



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 September 14, 2021  
DATE: Tuesday, September 14, 2021

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**Attendees:**

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

Staff (in person or via Zoom): Scott Vargo, County Manager; Jeff Huntley, County Attorney; Bentley Henderson, Assistant County Manager; Marty Ferris, Finance Director; Nicole Valentine, Communications Director; Keely Ambrose, Assistant County Attorney; Jason Dietz, Housing Director; Jim Curnutte, Community Development Director; Jessica Potter, Senior Planner; David Reynolds, Finance Assistant Director; Adam Kisiel, Public Affairs Coordinator; Dorothy Martinez, Admin Support II/Planning Specialist; Ian Corder, Planning Technician; Michael Wurzel, Sustainability Coordinator; Sue Stokes, Administrative Manager; Suzanne Pugsley, Planner I and Sara R Lopez, Administrative Assistant.

Guests (in person or via Zoom): Aaron Olthoff, Alex Kimbrell, Alexis Bohlander, Andrew Pappas, Brian A Bernardoni, Brian Solganick, Butch Elich, Carolyn Russo, Christine Staberg, Dana Erickson, David Wilcox, Dustin McQuate, Dylan Mossman, Elle B Willson, Erika Schmidt, Jeannette Thompson, Jennifer Luberto, Mennifer McAtamney, Jennyfer Vik, John Malone, Jon Neumester, Karen Seitz, Kate Garwood, Kate Marrone, Katie Davis, Kim Jardim, Kirk Drees, Laura Fritz, Lisa Angell, Mat Levine, Melissa Baumann, Peter Reeburgh, Peter Siegel, Peyton Rogers, Rachel Tuyn, Rick Holman, Ron Shelton, Sam Amir, Shannon Haynes, Samantha Nuechterlein, Shianne Elliott, Stephen Traweek, Taylor McCreary, Wes Renz, Lucinda Burns, Noelle Sivon, Jennifer Young, Jeanne Bostramm, Jenna deJong, Tim Casey, Brianne Snow, John Warner, Kristine Lee, Dana Cuttrel, Steve Fisher, Sarah Horsteing, Jane Hamilton and others who did not sign in.

**I. Breckenridge Nonprofit Campus Update**

Brianne Snow gave an overview of the beginning/exploratory stage the FIRC is conducting regarding the relocation of the Family Intercultural Resources Center (FIRC) operations to Breckenridge. The Town of Breckenridge has offered land space within their future workforce housing project, which would allow FIRC to provide a one-stop-shop for families accessing FIRC programming, which has been their goal. They also want to implement a strategic approach to addressing community needs through interagency collaboration.

Prior to the pandemic, the FIRC Board of Directors was exploring the provision of services from one location, which would increase efficiency for staff and clients. The pandemic only highlighted that desire. FIRC sent out a survey to 344 of the households they have served in the past and the response was mostly positive. Ms. Snow noted that a large number of the population has moved from

the Dillon area to Breckenridge to take advantage of workforce housing. She also noted that based on the responses, the majority of their clients work in Breckenridge and use public transportation so having all the services available at one location would be ideal.

The families that reported the move to Breckenridge as being difficult for them also reported having limited or no transportation, being a single parent and/or are specifically referring to accessing food. Brianne Snow also explained that having her staff in one location would increase collaboration among staff and increase retention.

The FIRC looked into options similar to Breckenridge's in the north end of the county, where workforce housing will be built; however, there were no opportunities to build but they are still committed to keeping a presence on that part of the county.

Commissioner Pogue noted that when she envision this process, she imagined having an open conversation with the towns and the county to evaluate the best way to move forward. She is concerned that based on the response data, 40% of respondents would have a difficult time accessing services if they moved to Breckenridge. Ms. Snow noted that they had been talking about a new location for years but the opportunity presented itself and that is why they moved forward with their decision.

The ways in which FIRC served the community during the pandemic changed. There are still lots of challenges and many clients are still not fully back to work with several families deciding to move out of the county. FIRC wants to keep people in the community so they need to provide different options. FIRC is a Summit County agency and they do not want that to change.

