



BOARD OF COUNTY COMMISSIONERS

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Breckenridge, CO 80424

TO: Board of County Commissioners
Scott Vargo
Jeff Huntley
FROM: Sara R. Lopez
RE: Work Session Meeting of May 4, 2021
DATE: May 4, 2021

Attendees:

Elected Officials: Elisabeth Lawrence, Tamara Pogue and Joshua Blanchard – Commissioners

Staff: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Keely Ambrose, Assistant County Attorney; Sarah Vaine, Assistant County Manager; Cameron Turpin; Assistant County Attorney; Jason Dietz, Housing Director; Jim Curnutte, Building Development Director; April Paige, Executive Administrative Manager and Sara R Lopez, Administrative Assistant.

Staff (via Zoom): Marty Ferris, Finance Director; Robert Jacobs, Road & Bridge Director; April Kroner, Planning Director; Brian Lorch, Open Space & Trail Director; Jordan Mead, Resource Specialist; Peter Haynes, Undersheriff; Brandon Howes, Housing Planner II and Jessica Potter, Planner.

Guests (via Zoom): Paul Peronard, Marty McComb, Avery Turman, Blair McGary, Chris Durloo, Chris Myers, Emily Mulica, Jay Nelson, Jeanne Bistranin, Jenna deJong, Kathy Christina, Katie Knoll, Kelly Owens, Lindsay Newman; Rick Holman and others who did not sign in.

I. Dillon Valley Neighborhood Plan Update

Robert Jacobs, April Kroner, Jim Curnutte, Keely Ambrose and Bentley Henderson discussed several topics including but not limited to:

DILLON VALLEY WALKABILITY IMPROVEMENT

Robert Jacobs gave an overview of the different options and the estimated cost of these upgrades.

1. Bicycle/Pedestrian Lane colorizing

This work includes colorization (green paint) in existing walk/bike lanes to create visual differentiation. Two initial scale and cost options have been considered:

a. Coloring only on Deer Path School Zone and Straight Creek to Canyon Trail:

i. \$34,668 Epoxy,

ii. \$17,334 Latex

b. Coloring on entire Straight Creek and Deer Path loop:

c. \$390,534 Epoxy,

d. \$195,267 Latex

Although epoxy costs approximately twice as much to apply, it lasts significantly longer (depending on location and traffic). We expect epoxy to last 5-8 years in this application based

on our experience in other locations. Latex requires annual re-application to remain vibrant and effective.

Commissioners agreed to move forward with the Epoxy option and focus on the school zone for now. Other options, besides sidewalks, were discussed.

2. Additional / Expanded Striping of Evergreen Road at the intersection with State Highway 6

Sufficient width does not currently exist on the road platform to create safe pedestrian and bicycle lanes. The maximum cost to expand the roadway and install the lanes is estimated to be \$70,000. This could, and is planned to, be completed prior to July 4th. This was not budgeted in the 2020 process for the 2021 budget, so a budget amendment may be required, but the goal will be to complete this work within the approved budget.

Commissioners agreed to move forward with this project.

3. Installation of Digital Speed Signs

Studies have shown that permanent radar feedback sign installations lose their effectiveness with a local population. Movable electronic signs are recommended, which could be rotated throughout the County in areas where targeted speed reduction is desired. The cost for radar speed signs is approximately \$3,000 per sign, including mounting hardware. We plan to purchase two such signs in 2021, which were not originally budgeted. Although our goal is to make these purchases by reducing expenses in other maintenance programs, a budget amendment may be required.

Commissioners agreed to move forward with this project.

4. Better Cross Walk Delineation at the Elementary School:

The Road & Bridge Department re-stripes crosswalks each year. In 2020 our pavement marking contract was delayed by circumstances beyond our control, but the goal is to have crosswalks refreshed no later than Memorial Day each year, and we are on track to meet that timeline in 2021. It would be simple and relatively inexpensive (approximately \$200 per sign, installed) to add crosswalk signs in locations where such signs do not already exist. If there are other specific delineation efforts or installations desired Staff can investigate their costs immediately. An option to consider may be a raised mid-block crosswalk, as suggested by Dan Burden in the 2009 Walkability Report, in association with possible future sidewalk improvements also recommended in that study.

Commissioners agreed to move forward with this project.

