



BOARD OF COUNTY COMMISSIONERS

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Breckenridge, CO 80424

SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS

Tuesday, November 23, 2021 at 1:30 p.m.

SUMMARY MINUTES

For assistance or questions regarding special accommodations, accessibility, or available audio/visual equipment, please contact 970-453-3403 as soon as possible.

I. CALL TO ORDER

The Regular Meeting of the Board of County Commissioners on Tuesday, November 23, 2021 was called to order by Chair, Elisabeth Lawrence, at 1:30 p.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

II. ROLL CALL

Board Members present and answered to the roll call were:

Elisabeth Lawrence, Chair

Tamara Pogue, Commissioner

Josh Blanchard, Commissioner

Staff attending via conference phone were as follows: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Bentley Henderson, Assistant County Manager; Sarah Vaine, Assistant County Manager; Marty Ferris, Finance Director; Nicole Valentine, Director of Communications; Jim Curnutte, Planning Director; Lindsay Hirsh, Senior Planner; Jessica Potter, Senior Planner; Adam Kisiel, Public Affairs Coordinator; Sarah Schwartz, Planning Technician(STR); Brandi Timm, Planning Technician(STR); April Paige, Executive Administrative Manager and Lori Dwyer, Deputy Clerk.

Additional Attendees in person and via Zoom: Ashley Kubiszyn, Julie Horowitz, Ashley Lowe, Catherine Wittman, Alexander Stout, Andrew Pappas, Blythe Syfan, Brian Solgunick, Brian Nowlin, Chris Lankhorst, Chris Thomas, Clint Rivet, Danielle Anderson, Bentley Hodges, Bill Slappey, Ashley Hodgini, Alex Kimbrell, Doug Diamond, Dylan Mossman, Garold Base, Derrick Boyle, Christine Staberg, David Ganderton, Hannah Kopicky, Ian McIntire, Jan Leopold, Jeff Odermann, Jennifer Heath, Jill Ludowese, Jill Tomb, Joni May, Jonnye Phifer, Judith Cornell, Julia Koster, Julie DiCarlo, Julie Smith, Mary Vitaver, Matthew Krische, Mike Specht, Nichole Seliga, Paul Myers, Peter Reeburgh, Seth Larson, Simon Cragg, Stephen Traweek, Taryn Brooke, Katie Krische, Therese Dominic, Trace Kaker, Sarah Thorsteinson, Katherine Coolidge, Joan Moats, Will Kruger, David Weisensel, David Agran, Jenny Lieb, Ian Fox, Robert Bowman and others that did not sign in.

III. APPROVAL OF AGENDA

The agenda was approved, as presented.

IV. CITIZEN COMMENT

V. CONSENT AGENDA

- A. Approval of 11-9-21 Regular Meeting Minutes. **Approved as presented; and**
- B. Warrant List 11/1/2021 - 11/15/2021. **Approved as presented by the Finance Department; and**
- C. Liquor License Renewal for Sullivan Ventures Inc. dba LOVELAND PASS LIQUORS; Liquor Store; Paul Sullivan; located at 101 Mountain View Plaza, Keystone, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- D. Liquor License Renewal for Dundee Resort Development Inc. dba ARAPAHOE BASIN SKI AREA; Hotel & Restaurant with Optional Premises; Chris Rybak; located at 28194 U.S. Highway 6, Dillon, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- E. Liquor License Modification for Dundee Resort Development Inc. dba ARAPAHOE BASIN SKI AREA; Hotel & Restaurant with Optional Premises; Addition of Optional Premise; Chris Rybak; located at 28194 U.S. Highway 6, Dillon, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- F. Liquor License Renewal for ATM Inc. dba MULLIGANS IRISH PUB; Tavern; John Morain; located at 231 West Ten Mile Circle Unit #W7, Copper Mountain, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- G. Liquor License Renewal for Cures N Curiosities Inc. dba MCCOY'S MOUNTAIN MARKET; FMB Off; Don McCoy; located at 250 Summit County Road 1193 Units #MC3-MC4, Copper Mountain, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- H. Liquor License Renewal for The First Harvest Inc. dba INXPOT; Tavern; Susan Chehak; located at 195 River Run Road Unit #B9, Keystone, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- I. Liquor License Renewal for River Run Bar & Grill LLC dba KICKAPOO TAVERN; Hotel & Restaurant; Dan Shipp; located at 129 River Run Road Unit #A1, Keystone, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- J. Liquor License Renewal for River Run III LLC dba LUIGI'S PASTA HOUSE; Hotel & Restaurant; John Shipp; located at 140 Ida Belle Drive Units #F20-F22, Keystone, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**

MOTION: A motion was made by Commissioner Blanchard and seconded by Commissioner Pogue to approve the Consent Agenda, items A-J, as presented.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. NEW BUSINESS

- A. A request for a Class 6 General Subdivision Lot Line Vacation and Adjustment to vacate Lot 53 of Old Keystone Golf Course Sub and incorporate it into lots 52 and 54 of Old Keystone Golf Course Sub respectively, zoned Keystone Resort PUD, General Subdivision Exemption to Replat Lots 52, 53, 54 Old Keystone golf Course Subdivision. (PLN21-090/David H. Streetand Brian R. Shelton) Snake River Basin.

Lindsay Hirsh noted that there is a mutual agreement by the neighbors to split a vacant lot. He gave a background including the review process, easements, restrictive covenant and taxes.

