



TOWN OF
BRECKENRIDGE

Town Council Work Session

Tuesday, November 14, 2023, 2:00 PM

Town Hall Council Chambers

150 Ski Hill Road

Breckenridge, Colorado

THE TOWN OF BRECKENRIDGE IS HOLDING HYBRID MEETINGS. This meeting will be held in person at Breckenridge Town Hall and will also be broadcast live over Zoom. Login information is available in the calendar section of our website: www.townofbreckenridge.com. If you will 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.

I. GOOSE PASTURE TARN DAM TOUR AND RIBBON CUTTING (2:00-3:00pm)

II. PLANNING COMMISSION DECISIONS (3:00-3:05pm)

Planning Commission Decisions

III. LEGISLATIVE REVIEW (3:05-3:25pm)

2024 Mill Levy Ordinance (Second Reading)

Tax Code Amendment - Changing Definitions (Second Reading)

Appropriation of 2024 Budget Funds (First Reading)

Motion to Extend Breckenridge Grand Vacations Vested Development Agreement

IV. ADMINISTRATIVE RULES AND REGULATIONS (3:25-3:40pm)

Engineering Administrative Rules and Regulations

V. MANAGERS REPORT (3:40-4:15pm)

Public Projects Update

Mobility Update

Sustainability Update

Housing and Childcare Update

Committee Reports

Breckenridge Events Committee

VI. OTHER (4:15-4:25pm)

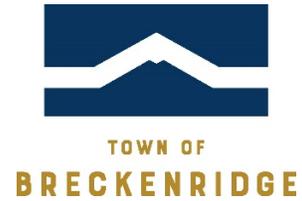
BTO Contract Agreement Review

VII. PLANNING MATTERS (4:25-6:15pm)

Exterior Lighting Policy Update

Himmelstein Annexation Request

114 South Main Street Redevelopment Decision
BGV Peak 8/Gold Rush Lot Development Discussion



Memo

To: Breckenridge Town Council Members
From: Mark Truckey, Director of Community Development
Date: November 8, 2023
Subject: Planning Commission Decisions of the November 7, 2023 Meeting

DECISIONS FROM THE PLANNING COMMISSION MEETING, November 7, 2023:

CLASS A APPLICATIONS: None.

CLASS B APPLICATIONS:

1. Romer Residence, 203 Briar Rose Ln., PL-2023-0354
A proposal to remove an existing modular single-family residence and construct a 3,229 sq. ft. single family residence with 5 bedrooms and a 506 sq. ft. two-car garage. *Approved, see second memo.*

CLASS C APPLICATIONS:

1. BCM Housing Unit, 103 Sawmill Rd., PL-2023-0511
A proposal to convert 529 sq. ft. of existing lower-level space to an employee housing unit and create an accessible restroom. *Approved.*

TOWN PROJECT HEARINGS: None.

OTHER: None.

Memo

To: Town Council
From: Clif Cross – Planner II
Date: November 8, 2023 for meeting of November 14, 2023
Subject: Romer Single Family Residence - Class B Major Development Permit Application:
Planning Commission Approval Summary

The applicant proposes to construct a 3,229 sq. ft. single-family residence with five (5) bedrooms and a 506 sq. ft., two-car garage. This proposal is subject to a Development Agreement approved by the Town Council in 2020 to subdivide the existing Lot 2 into equally sized Lots 2A and Lot 2B. The Development Agreement also placed limitations on the density and mass for each lot. The development proposed within this application is for the northern lot, Lot 2A. The subdivision, which is a requirement prior to completion of the residence, has already been completed. The existing modular single-family residence on Lot 2A is proposed to be removed with this application. The Planning Commission reviewed this proposal at a First Preliminary Hearing on September 5, 2023, a Second Preliminary Hearing on October 2, 2023, and at Final Hearing on November 7, 2023. No public comment was received at or prior to any of the Hearings. The Commission approved the application at the November 7, 2023 meeting with a vote of 5-0.

Additional detail on the application is available in the Planning Commission's online packet here: <https://www.townofbreckenridge.com/home/showpublisheddocument/23809/638346071855298734>

Staff will be available at the meeting to answer any questions.



Image 1 (above): Architect's rendering of proposed development, as viewed looking southwest from Briar Rose Lane.



BCM Housing Unit,
103 Sawmill Rd.

Romer
Residence, 203
Briar Rose Ln.



NOT TO SCALE

Breckenridge South



TOWN OF
BRECKENRIDGE
PUBLIC WORKS

PLANNING COMMISSION MEETING

The meeting was called to order at 5:33 pm by Chair Frechter.

ROLL CALL

Mike Giller Mark Leas Allen Frechter - **Remote** Susan Propper
Ethan Guerra Steve Gerard - **Absent** Elaine Gort

APPROVAL OF MINUTES

With no changes, the October 17, 2023 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the November 7, 2023 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No comments

CONSENT CALENDAR:

1. BCM Housing Unit (SVC), 103 Sawmill Rd., PL-2023-0511

With no call-ups, the Consent Calendar was approved as presented.

FINAL HEARINGS:

1. Romer Residence, 203 Briar Rose Ln., PL-2023-0354

Mr. Cross presented a proposal to construct a 3,229 sq. ft. single-family residence with five (5) bedrooms and a 506 sq. ft., two-car garage. This proposal is subject to a Development Agreement approved by the Town Council in 2020 for subdivision of the existing Lot 2 into equally sized Lots 2A and Lot 2B, and development of each lot. The development proposed with this application is for the northern lot, Lot 2A. The subdivision, which is a requirement prior to completion of the residence, has already been completed. The existing modular single-family residence on the property (Lot 2A) is proposed to be removed with this application.

Mr. Giller recused himself as his employer may be building the project.

Commissioner Questions / Comments:

No comments.

Mr. Guerra made a motion to approve the Romer Residence, seconded by Ms. Gort. The motion passed 5 to 0.

OTHER MATTERS:

1. Chair and Vice Chair Appointments

Mr. Guerra made a motion to appoint Mr. Leas as the Planning Commission Chair, seconded by Mr. Giller. The motion passed 6 to 0.

Mr. Leas made a motion to appoint Mr. Guerra as the Planning Commission Vice Chair, seconded by Ms. Gort. The motion passed 6 to 0.

2. Town Council Summary

ADJOURNMENT:

The meeting was adjourned at 6:06 pm.

Allen Frechter, Chair



Memo

To: Breckenridge Town Council
From: Pamela Ness, Revenue Manager
Date: November 6, 2023 (for the November 14th meeting)
Subject: 2024 Property Tax Mill Levy

Please find attached the ordinance setting the mill levy within the Town of Breckenridge for 2024 at 5.07 mills. The ordinance is submitted for second reading.

The 5.07 mill levy is the amount the Town is authorized to impose, and cannot be increased without an election. The Mill Levy rate has remained the same since 2014. For the 2024 budget year, we are forecasting the 5.07 mill levy to result in property tax revenues of \$5.3M. If there are any changes made at the county or state level we will come back with an appropriation. There have been no changes to the ordinance since first reading.

The 5.07 mills are for the purpose of defraying the expenses of the General Fund.

FOR WORKSESSION/SECOND READING – NOV 14

COUNCIL BILL NO. 38

Series 2023

AN ORDINANCE SETTING THE MILL LEVY WITHIN THE TOWN OF BRECKENRIDGE FOR 2024

WHEREAS, the Town Council of the Town of Breckenridge has determined that a mill levy of 5.07 mills upon each dollar of the assessed valuation of all taxable property within the Town of Breckenridge is needed to balance the 2024 Town budget.

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

Section 1. For the purpose of defraying the expense of the General Fund of Breckenridge, Colorado for the fiscal year 2024, there is hereby levied a tax of 5.07 mills upon each dollar of assessed valuation for all taxable property within the Town of Breckenridge.

Section 2. The Town Clerk is authorized and directed, after adoption of the budget by the Town Council, to certify to the Board of County Commissioners of Summit County, Colorado, the tax levies for the Town of Breckenridge, Colorado as herein set forth.

Section 3. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 24th day of October 2023. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the _____ day of _____ 2023, at 7:00 p.m., or as soon thereafter as possible.

ATTEST:

TOWN OF BRECKENRIDGE

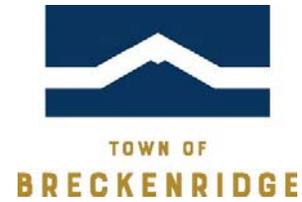
Helen Cospolich, Town Clerk

Eric Mamula, Mayor

APPROVED IN FORM

Town Attorney

Date



Memo

To: Breckenridge Town Council
From: Pamela Ness, Revenue Manager
Date: November 8th, 2023 (for the November 14th meeting)
Subject: Town Tax Code revisions (Second Reading)

Background

Staff is proposing additions and changes to definitions which are needed from time to time to “catch up” with new technology and other nuances that have come to light since the Town Code was written. Revenue Recovery Group (RRG), our out-of-town auditing consulting firm, has recommended changes to improve clarity of some definitions due to recent technological innovations.

Based on the changes recommended by RRG, staff has reviewed our Town Code, as well as those of other municipalities with tax policies that mirror the Town of Breckenridge’s. The intent of these revisions is to update our code to provide clarification on current policy. It is important to note that these revisions will not garner new net tax revenues for the Town.

The proposed definition revisions include edits to the existing definitions of “Software as a Service” and “Digital Product”.

Recommended Action:

We ask that the Council review the proposed revisions in the attached ordinance and approve the ordinance on second reading. There have been no changes to the ordinance since first reading.

COUNCIL BILL NO.39

Series 2023

AN ORDINANCE AMENDING THE BRECKENRIDGE SALES TAX CODE PERTAINING TO THE DEFINITION OF SOFTWARE AS A SERVICE.

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

Section 1. That section 3-2-2, entitled "DEFINITIONS" by repealing and replacing the term "DIGITAL PRODUCT" and the term "SOFTWARE AS A SERVICE" with the new definitions below:

DIGITAL PRODUCT: Electronic products including, but not limited to: (1) "digital images" which means works that include, but are not limited to, the following that are generally recognized in the ordinary and usual sense as "photographs," "logos," "cartoons," or "drawings," (2) "digital audio-visual works" which means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any, (3) "digital audio works" which means works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones. For purposes of the definition of "digital audio works," "ringtones" means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication, (4) "digital books" which means works that are generally recognized in the ordinary and usual sense as "books" and, (5) "streaming services", which means digital products that are transferred to a user for consumption either immediately or offline at a later time.

SOFTWARE AS A SERVICE: Tangible personal property in the form of software that is rented, leased, or subscribed to from a provider, including but not limited to applications, systems, or programs regardless of delivery method.

Section 2. The Town Council hereby finds, determines, and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity,

1 and improve the order, comfort and convenience of the Town of Breckenridge and the
2 inhabitants thereof.

3 **Section 3.** This ordinance shall be effective as provided in Section 5.9 of the municipal
4 charter.

5
6 INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
7 PUBLISHED IN FULL this 24th day of October 2023. A Public Hearing shall be held at the
8 regular meeting of the Town Council of the Town of Breckenridge, Colorado on the ____ day of
9 _____, 2023, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building
10 of the Town.

11 TOWN OF BRECKENRIDGE, a Colorado municipal corporation

12

13

14

15 By: _____

16 Eric S. Mamula, Mayor

17

18 ATTEST:

19

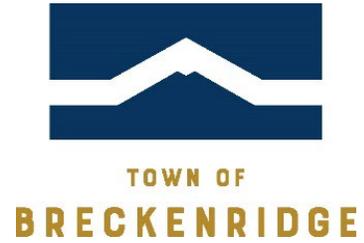
20

21

22 _____

23 Helen Cospolich, CMC,

24 Town Clerk



Memo

To: Breckenridge Town Council
From: Tracey Lambert, Senior Accountant
Date: November 8, 2023 (for the November 14th meeting)
Subject: 2024 Budget Appropriation

Please find attached the ordinance appropriating the funds required for the Adopted Budget 2024. The ordinance is submitted for first reading.

The Operating Budget 2024 Expenditures, inclusive of transfers is \$209.3M and considers Personnel, Materials and Supplies, Charges for Services, Capital, Debt Services, Grants, Reserves, Restrictions, and Transfers.

COUNCIL BILL NO. XX

Series 2023

AN ORDINANCE OF THE TOWN OF BRECKENRIDGE SETTING FORTH THE ANNUAL APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024, AND ENDING DECEMBER 31, 2024

WHEREAS, at the direction of the Town of Breckenridge Council, the Town Manager has prepared and submitted a proposed budget for the fiscal year beginning January 1, 2024, and ending December 31, 2024 to the Town Council; and

WHEREAS, in accordance with the municipal charter, §10.5, a public hearing was held on October 24, 2023, at which time interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, in accordance with the municipal charter, § 5.8, the Town Council hereby appropriates to the various funds as hereinafter stated to be used for the purpose for which these funds were created and exist.

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

1. Town Council hereby approves the ordinance appropriating expenditure of the Town of Breckenridge for the year beginning January 1, 2024, and ending December 31, 2024, to the various funds as hereinafter stated to be used for the purpose for which these funds were created and exist.

FUND #	FUND NAME	2024 TOTAL EXPENSE APPROPRIATIONS
001	GENERAL FUND	\$34,513,877
002	UTILITY FUND	\$8,264,135
003	CAPITAL FUND	\$30,967,105
004	MARKETING FUND	\$5,701,184
005	GOLF COURSE FUND	\$3,936,347
006	EXCISE TAX FUND	\$51,172,347
007	HOUSING FUND	\$24,231,644
008	OPEN SPACE ACQUISITION FUND	\$3,964,665
009	CONSERVATION TRUST FUND	\$55,000
010	GARAGE SERVICES FUND	\$7,303,924
011	INFORMATION TECHNOLOGY FUND	\$2,058,817
012	FACILITIES MAINTENANCE FUND	\$1,018,466

013	SPECIAL PROJECTS FUND	\$3,668,209
014	MARIJUANA FUND	\$672,361
015	CEMETERY FUND	\$28,600
016	CHILDCARE FUND	\$895,848
017	PARKING & TRANSPORTATION FUND	\$15,594,130
018	HEALTH BENEFITS FUND	\$5,200,000
019	SUSTAINABILITY FUND	\$2,616,606
020	ACCOMMODATION UNIT COMPLIANCE FUND	\$7,486,680

\$209,349,945

2. The amounts set forth above and in the annual budget of 2024 as approved by Resolution No. 19, Series of 2023, are hereby appropriated to the uses stated and the Town Manager has the authority to expend the amounts shown for the purposes stated.

3. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 14th day of November 2023. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 28th day of November 2023, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE

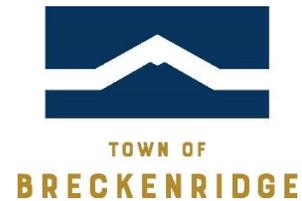
Helen Cospolich, Town Clerk

Eric Mamula, Mayor

APPROVED IN FORM

Town Attorney

Date



Memo

To: Town Council

From: Chris Kulick, AICP, Planning Manager

Date: November 8, 2023, for the meeting of November 14, 2023

Subject: Development Agreement Provision Extension Between the Town of Breckenridge and Breckenridge Grand Vacations (Gondola Lot Properties LLC) that any site-specific Development Permit application within the Gondola Lots Master Plan Area Not Be Subject to any Policy/Development Code changes Subsequent to May 25, 2022 for an Additional Six Month Period

Gondola Lot Properties (a subsidiary of Breckenridge Grand Vacations- BGV) has requested an extension to the provisions in section 2 of an existing Development Agreement (Recording Number 1312523) in order to continue working on the current Gondola Lots/ Peak 8 Development Agreement application without forfeiting the ability to have a potential site-specific Development Permit application within the current Gondola Lots Master Plan area not be subject to any Development Code changes subsequent to May 25, 2022. Only the provisions of section 2 need an extension at this time because the remainder of the benefits offered under the Development Agreement as described in section 1 are vested through May 23, 2025.

In June 2023, the Council agreed to amend the terms of an existing Development Agreement that extended the vesting of the Gondola Lots Master Plan by six months to May 23, 2025 (Section 1). The approved amendment allowed in addition to the six months of extended vesting for the Master Plan, that any site-specific Development Permit application within the Master Plan area not be subject to any Development Code changes subsequent to May 25, 2022, for a period of six months from the effective date of this amendment, June 13, 2023 (Section 2). The Council agreed to this amendment in order for BGV to withdraw their site-specific Development Permit Application and begin discussing a new Development Agreement that would potentially enable an alternative development prescription for the Gondola Lots Master Plan Area. The applicant and the Council are currently under negotiations for a new Development Agreement and need additional time to continue working through deal points.

Understanding that a new Development Agreement would also include three parcels in the Peak 8 area in addition to the Gondola Lots Master Plan area, both parties contemplated that negotiations would possibly stretch beyond the initial six (6) month timeline. Therefore, the amended Development Agreement was drafted with a provision that allows for an additional six (6) month extension with a simple majority vote of the Council. A copy of the signed and recorded Development Agreement is included in the packet.

From the Amended Development Agreement:

2. Subject to the provisions of this Agreement, any site-specific Development Permit application within the Master Plan area will not be subject to any Development Code changes subsequent to May 25, 2022 for a period of six months from the effective date of this amendment, expiring on December 12, 2023 with the option of the Town Council, by affirmative vote of a majority of Council members at a regularly scheduled Town Council meeting, to extend this provision an additional six (6) months

to June 12, 2024, provided the extension is granted prior to this provision's expiration on December 12, 2023.

Staff notes the requested six (6) month extension of the allowance that any site-specific Development Permit application within the Master Plan area to not be subject to any Development Code changes subsequent to May 25, 2022 does not require an additional \$100,000 childcare center improvement contribution per the direction of section 6 of the Development Agreement.

Staff Recommendation

Since the Council and the applicant are making progress towards creating a mutually agreeable, new, Development Agreement, staff recommends the Council make a motion to extend the Development Agreement, Recording Number 1312523, another six (6) months to June 12, 2024.

Staff are available to answer any questions.

OTTENJOHNSON
ROBINSON NEFF + RAGONETTI^{PC}

October 27, 2023

ANDREW L.W. PETERS
303 575 7507
APETERS@OTTENJOHNSON.COM

Mark Truckey
Town of Breckenridge
150 Ski Hill Road #2
Breckenridge, Colorado 80424

Re: Request for Extension of Allowance

Dear Mr. Truckey:

As you know, this firm represents Gondola Lot Properties LLC (“GLP”) in connection with certain entitlements matters in the Town of Breckenridge (the “Town”). Earlier this year, GLP and the Town entered into that certain Amended and Restated Development Agreement dated June 12, 2023 and recorded at Reception No. 1312523 (the “Agreement”). I write now to request the extension of certain rights as permitted by the Agreement.

Sections 2 and 6 of the Agreement provide for an allowance (the “Allowance”) for any site-specific Development Permit application within the Gondola Lots Master Plan area to not be subject to any Development Code changes subsequent to May 25, 2022, for a period of six months from June 12, 2023. Section 2 further provides that the Allowance may be extended six months, to June 12, 2024, with no additional consideration, by an affirmative vote of a majority of Town Council members at a regularly scheduled Town Council meeting, so long as the extension is granted before December 12, 2023.

By this letter, GLP respectfully requests that Town Council grant a six-month extension of the Allowance in accordance with the requirements of Section 2, to June 12, 2024, to allow GLP and its affiliates to pursue the ongoing Development Agreement process.

Thank you for your attention to this matter.

Very truly yours,



Andrew L.W. Peters
For the Firm

ALWP/lm



1312523

Taryn Power - Summit County Recorder

Exhibit "A"

APPROVAL OF THIS DEVELOPMENT AGREEMENT CONSTITUTES A VESTED
PROPERTY RIGHT PURSUANT TO ARTICLE 68 OF TITLE 24, COLORADO REVISED
STATUTES, AS AMENDED

DEVELOPMENT AGREEMENT

This Amended and Restated Development Agreement ("**Agreement**") is made as of the 12th day of June, 2023 ("**Effective Date**," which shall be the date when this ordinance approving this Agreement becomes effective) between the TOWN OF BRECKENRIDGE, a Colorado municipal corporation (the "**Town**") and GONDOLA LOT PROPERTIES LLC, a Colorado limited liability company, (the "**Developer**"). This Agreement amends and restates that Development Agreement dated as of April 14, 2023, and recorded April 14, 2023, at Reception No. 1309020 of the records of the Clerk and Recorder of Summit County, Colorado ("**Original Development Agreement**"). The Town and the Developer are sometimes collectively referred to in this Agreement as the "**Parties**," and individually by name or as a "**Party**."

Recitals

A. The Developer owns, or has a ground lease, for the following described real property in the Town of Breckenridge, Summit County, Colorado that is controlled by the Breckenridge Grand Vacations Gondola Lot Master Plan (PL-2021-0052) ("**Master Plan**"):

- Lot 1, Gondola Lots, Filing No. 1
- Lot 2, Gondola Lots, Filing No. 1
- Lot 3, Gondola Lots, Filing No. 1
- Lot 4, Gondola Lots, Filing No. 2
- Lot 5, Gondola Lots, Filing No. 2
- Lot 6, Gondola Lots, Filing No. 2
- Lot 1B, Block 4, Parkway Center ("**Property**").

B. In accordance with Subsection (H)(1) of Section 9-1-19-39A, "Policy 39 (Absolute) Master Plan" of the Breckenridge Town Code a development permit for an approved master plan is vested for three (3) years.

