arises as determined by the presiding judge in  
22 consultation with the town attorney.

23  
24 Section 2. Judge Allen’s term as a deputy municipal judge shall commence as of  
25 May 1, 2026.

26  
27 Section 2. Town Council hereby establishes the hourly compensation of the deputy  
28 judge at \$151.20 per hour.  
29

30  
31  
32 RESOLUTION ADOPTED AND APPROVED this 10th day of March, 2026.  
33

34  
35 ATTEST:

TOWN OF BRECKENRIDGE

36  
37  
38 \_\_\_\_\_  
39 Mae Watson, Town Clerk

\_\_\_\_\_

40  
41  
42 APPROVED IN FORM

43  
44  
45 \_\_\_\_\_  
46 Town Attorney

Date



# Memo

**To:** Breckenridge Town Council  
**From:** Mark Truckey, Director of Community Development  
**Date:** March 4, 2026  
**Subject:** Planning Commission Decisions of the March 3, 2026 Meeting

---

***DECISIONS FROM THE PLANNING COMMISSION MEETING, March 3, 2026:***

**CLASS A APPLICATIONS:** None.

**CLASS B APPLICATIONS:** None.

**CLASS C APPLICATIONS:** None.

**TOWN PROJECT HEARINGS:** None.

**OTHER:** None.

## PLANNING COMMISSION MEETING

The regular meeting was called to order at 5:30 pm by Chair Propper.

### ROLL CALL

Mike Giller	Mark Leas	Allen Frechter <b>remote</b>	Matt Smith
Ethan Guerra	Elaine Gort	Susan Propper	

### APPROVAL OF MINUTES

With no changes, the February 17, 2026 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With no changes, the March 3, 2026 Planning Commission Agenda was approved.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None

### WORK SESSIONS:

#### 1. Comprehensive Plan Introduction

Mr. Truckey introduced the Logan Simpson consulting team, who presented an overview of the comprehensive plan process and timeline for the Town's Comprehensive Plan update, which will serve as an overall guiding document for the Town. The Logan Simpson consulting team has been hired to develop the plan, which is proposed to be completed by the end of 2026.

#### *Commissioner Comments / Questions:*

- Mr. Giller: Could you speak to your tech skills and being tech forward? (Bruce Meighen, Logan Simpson: Technology can be a great equalizer. We've utilized the concept of immersion to help reach people we don't usually reach. This will be one of the first tests in Colorado to bring people into the space and create the community dialog and discuss what people want to see in that area. It can help people better understand redevelopment and what might initially seem more controversial. People often want to focus on the more negative things of the community, and we're trying to focus on the positive side and activate that side of the brain.)
- Mr. Frechter: I would recommend making sure our transient community, the seasonal workers who may only be here for one or two seasons, are engaged. Seniors would also be an important community to reach out to. I'm glad someone from Vail Resorts will be on the advisory committee, is there any consideration to integrating Vail's five-year plan in our discussions and how their potential future redevelopments will affect the rest of town? (Mr. Truckey: Yes, we can certainly engage Vail Resorts to determine where there is overlap between the two plans.)
- Ms. Gort: We should make sure to talk to young people and people with young children. Working with churches to join their free dinners may be a good way to reach people.
- Ms. Propper: Will you be looking at the need for more multi-family housing in town? I've talked to several people around town and they cannot afford the single-family developments and may have more interest in multi-family and condo developments. (Mr. Leas: I disagree, I feel we've built quite a bit of multi-family units, and we should be focusing on missing middle housing for new families that are just now having children and are potentially being forced out of town. I don't think we need more apartment type units for the more transient population.) Yes, I'm talking about people who have been here for a number of years but don't have families and don't intend to have kids and are being priced out. (Mr. Truckey: Part of the process will be a housing needs assessment

which will identify our needs for all types of housing units, including multifamily units.)

Mr. Leas: You mentioned looking at the locations of development. I would be concerned about the methodology of how you do that. The Council and locals that have been here for a while have a lot of preconceived notions about where things should be developed and an outside perspective to suggest alternative ideas and challenge those preconceptions would be good. Additionally, how are you going to reach second home owners? Second homeowners feel like they are very underrepresented and have not been a priority for Town Council. (Mr. Meighen: We are going to track and engage everyone. We're going to look at who we're not hearing from and do extra outreach to groups we're missing. Second homeowners are contributors to the community even though they're not here as often.) (Megan Moore, Logan Simpson: The best framework we've found to engage second homeowners is online Zoom meetings. For a lot of the in-person workshops and exercises we will do our best to replicate them online to reach the broadest audience.) (Deanna Weber, AECOM: Additionally, Mark, to your point we aren't coming with those preconceived notions, and we've worked with a lot of mountain resort communities, so we're able to bring best practices. We are coming into this with an open mind to be creative with the process. It needs to be uniquely Breck after all.)