The next steps will be to sign an agreement with the Town of Breckenridge, determine exactly how much the project is going to cost and how much FIRC can bring to the table. They may ask for assistance from the towns and county later.

Commissioners thanked Ms. Snow for her efforts and noted how difficult it is to be in her shoes. They also want to continue collaborating and be kept in the conversation going forward.

## **II. Discussion Regarding Potential Moratorium on New STR License Applications for the Unincorporated Areas of Summit County**

To open the discussion, Commissioner Lawrence clarified that this is a conversation for a possible moratorium for unincorporated Summit County; it does not apply to the towns, as the County does not have any jurisdiction over them.

Jessica Potter, Jim Curnutte, Keely Ambrose and Jeff Huntley discussed the purpose of the moratorium, which is to address the local workforce-housing crisis and will specifically exempt identified resort zones around Copper and Keystone. This moratorium will not impact STR operators converting an active permit to a license. The moratorium is proposed for 12 weeks to allow staff time to develop and propose amended STR regulations, and, if the BOCC so directs, take the proposed amended STR regulations through the code amendment process.

On June 22, 2021 the BOCC adopted a resolution proclaiming a workforce housing crisis in Summit County. This resolution declared that the housing crisis warrants immediate action, and inaction will result in irreversible changes to the fabric of the community and limit the ability of the community to serve visitors and residents alike. Specifically, the availability of reasonably priced long-term rental housing has dwindled to record lows and the price of market-rate housing is at record highs. Analysis conducted by Planning Staff shows that 81% of all market rate housing sold in unincorporated Summit County in 2020 was purchased by non-locals.

Additional analysis shows that concentrations of STRs are expanding outside of the resort areas at an increasing rate. In 2020, approximately 65% of STR approvals were in the Keystone and Copper areas, while 35% of units approved for STR were outside of those resort areas. Thus far in 2021, non-resort area neighborhoods accounted for 45% of all STR approvals in unincorporated Summit County, a 10% increase over last year. Additionally, the number of STRs are growing faster than the percentage of housing units in unincorporated Summit County; housing units are added at an average rate of approximately 1% per year, and the increase in STR approvals has grown approximately 19% from 2020 to September 2021.

Staff recommends a temporary and targeted moratorium on the issuance of short-term vacation rental licenses, specifically to address the workforce housing crisis to allow staff time to propose amendments to the Summit County Land Use and Development Code and Summit County Ordinance 20. Key aspects of this proposal will include:

- Specific exemption of resort zones from this moratorium due to the differences in impact between these resort areas and the local neighborhoods;
- In concert with this recommendation, Housing Staff is presenting a simplified “emergency” incentive program to encourage conversion of STRs to long term rentals in anticipation of the upcoming ski season. Of note, property owners who take part in this program and keep their STR License active will not be impacted by the moratorium. This includes property owners currently going through the conversion from permit to license.
- Planning Staff has developed a preliminary proposal regarding changes to the STR Ordinance and the Land Use Code. Topics include:
  1. Develop overlay districts representative of neighborhood character, such as “Resort Area” or “Neighborhood Area,” and create regulations appropriate to each overlay.
  2. Categorize the different types of STRs in Summit County according to impacts, for instance a primary-residence STR has a different impact than an investment property STR.
  3. Create distinct license types, for example a “Resort License” could have no cap on the number of days rented, minimal occupancy limitations; whereas a “Neighborhood License” could have greater restrictions tailored to the character of the neighborhood.
  4. Consider capacity limitations on non-owner occupied STRs to preserve the housing stock for locals in specific neighborhoods and reduce impacts to residents.
  5. Continue coordination of non-regulatory programs such as the STR-to-LTR incentive program and the creation of HOA best practices to mitigate undesired effects of STRs.