C. The approved vesting of the Master Plan expires three (3) years from the approval, November 23, 2024.

1 D. The Developer proposes to extend the vesting of the Master Plan by six (6) months to
2 May 23, 2025. The extended vesting period is referred to in this Agreement as the “**Extension.**”
3
4

5 E. In accordance with Section 9-1-17-2 of the Breckenridge Town Code, development
6 permits shall be granted or denied on the basis of the policies contained in the Development
7 Code and on no other basis.
8

9 F. The Developer proposes an allowance for any site-specific Development Permit
10 application within the Gondola Lots Master Plan area to not be subject to any Development Code
11 changes subsequent to May 25, 2022, for a period of six months from the effective date of this
12 amendment, June 12, 2023. This time limited provision is referred to in this Agreement as the
13 “**Allowance.**”
14

15 G. A development agreement is necessary both in order to authorize the Extension of the
16 vesting and in order to authorize the Allowance in paragraphs D and F, respectively.
17

18 H. Town has received a completed application for a Class A Development Permit
19 (“**Application**”) within the Gondola Lots Master Plan area which is currently under review by
20 the planning commission.
21

22 I. The Developer proposes to withdraw the pending Application in order to explore
23 with the Town whether there are development opportunities that provide maximum opportunity
24 for public benefits to the Town.
25

26 J. Pursuant to Chapter 9 of Title 9 of the Breckenridge Town Code the Town Council
27 has the authority to enter into a development agreement.
28

29 K. The commitments proposed by the Developer in connection with this Agreement are
30 set forth hereafter and are found and determined by the Town Council to be adequate.
31

32 L. The Town Council has received a completed application and all required submittals
33 for a development agreement; had a preliminary discussion of such application and submittals;
34 determined that it should commence proceedings for the approval of this Agreement; and, in
35 accordance with the procedures set forth in Section 9-9-10(C) of the Breckenridge Town Code,
36 has approved this Agreement by non-emergency ordinance.
37

38 Agreement
39

40 1. Subject to the provisions of this Agreement, the Master Plan, is hereby extended until
41 May 23, 2025, with the option of the Town Council, by affirmative vote of a majority of Council
42 members at a regularly scheduled Town Council meeting, to extend the Master Plan’s vesting an

1 additional six (6) months to November 23, 2025, provided the extension is granted prior to this
2 agreement's expiration on May 23, 2025.

3
4 2. Subject to the provisions of this Agreement, any site-specific Development Permit
5 application within the Master Plan area will not be subject to any Development Code changes
6 subsequent to May 25, 2022 for a period of six months from the effective date of this
7 amendment, expiring on December 12, 2023 with the option of the Town Council, by affirmative
8 vote of a majority of Council members at a regularly scheduled Town Council meeting, to extend
9 this provision an additional six (6) months to June 12, 2024, provided the extension is granted
10 prior to this provision's expiration on December 12, 2023.

11
12 3. Subject to the provisions of this Agreement, the applicant will withdraw the
13 Application (PL-2022-0208) on or prior to the effective date of this Agreement.

14
15 4. As the commitments encouraged to be made in connection with a development
16 agreement pursuant to Section 9-9-4 of the Breckenridge Town Code, the Developer shall do the
17 following: agree to make a \$100,000 capital contribution toward either a new in-town childcare
18 center or a project that increases capacity to an existing in-town childcare center prior to the
19 Agreement going to into effect.

20
21 5. The term of the Extension described in this Agreement shall commence on the
22 Effective Date and shall end, subject to earlier termination in the event of a breach of this
23 Agreement, on May 23, 2025, unless extended an additional six (6) months in accordance with
24 section 1 above to November 23, 2025, upon which approval will require an additional \$100,000
25 for the purpose of Section 2 above.

26
27 6. The term of the Allowance described in this Agreement shall commence on the
28 Effective Date and shall end, subject to earlier termination in the event of a breach of this
29 Agreement, on December 12, 2023, unless extended an additional six (6) months in accordance
30 with section 2 above to June 12, 2024.

31
32 7. Nothing in this Agreement shall preclude or otherwise limit the lawful authority of
33 the Town to adopt or amend any Town law, including, but not limited to the Town's: (i)
34 Development Code, (ii) Comprehensive Plan, (iii) Land Use Guidelines, and (iv) Subdivision
35 Standards.

36
37 8. The Agreement shall run with the title to the land and be binding upon the owners,
38 heirs, successors and assigns.

39
40 9. Prior to any action against the Town for breach of this Agreement, the Developer
41 shall give the Town a sixty (60) day written notice of any claim of a breach or default by the
42 Town, and the Town shall have the opportunity to cure such alleged default within such time
43 period.
44



1 10. The Town shall not be responsible for, and the Developer shall not have any remedy
2 against the Town, if the Project is prevented or delayed for reasons beyond the control of the
3 Town.
4

5 11. Actual development of the real property which is the subject of the Agreement shall
6 require the issuance of such other and further permits and approvals by the town as may be
7 required from time to time by applicable town ordinances.
8

9 12. No official or employee of the Town shall be personally responsible for any actual or
10 alleged breach of this Agreement by the Town.
11

12 13. The Developer agrees to indemnify and hold the Town, its officers, employees,
13 insurers, and self-insurance pool, harmless from and against all liability, claims, and demands, on
14 account of injury, loss, or damage, including without limitation claims arising from bodily
15 injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any
16 kind whatsoever, which arise out of or are in any manner connected with this Agreement, if such
17 injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in
18 part by, the negligence or intentional act or omission of the Developer; any subcontractor of the
19 Developer, or any officer, employee, representative, or agent of the Developer or of any
20 subcontractor of the Developer, or which arise out of any worker's compensation claim of any
21 employee of the Developer, or of any employee of any subcontractor of the Developer; except to
22 the extent such liability, claim or demand arises through the negligence or intentional act or
23 omission of the Town, its officers, employees, or agents. The Developer agrees to investigate,
24 handle, respond to, and provide defense for and defend against, any such liability, claims, or
25 demands at the sole expense of the Developer. The Developer also agrees to bear all other costs
26 and expenses related thereto, including court costs and attorney's fees.
27

28 14. If any provision of this Agreement shall be invalid, illegal, or unenforceable, it shall
29 not affect or impair the validity, legality, or enforceability of the remaining provisions of the
30 Agreement.
31

32 15. This Agreement constitutes a vested property right pursuant to Article 68 of Title 24,
33 Colorado Revised Statutes, as amended.
34

35 16. No waiver of any provision of this Agreement shall be deemed or constitute a waiver
36 of any other provision, nor shall it be deemed to constitute a continuing waiver, unless expressly
37 provided for by a written amendment to this Agreement signed by the Parties; nor shall the
38 waiver of any default under this Agreement be deemed a waiver of any subsequent default or
39 defaults of the same type.
40

41 17. Nothing contained in this Agreement shall constitute a waiver of the Town's
42 sovereign immunity under any applicable state or federal law.
43

1 18. Personal jurisdiction and venue for any civil action commenced by any Party to this
2 Agreement shall be deemed to be proper only if such action is commenced in District Court of
3 Summit County, Colorado. The Developer expressly waives any right to bring such action in or
4 to remove such action to any other court, whether state or federal. The Parties hereby mutually
5 agree to waive any right to a jury trial in connection with any action to enforce, interpret or
6 construe this agreement.
7

8 19. Any notice required or permitted hereunder shall be in writing and shall be sufficient
9 if personally delivered or mailed by certified mail, return receipt requested, addressed as follows:
10

11 If to the Town: Rick G. Holman, Town Manager
12 Town of Breckenridge
13 P.O. Box 168
14 Breckenridge, CO 80424
15

16 With a copy (which
17 shall not constitute
18 notice to the Town) to: Kirsten Crawford, Esq.
19 Town Attorney
20 P.O. Box 168
21 Breckenridge, CO 80424
22

23 If to the Developer: Mike Dudick
24 Gondola Lot Properties LLC
25 P.O. Box 6879
26 Breckenridge, CO 80424
27

28 Notices mailed in accordance with the provisions of this Section 19 shall be deemed to have been
29 given upon delivery. Notices personally delivered shall be deemed to have been given upon
30 delivery. Nothing herein shall prohibit the giving of notice in the manner provided for in the
31 Colorado Rules of Civil Procedure for service of civil process.
32

33 20. This Agreement shall be interpreted in accordance with the laws of the State of
34 Colorado without regard to principles of conflicts of laws.
35

36 21. This Agreement constitutes the entire agreement and understanding between the
37 Parties relating to the subject matter of this Agreement and supersedes any prior agreement or
38 understanding relating to such subject matter.
39

40 TOWN OF BRECKENRIDGE, a Colorado
41 municipal corporation
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DocuSigned by:
By: Rick Holman
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Rick G. Holman, Town Manager

GONDOLA LOT PROPERTIES LLC,
A COLORADO LIMITED LIABILITY
COMPANY

BY: MAD

NAME: Mike Duvalich

TITLE: Member

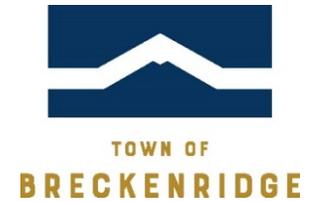
ATTEST:

DocuSigned by:
Helen Cospolich
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Helen Cospolich, CMC, Town
Clerk

MAD

Memo

To: Breckenridge Town Council Members
From: Shannon Smith, Town Engineer
Date: 11/8/2023 (for the 11/14/23 work session)
Subject: Engineering Regulations Update



The Breckenridge Engineering Design Standards and Construction Specifications have been updated to incorporate changes to lighting standards associated with development including sidewalks, streets, and parking lots to meet the Town's goals of dark sky community certification. The Town Engineer has the authority to update these standards through Section 10-1-3 of the Town Code. Below is a summary of the changes made to the standards:

- Section 5.17.4: Addition of standards for Public Illuminated Signage
- Section 5.18: Addition of requirements for timers, dimmable fixtures, maximum Kelvin and lumen/acre ratings for fixtures
- Appendix G: Update of standard street light fixtures to dark sky compliant models.

The updated sections of the standards are attached to this memo.

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CROSSING ENHANCEMENT ELIGIBILITY WORKSHEET
 BRECKENRIDGE TYPICAL SECTIONS

5.1 INTRODUCTION

Street design addresses safe and efficient movement of vehicles, pedestrians, bicycles, and transit while also incorporating landscaping, utilities, and storm drainage. Low impact drainage systems are encouraged where feasible. The street and trails network create multiple travel routes and minimize the distance required for pedestrians and bicycles to access primary activity sites. This section sets forth the minimum standards for street design and construction. Developers and engineers are encouraged to design above the minimum standards and in some cases due to site specific conditions the Town Engineer may require design above the minimum standards. The purpose and intent of this chapter is to provide safe travel for vehicles and pedestrians, efficient traffic flow which minimizes traffic congestion, and minimizes maintenance concerns.

Chapter 5 also includes access management, which is the coordinated planning, regulation, and design of access between roadways and land development. It involves the systematic control of the location, spacing, design, and operation of accesses, median openings, interchanges, and street connections. Access management provides the means to balance good mobility along the street network with local access needs of businesses and residents. Implementation of access management principles and techniques on transportation networks can provide the following long-term benefits for highway users, communities, and businesses.

These standards apply to the design, construction, and maintenance of both public and private streets, driveways, pedestrian paths, and on-street parking in the Town of Breckenridge. These standards also apply to all construction, whether completed by a private Developer or the Town of Breckenridge. All Town streets, whether new construction or upgrading of existing infrastructure, shall be built in accordance with these standards.

5.2 OTHER STANDARDS

A significant portion of the criteria used by the Town for Street Standards is taken from the 2018 edition of the American Association of State Highway and Transportation Officials (AASHTO) publication *A Policy on Geometric Design of Highways and Streets*. Throughout the rest of Chapter 5, this document will be referred to as the *AASHTO Green Book*. Where no requirement is given in this chapter, the newest additions of the following standards shall govern, unless otherwise approved by the Engineering Division:

1. AASHTO Green Book
2. AASHTO Roadside Design Guide
3. Manual of Uniform Traffic Control Devices (MUTCD)
4. CDOT Roadway Design Guide
5. CDOT Bridge Design Manual
6. CDOT Pavement Design Manual
7. CDOT Drainage Design Manual
8. United States Access Board (PROWAG and ADAAG)

Construction standards for street related improvements are outlined in Chapter 9 of the standards. Right of Way requirements for work within existing streets and Right of Ways are outlined in Chapter 3 of these standards. Off-street parking requirements are outlined in the Town Code.

5.3 GENERAL DESIGN GUIDELINES

The Town of Breckenridge is located in a mountainous valley with heavy annual snowfall. Due to the terrain, street design poses unique challenges to meet design requirements. The following guidelines shall be followed for designing in this unique environment:

1. Streets ~~shall~~ are encouraged to be designed to maximize southern exposure and minimize north facing or shaded areas, especially on steeper slopes.
2. Street grades shall be minimized to the extent possible, while also minimizing switchbacks and site disturbance.
3. Streets shall be designed to avoid impacting wetlands and other environmentally sensitive areas. Design shall minimize impacts to the environment.
4. Streets shall be designed to retain as many trees and vegetation as possible. Design shall strive to retain or create vegetative buffers between streets and adjacent properties.
5. Drainage in winter shall be considered and icing of roadways and pedestrian routes shall be considered in the design.
6. Impacts of snow and ice to striping, parking, signage, signal sensors and other improvements shall be considered in the design.

5.4 STREET CLASSIFICATION

Town streets are classified according to function. Functional classifications shall be established by the Town Engineer. The Town Engineer has the authority to make the determination for road classification. For planning purposes, the town uses the following functional categories to classify its roads.

5.4.1 Arterial

An arterial street is a high-capacity roadway. The primary function of an arterial street is to deliver traffic from collector streets to freeways or expressways and provide for travel through and between communities. These streets primarily serve through traffic, and access to adjacent property is limited.

An arterial street generally has the following characteristics:

1. Posted speed limit greater than or equal to 35 mph
2. 4-lane minimum width, plus additional turn lanes
3. 10,000 vehicles per day (vpd) expected minimum traffic volume when the land served by the arterial is fully developed
4. Limited access to adjacent parcels of land
5. No back-out drives are permitted

The only arterial street within the Town is Colorado State Highway 9. Since the Town has no existing or planned arterial streets, the design standards in this chapter will not cover their design. Consult the Colorado Department of Transportation Roadway Design Guide for design of arterial streets on the Colorado State Highway System.

5.4.2 Major Collector

A major collector street is a moderate-capacity street which serves to move traffic from local streets and minor collector streets to arterial streets. The major collector balances both through-travel needs and access to adjacent property favoring more access control and higher speeds.

A major collector street generally has the following characteristics:

1. Posted speed limit from 30 mph to 40 mph
2. Traffic volumes generally between 3,000 and 10,000 vehicles per day when the land served by the major collector is fully developed
3. Designed to handle traffic volumes loading from and onto local, other collector, and arterial streets

4. No back-out drives are permitted

Refer to typical section in Standard Details.

5.4.3 Minor Collector

A minor collector street is a low-to-moderate-capacity street which serves to move traffic from local streets and major collector streets to arterial streets. The minor collector balances both through-travel needs and access to adjacent property favoring a higher level of access and lower speeds than a major collector.

A minor collector street generally has the following characteristics:

1. Posted speed limit from 25 mph to 35 mph
2. Traffic volumes generally between 1,000 and 3,000 vehicles per day when the land served by the major collector is fully developed
3. Designed to handle traffic volumes loading from and onto local, other collector, and arterial streets
4. No back-out drives are permitted

Refer to typical section in Standard Details.

5.4.4 Local

A local street provides direct access from abutting properties to alley, major collector, minor collector, or arterial streets. While it provides for some through travel, the primary purpose is to provide access to individual properties.

A local street generally has the following characteristics.

1. Posted speed limit from 15 mph to 25 mph
2. Traffic volumes up to 1,000 vehicles per day
3. Designed for the safety of pedestrians, bicyclists, and the ease of access to adjacent parcels of land
4. Back-out drives may be permitted for single family homes and duplexes

Refer to typical section in Standard Details.

5.5 DESIGN CONTROLS

5.5.1 Design Vehicles

The street design shall accommodate the turning movements of the design vehicle as listed in Table 5.1 below. The design should allow the design vehicle to make turns at intersections without encroaching into the oncoming lanes. The need for vehicles greater than the design vehicle to turn into oncoming lanes shall be reviewed and the design modified if appropriate based on nearby land use or business operations. Existing, proposed, or potential future transit routes as determined by the Transit Superintendent shall be designed to accommodate the design transit vehicle. The design engineer shall confirm that any local fire district turning requirements are also met.

Table 5.1. Design Vehicles

Street Classification	Design Vehicle
Major Collector	Intermediate Semitrailer (WB-40)
Minor Collector	Intercity Bus (BUS-45)
Local	Single-Unit Truck (SU-30)
Transit Facilities	Intercity Bus (BUS-45)
Commercial Access	Single-Unit Truck (SU-30)*
Multi-family Residential Access	Single-Unit Truck (SU-30)
Single-family Residential Access	Passenger Car (P)

* Commercial accesses that routinely use vehicles larger than a SU-30 should select and appropriate design vehicles for the onsite operations.

Additional details on these and other design vehicles can be found in Chapter 2 of the *AASHTO Green Book*.

5.5.2 Design Speed

The choice of design speed is influenced principally by the character of terrain, roadway classifications, and traffic volume. A roadway in the valley floor justifies a higher design speed than a roadway through steep mountainous terrain.

The design speed for streets in the Town will generally be equal to the posted speed. Under certain conditions, the Town Engineer may require that a design speed exceed the posted speed. Refer to Section 5.2 for the posted speed ranges of each street classification.

5.5.3 Right-of-Way Widths

The width of right-of-way depends on the street cross section to be used, topography in the area, and other physical controls. It is important to acquire sufficient right-of-way to facilitate future widening and other improvements as traffic warrants.

Minimum right-of-way widths to be dedicated for street construction in the Town are listed in Table 5.2 below. These minimums may be increased where necessary to meet side slope requirements, roadside drainage ditch requirements, transit facilities, roundabouts, intersection improvements, and other considerations requiring additional public right-of-way for the street.

The minimum clearance from the right-of-way line to the catch point of a cut or fill slope should be 5 feet for all types of cross sections. When feasible, 10 feet of clearance should be provided. Restrictive easements may be provided in lieu of dedicated right-of-way if approved by the Town Council.

Table 5.2. Right-of-Way Widths

Street Classification	Minimum Right-of-Way Width (feet)
Major Collector	80
Minor Collector	70
Local	50

5.5.4 Traffic Considerations

The design of a street and its features should be based upon consideration of the traffic volumes and characteristics to be served. In urban areas, these characteristics usually are dominated by vehicular traffic demands, but the design should also consider pedestrian, bicycle, and transit uses. Information for all current and projected user modes should be considered jointly. Vehicular traffic volumes typically drive the need for street improvements and will affect the geometric design.

5.5.5 Capacity Considerations

The level of congestion that is considered acceptable for a street or intersection will vary. The Level of Service (LOS) is intended to characterize the operating condition of a street or intersection in terms of speed, travel time, freedom to maneuver, traffic interruptions, comfort, and convenience. The results of the LOS should be a key consideration in the design process. Consult Chapter 4 of this manual for more information regarding traffic considerations for street projects.

5.6 DESIGN ELEMENTS

The alignment of a street produces a great impact on the environment, the fabric of the community, and the street user. The alignment consists of a variety of design elements that combine to create a facility that serves traffic safely and efficiently, consistent with the facility's intended function. Principal elements of design include sight distance, horizontal alignment, superelevation, vertical alignment, and cross section elements.

5.6.1 Sight Distance

Sight distance is the length of roadway visible to a driver. Sight distance is required for safe and efficient operation of a vehicle on a highway. The path and speed of motor vehicles on streets are subject to the control of drivers whose ability, training and experience vary greatly. The available sight distance on a roadway should be sufficiently long to enable a vehicle traveling at or near the design speed to stop before reaching an object in its path.

5.6.1.1 Stopping Sight Distance

Stopping sight distance is the sum of two distances: (1) the distance traversed by the vehicle from the instant a driver sights an object necessitating a stop to the instant the brakes are applied, and (2) the distance needed to stop the vehicle from the instant the brakes application begins. These are referred to brake reaction distance and braking distance, respectively. Table 5.3 contains the stopping sight distances on level roadways based on design speed.

Table 5.3. Stopping Sight Distance on Level Roadways

Design Speed (mph)	Brake Reaction Distance (ft)	Braking Distance on Level (ft)	Stopping Sight Distance	
			Calculated (ft)	Design (ft)
15	55.1	21.6	76.7	80
20	73.5	38.4	111.9	115
25	91.9	60.0	151.9	155
30	110.3	86.4	196.7	200
35	128.6	117.6	246.2	250
40	147.0	153.6	300.6	305
45	165.4	194.4	359.8	360

The roadway grade has a significant effect on the braking distance due to gravity. The braking distances are longer for downgrades and shorter on upgrades compared to a level roadway. Table 5.4 contains the revised stopping sight distances based on grades that exceed an upgrade or downgrade of 3 feet rise or fall per 100 feet longitudinally, or 3%. For grades steeper than 9%, stopping sight distance shall be calculated using equations in the AASHTO green book.