5. Temporary / Seasonal Speed Humps:

Staff investigated installing speed humps, at the recommendation of the BOCC, for the purpose of speed control along Straight Creek Drive and Deer Path Road in Dillon Valley. The temporary products that were investigated are manufactured primarily for use in parking lots, and are built for much lower speeds than are appropriate on local streets. There are products that are marketed for use in public roads, which appear to cost approximately \$2,500 each, however we have not obtained a formal quote from a vendor at this time. Permanent speed humps are estimated to cost \$5,000-\$7,000 each, and have annual maintenance costs on the order of \$200-\$500 per speed hump. A brief discussion of speed humps and their benefits and consequences is

warranted. Speed humps are generally very effective at reducing speed, but only at the location they are installed. Drivers frequently accelerate on the downstream side of speed humps, which can cause speed and noise complaints. Speed humps are also known to generate noise complaints resulting from trailers and large construction vehicles when axles, trailer linkage and other loose items rattle regularly, even at the appropriate speed. The Federal Highway Administration (FHWA) and Institute of Traffic Engineers (ITE) do not recommend speed humps to be installed on transit routes such as Deer Path Road or Straight Creek Drive in Dillon Valley, although there are examples where this condition exists. Speed humps also can have other unintended consequences that need to be considered, such as causing traffic to use alternate routes when installed in series, slowing emergency response times, and increased frequency of costly repairs to maintenance vehicles that traverse them with loaded dump beds. Drivers attempting to avoid speed humps often cross into pedestrian walk areas and potentially endanger pedestrians, unless the speed humps are continued into pedestrian areas which impacts walkability and/or bike-ability.

Commissioners discussed other options, like rumble strips, but not speed humps. Road & Bridge will look into the cost of rumble strips.

6. Dillon Valley Speed Study:

Over the course of the last two years, the Engineering and Road & Bridge Departments, in cooperation with the Summit County Sheriff's Office, have collected speed data and performed an analysis of appropriate speed limits in the Dillon Valley neighborhood. This study is appended to this memo for reference. The appropriate speed limit in Dillon Valley was found to be 25 mph, and 20 mph in the school zone. Guidance for establishing speed limits is found in Colorado Statute, the Manual on Uniform Traffic Control Devices (MUTCD), and by federal transportation agencies such as FHWA, ITE and the USDOT. All guidance refers to the commonly accepted engineering principle of using the 85th percentile speed as a baseline. This is based on the fact that if 85 percent of drivers travel at or below a given speed, that is evidence that reasonable and prudent drivers consider that to be a safe speed, and that establishing a speed limit based on that speed will not cause reasonable and prudent drivers to be lawbreakers.

Other factors that are taken into consideration in the context of an engineering study to establish speed limits are:

- Traffic volume
- Roadway type (neighborhood/residential streets)
- Roadway features (hills, curves, narrow lanes)
- Roadway setting (rural/suburban residential)
- Number and spacing of driveways or intersections (single family driveways average 1 per 100 feet, high density multi-family accesses with poor access control)
- Sight distances (obscured in places by curves, landscaping and hills, but generally sufficient for 30 mph)
- Presence of on-street parking (not permitted in Summit County)
- Pedestrian or bicyclist activity (very common associated with recreational community and neighborhood community character)
- Crash history (also appended, not a major factor)
- Pavements condition (varies)

- o Environmental conditions (prevalent cold temperatures and enduring snow)

OPEN SPACE & TRAILS PROGRESS ON THE DILLON VALLEY COMMUNITY ACTION PLAN

The Dillon Valley Community Action Plan outlines several recommendations for the Dillon Valley neighborhood including “development of a community trail network that appropriately connects to the surrounding trails and pedestrian/bicycle paths.” Acting on this recommendation, the Open Space and Trails Department has assembled a Natural Surface Trails Subcommittee which includes County Staff, Town of Dillon staff, Dillon Valley District staff, as well as community residents and members of the Walkable Dillon Valley community group. The goal is to prioritize existing trails for improvement and social trails for incorporation into the trail system. The group will also be recommending conceptual trails for implementation and construction.

One of the key connections identified is a route from Little Beaver Trail to Piney Acres Circle through Summit County-owned Open Space with an additional connection from Piney Acres Circle to the Dillon Ridge Shopping Center via Town of Dillon-owned out lots. The Open Space and Trails Department plans to build this trail alignment in the summer 2021 using Rocky Mountain Youth Corps labor to complete construction of this community connection. An easement through the corner of 0978 Deer Path has been obtained to facilitate this route where it crosses privately owned land near Little Beaver Trail.

