



BOARD OF COUNTY COMMISSIONERS

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TO: Board of County Commissioners
Scott Vargo
Jeff Huntley
FROM: Sara R. Lopez, Lori Dwyer and Millicent Marter
RE: Work Session Meeting of October 05, 2021
DATE: Tuesday, October 05, 2021

Attendees:

Elected Officials: Elisabeth Lawrence (Via Zoom), Tamara Pogue and Josh Blanchard – Commissioners
Jaime FitzSimons - Sheriff

Staff (in person or via Zoom): Jeff Huntley, County Attorney; Bentley Henderson, Assistant County Manager; Sarah Vaine, Assistant County Manager; Marty Ferris, Finance Director; Jason Dietz, Housing Director; Jim Curnutte, Planning Director; Bruce Camping, Transit Planner; Chris Lubbers, Transit Director; Brian Bovaird, Emergency Operations Director; Shelby Sainz, Housing Program Coordinator; Jessica Potter, Senior Planner; Sarah Schwartz, Planning Technician/STR; Brandi Timm, Planning Technician/STR; Nicole Valentine, Director of Communications; Adam Kisiel, Public Affairs Coordinator; Amy Wineland, Director of Public Health; April Paige, Executive Administrative Manager, Lori Dwyer, Administrative Assistant; Millicent Marter, Administrative Assistant and Sara R Lopez, Administrative Assistant.

Guests (in person or via Zoom): Amy Pratt, Christine Staberg, Michael Good, Peter Reeburgh, Nicole Maynard, Yessenia Vinueza Garcia, Jennifer Quiñones Gibson, Kellyn Ender, Ravi Jaishankar, Jenna deJong, Jen McAtamney, Bryan Webinger, Leah Latifzi, Scott Ogle, Joshua Smith, Rachel Tuyn and others who did not sign in.

I. Building Hope Update

Jen McAtamney, Ravi Jaishankar, Kellyn Ender, Nicole Maynard, Yessenia Vinueza Garcia and Jennifer Quiñones Gibson gave an update on the following topics including but not limited to Faces of Hope, targeted stigma reduction including teens and young men, seasonal messaging, marketing and community outreach, connecting locals with local therapists, events in the community, feedback from locals, importance of connectedness events, the mini grant program, funding, mental health therapy scholarships, insurance incentive program, improving behavioral health equity, volunteer peer program, and next steps.

Ms. Maynard noted that people can call the Warm Line for holding space and potential resource navigation. Ms. McAtamney noted that individuals can help as peer support volunteers.

II. Short Term Rental Code Amendment and Incentives Discussion

Bentley Henderson noted that this is a continuation of the prior week's discussion.

Jason Dietz gave an update on the following topics including but not limited to proposed incentives for the initial incentive rollout in the first 45 days of the program and the incentive structure after the initial rollout ends, property manager incentives, and program administration. Mr. Dietz clarified that this is open to all areas of unincorporated Summit County, including resort areas. He noted that while there are no housing caps, owners must find an approved, eligible renter. If rent is too expensive, local workers will be unable to afford it and property owners will not be eligible for the incentive.

Mr. Henderson shared the plan for the upcoming open house for short term rentals and the incentive program. Commissioners shared what type of feedback they would like from the attendees via various methods, and the format of the open house.

Nicole Valentine shared the avenues that the open house will be advertised on.

III. Weekly Fire Restrictions Update (Sheriff)

Sheriff FitzSimons noted that the Upper Colorado River Fire Management Group will remain out of restrictions at this time. The 15th will be the last date that data is collected for the season.

Commissioner Blanchard asked whether there has been conversation about extending the data collection as the fall seasons have been drier in recent years.

Sheriff FitzSimons noted he can continue to give updates as conditions warrant.

IV. Managers' & Commissioners' Issues

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

Sarah Vaine

- Received a request from Peak School for Strong Future capital funding to support preschool slots
- Healthy Kids Colorado Survey has prompted a press release

Nicole Valentine

- Discussed upcoming Facebook Live schedule

Bentley Henderson

- Shooting range update regarding mitigation alternatives
- Ribbon cutting for Fremont Rec Path to be pushed to spring
- New Public Works director started yesterday – will be introduced in a future Work Session

Commissioners also reviewed schedules and upcoming calendar events.

Commissioner Lawrence gave an update on proposed legislation.

V. Joint BOH/BOCC Work Session

Amy Wineland gave an update on Summit County's latest case numbers, summary epi trends, vaccine updates, hospitalizations, etc.

For additional details, please see the BOH/BOCC Joint Meeting Minutes in the Agenda Center under County Commissioners Agendas: <https://www.summitcountyco.gov/agendacenter>.

For Summit County's Public Health Orders and latest information, please visit www.summitcountyco.gov. Click on Get COVID-19 Info and Updates.

VI. Transit Service/Winter Schedule Update

Chris Lubbers and Bruce Camping gave an update on the following topics including but not limited to:

Summit Stage staff and the Transit Board Advisory have been working to create a realistic winter service proposal to match expected driver numbers. The schedule is equitable and does not affect one area more than another.

Due to a national COVID-19-related worker shortage, requirement of pre-employment drug testing, limited workforce housing, attrition and promotions that continue to reduce the driving staff, there has been extensive reliance on overtime and drivers are close to burnout.

The Transit department has implemented a variety of bonus programs, wage increases, new housing but even with these changes, the number of applicants has not increased. Transit staff are currently on a recruiting trip in and around Colorado seeking winter seasonal candidates.