Table 5.4. Stopping Sight Distance on Grades

Design Speed (mph)	Stopping Sight Distance (ft)					
	Downgrades			Upgrades		
	3%	6%	9%	3%	6%	9%
15	80	82	85	75	74	73
20	116	120	126	109	107	104
25	158	165	173	147	143	140
30	205	215	227	200	184	179
35	257	271	287	237	229	222
40	315	333	354	289	278	269
45	378	400	427	334	331	320

5.6.1.2 Sight Distance Measurement Criteria

Sight distance is the distance along a roadway throughout which an object of specified height is continuously visible to the driver. This distance is dependent on the height of the driver's eye above the road surface, the specified object height above the road surface, and the height and lateral position of sight obstructions within the driver's line of sight.

5.6.1.2.1 Height of Driver's Eye

For all sight distance calculations involving passenger vehicles, the height of the driver's eye is considered to be 3.50 feet above the road surface. For large trucks, including single-unit trucks and semi-trailers, the recommended value of a truck driver's eye height is 7.60 feet above the road surface.

5.6.1.2.2 Height of Object

For stopping sight distance calculations, a 2.00 feet object height is used. For intersection sight distance calculations, an object height of 3.50 feet is used.

5.6.1.3 Sight Distance on Horizontal Curves

For general use in design of a horizontal curve, the sight line is a chord of the curve, and the stopping sight distance is measured along the centerline of the inside lane along the curve. The value of the horizontal sight line offset (HSO) are determined by setting S, as shown in the diagrammatic sketch in Figure 5.1 and Equation 5.1, equal to the stopping sight distance (SSD). Alternatively, horizontal sight distance for existing conditions can be measured graphically using a computer automated drafting (CAD) program.

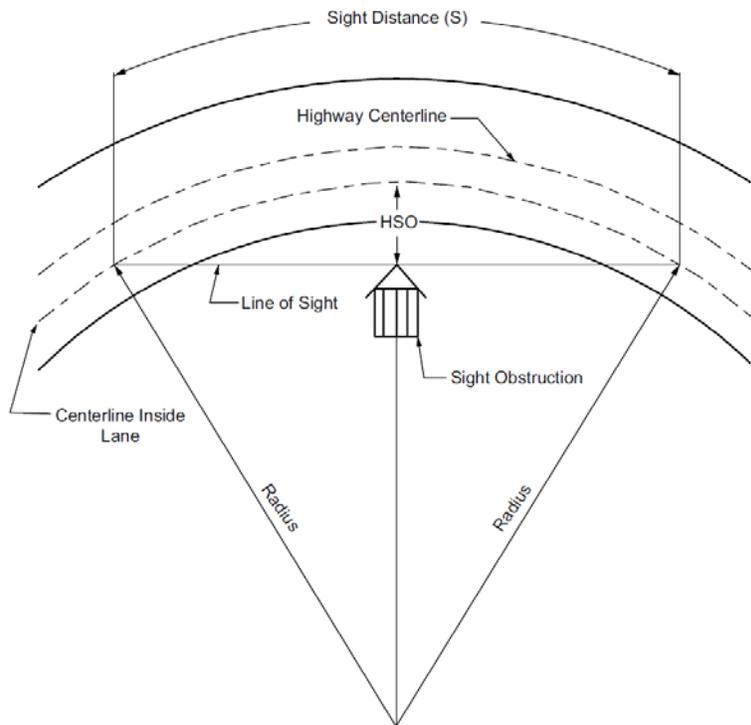


Figure 5.1. Diagram Illustrating Components to Determine Sight Distance

$$HSO = R \left[1 - \cos \left(\frac{28.65 S}{R} \right) \right] \quad (5.1)$$

Where:

HSO = horizontal sight offset (ft)

S = sight distance (ft)

R = radius of curve (ft)

5.6.1.4 *Sight Distance on Vertical Curves*

The controlling vertical curve design criteria found in Section 5.4.3.3 is based on sight distance. Vertical sight distance for existing conditions can be measured graphically using a computer automated drafting (CAD) program.

5.6.1.5 *Intersection Sight Distance*

Each intersection has the potential for several different types of vehicular conflicts. The possibility of these conflicts actually occurring can be greatly reduced through the provision of proper sight distances and appropriate traffic controls. The avoidance of conflicts and the efficiency of traffic operations still depend on the judgement, capabilities, and response of each individual driver.

Stopping sight distance is provided continuously along each roadway so that drivers have a view of the roadway ahead that is sufficient to allow drivers to stop. The provision of stopping sight distance at all locations along each roadway, including intersection approaches, is fundamental to intersection operation.

Mid-block or uncontrolled crosswalks shall meet minimum intersection sight distance requirements. Case B1 (Table 9-6 of AASHTO Greenbook) shall be used for minimum values.

5.6.1.5.1 Sight Triangles

Specified areas along intersection approach legs and across their included corners should be clear of obstructions that might block a driver's view of potentially conflicting vehicles. These specified areas are known as clear sight triangles. The dimensions of the legs of the sight triangles depend on the design speeds of the intersection roadways and the type of traffic control used at the intersection. These dimensions are based on observed driver behavior and are documented by space-time profiles and speed choices of drivers on intersection approaches. Two types of clear sight triangles are considered in intersection design—approach sight triangles and departure sight triangles.

5.6.1.5.2 Approach Sight Triangles (Uncontrolled or Yield-Controlled Intersection)

Each quadrant of an intersection should contain a triangular area free of obstructions that might block an approaching driver's view of potentially conflicting vehicles. The length of the legs of this triangular area, along both intersection roadways, should be such that the drivers can see any potentially conflicting vehicles in sufficient time to slow or stop before colliding within the intersection. Figure 5.2 shows typical clear sight triangles to the left and to the right for a vehicle approaching an uncontrolled or yield-controlled intersection.

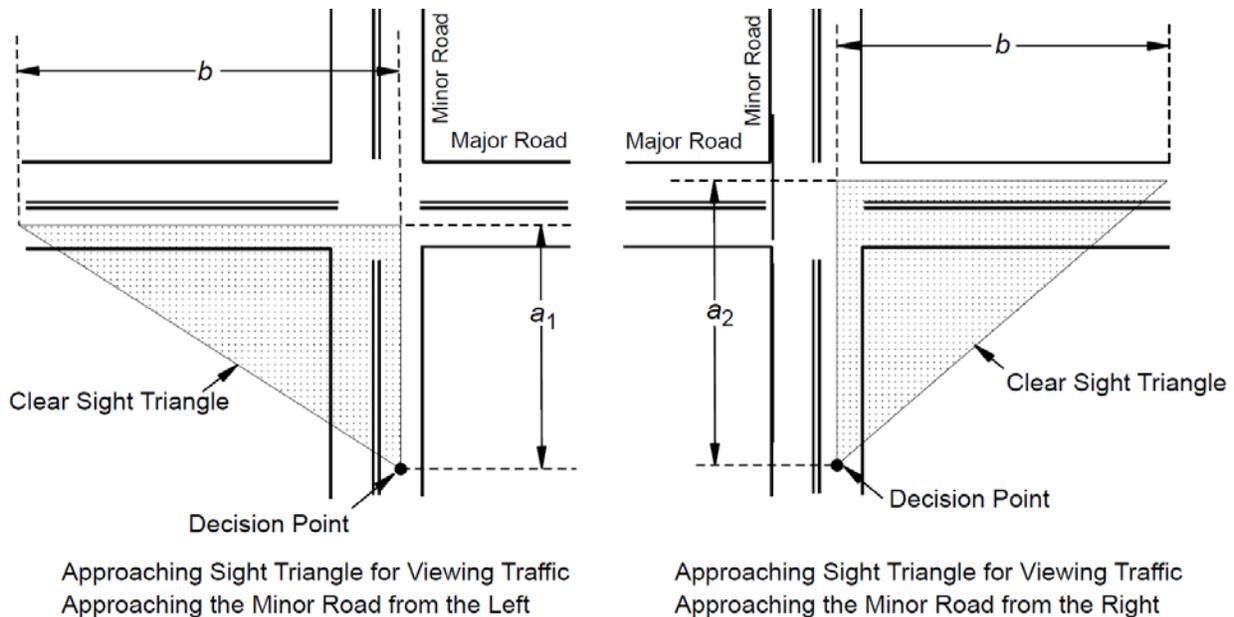


Figure 5.2. Approach Sight Triangles at Intersections (Uncontrolled or Yield-Controlled)

The length of the legs of the approach sight triangle shall be determined in accordance with the practices and standards established in Chapter 9 of the *AASHTO Greenbook*.

5.6.1.5.3 Departure Sight Triangles (Stop Controlled Intersection)

A second type of clear sight triangle provides sight distance sufficient for a stopped driver on a minor-road approach to depart from the intersection and enter or cross the major road. Figure 5.3 shows typical departure sight triangles to the left and to the right of the location of a stopped vehicle on the minor road. Departure Sight Triangles should be provided in each quadrant of each intersection approach controlled by stop or yield signs. Departure sight triangles should also be provided for some signalized intersection approaches.

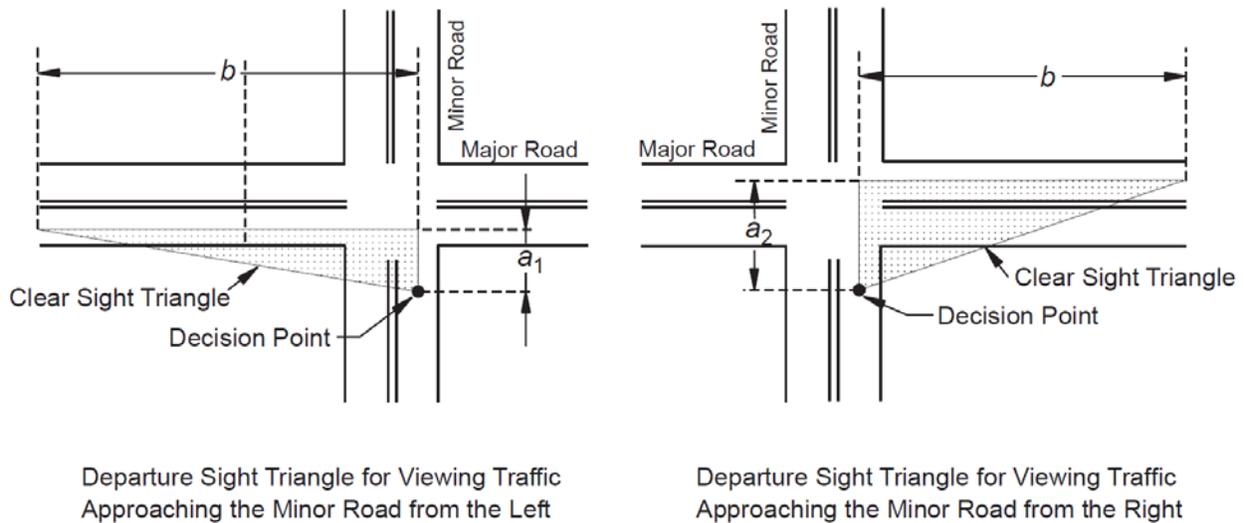


Figure 5.3. Departure Sight Triangles at Intersections (Stop-Controlled)

The length of the legs of the approach sight triangle shall be determined in accordance with the practices and standards established in Chapter 9 of the *AASHTO Greenbook*.

5.6.1.5.4 Identification of Sight Obstructions within Sight Triangles

The profiles of the intersection roadways should be designed to provide the recommended sight distances for drivers on the intersection approaches. Within a sight triangle, any object at a height above the elevation of the adjacent roadways that would obstruct the driver’s view should be removed or lowered, if practical. Such objects may include buildings, parked vehicles, roadway structures, roadside hardware, hedges, trees, bushes, unmowed vegetation, tall crops, walls, fences, stored snow and the terrain itself. No objects or improvements shall be allowed over 3.5 feet tall within the sight triangles, with the exception of regulatory signs, signals, or street lights. If landscaping elements are proposed within the identified sight triangles, landscaping must be maintained so that it does not become an obstruction over 3.5 feet tall. Maintenance responsibilities must be agreed upon with the Town Engineer. Sight triangles shall be shown on all roadway and site design plans.

5.6.2 Horizontal Alignment

Street layout is designed to bear a logical relationship with the topography, connect to existing and planned area streets, and provide reasonable access to adjacent parcels. Street layout shall be designed to fit the context of the development and serve vehicle, pedestrian, transit, and bicycle users. Street layout shall avoid long, straight sections to minimize the potential for speeding.

5.6.2.1 *Traffic Calming*

ITE defines traffic calming as “the combination of mainly physical measures that reduced the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users.” Local roads in residential neighborhoods shall be designed with traffic calming features. Intersection improvements and pedestrian crossing enhancements are encouraged for pedestrian safety. Major and minor collectors shall be analyzed for traffic calming and may require traffic calming features. Traffic calming encompasses a wide range of different features and methods; the appropriate features for a specific roadway is dependent on a variety of project specific features such as the design speed, traffic volume, development type, maintenance concerns, location within Town, and site constraints. The following hierarchy of traffic calming methods are listed in order from the generally most preferred method to the least preferred method.

1. Horizontal geometry (appropriate radius curves, chicanes, lane narrowing, and other geometry features to promote use of the roadway at the design speed)
2. Raised crosswalks at intersections
3. Intersection bulb-outs
4. Rectangular Rapid-Flashing Beacon or other light emitting hardware at pedestrian crossings
5. Roadway signage per MUTCD
6. Radar speed signs
7. Striping & thermoplastic markings
8. Median islands
9. Speed Humps

All traffic calming features shall be designed per MUTCD, ADA, and all other relevant standards. Features shall accommodate drainage and shall consider maintenance issues and effectiveness during winter conditions.

Traffic calming requests, studies, and design shall comply with the Town of Breckenridge Traffic Calming Policy, which may be obtained from the Engineering Division. Refer to Section 5.14 for traffic calming measures related to uncontrolled pedestrian crossings.

5.6.2.2 *Horizontal Curves*

Horizontal curve design should be based on an appropriate relationship between design speed, right-of-way, profile grades, and construction costs—and on their joint relationships with superelevation and side friction. Curves are not required when the delta angle (total central angle of the circular curve) is less than 1 degree. Curves should be at least 500 feet long for a central angle of 5 degrees, and the minimum length should be increased 100 feet for each 1 degree decrease in the central angle. The formula can be found in the *AASHTO Greenbook* and the CDOT M & S Standard Plans. Designers should use every effort to exceed the minimum curve radius when practical. Broken back, compound, spirals, or reverse curves are not recommended. Table 5.5 below gives the minimum horizontal curve radius for a normal crown of 2%. For superelevated roadways, refer to Section 5.4.2.3.

Table 5.5. Minimum Horizontal Curve Radius (Normal Crown)

Design Speed (mph)	Minimum Horizontal Curve Radius (ft)
15	50
20	110
25	200
30	335
35	510
40	765
45	1000

5.6.2.3 *Superelevation*

Local streets utilize standard crown sections and do not require superelevation. Superelevation may be considered on collector streets to address unique horizontal geometry, drainage, or grade issues. At intersections, grades of the minor street shall be warped to transition to the grades of the major street. If a street design requires the use of superelevation, factors controlling the use of

superelevation include climate conditions, terrain conditions, classification of the street, and the frequency of slow-moving vehicles on the roadway. In general, a lower rate of superelevation is used in urban areas. The maximum allowable superelevation rate is 6%.

The superelevation transition section consists of the superelevation runoff and tangent runoff sections. The superelevation runoff is the length of roadway needed to accomplish a change in outside lane cross slope from zero to full superelevation, or vice versa. The tangent runoff section is the length of roadway needed to accomplish a change in outside lane cross slope from normal cross slope rate to zero, or vice versa. Additional information pertaining to the lengths and use of transitions for simple and spiral curves can be found in the *AASHTO Greenbook*. Refer to *CDOT M Standard – Superelevation Streets* for design requirements.

5.6.3 Vertical Alignment

The design should take into consideration the impact the vertical grade has on the operation of the facility. Designers should consider stopping sight distance requirements for the given speed limit and the challenges of large cut-and-fill sections. Vertical curves are classified as either sag or crest curves. Typically, sag curves are controlled by nighttime driving conditions with headlight visibility restrictions, and crest curves are controlled by stopping sight distances. Vertical curves should be simple in application and should result in a design that is safe and comfortable in operation, aesthetically pleasing, and adequate for drainage—especially when a curb and gutter are used.

5.6.3.1 Terrain

Proposed roads shall follow the natural terrain of the existing area whenever possible.

5.6.3.2 Grades

Grade lines are typically controlled by topography and structure clearances, but very flat grade can be controlled by drainage considerations. Other factors that should be considered are street classifications, design speed, safety, and construction costs. A minimum value of 1.0% should be used for street sections with curbs and gutters. In certain conditions, 0.5% may be used. The designer should consider the ultimate design of the roadway, recognizing if a curb and gutter may be required in the future, and design for those conditions during the interim design. Grades 4% or steeper may require special consideration for drainage or erosion protection.

Maximum grades of streets shall not exceed 6%. Major collectors shall flatten to 2% slope for intersections and shall meet the requirements of vertical curves at the intersections. Minor collectors and local roads shall flatten to 4% slope at intersections and shall meet the requirements of vertical curves at the intersections.

5.6.3.3 Vertical Curves

When using combinations of horizontal and vertical curves, it is important to recognize the driver's perspective. Sharp horizontal curvature should not be introduced at or near the top of a pronounced crest vertical curve. If unavoidable, the horizontal curve should be made longer than the vertical curve to help minimize the driver's inability to perceive the horizontal change, especially at night (For further details, see *AASHTO Greenbook* and the *CDOT Roadway Design Guide*). The length of vertical curves can be determined by dividing the rate of vertical curvature by the grade change or algebraic difference in intersecting grades.

$$L = K/A \tag{5.2}$$

Where:

L = length of the vertical curve (ft)

K = rate of curvature
 A = grade change (%)

A vertical curve is not required when a grade change or the algebraic difference is equal to or less than 0.2%. The preferred minimum length of a vertical curve is 300 feet. The allowed minimum is 3 times the roadway design speed. Table 5.6 below gives the minimum K values based on design speed.

Table 5.6. Minimum K Values for Vertical Curves

Design Speed (mph)	Minimum K Value (Crest)	Minimum K Value (Sag)
15	3	10
20	7	17
25	12	26
30	19	37
35	29	49
40	44	64

5.6.3.4 Vertical Clearance to Obstructions

Private overhead structures are not permitted in the public ROW and consideration of such structures shall be limited. Signal height clearances shall be per the current MUTCD. For other structures, there shall be a minimum 18-foot clearance on streets. For sidewalks and shared use paths, there shall be a minimum 10-foot clearance.

5.6.4 Cross Section Elements

5.6.4.1 Traveled Way

5.6.4.1.1 Cross Slope

Cross slope is necessary to ensure adequate drainage. The preferred value for a cross slope is 2% for paved streets. Undivided streets should have a normal crown that is a two-way cross slope, with the high point of the cross section located on the street centerline. Divided streets should have a cross slope on each side of the divide, with the high point of each section located where the pavement meets the median. Cross slopes of 2% are permissible on concrete roadways. Intersections of streets with curbs and gutters sometimes require the use of cross-pans for drainage. At these areas, the normal two-way 3% cross slope shall transition to a one-way slope adjacent to the cross pan, with a slope range of 1% to 2%. Cross-pans shall not be allowed on major collectors and are discouraged on minor collectors.

5.6.4.1.2 Lane Widths

Lane widths shall be 11 feet minimum asphalt width in the Town of Breckenridge historic district, and 12 feet minimum asphalt width outside of the historic district, unless a variance is granted by the Town Engineer. The Breckenridge Historic District is defined in Title 9 of the Town Code and the “Breckenridge Handbook of Design Standards. The limits of the Historic District are shown on the Town’s website. The curb, valley pan, or shoulder is not counted in the lane width dimension.

5.6.4.2 Shoulders

Shoulder width shall be 2 feet minimum of compacted aggregate base course plus 4 feet of recoverable zone with only grass vegetation (6-foot wide total clear zone).

Shoulder width for Major Collectors and Arterials shall 4 feet minimum of aggregate compacted base course plus 10 feet of recoverable zone with only grass vegetation (14-foot wide total clear zone).

5.6.4.3 *Roadside Design*

5.6.4.3.1 Cut and Fill Slopes

Cut and fill slopes for roadway embankment of 3:1 or flatter are preferred. Maximum cut and fill slopes shall be 2:1. Consideration should be given to snow removal problems and snow storage in slope design. It is considered advisable to use flatter slopes in cuts on the southerly side of the roadway where this will provide additional exposure of the pavement to the sun. Flatter slopes shall be considered to reduce erosion, maintenance costs, and to facilitate vegetation. If steeper slopes are needed, side slope material shall be evaluated based on drainage needs to determine appropriate material for stabilization of the slope. See Chapter 7 of these standards for further guidance on temporary and permanent stabilization measures.

The tops of all cut slopes shall be rounded where the material is other than solid rock. A layer of earth overlying a rock cut shall also be rounded.

5.6.4.3.2 Roadside Ditches

See Chapter 6 for Roadside ditch information and design.

5.6.4.3.3 Clear Zone

All fixed objects should be located outside the clear zone as defined in the *AASHTO Roadside Design Guidelines*. The design should provide a clear zone as wide as practical within constraints per the latest version of the *AASHTO Roadside Design Guidelines*. For low speed, low volume roadways a minimum clear recovery zone area of 7 feet in width shall be provided for roadways without curb and 2 feet in width for all roadways with curb.

5.6.4.3.4 Obstructions

Mailboxes, address monuments, landscaping, stone headwalls, and other objects shall not be located within the right of way. If any improvements are allowed in the ROW, an encroachment license shall be filed prior to issuance of permit.