CONCLUSION

Work currently planned for completion this spring/summer includes replacement of all speed limit signs in accordance with the results of the speed study, extension of the bicycle/pedestrian shoulder on upper Evergreen, routine striping of all roads in the Dillon Valley Neighborhood (does not include colorizing), purchase of two mobile radar speed limit signs, and completion of a trail connection through Summit County Open Space from Little Beaver to the Dillon Ridge Shopping Center.

Commissioners thanked the team for the presentation and asked for regular project updates.

II. Illinois Gulch Site Reclamation

Brian Lorch, Jim Curnutte, April Kroner, Bentley Henderson and Paul Peronard discussed several topics including but not limited to:

Illinois Gulch Site

This mine site is located in Illinois Gulch, just east of the Town of Breckenridge boundary and north of the first big curve on Boreas Pass Road. The first phase of reclamation is scheduled to occur in 2021 as a Time Critical Removal Action under the direction of EPA. It will be funded by the owners, TABR Realty Services, a firm associated with Transamerica Realty Services.

This site has long been identified as one of the worst water polluters in Summit County, and has caused the Blue River to run orange through Breckenridge, resulting in repeated fish kills in Illinois Gulch.

Due to the high visibility of this site from Boreas Pass Road, the EPA is seeking to ensure that County elected officials, staff and community members are apprised of this project. The County has very

limited regulatory oversight on this project due to Federal regulations associated with EPA Time Critical Removal Actions.

Manilla Lode

Located adjacent to Montezuma Road, National Forest, and the “bird house,” north of the Town of Montezuma, environmental concerns associated with this site were highlighted in environmental due diligence associated with the County’s option agreement to purchase the Manila Lode. Open Space values associated with this property include securing continued public use of the historic Argentine Pass Toll Road between Deer Creek and Peru Creek. The County also owns the downstream wetlands which may be acting as a temporary sink for pollutants leaving this site.

Paul Peronard, who we worked closely with to control pollution from the Pennsylvania Mine, has been designated as the EPA On-Site Coordinator to complete a reclamation of the Manilla Lode in 2021. The County Attorney’s office and OST staff are negotiating with the property owners and EPA to facilitate the cleanup project and accept a donation of the Manilla Lode, while receiving assurances from the EPA that the County will not incur environmental liabilities associated with this property or project.

Commissioners thanked Mr. Peronard and Brian Lorch for the update and presentation.

III. Proposed Fire Code Amendment

Scott Vargo, Cameron Turpin, Peter Haynes, Brian Bovaird and Sarah Vaine reviewed changes to the fire code, which would allow Summit County to move away from a perpetual Stage I Fire Restriction. Commissioner agreed to the updates.

The amended code will go on the consent agenda for the Regular Meeting on Tuesday, May 11, 2021.

IV. Managers’ & Commissioners’ Issues

Senior Management and Commissioners discussed several topics including but not limited to:

Scott Vargo gave an update on the Public Health Order (PHO). He shared that the county’s numbers are within Level Green, therefore the county can skip over Level Blue and will move into Level Green. The order will keep the indoor mask order for public spaces, and will include specific clarifications. They also reminded that individual businesses are allowed to impose their own restrictions. The amended PHO will go into effect on Wednesday, May 5, 2021.

Bentley Henderson gave an update on the following:

- April Kroner drafted a letter of support for the Summit County Regional Team Application for Colorado Rural Resiliency and Recovery Roadmap Program and sent it to Commissioners for review. Commissioner agreed with the letter.
- The Frisco Transit Center Upgrade: Phase II: bids have been received and one contractor selected. Construction is anticipated to begin mid-June 2021 and it will take about 1 year.
- Lake Dillon Preschool: Challenging project but finally got good bids. It is estimated to take 180 days to complete.

- Site Security Assessment: Mr. Henderson will ask the consultant to give a list of high priorities and will bring that information to Commissioners.
- Shooting Range Update: an updated report draft has arrived and includes specific suggestions. An update will be provided at the June 15, 2021 Work Session with participation from the Shooting Range Association and Sheriff's Office.
- The county has contracted with a recruiting firm to find candidates for the Public Works Director, currently vacant.
- The next CDOT/BOCC Joint meeting will be held during the May 25, 2021 Work Session; they will provide updates on construction projects.