Mr. Smith: Are there going to be discussions and feedback from the community to drive the overall character of the town? What does it mean to come to Breck and be a resident? What's the vibe in town? (Mr. Meighen: We're going to start by creating a Vision Plan to set the tone and feel for the rest of the document. It may help us evaluate our existing themes and phrases to see if they're still serving the plan. Jackson, WY had struggles with what western character meant for them. Everyone had a different time they called it back to, so they decided it had a more community-based meaning focused on people, which drove their housing policy and more.)

Ms. Gort: How do you plan to bring all the data together? (Ms. Moore: Every comment that we get is important and gets the same weight. We'll lean on the advisory committee to help us understand a path forward when there are conflicting ideas but we'll also look at data and a lot of different things. We can talk about the benefits and tradeoffs for new ideas, and discuss that with the advisory committee and talk about which way to lean.) (Kelly Naumann, Logan Simpson: We also use technology that updates in real time and allows people to see other's comments and react to them and add on to them so we can see the outcomes from specific events. It allows you to see consensus in real time and the community can see the responses and changes from their comments instead of them going out into the ether. There will also be online questionnaires and polls that will roll into community events.) (Mr. Kulick: Do you feel that public comments discourage people from being fully transparent in their wants and preferences?) (Ms. Naumann: We have the ability to go either way for them being public or not.) (Mr. Meighen: It's a hard balance. People have to understand that they may not agree with everything and you're never going to get 100 percent consensus but they should understand why the decision is being made and the reasoning behind it. That's what comprehensive plans are. You have a community that's very passionate with educated and well-informed people.)

Ms. Gort: The advisory committee seems like it is going to be primarily men, will you also ensure women are included and comments have the ability to be analyzed by demographic? (Mr. Kulick: On the advisory committee we're looking to have a manageable size of people with a broad range of gender, age, and background. We're trying not to get a list of people that are only the usual suspects.) Some people may feel intimidated and not speak up if they're in the same room as more highly influential people. (Ms. Weber:

Looking back to the Sustainable Breck Plan we did not have an advisory committee but we had a lot of community outreach and interviews and more.) (Mr. Kulick: We are trying to get a diverse group in the advisory committee that represent a broad variety of people while keeping it a small size.)

*Discussion Questions:*

*What are the main issues facing the community that the plan should address?*

- Mr. Leas: Infill development. Taking into account what we will allow and what we would absolutely not allow. This is a topic the Town must deal with.
- Ms. Propper: People are struggling to stay in the community especially in seasons like this with seasonal workers who are highly dependent on a snow-based tourism economy.
- Mr. Giller: A long time ago we had a marketing slogan, “real town, real people,” and I feel like that’s become more difficult now.
- Mr. Guerra: Our immigrant communities are the core and backbone of our town but are heavily underserved and not integrated in our community. Our Hispanic community has grown a lot over the years but you don’t see them represented in places like this room.
- Ms. Gort: Our grocery store area is a big challenge for the community and not pretty.
- Mr. Smith: I feel that the town’s identity has faded quite a bit. The town used to be edgier and has lost some of that. The town is no longer an attractive place for young adults to settle.
- Ms. Propper: The pandemic caused a big change in the community and has created a lot more second homes. Breck no longer feels like a town for families. I don’t know my neighbors like I used to.
- Mr. Frechter: The town is very economically recreationally focused, and some consideration should be put into looking at diversifying the economy so that when tourism is down it doesn’t hurt the town as much.
- Mr. Leas: Communities organically develop on their own and there’s only so much you can control. There will be impacts you cannot anticipate.

*What data would be most useful to highlight?*

- Ms. Propper: Food bank utilization and seeing how that changes.
- Mr. Leas: Where the percentage of a dollar spent in Breckenridge goes, between recreation, entertainment, and food. How that changes between the people that live here and the people that come here on vacation.
- Ms. Propper: Opportunity in town. Minimal range of career opportunities disincentives people coming into town or staying.
- Mr. Smith: Demographics in general can help guide our direction, comparing the baseline of 10 or 20 years ago to now.
- Mr. Giller: Breckenridge has a large historic district and there’s only five historic ski towns in Colorado. Reminding people about and reinforcing and strengthening our historic district.
- Mr. Frechter: Comparing data from similar communities to see if they’re doing better than us and how they compare. What resources there are around and in other towns. What are they providing to residents and their workforce?
- Mr. Leas: People who work in trades in Breck have diminished over time and there are fewer opportunities for young people who are looking for their first job, especially with how restrictive development has become here.