5.6.4.3.5 Roadside Barriers

The installation of roadside barriers on embankments and adjacent to fixed objects may reduce the combined effect of severity and frequency of "run-off-road" type crashes. Roadside barriers reduce crash severity only when the overall severity of striking the guardrail is less than the severity of going down an embankment or striking a fixed object. They should not be installed if they are likely to create a greater hazard than running off the street. To the extent possible, streets shall be designed to eliminate the need for roadside barriers by eliminating obstructions, steep grades, and other hazards from the clear zone. Evaluating installation of roadside barriers shall consider crash experience, street objectives, functional classification of streets, design speed, traffic volume and type, street cross section, height of embankment, steepness of fill slope, horizontal curvature, gradient or profile conditions, street side conditions, climatic conditions, and degree of projected injury from traveling off the street. Special consideration shall be given to winter and icy conditions which might necessitate a roadside barrier that would not be needed under normal conditions. Refer to the *AASHTO Roadside Design Guide* for roadside barrier best practices. Refer to the *CDOT M Standards* for roadside barrier installation and construction requirements.

Guardrails and concrete barriers shall typically be colored brown and rails shall not be made of galvanized or reflective materials (reflector tabs and other reflective devices shall be installed per AASHTO and CDOT standards). Custom guardrails or barriers utilizing natural materials shall meet AASHTO and CDOT standards and be impact rated.

When roadside barrier is considered for installation, especially in extended lengths, provisions shall be made for adequate snow storage and removal. Flared end treatments are preferred over non-flared end treatments for snow removal operations.

5.6.4.3.6 Retaining Walls

Retaining walls and abutments are discouraged within the publicly maintained right-of-way. All designs of retaining walls, foundations, and abutments exceeding 48 inches in height (measured from finished grade) will require a sealed geotechnical design and a sealed structural design. Both designs will need to be prepared by registered professional engineers in the State of Colorado prior to the any approval of the retaining wall and abutment. Retaining wall and abutments retain earth with lateral support or at the end of a bridge span, respectively. The design of these structures depends upon type, function, and anticipated service life of retaining wall, earth pressure exerted on the wall by the retained backfill, geometry, strength and deformability of the ground, groundwater, and welling pressure in clay backfills. Four types of retaining wall systems are discussed in this section: conventional retaining walls and abutments, anchored walls, mechanically stabilized earth walls, and prefabricated modular walls.

Wall aesthetics shall be approved by the Town Engineer. Local Home Owner's Association (HOA) requirements may apply in certain instances.

Retaining walls needed to support private improvements shall not be located in the public right-of-way.

Full or partial height walls shall not be located closer than the outer edge of shoulder. When the top of the retaining wall is at the level of a roadway, the face of the parapet wall or rail shall be at least 4 feet from the edge of the traveled way.

1. **Conventional Retaining Walls and Abutments:** Conventional retaining walls and abutments are proportioned to provide stability against bearing capacity failure, overturning, and sliding. Retaining walls are discouraged within the public right-of-way. They will be allowed only when necessary to support public improvements. Design of conventional retaining walls and abutments shall satisfy the following loading factors:
 - a. Lateral earth and water pressures, including any live and dead load surcharges.
 - b. The weight of the wall.
 - c. Temperature and shrinkage effects.
 - d. Seismic loads.
2. **Anchored Walls:** Anchored walls provide additional lateral resistance with the use of anchors. Their design is based on the suitability of the subsurface soil and rock conditions. Design of anchored walls shall satisfy the following loading factors:
 - a. Lateral earth and water pressures, including any live and dead load surcharges.
 - b. The weight of the wall.
 - c. Seismic loads.
3. **Mechanically Stabilized Earth Walls:** Mechanically Stabilized Earth Walls (MSEW) are flexible composites of granular soil and tensile inclusions that behave as earth embankments with vertical or nearly vertical faces. MSEW are proportioned to provide stability against overturning

and sliding. Bearing pressure generally governs design. An MSEW should be used where substantial total and differential settlement is expected. This type of wall may also be used where conventional gravity, cantilever, or counterforted concrete retaining walls are considered. An MSEW shall not be used where utilities other than highway drainage are to be constructed within the reinforced zone or floodplain erosion or scour may undermine the reinforced fill zone or any supporting footing. An MSEW shall not be used where surface or groundwater contaminated by acid mine drainage or other industrial pollutants is present. Design of MSEWs shall satisfy the following loading factors:

- a. Lateral earth and water pressures, including any live and dead load surcharges.
 - b. The weight of the wall.
 - c. Seismic loads.
4. Prefabricated Modular Walls: Prefabricated modular walls employ soil-filled interlocking modules to resist earth pressures. Stability of modular walls depends upon the weight and strength of the fill soil. Each module level shall be investigated for sliding and overturning. A prefabricated modular wall may be used where conventional gravity, cantilever, or counterforted concrete retaining walls are considered. A prefabricated modular wall shall not be used on curves with radius less than 800 feet, unless the chord can be substituted with a series of chords, or where groundwater or surface runoff is contaminated with acid. Design of prefabricated modular walls shall satisfy the following loading factors:
- a. Lateral earth and water pressures, including any live and dead load surcharges.
 - b. The weight of the wall.
 - c. Seismic loads.
 - d. Earth pressure shall be computed on a plane surface where modules form an
 - e. irregular, stepped surface. K_a , used to compute lateral thrust, shall be computed based on the friction angle of the backfill behind the modules.

5.6.4.4 Curbs

Curb and gutter is required at the following locations:

1. On all streets in flat or rolling terrain within subdivision or any similar-type developments where high densities have been planned.
2. Where required by drainage, traffic, or public safety.
3. To replace existing curb.

Refer to the Street Standard Drawings for approved curb and gutter types.

5.6.4.5 Medians

Medians other than those listed within the street cross-sections are generally not permitted on new Town streets and must be approved by the Town Engineer. Medians shall be designed with plowable noses.

5.7 INTERSECTIONS

See Section 5.4.1.5 for intersection sight distance requirements.

5.7.1 Alignment and Profile

Streets must intersect one another at 90-degree angles or as close to 90 degrees as the topography allows. Angles less than 90 degrees must be approved by the Town Engineer. Angles less than 80 degrees are not permitted. Intersecting streets shall remain perpendicular for a minimum of 50 feet from the intersection.

In general, grades for intersecting roads should be as flat as possible to provide for storage platforms and sight distance. Grades shall not exceed 2 percent across a pedestrian access route (PAR) if the intersection is controlled by a stop sign or yield condition. Grades exceeding 2% across a PAR are permissible at signalized intersections or uncontrolled intersection legs, but every effort should be made to minimize the grade to meet 2%. Approach grades greater than 4 percent should be avoided. Grades that may need to be steeper to accommodate cases where the existing terrain does not allow for flatter intersections must be approved by the Town Engineer.

Parking shall not be located within 20 feet of an intersection.

5.7.2 Corner Radii

Radii of 15 to 25 feet are adequate for passenger vehicles. These radii may be provided at minor cross streets where there is little occasion for trucks to turn or at minor intersections where there are parking lanes. Where the street has sufficient capacity to retain the curb lane as a parking lane for the foreseeable future, parking should be restricted for appropriate distances from the crossing.

Radii of 15 feet or more at minor cross streets should be provided on new construction and on reconstruction where space permits.

Radii of 20 feet or more at major cross streets should be provided where feasible so that an occasional truck can turn without too much encroachment.

Radii of 30 feet or more should be provided where large truck combinations and buses turn frequently. Longer radii are also desirable where speed reductions would cause problems.

Curb radii should be coordinated with crosswalk distances or special designs to make crosswalks safe for all pedestrians. Designs which can minimize the corner radii for pedestrians and passenger vehicles, while still allowing trucks to make turning movements, are encouraged. Examples include truck blisters, rollover curb, and eliminating any structures or other objects behind the curb but within the truck radius.

5.7.3 Functional Intersection Area

Functional intersection area is the area upstream and downstream of an intersection where intersection operation and conflicts influence driver behavior, vehicle operations, or traffic conditions. Separation of access points should not be less than the functional area of the intersection.

The upstream distance is a combination of the storage length, deceleration and taper length, and the perception-reaction distance required for the speed of the segment. The downstream distance is measured as either acceleration length or decision sight distance. Providing acceleration length allows vehicles to accelerate to normal speed without conflict. Providing decision sight distance allows drivers to pass through an intersection before considering potential conflicts at the next intersection. Functional intersection area is demonstrated below in Figure 5.4.

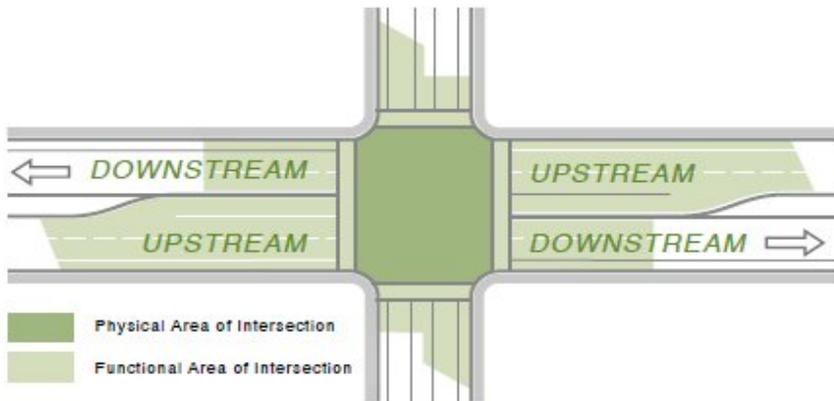


Figure 5.4. Functional Intersection Area

5.7.4 Channelization

5.7.4.1 Islands

Islands are generally not permitted on new Town streets, and must be approved by the Town Engineer. Exceptions are made for roundabouts. Islands shall be designed with plowable noses.

5.7.4.2 Medians

Medians are generally not permitted on new Town streets and must be approved by the Town Engineer. Exceptions are made for roundabouts. Medians shall be designed with plowable noses.

5.7.5 Auxiliary Lanes

Auxiliary lanes are useful in maintaining the safety, traffic flow, and operation of a roadway or access. When auxiliary lanes are required by the Town or warranted by information obtained during the development review process, the applicant is responsible for design, installation, and any purchase of right-of-way to accommodate the required lane width. Auxiliary lanes are required when unique location factors (e.g., roadway speed and traffic density, access volume, the volume of commercial trucks, the influence of nearby accesses, existing auxiliary lanes close to the proposed access, nearby traffic control devices, available stopping sight distance, and other topographic or roadway design factors) exist that determine the need for auxiliary lanes. Auxiliary lanes are required to mitigate specifically identified and documented locations with safety and operation issues.

5.7.5.1 Deceleration Lanes

A left deceleration lane, also called a left-turn lane, with storage length plus taper length, is required for any access with a projected peak hour left ingress turning volume greater than 25 vph. If the posted speed is greater than 40 mph, a deceleration lane and taper is required for any access with a projected peak hour left ingress turning volume greater than 15 vph. The taper length will be included within the deceleration length. A left deceleration lane is not required when the opposing projected peak hour traffic volume is less than 150 vph.

A right deceleration lane, also called a right-turn lane, with storage length plus taper length, is required for any access with a projected peak hour right ingress turning volume greater than 50 vph. If the posted speed is greater than 40 mph, a right turn deceleration lane and taper is required for any access with a projected peak hour right ingress turning volume greater than 25 vph. The taper length will be

included within the deceleration length. A right deceleration lane is not required when the advancing projected peak hour traffic volume is less than 400 vph.

5.7.5.1.1 Storage Length

The storage length for an auxiliary lane can be determined by the information summarized in Table 5.7. These lengths are based on the average length of a passenger vehicle and the estimated turning vehicles per hour. Estimated lengths for buses, larger trucks, and recreational vehicles must be determined and submitted to the Town for review. The basis for designing the length of required storage is to provide sufficient length for vehicles to queue within the lane without affecting other movements. Table 5.8 provides the required storage lengths for stop-controlled and signal-controlled intersections. If the Department of Public Works determines that meeting the required storage length is impractical or will result in an unsafe condition, the minimum storage length shall be based on the mean arrival rate. But in no case shall the minimum auxiliary lane length be less than 50 feet.

Table 5.7. Acceleration/Deceleration Lane Design Criteria

Posted Speed Limit (mph)	25	30	35	40	45
Deceleration length (ft)	180	250	310	370	435
Acceleration length (ft)	N/A	190	270	380	550
Transition taper (ratio)	7.5:1	8:1	10:1	12:1	13.5:1
Straight taper (ratio)	15:1	15:1	20:1	30:1	45:1

Table 5.8. Auxiliary Lane Storage Lengths

Turning vehicles per hour	<30	30-59	60-100	>100
Minimum required storage length (ft)	25	40	50	100

5.7.5.1.2 Tapers

Auxiliary lanes typically consist of one or more of the following: transition taper, full width auxiliary lane, and storage length. The use of these components varies based on the type of access, through street classification, and site-specific conditions (grades). To determine the required acceleration and deceleration lane and transition taper length, see design criteria presented in Table 5.7. The length of the required transition taper is determined by multiplying the distance offset by the transition taper ratio value associated with the posted speed. The beginning and ending point of all tapers shall be rounded.

Transition tapers: The purpose of a transition taper is to provide sufficient length for a vehicle to accelerate or decelerate to the appropriate speed and merge into and out of the through traffic lanes without disrupting traffic flow. The length of a transition taper is calculated by multiplying the width of the lane by a standard ratio. The beginning and ending point of all tapers shall be rounded.

Redirect or straight tapers: Redirect tapers shall be used where an exclusive turn lane, median, or other redirection of vehicles is necessary and where redirection of the flow of traffic is necessary to accommodate the exclusive turn lane or median. If the redirect taper would result in a horizontal curve design deficiency for the through movement, the horizontal curve shall be corrected. Redirect tapers should be designed as straight tapers with the beginning and ending points rounded.

5.7.5.2 Acceleration Lanes

Acceleration lanes are required at any access with a project peak hour right turn volume of greater than 50 vph and a posted speed of 40 mph or greater. The purpose of an acceleration lane and

transition taper is to provide sufficient length for a vehicle to accelerate to the appropriate speed and merge into the through traffic lanes without disrupting traffic flow. Table 5.7 above provides the required acceleration lane and transition taper lengths by design speed. Acceleration lane lengths shall be adjusted for a grade of 3% or more. The total length of the acceleration lane includes the values of both the lane and transition taper. Shorter acceleration lanes are not permitted, as they are not used properly by most of the traveling public.

5.7.5.3 Two-way Left Turn Lanes

Two-way left turn lanes should be used sparingly. Two-way left turn lanes may be considered on arterial roadways in areas where several low-volume commercial accesses are closely spaced. Two-way left turn lanes shall be 12-16 feet wide.

5.8 DEAD END STREETS (CUL-DE-SACS)

Dead-end streets are discouraged and shall be avoided unless topographic or other unique site constraints limit construction of interconnected streets. The design of cul-de-sacs will be reviewed following the Street Standard Drawings. Any public street or private street that dead ends shall terminate in a cul-de-sac. All cul-de-sacs shall include signage within fifty feet of the inlet indicating that the street is a dead-end street.

5.9 BRIDGES

Bridges, arch culverts, and other structures shall be designed per the CDOT Bridge Design Manual and AASHTO standards. Bridges shall be designed to accommodate the full lane widths, shoulders, curbs, sidewalks, ROW widths, and other improvements detailed in this chapter. Future development and improvements shall be considered when designing bridges. Pedestrian bridges shall exceed the width of the pedestrian route it is serving and shall be 8' minimum width for shared use paths and 12' minimum width for shared use paths.

See Town of Breckenridge Open Space and Trail standards for requirements on bridges for soft surface trails.

See Chapter 6 of these standards for hydrologic requirements of bridge structures.

5.10 ACCESS CONTROL AND MANAGEMENT

An access is defined as a privately owned connection to a Town street or right-of-way and may also be referred to as an access road or driveway. A Town, County, or CDOT owned roadway is not classified as an access. Establishing access criteria and the application of access management techniques is highly desirable on public streets. Effective access management enhances the capacity and safety of a street and preserves those elements as the corridor develops further. While access to adjacent properties are required, the Town should attempt to limit the number of access points and their locations, especially on intersection approaches.

5.10.1 Private Access

Private accesses service four or less single-family homes, one multi-family property, or one commercial property. An access serving five or more homes shall be classified as either a public or private street and not an access (see Section 5.19.1). Private accesses are not owned, maintained, or plowed by the Town. They are the sole responsibility of the property owner. A private access that serves multiple lots shall be located in an easement or common area. The easement or common area width shall accommodate the access width, drainage, construction requirements (slopes, etc.), snow storage, and other appropriate design elements. Cross parcel access easement shall not be less than 30 feet wide. Private access design shall also incorporate International Fire Code (IFC), Red, White,

and Blue Fire Department, and development code parking lot design requirements, which are listed those respective standards and codes.

5.10.1.1 Commercial

A commercial private access is the paved vehicle access route for a commercial lot or development and may include the access driveways and parking areas that serve the development.

5.10.1.2 Residential

A residential private access is the paved vehicle access route for four or less single-family homes, two duplexes, one triplex, or a multi-family development and may include the access driveways, and parking areas that serve the development. An access to multiple duplexes or townhomes shall be a public road.

5.10.2 Access Changes

Access changes on Town of Breckenridge streets will typically require a Town Development Permit and a Right of Way permit. Access changes on State Highway 9 will require a CDOT access permit. Access changes on a Town Street (not directly located on a State Highway), but increasing traffic at the nearest State Highway 9 intersection by at least 20%, will also require a CDOT access permit.

5.10.2.1 Number of Accesses

Only one access shall be provided per lot for safe ingress and egress. Where topographic or other site conditions exist, shared access between lots may be required.

Additional accesses may be approved off local streets that meet the minimum spacing requirements shown in Table 5.9. Accesses for a collector or arterial street frontage wherein a traffic impact study demonstrates a need for a second access based on traffic volumes, unique site or constraints or site requirements that generates the need for the second access; No feasible design alternatives are available to eliminate the need for a second access. Additional accesses may be allowed if required per IFC code requirements, or for large commercial developments. If an additional access is allowed, the second access shall be added from the minor street. Access from the major street shall be limited to the greatest extent possible.

Where an existing access is required to be removed, the owner is required to remove the driveway, the driveway connection to the public road, driveway apron, and other associated driveway improvements. Where the access crosses a sidewalk, owner will be required to remove the driveway cut and construct curb across the access. Owner will also be required to add any landscaping or block vehicle access with grading, landscaping, or other obstructions.

5.10.2.2 Location

Access shall be from the lowest classification street. Lots with alley frontage shall have access from the alley only. When sites adjacent to an alley redevelop, propose a significant remodel or addition, or add a secondary unit, accesses and parking on an adjacent street shall be removed and access shall be solely from the alley. Accesses on a cul-de-sac shall be located to provide room for snow storage and shared access may be required. Exception: where there is an existing garage served by the street that shall remain without changes, the street access can remain to serve the garage. If feasible that access should be upgraded to meet current standards.

One driveway shall be allowed per lot unless otherwise permitted by the Town Engineer. Circular driveways, consisting of two curb cuts onto a street, are not permitted. A second driveway access is only allowed when required by IFC or RWB fire requirements.

All intersection and driveway accesses shall intersect the roadway at a ninety-degree angle.

No backout movements shall be permitted on arterial, major collectors, and minor collectors. Driveways on minor collector streets and above shall have internal circulation provided to allow turnaround movements within the driveway.

One-way accesses are discouraged.

Access location shall be configured to optimize sight distance, separation from adjacent intersections and driveways, and grade at the intersecting road (avoid steeper portions of adjacent roadway).

Commercial or multi-family residential accesses may not be allowed on roadway grades exceeding 6%. On roads exceeding 6%

5.10.3 Access Management Techniques

Several access management techniques may be used to implement best management practices. Techniques include, but are not limited to the following:

1. Consolidate access by reducing the number of access points that serve a single property or by providing joint access for multiple properties at or near a shared property line.
2. Connect adjacent properties to provide circulation between properties and increase access opportunities for multiple properties.
3. Define driveways to provide clear identification of entrance and exit locations.
4. Locate access to a side street (local road) instead of a major road (arterial or collector) to reduce vehicle conflict on the major road.

5.10.4 Sight Distance

Sight distance at accesses must comply with Chapter 9 of the *AASHTO Greenbook*. Table 5.9 identifies the appropriate design vehicle to be used for sight distance calculations. Where existing objects obstruct the AASHTO sight distance for single family or duplex homes, the sight distance triangle may be reduced from 14 feet to 10 feet from the edge of the roadway.

Table 5.9 Design Vehicle Selection for Access Sight Distance

Land Uses Served by Access	Design Vehicles (for sight distance calculations)
Residential (Non-School Bus Route)	Passenger Cars, Pickup Trucks
Part of Any School Bus Route Regardless of Land Use	No Less Than Single Unit Trucks
Office	Single Unit Trucks
Recreational	Single Unit Trucks
Commercial/Retail	Multi-Unit Trucks*
Industrial	Multi-Unit Trucks*
Municipal Streets & County Roads	Multi-Unit Trucks*
Agricultural Field Approaches <1 Per Day	Single Unit Trucks

*If Less Than 2 Multi-Unit Truck Trips Per Day (Average), Use Single Unit Truck

5.10.5 Access Spacing

Table 5.10. provides access spacing requirements based on street classification. Access spacing and offset requirements shall be measured from the edges of the nearest curb returns or pavement radii terminations.