Sarah Vaine suggested finding ways to recognize the 5-Star Committee for their efforts during the pandemic.

Commissioner Blanchard discussed the following topics:

- The Family Intercultural Resource Center (FIRC) is asking for support for their Fashion Show. Commissioners agreed to donate the same amount as in 2020.
- The Silverthorne Recycling Center access road is damaged, and there has been a lot of damage to the ground within the enclosure.

Commissioner Pogue discussed the following topics:

- Initiative 16 could potentially have a negative impact the local restaurant industry as it puts restrictions on the cattle industry. She asked for a resolution to oppose it.
- Transportation Bill is being drafted and she asked for feedback from Commissioners and staff. Commissioners agreed to support it.
- The response from the US Postal Service (USPS) to a meeting request with the County and Towns was not positive and their decision not to meet with the County and Towns was surprising. Commissioner Lawrence noted that previous Commissioners and County Managers have tried in the past to meet with them without success.

Commissioner Lawrence gave an update on the following:

- She attended the Early Childhood Options (ECO) Board meeting along with Sarah Vaine and discussed the challenges they are facing with recruitment of new staff, which include wages and lack of housing. ECO staff is putting together recommendations for their next ECO Board meeting.
- The Silverthorne Child Care Center Project moving forward and the team is meeting weekly. Commissioners asked for a discussion during an Executive Session
- The Summit High School Graduation Parade will take place this year with the county in a support role, not a leading role.

Commissioners also reviewed schedules and upcoming calendar events.

V. Overview of MOB History, Function, Governance, and Real Property Discussions

Scott Vargo and Marty Ferris discussed several topics including but not limited to:

Marty Ferris gave an overview on the history of the building and its occupants. She noted that maintenance costs have increased therefore funding for that purpose also has to increase.

VI. Negotiations, and Legislative Matters and the Legal Advice related thereto. (Attorney) (Executive Session Recommended)

Jeff Huntley and Bentley Henderson requested an Executive Session to discuss Negotiations, and Legislative Matters and the legal advice pertaining thereto.

A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to go into Executive Session to discuss Negotiations, and Legislative and the Legal Advice related thereto. BOCC voted 3 to 0 to go into Executive Session per CRS 24-6-402 (4) (a)(b)(e). The motion was approved.

Commissioners reconvened after Executive Session into an Extended Afternoon Work Session at 1:05 p.m.

VII. Housing Retreat

Jason Dietz, Jim Curnutte, Keely Ambrose and Bentley Henderson gave an update on several topics including but not limited to:

Workforce Housing Projects Completed

- Huron Landing – partnered with the Town of Breckenridge
- West Hills – public/private partnership with Summit Home
- Wintergreen (by Gorman & Co.)
- Sky Chutes Apartments (Powder Corp., Copper Mountain)
- Dillon Valley Vistas
- Housing Helps and Buy Downs

2021 Housing Programs

Buy Down Program

The Buy-Down program allows the County to purchase a favorably priced market rate unit and place a deed restriction on the property, requiring the unit's occupant to work full time in Summit County and to resell the unit at a discounted price. Properties must be located within local neighborhoods rather than resort neighborhoods and align with the County's housing priorities.

Housing Helps

This program incentivizes homeowners as well as real estate buyers and sellers to deed-restrict their properties to help maintain and sustain homes for locals in the community. The amount that the County will pay for a deed restriction will vary depending on the market, and whether the home meets current needs in the community.

Commissioners Lawrence discussed the cost of subsidizing properties and whether it would be better for the county to focus on new construction as opposed to existing properties. Commissioner Pogue stressed the county is facing a true housing crisis and suggested a housing stimulus package for the county that includes rental options. She stressed that the county cannot do this alone but will need to

enter into partnerships with the towns. Commissioners would like to focus on options that can increase the housing inventory.

2021 Housing Projects

- Lake Hill – Partnership with the Town of Frisco & likely Private Developers
- USFS Compound – Partnership with Town of Dillon and likely Private Developer

Mr. Dietz gave an overview of the housing funding and finances, including grants. Commissioner Pogue asked for a focus on a solution to the homelessness program that can offer transitional housing like Joshua House in Denver. She also suggested looking into options for employees who are new to the county and earning a low wage. Many of them end up living in their cars or vans and it would be helpful to have a location where they could stay until they can afford a better place.