Commissioners asked questions and requested clarification on different topics. They also reviewed maps of areas being exempted from the moratorium. Commissioners noted that this will be a process

and this is the first step, nothing has been decided on what to do after the 90-day moratorium. An incentive program will be rolled out in four weeks but that is still under process. The moratorium to allow staff time to propose amendments to the Summit County Land Use and Development Code and Summit County Ordinance and have it ready for Commissioners to review.

Jim Curnutte said that the department will bring the proposed amended codes to the Commissioners mid-November for approval in December. Commissioner Pogue asked for in depth data on the number of STRs per neighborhood in order to guide their decisions.

### **III. Weekly Fire Restrictions Update (Sheriff)**

Scott Vargo reported for Sheriff FitzSimons. There are no changes and he recommended for the county to stay without restrictions until next week.

### **IV. Managers' & Commissioners' Issues**

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

Scott Vargo shared that the state is looking to make the Mako testing site in Silverthorne permanent.

Sarah Vaine reported that the Copper Mountain Consolidated Metropolitan District's (CMCMD) has requested grant funding from the Broadband Fund. They have asked for a letter of support from Commissioners. They agreed.

Bentley Henderson

- The Transportation Advisory Council has announced another round of Main Street Revitalization Statewide Grants, as well as additional multi-modal funding.

Tamara Pogue

- Residents of the Wintergreen Housing Complex have reported a host of complaints with parking, not being neighborly, etc. Bentley said that staff are looking into it.

Commissioners also reviewed schedules and upcoming calendar events.

### **V. Head Start Update**

Sarah Vaine, Lucinda Burns, Noelle Sivon and Jennifer Young discussed several topics including but not limited to:

Discussion of the Continuation Grant

Summit County Head Start (HS) 0-5 is entering year three of a five-year funded program. Prior to year one, all grantees are required to prepare a detailed community assessment, program plans and an annual budget. In subsequent years, grantees submit continuation plans and a corresponding budget. The BOCC, as the governing body, as well as the Parent Policy Council, are required to review and approve the annual continuation grant, budget and Annual Report for submittal to the federal Region 8 Office of Head Start. The continuation application is non-competing. Total funding amount for 2022 is \$820,072, with a commitment of \$205,243 in non-federal matching funds.

**Summary:**

There are no significant budget or programmatic changes proposed for 2022. Minor adjustments include:

- Reducing Head Start enrollment at Summit School District by one slot, increasing HS by one slot at Summit County Preschool. We continue to see greater demand for full-day, full-year care.
- Adjustment of personnel budget reflects in-house Early Childhood Mental Health Consultation. In 2021, services were provided via contract only.

Ms. Burns noted how helpful it was to have a mental health person in staff, which addresses one of the needs that came up during the pandemic. Head Start Staff will have a conversation around the new federal requirements that all HS staff be vaccinated or get tested weekly.

Commissioner Lawrence asked how many kids are in the Summit School District system and use childcare elsewhere on Monday or Friday. Ms. Burns will gather that information.

Teaching Strategies Gold Program – the scores came out and from fall 2019 to spring 2021 there was growth but the goal set for the program was not met. Commissioner Lawrence noted that students of all ages were tremendously affected by the pandemic.


**VI. Discussion of Legal Issues and Real Property Matters (Attorney) (Executive Session Recommended).**

Jeff Huntley and Scott Vargo requested an Executive Session to discuss legal issues and real property matters.

A motion was made by Commissioner Pogue and seconded by Commissioner Blanchard to go into Executive Session to discuss legal issues and real property matters. The BOCC voted 3 to 0 to go into Executive Session per CRS 24-6-402 (4)(a)(b)(e). The motion was approved.

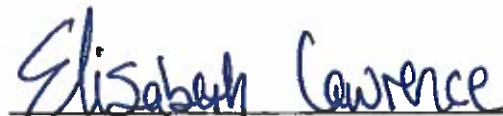
Meeting Adjourned.

Respectfully submitted:

  
Sara R Lopez, Deputy Clerk



Approved by:

  
Elisabeth Lawrence, Chair