Table 5.10 Access Spacing Requirements

Design Element	Street Classification of Road being accessed by Driveway			
	Arterial	Major Collector	Minor Collector	Local
Offset between Street Intersections	¼ Mile	1000'	500'	300'
Offset between adjacent Major Access Driveways (≥100 trips per day)	300'	150'	100'	50'
Offset between adjacent Minor Access Driveways or one Major Access Driveway and one Minor Access Driveway (<100 trips per day)	150'	75'	50'	30'
Offset between Major or Minor access and street intersection	300'	150'	100'	50'

5.10.6 Access Width

Table 5.11 provides access width requirements.

Table 5.11 Access Width Requirements

Layout Parameters	Residential-1 Unit	Residential-2 Units	Residential-3-4 Units	Residential (Multi-Family Greater than 4 units)	Residential Private Street	Commercial or Industrial Private Access
Minimum Width	12'	12'	12'	12'	24'	12'
Maximum Width (Includes flared pavement radius at edge of roadway)	20'***	20'***	24'	24'	24'	32'*
Pavement Return Radius	0'-5'	0'-5'	0'-10'	0'-10'	10'-20'	10'-20'

Maximum Slope (Centerline)	8%	8%	8%	8%	6%	8%
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*Utilization of maximum width shall be approved by the Town Engineer.

**Maximum width shall include pavement return radius

5.10.7 Access Type

5.10.7.1 Curb Cut Driveway

In general, if there is a pedestrian sidewalk path along the roadway where an access is proposed, the sidewalk shall continue across the driveway. Refer to the Street Standard Drawings for curb cut driveway requirements and details. Exceptions can be made when the single unit and multi-unit truck peak hour volume is greater than 5.

5.10.7.2 Radius Driveway

A radius driveway is defined as an access with curb ramps and without a continuous sidewalk across the access. Radius driveways shall be designed in accordance with intersection requirements of this chapter. With a radius driveway, access radii shall be per Table 5.11. If the design vehicle intended to use the access daily is a single-unit exceeding 30 feet, multi-unit, or another vehicle requiring a larger radius, the minimum turn radius accommodating this design vehicle shall be used. Access radii shall allow safe maneuvers without intrusion into adjacent highway travel lanes. In instances where multiple larger vehicles are likely to oppose each other at the access, the radii should be adequate to accommodate both vehicles without conflict. Radius shall balance vehicle access while also promoting slowing of vehicles. Smaller radii should be used where an access crosses a pedestrian route to encourage slower speeds.

5.10.8 Access Design Details

5.10.8.1 Access Profile

Driveways shall match the roadway cross-slope for the first five feet, shall not exceed 4% for the following 15 feet, and shall not exceed 8% for the remainder of the driveway.

If a pedestrian access route crosses the driveway, the driveway cross-slope shall be a maximum of 2% for the width of the pedestrian access route (minimum 4 feet wide).

5.10.8.2 Access Geometry

Driveways shall meet adjacent streets, alleys, or driveways at a ninety degree angle and remain perpendicular for a minimum of 10 feet from the intersection. Driveways shall have a minimum inside turning radius of 26 feet and outside radius of 38 feet for fire department access, unless an alternate fire access is provided.

5.10.8.3 Access Surfacing

All accesses shall be paved. Pavement placement shall occur prior to issuance of certificate of occupancy or sooner if required to meet Fire Department or utility requirements. All accesses serving more than four units or lots shall be maintained in proper working condition to prevent potholes and overall surface deterioration. All access and parking areas shall be paved with asphalt, concrete, recycled asphalt, or other all-weather drivable surface approved by the Town Engineer. Access flexible pavement sections shall match the roadway pavement section for a minimum of 10 feet from the edge of the traveled way. Concrete accesses shall either terminate 4 feet from the edge of asphalt on Public Streets with a 3-inch thick minimum asphalt apron constructed between the concrete access and the

public street., or concrete can be placed to the edge of asphalt if it is even with or 1 inch lower than the top of asphalt and an expansion joint is provided between the asphalt/concrete interface.

Asphalt pavement shall be a minimum of 3" asphalt on 4" aggregate base course between the roadway and edge of right of way.

5.10.8.4 Access Drainage

Any access connecting to a road with curb and gutter or valley pans shall have a concrete cross-pan installed across the driveway. Any access connecting to a road with an existing road side ditch shall have an 18 inch culvert installed beneath the driveway. The roadside ditch shall be re-graded as needed from the ends of the culvert until the ditch daylights at a 1% slope. Where an access is added to the downhill side of a road and there is no curb, valley pans, or ditches on the existing road, the access may be exempted from the cross pan and culvert requirement.

5.10.9 Access Maintenance

An access does not typically require an encroachment license in the right-of-way. The access and all associated improvements (pavement, culvert, cross pan, flared end sections) shall not be owned or maintained by the Town. All ownership, maintenance, and replacement work shall be the responsibility of the owner. The Town is not liable for any damage incurred by the Town or others to driveway improvements within the right-of-way. The Town shall not be responsible for any damage caused by snow removal, Town vehicles, maintenance, or any other causes. The Town shall have the right to work on the access improvements within the right-of-way as required, such as clearing sediment from culverts and connecting to the access pavement when re-paving the public road, but the Town shall be under no obligation to complete any repair or maintenance.

5.11 PARKING AREAS (ON-STREET PARKING WITHIN RIGHT-OF-WAY)

5.11.1 Section 5.11 sets minimum standards for on-street parking. See Chapter 3 of Title 9 of the Town Code for off-street parking requirements. On-street Parking

On-Street Parking shall be provided as shown within the street classification cross sections. On-street parking may be provided along streets when approved as part of the Development permit approval. All eligible on-street parking areas shall be clearly depicted on a plan. Such parking areas shall not conflict with any turning movements or obstruct access to any street, sidewalk, crosswalk, alley, access, or fire hydrant.

5.11.2 Parking Area Surfacing

All parking areas shall be paved with asphalt, concrete, recycled asphalt, or other all-weather drivable surface approved by the Town Engineer.

5.11.3 Parking Grades

Parking areas shall have a maximum grade of 4% and a minimum grade of 1%. ADA parking spaces shall have a maximum grade of 2% in any direction.

5.11.4 Parking Stall Requirements

Minimum parking stall size requirements are described below. Parking shall not encroach onto sidewalk, bike lanes, or other pedestrian facilities.

1. The minimum stall size shall be 18 feet long by 9 feet wide for 90 degree or angled parking. Actual striping dimensions shall be adjusted for angled parking to fit the minimum stall size.

2. Parallel parking: 25 feet long by 8 feet wide. Parallel parking stall at the end of a block may be reduced to 20 feet. Accessible parallel parking spaces shall be located near a curb ramp and shall be in an area that is not obstructed by trees or other objects behind the curb.
3. Accessible parking: 18 feet long by 8 feet wide, with a 5- to 8-foot accessibility lane (8 feet is required for van parking). An ADA accessible route shall be provided from the accessible stalls to the businesses being served or the nearest pedestrian route. ADA parking space location, frequency, slopes, and other requirements shall meet PROWAG standards.

5.11.5 Parking Construction Requirements

Construction of on street parking shall meet all standards and specifications of the adjacent street, including pavement thickness, compaction, and other construction specifications. See Chapter 9 of these standards for additional construction requirements.

5.12 PEDESTRIAN AND BICYCLE FACILITIES

Increasing congestion and mode conflict is accompanied by growing public awareness of the need of safe and convenient multi-modal facilities to promote alternative transportation and healthy lifestyles. This section provides for the design of pedestrian, bicycle and transit facilities that play a key role in providing improved accessibility, mobility, and transportation system continuity.

This section shall be used in combination with the AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities, AASHTO Guide for the Development of Bicycle Facilities, CDOT Roadway Design Guide (Chapters 12 and 14), Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), and ADA Accessibility Guidelines (ADAAG) for the design and installation of all pedestrian and bicycle facilities. Where no requirement is given, the current edition of the design standards listed above shall govern.

Section 5.12 applies to both public and private streets. Internal circulation (outside of right-of-way or private street) for individual single family homes or duplexes, and other private development, as determined by the Town Engineer, may be exempted from the requirements of 5.12.

5.12.1 Pedestrian Facilities

All local, minor collector, and major collector roads shall have a minimum of one sidewalk. Town Engineer may require additional sidewalks, shared use paths, and other pedestrian facilities. Sidewalks and other pedestrian facilities shall be installed per the Town's Sidewalk Master Plan, these standards, and as determined by the Town Engineer.

5.12.1.1 Pedestrian Environmental Impact

Sidewalks shall be designed to fit the existing topography and vegetation and minimize site disturbance, removal of vegetation, and disturbance to sensitive environmental areas.

5.12.1.2 Pedestrian Facility Widths

Sidewalks shall be a minimum of 5 feet wide for local roads. Major and minor collector pedestrian facilities shall be a minimum of 6 feet wide.

Soft surface trails intended for ADA accessibility shall have a minimum width of 4 feet wide.

5.12.1.3 Pedestrian Pavement Thickness

Concrete sidewalks shall be a minimum of 5 inches thick. Sidewalks within a driveway shall be a minimum of 6 inches thick and reinforced with welded wire reinforcement. Sidewalks crossing a

driveway with heavy commercial loading shall be a minimum of 8 inches thick. All concrete sidewalk pavement shall be placed on a minimum thickness of a 4 inch aggregate base course layer.

5.12.1.4 Horizontal and Vertical Clearance

Sidewalk vertical clearance shall be a minimum of 8 feet. Sidewalk horizontal clearance shall be 3 feet preferred and 2 feet minimum. No structures or other objects shall extend into the clearance offsets.

5.12.1.5 Sidewalk Widening

When a sidewalk is required to be widened, the widening must be a minimum width of 4 feet or more. If the required added width is less than 4 feet, the existing sidewalk shall be removed and reconstructed to the required width.

5.12.1.6 Slope

The minimum cross slope of a sidewalk is 1% and the maximum cross slope is 2%, measured perpendicular to the sidewalk or path alignment. The cross-slope shall generally be towards the roadway, unless drainage facilities are provided behind the sidewalk. The maximum running slope for sidewalk not aligned with a roadway is 5%. If the sidewalk is aligned with the roadway, the sidewalk may match the slope of the roadway. See Section 5.13 of this chapter for ADA requirements of sidewalks and curb ramps. Sidewalks shall be accessible and shall have directional curb ramps.

5.12.1.7 Sidewalk Shouldering

Sidewalks shall have a compacted aggregate base course shoulder of 1-foot minimum width. The shoulder shall be sloped at a minimum of 1% away from the sidewalk. Landscaping may extend to the edge of the sidewalk only if the area is graded at 1%, grass or plantings are selected that do not cause maintenance issues, and the landscaping does not extend horizontally into the landscaping. Short grasses are typically the only landscaping allowed in the shoulder area.

5.12.1.8 Sidewalk Stormwater

Sidewalk shall be designed to handle runoff and provide positive drainage away from the sidewalk, typically towards the roadway. Obstructions shall not be placed at the edge of the sidewalk which obstruct stormwater flow. Low points in the sidewalk should be avoided to the extent possible due to ponding and freezing conditions in the winter.

5.12.1.9 Sidewalk Alignment

Standalone sidewalks and trail connections are encouraged in developments where their additions provide a shorter connection for pedestrians. Sidewalk alignments shall strive to provide the shortest distances between locations in order to promote efficiency of pedestrian transportation and to prevent pedestrians from walking outside the sidewalks.

5.12.1.10 Heated Sidewalks

This section only applies to heated sidewalks located within the Town right-of-way. For private snow melt systems, see Section 5.19.2 of this chapter and section 9-1-19-33A and 33R of the Town Code. Heated sidewalks located within Town right-of-way shall be designed by a Colorado licensed Professional Engineer. Heated sidewalks shall be designed with the following requirements:

- Snowmelt systems shall be hydronic snowmelt systems designed to produce a minimum of 125 BTU/SF and hydronic tubing loops shall be a maximum of 300 linear feet, unless an alternate design of acceptable performance is submitted by a Professional Engineer.
- Manifolds shall be located in traffic rated boxes placed outside of the concrete pavement.

- Concrete shall be a minimum of 5" thick.
- High PSI (60 psi) board insulation shall be placed beneath sidewalks which do not receive heavy traffic loads. In areas are expected to experience heavy truck traffic, astrofoil or other non-compressible insulation shall be placed beneath pavement.
- Welded wire mesh or other reinforcement shall be installed in traffic areas.
- Cold joints, where heated pavement meets non-heated pavement, shall be filled with backer rod and sealant to limit moisture infiltration.
- Heated pavement shall be doweled or connected by other means to non-heated pavement to minimize differential settlement and prevent trip hazards. Doweling is not required adjacent to curb, buildings, walls, or other locations that are not within the pedestrian path.
- Heated pavement shall be graded with a cross-slope and shall not drain onto non-heated pavement, creating any icing or safety hazards. Drainage shall be directed to an inlet, swale, drywell, or other approved connection point.

5.12.1.11 Trail Connections

Soft surface trail connections are encouraged and shall be installed per the Breckenridge Open Space and Trails Master Plan and as required by the Town Engineer. Soft surface trails provide connections to existing trails, open spaces, parks, and other community destinations for pedestrians, bicyclists, and other non-motorized uses. Soft surface trails shall be designed and installed to limit grading impacts, tree removals, and other disturbance. Additional design and install details shall be coordinated and approved by the Town of Breckenridge Open Space and Trails Division.

5.12.1.12 Pedestrian Bridges

Pedestrian bridges shall be a minimum width of 8 feet. Pedestrian bridges on the Blue River Rec Path shall be a minimum of 14 feet. Pedestrian railings shall be provided along bridges. See Chapter 6 for hydrologic requirements of pedestrian bridges. Pedestrian bridges on the Blue River Rec Path or bridges being maintained by the Town shall be designed to accommodate a 20 TON design vehicle. All pedestrian bridges shall be designed for the snow loads per Breckenridge Building Code. See Open Space and Trail standards for bridge requirements serving soft surface trails.

5.12.1.13 Pedestrian Railings

Hazards located near a sidewalk shall require a pedestrian railing or other barrier at the edge of the path. Examples of hazards include 2:1 slopes and vertical drops exceeding 30 inches.

5.12.1.14 Pedestrian Easements

All pedestrian facilities and trails not located within ROW shall be located within an access easement. Pedestrian facilities and trails shall have a 5-foot minimum distance from back of sidewalk/trail to edge of ROW/easement to accommodate drainage, signage, lighting, and utilities.

5.12.2 Bicycle & Shared-use Facilities

Bicycle & Shared-use facilities shall be installed per the Breckenridge Open Space and Trails Master Plan, Sidewalk Master Plan, and by the direction of the Town Engineer, and any other applicable requirements. Bicycle facility design shall follow the AASHTO Guide for the Development of Bicycle Facilities, current edition and the CDOT Roadway Design Guide for Bicycle and Pedestrian Facilities. Sight distance, vertical geometry, and horizontal geometry shall meet the requirements of AASHTO and CDOT.

For this chapter, the term shared-use will apply to both shared-use facilities and bicycle facilities.

5.12.2.1 Shared-use Environmental Impact

Shared-use paths shall be designed to fit the existing topography and vegetation and minimize site disturbance, removal of vegetation, and disturbance to sensitive environmental areas.

5.12.2.2 Design Speed

The design speed for shared-use paths on grades of 4% or less shall be 20 mph. The design speed for sections of shared use-paths exceeding 4% shall be 30 mph. For shared-use paths near intersections, underpasses, or other hazards where traffic calming is warranted, a lower design speed may be submitted to the Town Engineer for approval.

5.12.2.3 Shared-use Facility Widths

Shared use paths shall be at least 10 feet wide; the Blue River Recreation Path shall be at least 14 feet wide. Underpass widths shall be at least 14 feet wide.

5.12.2.4 Shared-use Pavement Thickness

Concrete shared-use paths shall be a minimum of 5 inches thick. Shared-use paths within a driveway shall be a minimum of 6 inches thick and reinforced with welded wire reinforcement. Shared-use paths crossing a driveway with heavy commercial loading shall be a minimum of 8 inches thick. Longitudinal joints in the concrete shall not be allowed in shared use paths. Transverse joints shall be sawcut and shall not be tooled.

Asphalt pavement for shared-use paths shall be a minimum of 3 inches thick and placed in two lifts. Asphalt shared-use paths within a driveway shall be a minimum of 4 inches thick.

All concrete sidewalk pavement shall be placed on a minimum thickness of a 4 inch aggregate base course layer.

Concrete and asphalt pavements for shared use paths shall be designed by a professional engineer licensed in the state of Colorado.

5.12.2.5 Shared-use Horizontal and Vertical Clearance

Shared-use paths shall have a minimum vertical clearance of 10 feet. Shared-use paths shall have a minimum horizontal clearance of 3 feet from the edge of pavement. No structures or other objects shall extend into the clearance offsets.

5.12.2.6 Shared-use Widening

When a shared-use path is to be widened or a pavement cut is planned, the full width of pavement shall be removed and replaced. No longitudinal joints will be allowed in concrete or asphalt shared-use paths.

5.12.2.7 Shared-use Slope

The minimum cross slope of a shared-use path is 1% and the maximum cross slope is 2%. The maximum running slope for a shared-use path not aligned with a roadway is 5%. If the shared-use path is aligned with the roadway, the sidewalk may match the slope of the roadway. See Section 5.13 of this chapter for ADA requirements of curb ramps. Shared-use paths shall be accessible and shall have directional curb ramps.

5.12.2.8 Shared-use Shouldering

Shared-use paths shall have a compacted shoulder with a minimum width of 2 feet wide. The shoulder shall be sloped at a minimum of 1% and a maximum of 16% away from the shared-use path.

5.12.2.9 Shared-use Stormwater

Shared-use path design shall consider runoff and provide positive drainage away from the path. Obstructions shall not be placed at the edge of the path which obstructs stormwater flow. Low points in the path should be avoided to the extent possible due to ponding and freezing conditions in the winter.

5.12.2.10 Shared-use Alignment

Standalone shared-use paths and trail connections are encouraged in developments where their additions provide a shorter connection for pedestrians. Shared-use alignments shall strive to provide the shortest distances between locations in order to promote efficiency of pedestrian transportation and to prevent pedestrians from walking outside the sidewalks.

5.12.2.11 Shared-use Bridges

Shared-use bridges shall be a minimum width of 10 feet. Bridges on the Blue River Rec Path shall be a minimum width of 14 feet. Pedestrian railings shall be provided along bridges. See Chapter 6 for hydrologic requirements of pedestrian bridges.

5.12.2.12 Shared-use Railings

Hazards located within the clear zone of the shared-use path shall require a pedestrian railing or other barrier at the edge of the path. Examples of hazards include 2:1 slopes, vertical drops exceeding 30 inches, and structures in the clear zone.

5.12.2.13 Shared-use Easements

All shared-use facilities and trails not located within ROW shall be located within an access easement. Pedestrian facilities and trails shall have a 5-foot minimum distance from back of shared-use path/trail to edge of ROW/easement to accommodate drainage, signage, lighting, and utilities.

Where outside of the ROW, the bicycle facility shall be in a public access easement of sufficient width to allow for repairs to the facility, accommodate any drainage, and allow for installation of any required signs.

All arterial and collector street cross sections include bike lanes on both sides of the street or a shared use path. The minimum width of the bike lanes is 5 feet.

Bicycle lanes on streets without on-street parking shall be at least 5 feet wide, exclusive of the curb pan, or 6.5' from the face of any curb. On existing streets where on-street bike lanes are being added and available right-of-way or improvements space is restricted, the width of the bicycle lane may be reduced to at least 5 feet wide, inclusive of the curb pan. Bicycle lanes on streets with on-street parking shall be at least 5 feet wide, exclusive of the parking lane, or 13 feet from the face of any curb. On existing streets where on-street bike lanes are being added and available right-of-way or improvements space is restricted, the width of the bicycle lane may be reduced to at least 4 feet wide, exclusive of the parking lane, or 12 feet from the face of any curb.

5.13 ACCESSIBLE PEDESTRIAN DESIGN

Curb Ramps on sidewalks shall be designed to comply with *Public Rights-of-Way Accessibility Guidelines* including detectable warnings. Where feasible separate ramps shall be provided for each crossing direction. Where site constraints prohibit separate ramps, a single multidirectional ramp may be used. Refer to *CDOT M & S Standard Plans* for ramp details. The standard detectable warning shall be cast iron, natural finish plates or approved equal.

5.13.1 ADA Accessibility Requirements, Standards, and Guidelines

The ADAAG and the PROWAG are not requirements of the ADA but serve as the standards and guidelines by which compliance of the law is measured. Generally, the ADA law requires:

1. New construction to be accessible
2. Alterations to existing facilities that are within the scope of a project to provide accessibility to the maximum extent feasible
3. Existing facilities that have not been altered shall not deny access to persons with disabilities

All new construction projects where a pedestrian demand is exhibited shall incorporate appropriate pedestrian facilities that are accessible to persons with disabilities. New construction projects have the ability to mitigate constraints through good planning and design practices. Project budget or limited scopes are not an acceptable reason to fail to provide compliant accessible facilities during new construction.

5.13.2 Technical Requirements for Accessible Design

The pedestrian access route (PAR) is a continuous and unobstructed path of travel provided for pedestrians with disabilities within or coinciding with a pedestrian circulation path.

The continuous width of the PAR shall be 5 feet minimum, exclusive of the curb. Where a pedestrian access route makes a 90-degree turn, it should be widened to 5 feet to accommodate the continuous passage of a wheelchair (i.e. pedestrian design vehicle). If the clear width of the PAR is less than 5 feet, passing spaces shall be provided at a maximum of 200-foot intervals. If passing spaces are provided, they shall be 5 feet by 5 feet minimum. The clear width of a pedestrian refuge island shall be 5 feet minimum.