*This project will be a success if...*

- Mr. Leas: If you bring fresh ideas and energize the community in seeing the direction it takes.
- Mr. Smith: If it actually gets used.
- Mr. Guerra: If the community embraces it and interacts with it.

- Ms. Gort: If it is authentically Breck. Not sure what that is, maybe something to be defined. (Ms. Moore: I feel that may vary by person, to me it's Main Street.)
- Mr. Frechter: If it has specificity and is binding to ensure decision makers follow it.
- Ms. Propper: I'm interested to see what direction you take us.
- Mr. Giller: The Riverwalk Center and the Arts District are important part of towns that should be strengthened and emphasized in the plan.

**OTHER MATTERS:**

1. Town Council Summary

**ADJOURNMENT:**

The meeting was adjourned at 6:55 pm.

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Susan Propper, Chair



**TOWN OF BRECKENRIDGE**  
**TOWN COUNCIL**

*Only 2 Council Members at each meeting, a third just means it needs to be posted.*

*The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.*

Date	Meeting	Location	Time
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**March 2026**

<b>Tuesday, March 10th, 2026</b>	<b>First Meeting of the Month</b>	<b>Council Chambers</b>	<b>2:00 pm / 7:00 pm</b>
<b>Tuesday, March 24th, 2026</b>	<b>Second Meeting of the Month</b>	<b>Council Chambers</b>	<b>2:00 pm / 7:00 pm</b>

**April 2026**

<b>Tuesday, April 14th, 2026</b>	<b>First Meeting of the Month</b>	<b>Council Chambers</b>	<b>2:00 pm / 7:00 pm</b>
<b>Tuesday, April 28th, 2026</b>	<b>Second Meeting of the Month</b>	<b>Council Chambers</b>	<b>2:00 pm / 7:00 pm</b>

**Other Meetings**

March 10th, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am / 1:30pm
	Workforce Housing Committee	Town Hall	10:30am
March 11th, 2026	Breckenridge History	Town Hall	Noon
March 12th, 2026	I-70 Coalition	Keystone Policy Center	1:00pm
	Upper Blue Sanitation District	Administrative Office	5:30pm
March 13th, 2026	QQ - Quality and Quantity - Water District	CMC	10:00am
March 16th, 2026	Summit Combined Housing Authority	Virtual	1:00pm
	Open Space & Trails Meeting	Town Hall	5:30pm
March 17th, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am
	Liquor & Marijuana Licensing Authority	Town Hall	9:00am
	Planning Commission Meeting	Town Hall	5:30pm
March 18th, 2026	Social Equity Advisory Commission	Town Hall	5:30pm
March 19th, 2026	NWCCOG Board Meeting	Silverthorne Office	10:00am
March 24th, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am / 1:30pm
March 26th, 2026	Summit Stage Transit Board Meeting	Senior Center	8:15am
	Breckenridge Tourism Office Board Meeting	BTO Office	8:30am
	Breck Create	Town Hall	2:00pm
	RW&B Board Meeting	Main Street Station	3:00pm
April 1st, 2026	Breckenridge Events Committee	Town Hall	9:00am
April 7th, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am
	Planning Commission Meeting	Town Hall	5:30pm
April 9th, 2026	Upper Blue Sanitation District	Administrative Office	5:30pm
April 14th, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am / 1:30pm
	Workforce Housing Committee	Town Hall	10:30am
April 15th, 2026	Social Equity Advisory Commission	Town Hall	5:30pm
April 20th, 2026	Summit Combined Housing Authority	Virtual	1:00pm
	Open Space & Trails Meeting	Town Hall	5:30pm



**TOWN OF BRECKENRIDGE**  
**TOWN COUNCIL**

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*The Council has been invited to the following meetings and events. A quorum may be in attendance at any or all of them.*

<b>Date</b>	<b>Meeting</b>	<b>Location</b>	<b>Time</b>
April 21st, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am
	Liquor & Marijuana Licensing Authority	Town Hall	9:00am
	Planning Commission Meeting	Town Hall	5:30pm
April 22nd, 2026	Summit Stage Transit Board Meeting	Senior Center	8:15am
	Breckenridge Tourism Office Board Meeting	BTO Office	8:30am
	RW&B Board Meeting	Main Street Station	3:00pm
April 28th, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am / 1:30pm
May 5th, 2026	Board of County Commissioners Meeting	County Courthouse	9:00am
	Planning Commission Meeting	Town Hall	5:30pm
May 6th, 2026	Police Advisory Committee	PD Training Room	7:30am
	Breckenridge Events Committee	Town Hall	9:00am
June 18th, 2026	Breck Create	Town Hall	2:00pm
TBD	Transit Advisory Council Meeting		8:00am
	Water Task Force Meeting		9:30am