MOTION: A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to approve Resolution 2021-80; A request for a Class 6 General Subdivision Lot Line Vacation and Adjustment to vacate Lot 53 of Old Keystone Golf Course Sub and incorporate it into lots 52 and 54 of Old Keystone Golf Course Sub respectively, zoned Keystone Resort PUD, General Subdivision Exemption to Replat Lots 52, 53, 54 Old Keystone golf Course Subdivision, with 7 findings and 1 condition. (PLN21-090/David H. Streetand Brian R. Shelton) Snake River Basin.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

- B. First reading of amendments to Summit County Ordinance No. 20 for regulation and management of short-term vacation rentals, including but not limited to incorporating overlay zones and licensing types, and other amendments to accomplish the forgoing. (PLN21- 120/Summit County Government).

Jessica Potter gave a digital presentation including but not limited to background of the Short Term Rental (STR) regulations, STR moratorium, regulations development process, outreach, trends, goals, proposed framework, homes in the overlay zone, and license types.

Commissioner Pogue noted the ways that the Board has involved the community in the ordinance process.

Commissioner Lawrence opened the item for public comment.

Danielle Anderson shared her concerns with the Type II license and proposed a higher limit than 135 nights for that license type. She also suggested using noise alert software to reduce complaints.

Joni May asked for clarification on the requirement of proximity of bus stops to buildings and how Type II license types could work in conjunction with the Lease to Locals program.

Peter Reeburgh thanked the Board and staff for their efforts and putting together neighborhood zones. He shared his concerns regarding the Type III license setbacks and how to manage licenses with Host Compliance.

Ashley Kubiszyn shared her concerns regarding properties she manages outside of the resort zones, and how duplexes might be classified.

Julie Horowitz said that Wilderrest should be classified as a "resort area". She thanked the Board for increasing Type II license types to 135 nights and urged them to raise the number further.

Jonnye Phifer stated that she was confused about the goal of the regulations, and shared her concerns as a homeowner that relies on rental income.

Ian McIntire stated he feels that the rug is being pulled out from under people who have already been homeowners in Summit County. He supports grandfathering of existing licenses.

David Weisensel noted that he agrees strongly with grandfathering of licenses. He thanked the Board for including Peak 7 in the Resort Zone, and noted his strong opposition to STR caps.

Seth Larson noted that many of the workers who need workforce housing work at the ski resorts, and it should be up to the resorts to house them.

Taryn Brooke thanked the Board for changing Peak 7 to the Resort Zone. She asked what standards the County would be held to in approving licenses.

Dave Gunderton urged the Board to grandfather existing licenses indefinitely.

Julie Smith noted concerns with all three license types. She stated that she has had difficulty receiving complaints from Host Compliance.

Alexander Stout noted that he had made decisions regarding his property based on prior Summit County rules and regulations.

David Agran noted that he is happy with the change to add the Peak 7 neighborhood to the Resort Zone. He noted that he is happy with the 5-year compliance window for existing license holders and would like higher caps for number of nights rented.

Clint Rivet noted that both of his properties are across the street from hotels, and he would appreciate them being in resort zones.

Jenny Lieb noted that as a second homeowner that rents her unit, she shares concerns with many others including grandfathering, tax revenues, and using the resort zone overlays for the Wilderrest community.

Julie Koster drew comparisons to South Lake Tahoe, where she was previously a second homeowner. She asked for compassion for people like her, and for service providers who might be affected by the regulations.

Ian Fox noted that his goal is to move to Summit County after renting his unit for a few years. He urged the Commissioners to grandfather existing licenses.

Robert Bowman asked the Board to consider why current regulations are not sufficient.

Trace Kaker noted her agreement with most of the things that were said. She said that they rarely get complaints, would prefer the ability to rent more nights, and thinks that the 100 foot rule for Type III licenses is excessive.

Mike Specht supported grandfathering in perpetuity and noted he has not received any complaints about his rental unit.

Simon Cragg noted that enforcement of the rules could be improved, and some of the issues could be resolved that way.

Will Kruger noted that he supports less oversight.

Ms. Potter clarified that the location of bus stops to rental buildings is the most generous measurement possible, how duplexes fit into proposed regulations, Type III regulations and situations where they might apply, how homeowners can work with staff to determine what license type will work best for them, improvements with Host Compliance and enforcement, and the 5-year license compliance for existing license holders.

MOTION: A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to hold a Public Hearing to consider adoption of Proposed Ordinance No. 20-B be held at a special meeting scheduled for December 16, 2021, and that a notice of the hearing, including the full text of the proposed ordinance be published in the County's legal newspaper with the correction of the number of room nights to 135, numbering on the ordinance, and the addition of the maps as an exhibit, at least ten days prior to the hearing.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. PUBLIC HEARING

A. Public Comment on the Proposed 2022 Budget (Finance) Continued from the BOCC Regular Meeting on November 9, 2021.

Commissioner Lawrence opened and closed the hearing with no public comment.

MOTION: A motion was made by Commissioner Blanchard and seconded by Commissioner Pogue to continue the hearing for the 2022 Proposed Budget to the next Regular Meeting on December 14, 2021 at 1:30 p.m. in person in BOCC Commissioners Hearing Room at 208 Lincoln Avenue in Breckenridge, and via Zoom.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VII. ADJOURNMENT

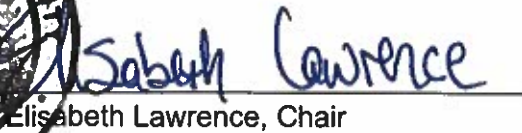
The meeting was adjourned at 3:53 p.m.

Respectfully submitted,

Approved by:


Lori Dwyer, Deputy Clerk




Elisabeth Lawrence, Chair

NOTE: These minutes are a summary of the proceedings and actions of the November 23, 2021 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the County Manager, Summit County Courthouse, 3rd Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.