Pedestrian facilities shall have a maximum running slope of 5%. If the grade of the roadway is steeper than 5%, then running slopes are permitted to match the grade of the roadway.

Pinch points should generally be avoided. Pinch points within the PAR shall not be less than 34 inches in width and not exceed 24 inches in the direction of pedestrian travel.

5.13.3 Curb Ramp Types

See the Street Standard Details for approved curb ramp types.

5.13.4 Curb Ramp Technical Requirements

5.13.4.1 Ramps

Curb ramps shall have a maximum running slope of 8.33%. The running slope of a curb ramp is measured in the center of the ramp run in the direction of pedestrian travel. If the surrounding terrain requires a ramp to chase grade, the ramp is required to be no longer than 15 feet, regardless of the resulting slope.

5.13.4.2 Landings and Turning Spaces

Landings and turning spaces allow users to maneuver on and off the curb ramp and are required at the top or bottom of a curb ramp. Turning spaces are required at the top of a perpendicular curb ramp and at the bottom of a parallel curb ramp. The maximum running slope and cross slope of landings and turning spaces shall be 2.0%. At mid-block crossings or locations without yield or stop control, the cross slope of the turning space can equal the street or highway grade. Turning spaces shall be 4 feet by 4 feet minimum. If the turning space is constrained by a vertical element on one or more sides, provide 5 feet in the direction of the street crossing.

When the profile of the roadway being crossed has an excessive slope, the curb ramp cross slope should be transitioned slowly to the turning space. The transition shall be spread evenly over the length of the curb ramp. See Curb Ramp Standard Details.

5.13.4.3 Cross Slopes

Cross slopes of all pedestrian facilities shall be a minimum of 1% and shall not exceed 2%.

5.13.5 Detectable Warning Surfaces

Detectable warning surfaces shall be made of untreated steel plates. Brick pavers are not permitted for detectable warnings. See CDOT M-Standards for Curb Ramps for detectable warning requirements.

5.13.6 Pedestrian Crossings at Controlled Intersections

Refer to Section 5.10 for Pedestrian Crossings at uncontrolled or mid-block crossings.

5.13.6.1 Signalized Intersection Crossing Controls

If an intersection under signal control has sidewalks, then marked crosswalks should be provided. In urbanized areas pedestrian signals are recommended at all intersections where sidewalks are provided on the approaches to a signalized intersection. STOP lines shall be placed a minimum of 4 feet in advance of the crosswalks. Consideration may be given to providing advance right turn STOP lines to improve the visibility of pedestrians coming from the motorist's left.

Pedestrian push buttons shall be accessible to pedestrians via an accessible pedestrian route in compliance with the ADA.

The draft PROWAG requires that whenever pedestrian signals are installed, accessible pedestrian push buttons be installed. Push buttons shall be connected to a fully-accessible pedestrian signal that complies with the *2009 MUTCD with amendments*, with the ability to enable or disable accessible features. The Town Engineer will decide on which functions to activate at each accessible pedestrian crossing on a case-by-case basis.

At intersections with high volumes of pedestrians, consideration should be given to restricting the right turn on red movement.

5.13.6.2 Stop and Yield Crossing Controls

At a minimum, marked crosswalks should be provided wherever a sidewalk crosses a street under stop or yield control. STOP or YIELD lines shall be placed a minimum of 4 feet in advance of the crosswalks.

5.13.6.3 Roundabout Crossing Controls

Requirements for roundabout crossings shall reference the latest version of *NCHRP Report 672 – Roundabouts: An Informational Guide* and the PROWAG.

5.13.7 ADA Curb Ramp Variance Process

It can be impractical to make facilities fully compliant with the standards due to existing site constraints. Improvements at locations can be deemed "Technically Infeasible" when sound engineering judgement is exercised. When full compliance is deemed technically infeasible, facilities being altered should be made accessible to the maximum extent practicable. If a site cannot meet accessibility standards, the proper documentation procedures should be followed.

Examples of site constraints that may make it technically infeasible to make a facility fully compliant include:

1. Adjacent development or buildings that would need to be moved or altered to make a facility fully compliant.
2. Required improvements that would alter the status of a Historic property.
3. Drainage that could not be maintained if an area is made fully accessible.
4. Underlying terrain that would require significant expansion of the project scope to achieve full compliance. An example would be altering a roadway profile to make the cross slope of a crosswalk fully compliant.

Project scope, not cost, should determine when existing constraints make an item technically infeasible.

To submit a curb ramp variance, the Town's Variance Request Form must be completed and signed by a licensed professional engineer documenting why the curb ramp was deemed technically infeasible and every effort was made to design the curb ramp to meet ADA compliance. The request will be reviewed by the Town Engineer, and once approved, will be filed with the Town in the instance that an ADA complaint is received by the Town.

5.14 PEDESTRIAN CROSSING CRITERIA FOR UNCONTROLLED OR MID-BLOCK CROSSINGS

The purpose of Section 5.14 is to serve as a policy to determine where uncontrolled pedestrian crossings should be located, and how to improve existing uncontrolled pedestrian street crossings within the Town.

5.14.1 Definitions

Uncontrolled pedestrian crossings are defined as:

1. Legal crossings that are located at an intersection without a traffic signal
2. Legal crossings without STOP or YIELD signs.

Mid-block crossings are defined as crossings that do not occur at an intersection and are marked to indicate that the location is a legal crossing.

Crossings can be marked with traffic control markings or unmarked with no traffic control markings present.

5.14.2 References

The newest versions of the following references shall be used for guidance in determining location, design elements, and requirements:

1. *The Manual on Uniform Traffic Control Devices 2009 Edition* including Revisions 1 and 2.
2. *Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations (FHWA, 2018)*.
3. *NCHRP Research Report 841 Development of Crash Modification Factors for Uncontrolled Pedestrian Crossing Treatments (2017)*.
4. *Evaluation of R1-6 Gateway Treatment Alternatives for Pedestrian Crossings: Follow-Up Report (Roadway Safety Institute, 2017)*.

5. *TCRP Report 112 / NCHRP Report 562 Improving Pedestrian Safety at Unsignalized Crossings (2006).*
6. *CDOT Roadway Design Guide, Chapter 14 (2018)*
7. *CDOT Standard Plan S-614-14 for Rectangular Rapid Flashing Beacon requirements (hard-wired only)*

References listed above can be utilized in instances where this document does not specifically include requirements or guidance on a particular topic.

5.14.3 Pedestrian Traffic Analysis and Recommendations

An engineering study should be performed at the discretion of the Town Engineer before a crosswalk is installed at a location away from a traffic signal or an approach controlled by a STOP or YIELD sign. If a pedestrian crossing is part of a development application, then a traffic study may also be required as described in Chapter 4 and the traffic studies may be combined. The engineering study shall be stamped by a professional engineer. The following steps are required as part of the Pedestrian Traffic Analysis:

1. Complete the worksheet shown in Table 5.12. If worksheet result is yes, proceed with developing the Pedestrian Traffic Analysis. If the worksheet result is no, no additional analysis is required.
2. Include number of lanes, presence of a median, distance from adjacent signalized intersections, average daily traffic (ADT), posted or statutory speed limit (85th-percentile or mean speed), crash history, geometry of the location, possible consolidation of multiple crossing points, availability of street lighting, and any other factors deemed appropriate by engineering judgement.
3. Provide pedestrian volumes and delays (see Section 5.10.3.1)
4. Crossing treatment recommendations based on criteria and sound engineering judgement (see Section 5.10.3.2)
5. Conclusion of results.

5.14.3.1 Pedestrian Volumes and Delays

Pedestrian volumes and delays will typically involve AM, mid-day, and PM peak hours. Locations near schools may only require two hours of data collection (AM and PM peak hours corresponding to school opening and closing times). All pedestrian volumes should include and differentiate between pedestrians and bicyclists and should note separately the number of young, elderly, and/or disabled pedestrians. For locations where school crossing traffic is anticipated, the volume of student pedestrians (school age pedestrians on their way to/from school) should also be separately noted.

Whenever possible, pedestrian and bicycle volumes should be collected in the appropriate season when volumes may be close to or at their peak. Counts should be scheduled at a time when nearby businesses are open. If school traffic is an issue, the counts should be scheduled on school days when classes are in session. Given the potential fluctuation in pedestrian traffic from day to day, it may be necessary to collect up to three days of data to determine if an enhanced pedestrian crossing treatment is warranted as follows:

1. Collect pedestrian data on day one. If the minimum pedestrian volume threshold (20 pedestrians per hour accounting for a 1.33 multiplier used if vulnerable populations are present) is exceeded, no further pedestrian data collection is needed. If the threshold has not been exceeded, but at least 50% of the minimum pedestrian volume was observed, proceed to a second day of data collection.

2. Collect pedestrian data on day two. If the minimum pedestrian volume threshold is exceeded, no further pedestrian data collection is needed. If the threshold has not been met but again the volume is at least 50% of the minimum threshold, proceed to a third day of data collection.
3. Collect pedestrian data on day three. If the minimum pedestrian volume still has not been met, then no marked pedestrian crossing treatment is warranted by pedestrian crossing volume.

Pedestrian delays should be measured using procedures from the latest version of the Highway Capacity Manual.

5.14.3.2 *Crossing Treatment Criteria*

The following criteria shall be used in determining if crossing treatments are to be considered and shall be used to complete the worksheet shown in Table 5.12. If a crossing treatment should be considered, Section 5.10.5 shall be used to determine what type(s) of treatment is/are appropriate.

5.14.3.2.1 Criterion A

When vehicle volume is less than 5,000 vehicles per day or the average vehicle speed does not exceed 10 mph over the posted speed, crosswalk enhancements will be considered when there is a crossing pedestrian volume of at least 20 pedestrians per hour. When vehicle volume is greater than or equal to 5,000 vehicles per day or the average vehicle speed is 10 mph greater than the posted speed limit, crosswalk enhancements will be considered when there is a crossing pedestrian volume of at least 10 pedestrians per hour. A multiplication factor of 1.33 can be applied to the hour pedestrian volume if the volume consists of vulnerable populations (children, elderly, persons with disabilities, etc.). See lines (1) through (3) of Table 5.12.

5.14.3.2.2 Criterion B

Crosswalk enhancements will be considered when they could directly service or are adjacent to an existing shared-use path or trail, park, school, hospital, senior center, recreation center, library, or other facility with sensitive populations as determined by the Town Engineer. The minimum hourly pedestrian volume criterion may be waived if this criterion is satisfied. See line (4) of Table 5.12.

5.14.3.2.3 Criterion C

Crosswalk enhancements will be considered in locations where there are greater than 1 non-motorized (vehicle to pedestrian or vehicle to bicycle) crashes within the last 3 years. The minimum hourly pedestrian volume criterion may be waived if this criterion is satisfied. See line (5) of Table 5.12.

5.14.3.2.4 Criterion D

If criterion A, B, or C is met, the location must then also meet the following criteria:

1. The minimum stopping sight distance is available and free from obstructions. The minimum stopping sight distance shall be calculated using intersection sight distance per Section 5.6.1.5.
2. The crossing should match the grade of the existing roadway. More detail regarding maximum roadway grade can be found in Section 5.4.3.2.
3. The distance to the nearest existing marked or controlled crosswalk is at least 300 feet. If an existing marked or controlled crosswalk is within 300 feet, care should be given to direct pedestrian traffic to said crosswalk.
4. The existing roadway shall have a maximum slope of 6% in the downhill direction for a minimum distance of 200 feet. If the slope exceeds 6%, a crossing will not be allowed or the road must be re-graded to reduce the slope.

See lines (6) through (9) of Table 5.12.

5.14.4 Crossing Enhancement Eligibility Worksheet

The following table shall be used to determine if an uncontrolled or mid-block crossing is eligible for enhancement. A blank version of this worksheet can be found in Appendix E to assist with documentation of location decisions at the discretion of the Town Engineer.

Table 5.12 Crossing Enhancement Eligibility Worksheet

Criterion	Line	Criteria	Value	Eligibility Requirement
A	(1)	Average daily vehicle traffic	#	See (5)
	(2)	Mean vehicle speed differential from posted speed limit	#	See (5)
	(3)	Number of pedestrians per hour	#	See (5)
	(4)	Does the location serve a vulnerable population (children, elderly, persons with disabilities, etc.)?	Yes/No	See (5)
	(5)	Adjusted number of pedestrians per hour	#	If (4) is Yes, then value = (3)*1.33, otherwise value = (3) Eligibility Requirement: When (1) < 5,000 or (2) < 10, then ≥ 20 When (1) ≥ 5,000 or (2) ≥ 10, then ≥ 10
B	(6)	Does the location directly serve or is adjacent to one of the following: Existing shared-use path or trail; park; school; hospital; senior center; recreation center; library?	Yes/No	If Yes, then (5) eligibility requirement is waived
C	(7)	Number of non-motorized crashes in the last three years	#	If ≥6, then (5) eligibility requirement is waived
D	(8)	Is the minimum stopping sight distance available (see Section 5.6.1.5)?	Yes/No	Eligibility Requirement: Yes
	(9)	Will the crossing match the existing roadway grade or less?	Yes/No	Eligibility Requirement: Yes, cannot be greater
	(10)	Distance to nearest existing marked or controlled crossing (feet)	#	Eligibility Requirement ≥300'
	(11)	Is the maximum grade of the roadway 6% or less in the downhill direction for a minimum 200' distance?	Yes/No	Eligibility Requirement: Yes, or the road can be re-graded to meet
	(12)	Eligible for Treatment?	Yes/No	Yes = Criterion A, B, or C is met and Criterion D is met

If eligible for treatment, see Section 5.10.5 for applicable crosswalk enhancements.

5.14.5 Pedestrian Crossing Enhancements

Once a determination has been made that a pedestrian crossing enhancement is recommended at a particular location, several design treatments can be considered.

Roadway traffic calming treatments should be considered in conjunction with pedestrian crossing enhancements as a means to enhance the effectiveness of one another. See Section 5.6 for more information on traffic calming treatments.

5.14.5.1 *Pavement Markings and Conventional Signs*

NCHRP Research Report 841 Development of Crash Modification Factors for Uncontrolled Pedestrian Crossing Treatments (2017) states, "Recent research has found no safety benefit associated with various types of crosswalk markings, and the inappropriate use of marked crosswalks alone (without other substantial safety measures) can increase crash risk for pedestrians." This shall be considered when choosing to implement crosswalk markings at uncontrolled intersections or mid-block locations.

5.14.5.1.1 Standard Continental Crosswalk Markings

Standard continental crosswalk markings are pavement markings rectangular in shape. They shall be a minimum of 6 feet long and 1 to 2 feet wide. The alignment of the markings shall connect the curb ramps and be oriented so that they are parallel with the direction of travel. Markings shall be recessed into the pavement placed so that they avoid the anticipated vehicle wheel path to improve longevity of the markings. They can be spaced 1 to 5 feet apart. Crosswalk markings are to be used in conjunction with appropriate signing as defined in this section, because research shows that markings alone do not improve pedestrian crash rates. Decorative crosswalk markings are not recommended. Crosswalk markings shall be made retroreflective with glass beads or other approved methods. See Chapter 9 for construction requirements.

5.14.5.1.2 High Visibility Markings

High Visibility Markings are wider pavement markings that can be applied in the area of a crossing if the area is unlit and peak pedestrian traffic volumes occur during unlit times.

5.14.5.1.3 Advanced Yield or Stop Markings and Signs

Advanced yield or stop markings and signs may be used in conjunction with a crosswalk marking on major collector roadways with speeds of 40 mph and where placement of advanced markings and signs does not conflict with other intersections or traffic control. Refer to Section 3B.16 of the MUTCD for further standards and guidance.

5.14.5.1.4 Pedestrian Sign Assembly

The following list includes pedestrian signing options that should be utilized in combination with pedestrian markings listed in section

1. Pedestrian Crossing Sign Assembly (W11-2 with W16-7P) - shall be used in combination with crosswalk marking treatment. Sign structure shall be mounted at the roadside in accordance with MUTCD 2C.50.
2. Yield/Stop Here for Pedestrians Signs (R1-5) - may be used in conjunction with a crosswalk marking, advanced yield or stop markings, and a typical pedestrian crossing sign assembly on roadways with multiple lanes. Refer to Section 2B.11 of the MUTCD for further standards and guidance.
3. In-Street Pedestrian Crossing Signs (R1-6) - may be used when pedestrian crossing volumes are greater or equal to 20 pedestrians per hour OR when the mean vehicle speed at the crossing location is 5 mph greater than the posted speed limit. This treatment shall be used in conjunction with a crosswalk marking, a pedestrian crossing sign assembly, and a roadway centerline marking.

5.14.5.2 *Physical Geometric Treatments*

The following physical roadway geometric treatments can be considered to provide additional crossing safety and visibility as approved by the Town Engineer. Refer to the Town of Breckenridge's *Traffic Calming Policy* for additional treatment information regarding coordination and design considerations.

5.14.5.2.1 Refuge Islands

Refuge islands provide a space in the center of the traveled way for pedestrians to rest as they wait to cross each direction of vehicular travel independently. Refuge islands should be considered at pedestrian crossing locations on roads where one or both directions of travel are high volume, and see the most benefit with four or more lanes of traffic and speeds of 35 mph or greater. They can be paired with additional crossing enhancements provided in this section. Refuge islands shall be a minimum 10 feet wide from back of curb to back of curb. They shall be designed to allow for positive drainage and for adequate snow removal around the island and be ADA compliant. If the installation of a refuge island requires a shift in the traveled way, appropriate lane transition rates shall apply for the redirection of traffic around the island. Delineation markers may be required for snow removal activities.

5.14.5.2.2 Curb Extensions (Bulb-Outs)

Curb extensions extend the pedestrian sidewalk and curb out into the shoulder or parking lane of the roadway to reduce the crossing distance. This reduces the amount of time that pedestrians need to cross the traveled way, and provide additional space for curb ramps. They also can assist in reducing speeds of vehicular traffic. Curb extensions should allow for a minimum 11-foot travel lane. Curb extensions shall be designed to allow for positive drainage and for adequate snow removal around the extension. Delineation markers may be required for snow removal activities.

5.14.5.2.3 Raised Crosswalks

Raised crosswalks are ramped speed tables placed at mid-block crossing locations that assist with driver visibility of pedestrian crossings. They also provide traffic calming benefits. Raised crosswalks shall be flush with the sidewalk it is connecting on either side of the crossing, and shall be a minimum of 10 feet wide. They can be considered on minor collector and local roadways with a speed of 30 mph or less. Raised crosswalks shall generally be 6" tall, wings shall be 8% max, cross slopes shall be 2% maximum and meet ADA requirements, and storm sewer inlets shall be installed on the uphill side of the crosswalk. Raised crosswalks shall be designed to allow for positive drainage, and noise considerations should be made prior to proposing a location. Delineation markers may be required for snow removal activities.

5.14.5.3 Rectangular Rapid Flashing Beacon (RRFB)

RRFBs should be used sparingly and are typically only installed when other crossing enhancements have proven ineffective. An RRFB may be installed when all of the following criteria are met:

1. Marking and signing enhancements in Section 5.10.5.1 have been implemented but a perceived or actual pedestrian/vehicle conflict issue still persists
2. Pedestrian crossing volumes are between 60 and 160 pedestrians per hour
3. Crosswalk length from curb to curb is greater than 32 feet.
4. Roadway speeds are between 30 mph and 45 mph, or mean vehicle speed at the crossing location is 5 mph greater than the posted speed limit.
5. Roadway volume is greater than 6,700 vehicles per day.

The RRFB treatment is a combination of signing, markings and pedestrian activated strobe and feedback devices at uncontrolled pedestrian crossings. Refer to CDOT Standard Plan S-614-14 for requirements. RRFBs shall be hard-wired. Solar is not permitted. Signing for the RRFB typically includes advance PEDESTRIAN WARNING signs (W11-2) with AHEAD supplemental plaques (W16-

9p), and PEDESTRIAN WARNING signs (W11- 2) with down arrow supplemental plaques (W16-7p). Pavement markings include yield lines. The pedestrian activated treatments would be the W11-2 signs with built in rectangular strobe flashers. Additionally, pedestrian visible strobes and a recorded message inform pedestrians when the crossing is activated and instruct them to wait for motorists to yield. The R1-5 (YIELD HERE TO PED) shall be placed so that it does not restrict motorists' visibility of the RRFB at the crosswalk. For the placement of advance stop lines and advance warning signs, refer to the MUTCD. High visibility crosswalks are to be used with the RRFB crossing treatment. Timing of the flashing beacon should allow for pedestrians to scan for motorists, step from the side of the road and completely cross the street. Depending upon pedestrian volumes, 5 to 10 seconds should be provided for pedestrians to scan for gaps and enter the roadway. For areas with very high pedestrian volumes (more than 10 pedestrians crossing simultaneously), additional startup time should be provided. A minimum of 3.5 feet per second crossing speed should be assumed for pedestrians.

A median refuge area should be considered, refer to Section 5.10.5.2.1.

5.14.5.4 *Pedestrian Hybrid Beacon*

Pedestrian hybrid beacons are not generally recommended in the Town of Breckenridge. This treatment may be applied if all of the following criteria are met:

1. Warrants and guidance from Chapter 4F of the MUTCD deem a PHB may be appropriate, and
2. Written approval has been given by the Town Engineer.