County Owner Land Inventory

Staff examined all parcels owned by the County that could potentially be developed for Workforce Housing.

- The County owns 531 parcels in Summit County out of 37,682 total parcels.
 - After eliminating any County owned parcels with mining claims, those designated as open space, and those already developed with structures, only left 242 parcels are left.
 - The remaining 242 parcels were evaluated to determine which of those were actually developable.
- After eliminating steep slope parcels, wetland parcels, and other undevelopable parcels, 14 parcels can or have some potential to be developed for workforce housing.
- 4 parcels, currently designated as open space, may have some potential to be developed as workforce housing.

Parcels

- Parcel 1: Justice Center
 - May be needed for Justice Center purposes
- Parcel 2: The Lake Hill Parcel in Frisco
 - Outside Frisco Sanitation District. Would cost over \$8M to upgrade sewer plant.
- Parcel 3: Silverthorne Elementary School: *Commissioners asked Mr. Dietz to focus on this property.*
- Parcel 4: Old Kennel in Breckenridge
- Parcel 5: Soda Creek Condos in Summit Cove – *Commissioner Pogue suggested using this as a tiny home trial project.*
- Parcels 6 & 7: Bills Ranch in Frisco
- Parcels 8, 9, 10: County Commons Parcels
 - Portions of these parcels contain steep slopes, which would be difficult to develop.
- Parcel 11: Breckenridge Parking Lot
- Parcel 12: Frisco Transfer Center – *Commissioners asked Mr. Dietz to also focus on this parcel.*
 - Current location of greenhouses (temporary agreement)
- Parcel 13: Snake River WWTP
 - Low desirability of location due to adjacency to WWTP

- Parcel 14: Summit Cove, by Elementary School
- Parcel 15: Swans Nest Subdivision
- Parcel 16: Fiester

Commissioner Pogue suggested opening dialogue once again on some of these parcels.

Programs, Practices, Tools & Strategies - Not in Use

Identify, prioritize and target neighborhoods that are still largely occupied by and/or attainable to the local workforce to create programs that incentivize short term “STR” to long term “LTR” rentals. For those prioritized neighborhoods via the STR program the County could:

- Inquire/track the previous use on new STR permits/licenses, i.e. rental, owner occupied, vacant?
 - Are new STR’s displacing local housing and how quickly?
- Differentiate between non-local STR’s, local primary home STR’s, and local non-primary home STR’s.
 - Understand the type of STR within prioritized neighborhoods.
- Track when the STR’s are used, i.e. year round, winter, summer, occasionally.
- Track STR rates and to compare LTR rates

Reduce or waive County Planning, Engineering and Building Department fees for owners/developers building workforce housing including ADU’s.

- Average deed restricted multi-family combined Building/Planning/Engineering fees - \$1,520/unit
- Average deed restricted townhome combined Building/Planning/Engineering fees - \$5,375/unit
- Average deed restricted single family combined Building/Planning/Engineering fees - \$6,784/unit
- Average ADU combined Building/Planning/Engineering fees - \$4,958/unit
- The amount waived or reduced could be all or portion depending on AMI objectives.
- Modify the current housing code to better incentivize the construction of workforce housing, in particular, rental housing.
- Use some County owned parcels to partner with Habitat for Humanity or others to develop additional low AMI ownership housing.
- Provide a property tax exemption through a housing authority on non-LIHTC workforce housing projects.

Modify current zoning requirements/practices including

- Allow ADU’s, attached or detached, within all single family zoning districts. Currently detached ADU’s are not allowed unless they are above a detached garage.
- Allow ADU’s, attached or detached, on duplex lots of suitable size. Currently ADU’s aren’t allowed on a duplex regardless of lot size.
- Allow some amount of multi-family, duplex or triplex, within single-family zoning districts through County initiated rezoning or other mechanism.
- Create an overlay district to promote workforce housing development as a use by right.
- Allow some exemptions to the sustainable code and design requirements that allow for the more affordable construction of workforce housing.
- Eliminate 25’ wetland setback requirements on workforce housing projects.

- Eliminate or reduce minimum lot sizes, buffer requirements, square footage and setback requirements on workforce housing.

Commissioners asked questions and offered feedback. They also thanked Mr. Dietz for his work and asked him to update the Board once he has updates.

Meeting Adjourned.

Respectfully submitted:



Sara R Lopez, Deputy Clerk



Approved by:



Elisabeth Lawrence, Chair