Commissioner Lawrence noted this issue has been going on for a long time and the department has been doing their best to meet the demand. The fact that they are saying the staff is close to burnout, is a serious statement. Mr. Camping gave examples of the causes, including the COVID-19 pandemic, increased number of visitors in 2021, traffic issues, weather, etc. etc. Basically, staff has been working 60 hours a week, every week. Even with these stressors, the Summit Stage has had a superb driving record and the concern is that burnout could cause a lapse in judgement and performance.

The typical winter service schedule requires 2675 staff hours. Currently, they can provide 1820 staff hours, with a deficit of 855 hours. A deficit of 855 is about 21.4 Full Time Employees.

The proposal is as follows:

- Start winter season 2-3 weeks early
- Implement a temporary reduced service plan
 - Eliminate 30-minute service frequency during daytime
 - A reduction of 440 hours
 - Retain late night service at an hourly frequency (until midnight)
 - Keep Swan Mountain Flyer service at an hourly frequency
 - Frequency would be hourly for the entire day on major routes
 - Retain midday and evening service on commuter routes
- As recruiting allows, increase service strategically and as soon as it is practical

Mr. Camping also gave an overview of their staffing projection and noted the department needs to hire at least 4 or more new drivers, and retain current driving staff, to meet these proposed projections.

Commissioners asked questions and provided feedback. They agreed to move forward with the proposed plan and noted that if new staff is not hired, there may be a need for additional reductions.

VII. Short Term Rental (STR) Code Amendment Discussion

Jessica Potter, Brandi Timm, Bentley Henderson and Jim Curnutte gave a recap of the topics covered at the previous Work Sessions and provided an update on the following topics including but not limited to:

Ms. Potter and Mr. Bentley gave a breakdown on how resort zones and neighborhood (non-resort) zones have been determined, and the reasoning behind those decisions. They also discussed whether to pass similar Conditional Use Permits (CUPs) for resort and neighborhood zones. Commissioners suggested keeping CUPs as they are right now.

Current STR Use in Neighborhoods

Breakdown

- 35% of all STRs
- Three categories of operations
 - Primary (~7%) *data from mailing addresses
 - Second home (~87%)
 - Lodging business (~6%) *data from Housing Surveys

Overview of complaints received in resort zones (not a lot) vs. the Neighborhood Zones (a lot), which indicates an incompatibility issue. Ms. Potter also gave a snapshot overview of home values and ownership trends, with Dillon Valley having the highest percentage change in Median Value.

Licenses

Type I: Locals

- Locals who STR entire home during holidays or frequently rent a bedroom.
- Potential neighborhood impacts: Low

Mr. Curnutte noted that there could be a different type of local who is retired and traveling and renting their home more than expected. They suggested having Type IA and Type IB Licenses. Staff also discussed different ways for locals to prove they are not renting their entire unit for more than 30 nights per year, and how they can use the Host Compliance software to capture violators. Commissioners expressed concern with enforcement and asked for additional data before making a decision.

Type II: "Second Homeowners"

- Impact on neighborhoods: Medium
- Proposed cap on nights rented to reduce conflicts
- Pros: cap still allows property owners to STR, tamps down the intensity of STRs outside the resorts
- Zones: unlimited in neighborhoods and resorts

Ms. Potter gave examples of other US resorts that have a similar type of licenses and how they limit their nights per year. Commissioner Blanchard asked if there could be a way to encourage homeowners to group those nights into the busy seasons. Staff noted that the number of complaints does increase as the number of visitors increase, although the type of complaints can vary from season to season. Commissioners asked for additional data before setting the parameters on the number of nights allowed per year.

Type III: Lodging Business STR

- Impact on neighborhoods: High
- All STRs currently operating in this manner can still STR as a Type II
- Pros: helps to alleviate conflicts in neighborhoods (complaints and housing), restrict true lodging businesses to appropriate areas
- Zones: unlimited in Resort Zones, limited in Neighborhood Zone
- Potential exceptions in Neighborhood Zones

Staff discussed the different approval process based on the size of the lot. The smaller the lot, the higher the number of complaints. Commissioners asked for the total number of investor-type units (single family homes), how many of those are on lots less than 2 acres, in non-resort areas, in unincorporated Summit County. Staff noted that they will work to get this data for the next Work Session meeting.

Occupancy

Resort Zone Occupancy

- Keep as greater of 2 per 200 sq. ft. or 2 people per bedroom
- Not appropriate for Neighborhood Zones

Neighborhood Zone Occupancy

- 2 people per bedroom + 2, maxed at 10
- No CUP for occupancy over 10; this is the maximum unless Type III reviewed with CUP

Commissioners decided to wait for feedback from the Open House being held on Thursday, October 7, 2021. Staff suggested setting the maximum occupancy to lot sizes instead of neighborhoods.

How to get to Compliance

- All new licenses will be reviewed for compliance with new regulations
- All existing licenses renew in September.

Commissioner and staff discussed whether existing license holders will be grandfathered-in at the license level they currently have. They asked for data before moving forward and will discuss the topic at the upcoming Open Houses.

Staff will return to the Work Session on Tuesday, October 12, 2021. Commissioners thanked the team for their work.

Meeting Adjourned.

Respectfully submitted:

Lori Dwyer
Lori Dwyer, Deputy Clerk



Respectfully submitted:

Millicent Marter
Millicent Marter, Deputy Clerk

Respectfully submitted:

Sara R Lopez
Sara R Lopez, Deputy Clerk

Approved by:

Elisabeth Lawrence
Elisabeth Lawrence, Chair