5.14.5.5 *Grade Separated Crossing*

A grade separated crossing treatment is typically applied for roadways meeting one of the following requirements:

1. Posted speeds greater than 40 mph, crossing lengths greater than 48 feet, and average daily traffic volumes greater than 10,000 vehicles per day
2. When removing sight distance obstructions is not feasible
3. The majority of users are expected to be non-traditional pedestrians (skiers, snowboarders, bicyclists, skateboards, etc.)
4. The proposed crossing is within CDOT ROW and the pedestrian volume exceeds 60 pedestrians per hour
5. Pedestrian volumes exceed 200 pedestrians per hour.
6. An at-grade crossing is expected to cause traffic impediment along the roadway and lower the LOS of the roadway.

Within CDOT ROW, new crossings with pedestrian volumes exceeding 60 pedestrians per hour will require a grade separated crossing. If the pedestrian volume is less than 60 pedestrians per hour, the Town Engineer will review the proposed crossing and determine if an at-grade crossing will be allowed.

Prior to implementing a grade separated crossing, additional study should be performed to determine if other at-grade solutions may be preferable. Written approval from the Town Engineer is required for all grade separated crossings.

Grade separated crossings shall generally be designed for ADA compliance, include physical barriers to prevent at-grade crossing, light enhancements inside the crossing, and include pedestrian routes entering and exiting the crossing which are intuitive and natural routes for pedestrians resulting in high compliance of use.

5.15 TRANSIT FACILITIES

Streets shall be designed to accommodate transit facilities where transit routes are identified during the development process. Transit facilities, including transit stops, waiting areas, transit shelters, and other transit improvements are encouraged and may be required as determined by the Town Engineer. Transit stops shall be located to minimize impact on through traffic, provide efficient arrival and departure for the transit vehicle, and bear a logical relationship to the population served. New transit stops and facilities shall be connected to the adjacent developments via sidewalks and trails.

Where required by the Town Engineer, transit stops shall be located where direct pedestrian access is provided from the street and adjacent sidewalk or surrounding area to the stop. Transit stops shall include a paved waiting area with a direct connection to the adjacent sidewalk. As each site is unique, the waiting area dimensions shall be determined by the Town Engineer.

Bus pull outs shall be located on the downstream side of an intersection wherever possible designed to provide a 30-foot loading area per bus and a 3:1 exiting taper. The pavement in the bus pull out lane shall be designed per a pavement evaluation report to account for the expected bus traffic; minimum concrete thickness of 10 inches shall be provided. Bus pullouts shall be per the standard detail and shall be a minimum of 10 feet wide, 40- to 60-foot long tapers with a 50-foot minimum radius and 2% cross slope.

5.16 PAVEMENT DESIGN

This section provides the criteria used for the design of pavements and will ensure adequate strength and durability to carry the predicted traffic loads for the design life of each project. The street pavement design evaluation shall be established for each project in a geotechnical report following the latest *CDOT M-E Pavement Design Manual*. The pavement design will be based on a Design Equivalent Single Axle Loads (ESAL) which is determined on average daily traffic count (ADT), vehicle classification, traffic equivalence load factors, traffic growth rate, design period, and lane factor. Private streets and accesses may be asphalt, concrete, or other impervious surface approved by the Town Engineer. Sidewalks and bus pullouts shall be concrete.

5.16.1 Soils Testing for Pavement Design

To design pavements for approval and acceptance by the Town, sampling and testing must be performed under the direct supervision of a registered Professional Engineer to evaluate the soil characteristics. Samples shall be taken at least 5 feet below proposed subgrade (10 feet on arterial roadways) at spacing of 250 feet or less, unless specified by a geotechnical engineer. Test holes shall properly evaluate all changes in soil character. Samples shall be taken at the minimum depth which will serve as subgrade for new street construction.

When joining to an existing paved street, cores of the existing pavement and base structure shall be made and analyzed to determine whether overlayment is feasible or reconstruction is necessary.

5.16.2 Flexible Pavement Design

Flexible pavements shall be designed, installed, constructed, maintained and repaired in accordance with these standards and with the latest editions of the *CDOT M-E Pavement Design Manual* and Standard Specifications for Road and Bridge Construction or the AASHTO Guide for the Design of Pavement Structures. In the event of discrepancies between these standards and the referenced publications, the more stringent shall take precedence.

A minimum of four inches of aggregate base course (ABC) shall be used as a base on roadways. If the design truck traffic is greater than 500 trucks per day, a minimum of six inches of ABC shall be used as a base. The minimum pavement thickness for all roadways shall be four inches. However, each roadway pavement section proposed in the Town shall be designed per a geotechnical report to determine actual recommended thickness and pavement mix. The minimum pavement thickness shall

be per Table 5.13 below. These values only provide preliminary minimum values; the final pavement thickness shall be designed per the geotechnical report.

Table 5.13 Pavement Thickness Minimums

Street Type	Min. Asphalt Depth (Inches)	Min. Class 6 Aggregate Base Course Depth (Inches)
Private Roadway	4	4
Local	4	4
Minor Collector	5	6
Major Collector	6	6

The minimum lift thickness of flexible pavement shall be 1.5 inches and the maximum lift thickness shall be three inches.

5.16.3 Rigid Pavement Design

Rigid pavements shall be designed, installed, constructed, maintained and repaired in accordance with these standards and with the latest editions of the *CDOT M-E Pavement Design Manual* and Standard Specifications for Road and Bridge Construction or the AASHTO Guide for the Design of Pavement Structures. In the event of discrepancies between these standards and the referenced publications, the more stringent shall take precedence.

Rigid pavement shall have a minimum ABC thickness of six inches and a minimum concrete pavement thickness of seven inches.

5.17 Traffic Control Devices

Traffic control device designs shall be prepared by a Colorado licensed professional engineer experienced in traffic engineering. The designs shall be prepared in accordance with the latest version of the *Manual on Uniform Traffic Control Devices (MUTCD)*.

Striping plans are required for Collectors and Arterials, but may not be required for local subdivision streets. However, sign plans are required for all subdivisions. All signing and striping plans shall conform to the most current edition of the *MUTCD*. All traffic control devices shall be fabricated and installed in accordance with the *MUTCD*. Permanent signage and striping shall be complete and in place before any new roadway is opened to the public for use.

5.17.1 Street Name Signs

New streets in the Town of Breckenridge shall be named by the Town of Breckenridge in accordance with Town and Summit County naming procedures. The Town and County GIS Departments shall be used to ensure that each street name is unique and does not match or closely resemble another street name in the Town of Breckenridge or within Summit County.

Street name signs are required at the intersections of all public and private (serving four or more units) streets. Driveways serving three or less units may not install street name signs in the right of way.

Street name signs shall be fabricated to match existing Town of Breckenridge street signs. Color, size, font, and dimensions of the signs shall match existing Town street signs. The Town of Breckenridge Streets Department shall be consulted for street sign specifications.

5.17.2 Stop Signs

Stop signs or other traffic control devices shall be installed at the intersections of all public and private streets (access serving four or more units) and shall meet MUTCD requirements. Stop signs are not required at driveways serving three or less units.

5.17.3 Private Signage

No private signage shall be permitted within the ROW. No private signage shall be permitted on private property which attempts to direct traffic or parking. Business name signs and address signs may be installed outside of the ROW per requirements in the Town Code.

5.17.4 Public Illuminated Signage

No public illuminated signage (variable message trailers, marquee sign boards, etc.) shall have luminance levels exceeding 100 nits (100 candelas per square meter) as measured under conditions of a full white display. All signs must be extinguished completely by 10 p.m., and remain off until one (1) hour before sunrise. Additionally, the luminous/illuminated surface area of an individual sign shall not exceed 200 square feet (18.6 square meters.)

5.17.4 5.17.5 Signage Requests

Requests for additional signage for traffic calming, speed limit signs, children playing signs, parking signs, and other signage will be considered based on MUTCD standards, proximity to other signage, and local conditions. However, additional signage can create “signage clutter”, a term for a condition when there is too much competing signage along a street causing driver confusion, reduced effectiveness of signage, distraction, and decreased aesthetics of a street. The Town of Breckenridge approves signage at that minimum level required to provide for safe and efficient travel of vehicles of pedestrians.

5.18 STREET LIGHTING

The purpose of streetlight installations shall be to illuminate the public traveled ways to a level that provides for the safe passage of public traffic, both vehicle and pedestrian while making best efforts to preserve the night sky. Arterial and Collector streets shall require street lighting at intersections. Pedestrian lighting will be required near all sidewalks, pedestrian routes & facilities, crosswalks, parking lots and garages, and transit facilities. The frequency and amount of lighting will take into consideration the need based on the intensity of roadway and pedestrian route usage for the location. All fixtures, poles, and designs will be reviewed and approved by the Engineering Division and the power provider.

5.18.1.1 Equipment Type and Location

The Town's standard Providence Fixture or Promenade Fixture shall be installed depending on the location within the Town. The Providence Fixture is the typical fixture installed in the Town, while the Promenade fixture is typically reserved for SH 9 and critical intersections or crosswalks. The Welsbach fixture (also called a Newport fixture) is installed in various locations throughout Town however within the Historic District of Breckenridge. ~~No~~ new Welsbach (Newport) fixtures will be installed unless a variance is granted by the Town Engineer. ~~Town owned~~ Welsbach fixtures are planned to be replaced within five years with the Providence fixture to support dark sky initiatives and goals. The Town Engineer will determine the appropriate light fixture depending on the location of the development. ~~Standard details for foundations, poles, fixtures, and luminaires are included in the standard details attached to Chapter 9 of these Standards.~~

All new fixtures shall be dark sky compliant and shall have the capability to be automatically dimmable and have individual timers in each fixture. All new street lights shall meet the following requirements:

1. Fixtures shall be certified dark sky compliant by the International Dark-Sky Association.
2. Fixtures shall be automatically dimmable. Fixtures in residential areas shall be programmed to dim at 10:00 pm and commercial areas shall be programmed to dim at 2:30 am unless otherwise approved for an alternative time. Fixtures at intersections, ~~and~~ crosswalks, ~~other~~ in high pedestrian ~~and vehicular~~ traffic areas and ~~other~~ areas identified by the Town as a pedestrian/ vehicular conflict area shall have the capability to dim, but shall be programmed to dim as identified by ~~ut~~ the Town Engineer based on location and need.
3. ~~New streets and d~~Developments shall be designed to have a maximum 50,000 lumens/acre in commercially zoned areas and a maximum of 25,000 lumens/acre for residentially zoned areas. All lights must not exceed 3,000 Kelvins. Areas with traffic safety concerns, major collector roads, roundabouts, high pedestrian areas, crosswalks, parking lots and garages, and other areas of safety concern as determined by the Town Engineer may be exempted from the maximum lumen requirements if deemed necessary.
4. Light pole spacing shall be 75 feet along pedestrian routes. Light pole spacing may be ~~reduced~~increased to 110 feet on roads classified as Local. On residential local roads without a sidewalk, street light spacing may be ~~increased~~reduced to 300 feet. Light pole spacing may be modified for safety concerns or guidance from a photometric analysis or as determined by the Town Engineer.
5. Pole height shall be 9 feet tall along pedestrian routes. ~~Pole height shall be and~~ 12 feet tall at intersections and crosswalks. Pole height shall be at minimum 25 feet within SH9 roundabouts and other locations as determined by the Town Engineer. Pole height may be further increased or altered for safety concerns with a photometric analysis, small cell installations, ~~or~~ smart poles approved by the Town, or as determined by the Town Engineer.
6. Fixtures and poles shall meet all requirements of Title 9, Chapter 12 (Exterior Lighting Regulations) or Procedures and Design Guidelines for Small Cells located in a Town Right of Way, if applicable.
7. Photometric analysis (if determined necessary by Town Engineer).
8. Additional requirements as determined by the Town Engineer due to vehicle or pedestrian traffic, safety concerns, intersections, or other reasons.

5.18.1.2 Positioning at Intersections

In general, the nighttime visibility of a pedestrian or hazardous object within an intersection is enhanced by increased contrast between the object and the surrounding street area. Street lights at intersections are required to be placed on the upstream side of the intersecting street, as viewed by a motorist approaching the intersection in the lane directly beneath the luminaries. The positioning of light standards at intersecting streets shall be up to two street lights per corner of intersection, depending on street geometry and crosswalk location.

5.18.1.3 Roundabout Lighting

Lighting columns should be arranged around the perimeter of the roundabout in a simple ring, with the lights equidistant from the center and from each other. Lighting should extend at least 197 feet back along each approach road. Mounting height should be uniform throughout the intersection and not less than on any approach road. The minimum illuminance required should not be less than the highest level of lighting for any of the approach roads. Lights near roundabouts shall not be located closer than 6 feet from the face of curb and shall not be located in the center of median islands.

5.18.1.4 Light Pole Offset Distances

Distance behind back of walk for local streets shall be at least 3 feet and must be within easements or right-of-way on Local residential streets. For Collector and Arterial streets, the light must be offset at least 3 feet from the back of curb and provide a clearance space between the light pole and edge of walk that equals or exceeds the required sidewalk width.

5.18.1.5 *Underground Service*

Street lighting shall be installed with underground electric service on all newly developed dedicated public streets in the Town. The Developer is responsible for coordinating with the appropriate utility company all aspects of design and installation. Junction boxes and other structures shall not be installed in [roadways](#), sidewalks, curbs, or curb ramps.

5.18.2 Pedestrian Lighting

Install street lighting behind sidewalks where sidewalks attached to the curb are used. For sidewalks detached from the curb, install street lighting with a minimum of 3 feet clearance from back of curb to roadway side of support pole and 3 feet clear from all walks. All bridge underpasses, where vehicles, pedestrians, bicyclists, or equestrians may be present, shall require lighting.

Lighting for trails should be evaluated based on safety and the type of trail. Lighting will generally be required for primary trails at primary trailheads, underpasses, mid-block crossings. Where sidewalks and trails are located near or adjacent to streets, lighting shall be coordinated with street lighting requirements.

[All fixtures for pedestrian lighting must be dark sky certified and be less than 3000 Kelvin in temperature and be less than 25,000 lumens/acre. Exemptions may be granted based on safety or other concerns as identified by the Town Engineer.](#)

5.18.3 Dark Skies

The Town has adopted an exterior lighting policy adhering to a Dark Sky policies and guidance. See *Exterior Lighting Regulations* in Title 9, Chapter 12 of the Town Code.

5.18.4 Residential Areas

Street lights shall be shielded with house side shields or other measures to minimize light shining on residential areas [or landscaped areas](#).

5.19 PRIVATE FACILITIES

Private streets, alleys, and accesses are typically utilized by an individual, group of individuals, or private business to access private property. It is the responsibility of the private landowner to maintain the private facility.

5.19.1 Private Streets

A private street is an access serving five or more units or lots. Private streets are discouraged because they create a cost burden to residents. Private streets shall meet the same design standards as public streets. Private streets are not owned, maintained, or plowed by the Town. They are the sole responsibility of the property owner. A private street requires the approval of a variance request form by the Town Engineer.

5.19.2 Private Snow Melt Systems

Private heated pavement systems, also called snowmelt systems, shall terminate at the property line with no components located in the right-of-way. See section 9-1-19-33A and 33R of the Town Code for additional regulations. The following requirements shall be met for snowmelt systems:

1. Infrastructure permit shall be submitted for any private snowmelt system (even if located entirely on private land).
2. The snowmelt system shall stop 5 feet from the edge of a public roadway or 1 foot from the back of public sidewalk.
3. Drainage from the snowmelt system shall be captured on the premises and shall not drain across public pedestrian facilities or roadways. The drainage shall be designed to infiltrate or runoff without freezing. Examples include heated trench drains and inlets to storm pipes and drywells. Drywells shall be designed appropriately to infiltrate all runoff. Drainage shall not drain across public pedestrian facilities or roadways.

If the Town Engineer allows the snow melt system to encroach into the right-of-way, the following conditions shall be met in addition to the conditions above:

1. A separate mechanical zone shall be dedicated for the portion of the snowmelt system within the right-of-way
2. Expansion joint material shall be installed at the edge of heated concrete
3. A revocable encroachment license agreement, acceptable in form and substance to the Town Attorney for the components of the system extending into the ROW, must be approved by the Town and executed prior to the issuance of building permit
4. Other requirements as determined by the Town Engineer to reduce the impacts of the snow/melted interface

5.20 UTILITIES

Utilities in ROW shall be located to minimize roadway disturbance. Utility lines shall be located to minimize the need for future adjustment and shall consider future extensions of the street system. Utility structures above grade shall be placed in easements outside of the ROW, or as close to the edge of the Right of Way as possible, and at least 6 feet from the edge of roadway and 3 feet from the edge of sidewalk. Utilities shall be buried a minimum of 2 feet below finished grade. Utility rings and covers within pavement areas shall be 0.25 to 0.50 inches below top of pavement. Manholes, valves, junction boxes, and other structures shall not be located in curbs or sidewalks.

Utilities shall typically be installed in the roadway shoulder to avoid pavement removal. If the utility must be placed beneath pavement, the utility should be installed at the center or at the edge of travel lanes. Utilities shall not be placed beneath wheel paths of roads. Utilities shall not be located in drainage swales. Utilities shall be installed to meet all applicable standards and requirements for bury depths, offsets, crossings, separation, and insulation. Utility crossings shall be perpendicular to street and pavements cuts shall be perpendicular to roadway. Pavement patches shall extend 1' minimum beyond trench and edge of patch shall not be located within wheel paths. See Chapter 3 of these standards for additional trenching and patching details.

All utilities (including storm sewer) shall be electronically locatable for the entire length of the utility. All wires and cables shall be buried in rigid conduits and backfilled with warning tape placed 1 foot above the conduits. Utilities and utility structures shall be located outside of ROW and within utility easements where feasible.

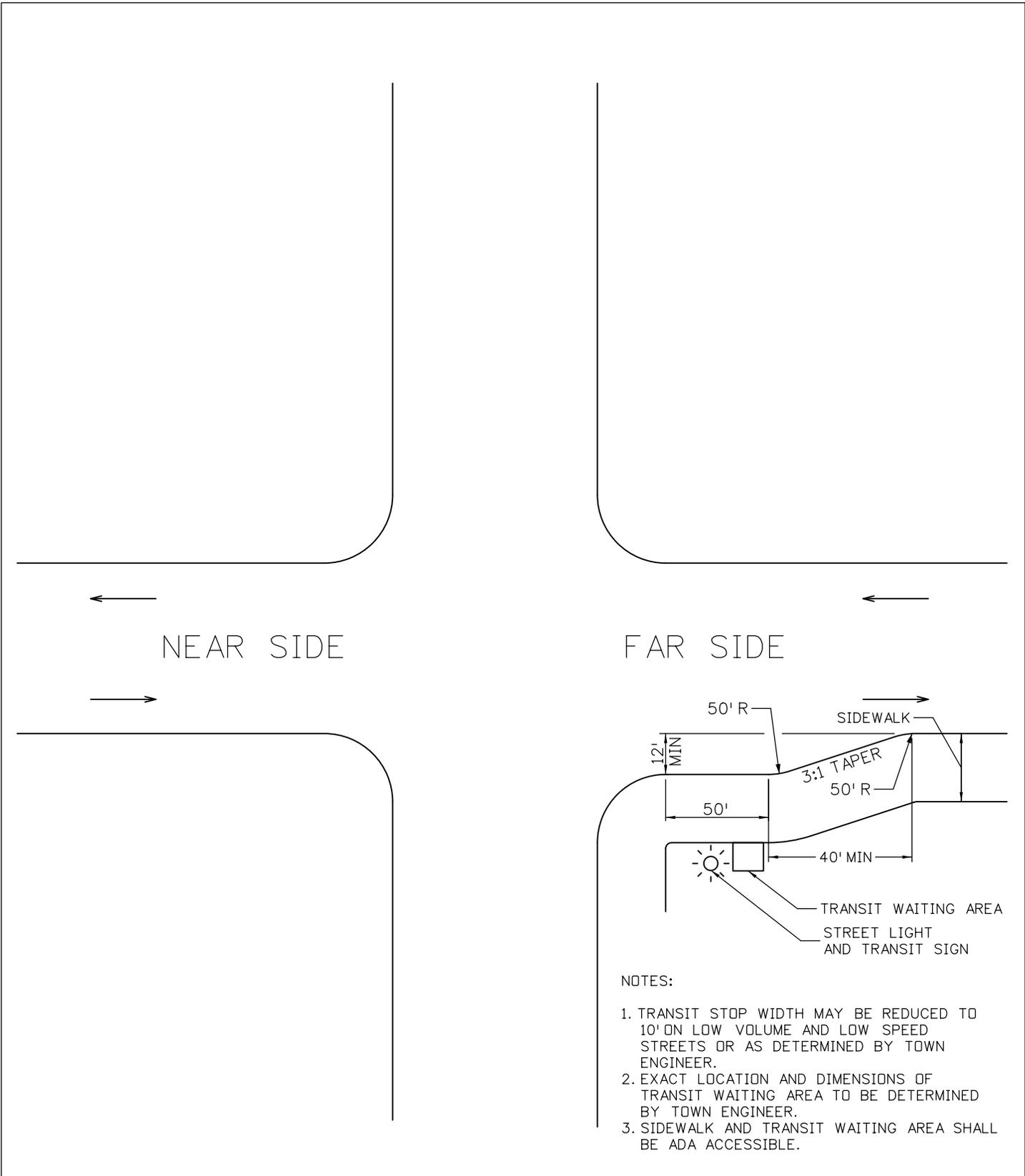
5.21 DESIGN CRITERIA TABLE BY STREET CLASSIFICATION

Table 5.14 Design Criteria by Street Classification

Street Classification

	Major Collector					
	Minor Collector					
				Local		
Posted Speed	40 mph	35 mph	30 mph	25 mph	20 mph	15 mph
Design Speed	40 mph	35 mph	30 mph	25 mph	20 mph	15 mph
Min. Horizontal Curve Radius (normal crown)	770'	510'	350'	200'	110'	50'
Min. Tangent Between Curves	150'	150'	100'	50'	20'	20'
Max. Super Elevation	6%	6%	6%	N/A	N/A	N/A
Cross-slope	2%	2%	2%	2%	2%	2%
Minimum Stopping Sight Distance	305'	250'	200'	155'	115'	80'
Min. Grade	1%	1%	1%	1%	1%	1%
Max. Grade	6%	6%	6%	6%	6%	6%
Min. K-Crest	44	29	19	12	7	3
Min. K-Sag	64	49	37	26	17	10

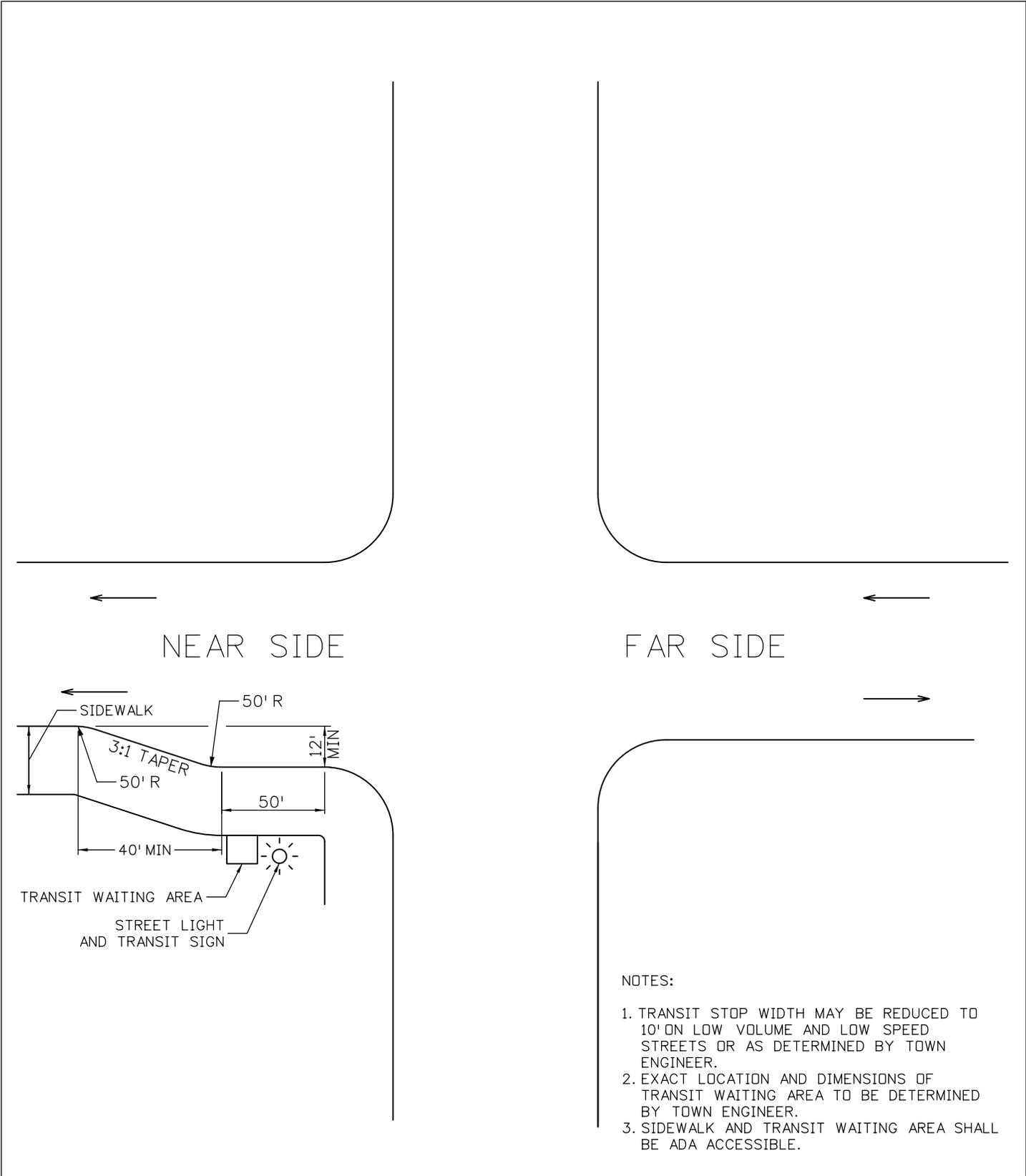
APPENDIX G



TRANSIT TURNOUTS

Far Side

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 1 Sheet 1 of 2
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TRANSIT TURNOUTS

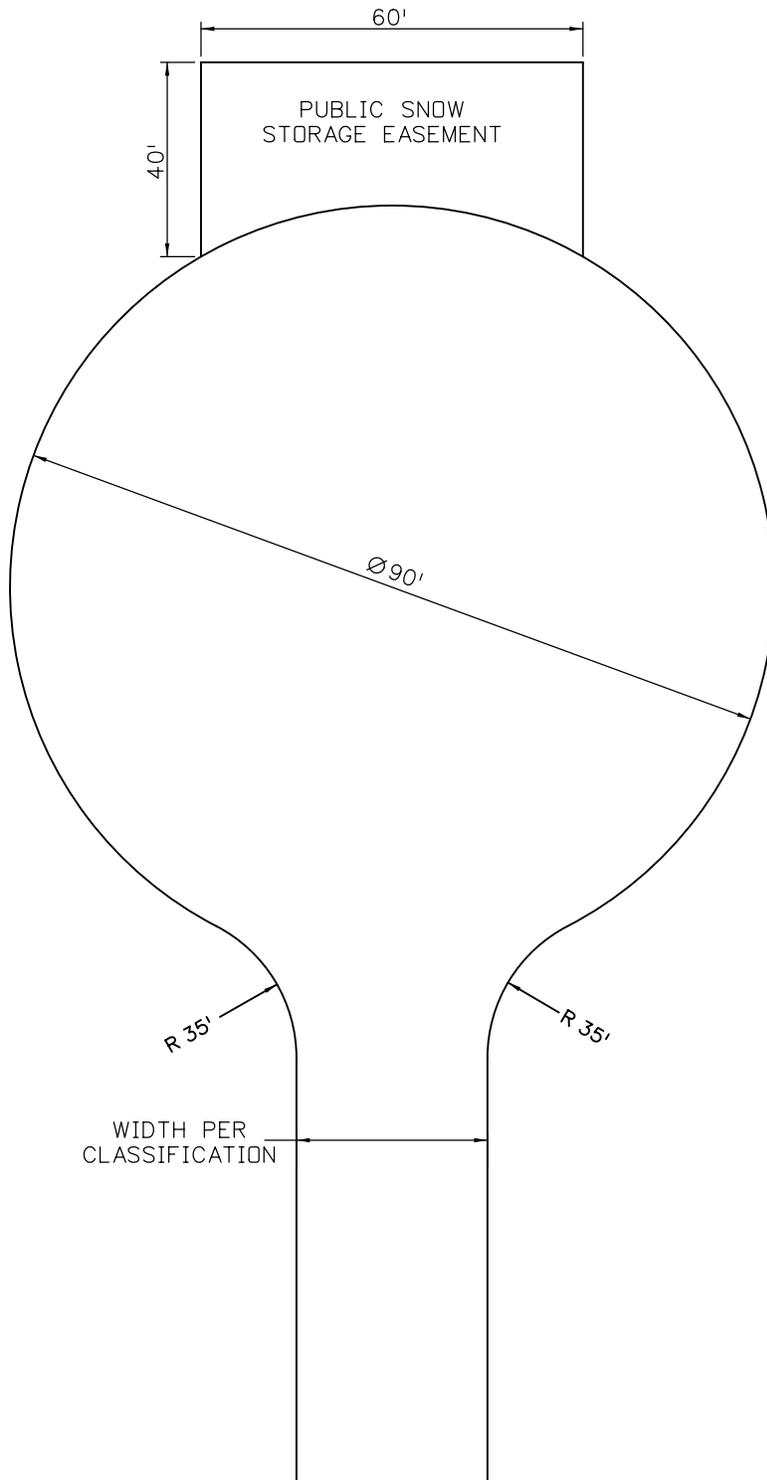
Near Side



TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 1
Sheet 2 of 2



CUL-DE-SAC

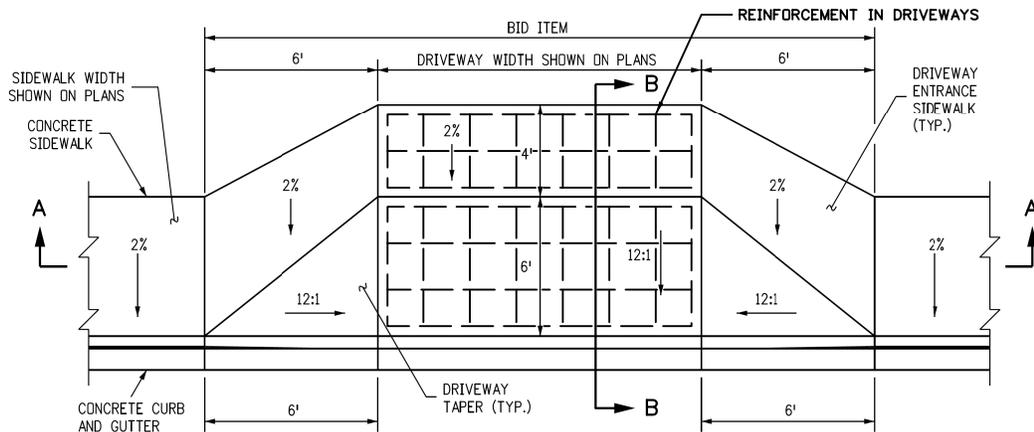


TOWN OF BRECKENRIDGE
ENGINEERING

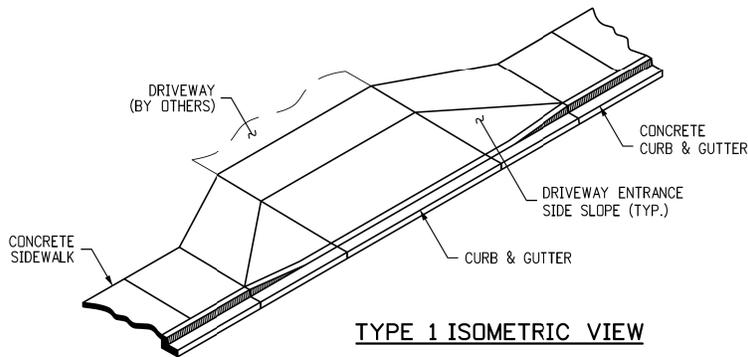
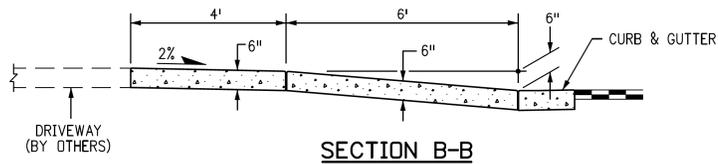
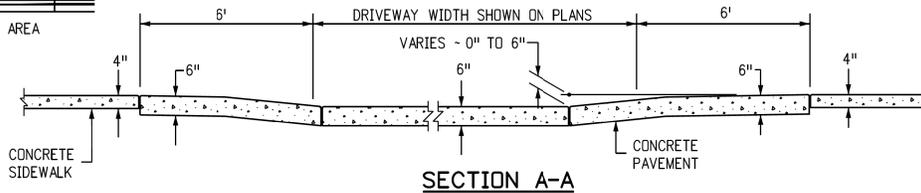
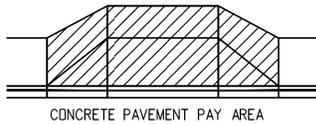
TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 2
Sheet 1 of 1



CONCRETE DRIVEWAY ENTRANCE TYPE 1



DRIVEWAY DETAILS

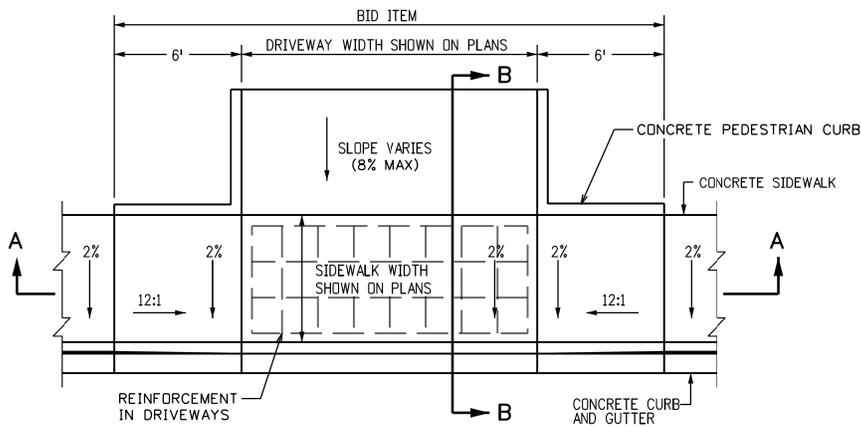
Concrete Driveway Entrance Type 1



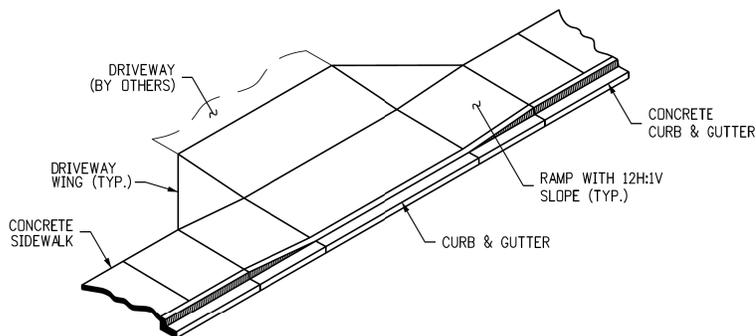
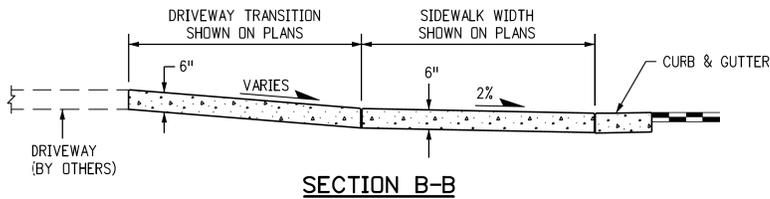
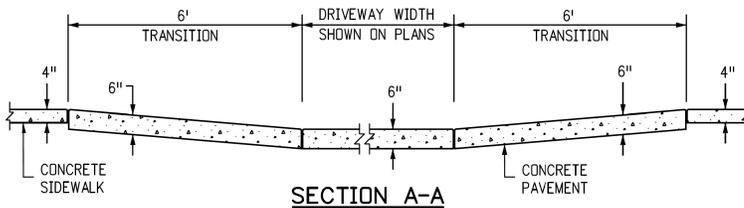
**TOWN OF BRECKENRIDGE
STANDARD DETAILS**

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 3
Sheet 1 of 3



CONCRETE DRIVEWAY ENTRANCE TYPE 2



DRIVEWAY DETAILS

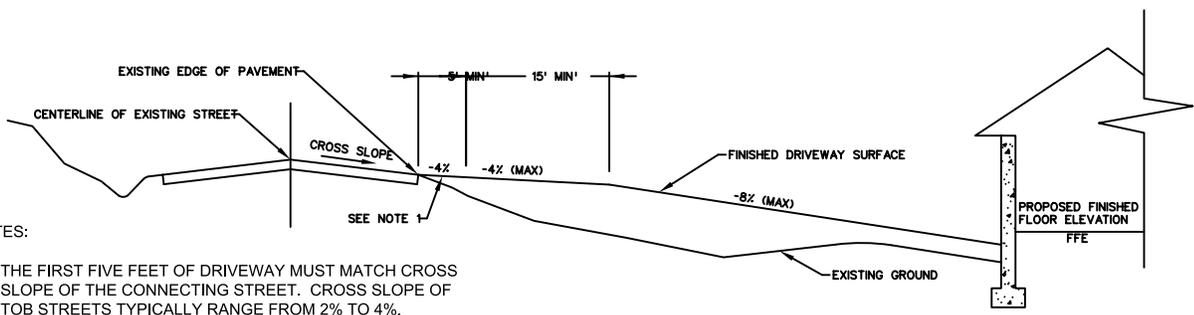
Concrete Driveway Entrance Type 2



TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE:

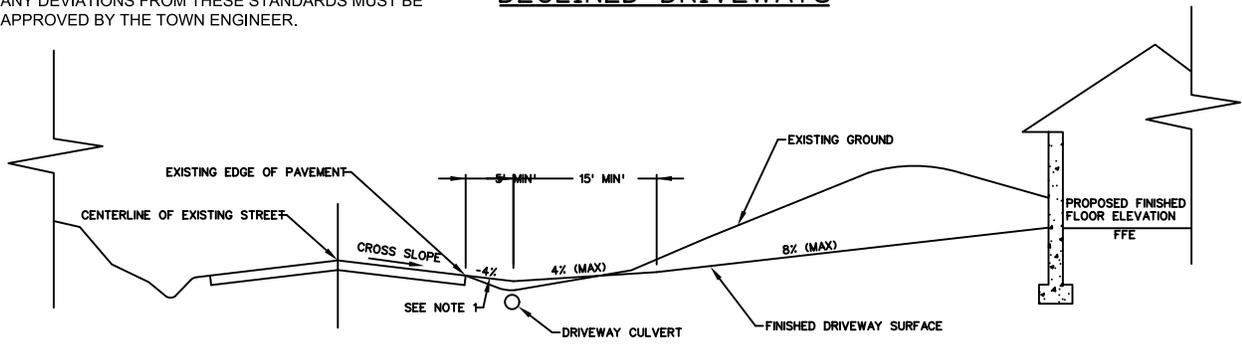
Standard Drawing 3
Sheet 2 of 3



NOTES:

1. THE FIRST FIVE FEET OF DRIVEWAY MUST MATCH CROSS SLOPE OF THE CONNECTING STREET. CROSS SLOPE OF TOB STREETS TYPICALLY RANGE FROM 2% TO 4%.
2. ANY DEVIATIONS FROM THESE STANDARDS MUST BE APPROVED BY THE TOWN ENGINEER.

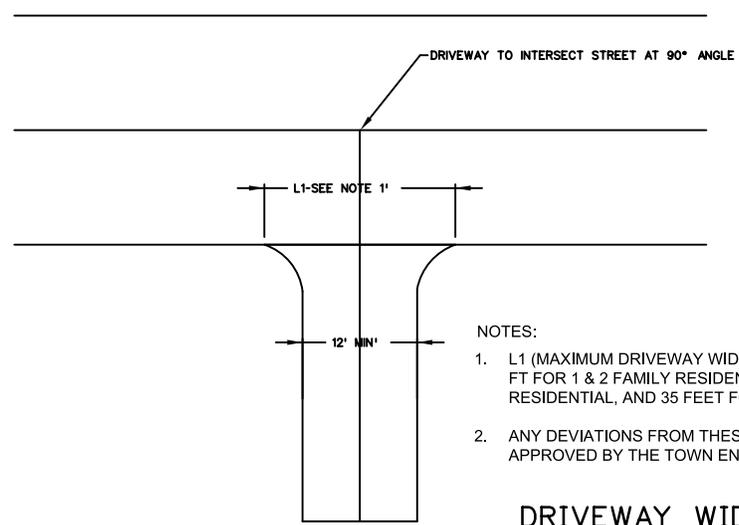
DECLINED DRIVEWAYS



NOTES:

1. THE FIRST FIVE FEET OF DRIVEWAY MUST MATCH CROSS SLOPE OF THE CONNECTING STREET. CROSS SLOPE OF TOB STREETS TYPICALLY RANGE FROM 2% TO 4%.
2. CULVERTS PLACED UNDER DRIVEWAYS SHALL BE HDPE WITH A MINIMUM DIAMETER OF 18 INCHES.
3. ANY DEVIATIONS FROM THESE STANDARDS MUST BE APPROVED BY THE TOWN ENGINEER.

INCLINED DRIVEWAYS



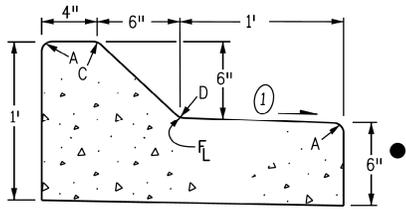
NOTES:

1. L1 (MAXIMUM DRIVEWAY WIDTH-INCLUDING FLARES) IS 20 FT FOR 1 & 2 FAMILY RESIDENTIAL, 25 FOR MULTI-FAMILY RESIDENTIAL, AND 35 FEET FOR BUSINESSES.
2. ANY DEVIATIONS FROM THESE STANDARDS MUST BE APPROVED BY THE TOWN ENGINEER.

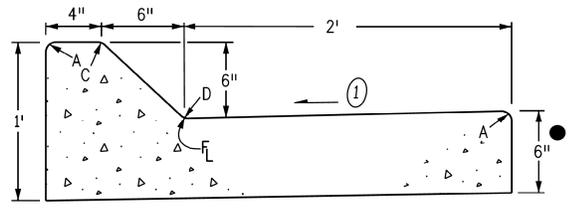
DRIVEWAY WIDTH

DRIVEWAY DETAILS
Driveway Profiles

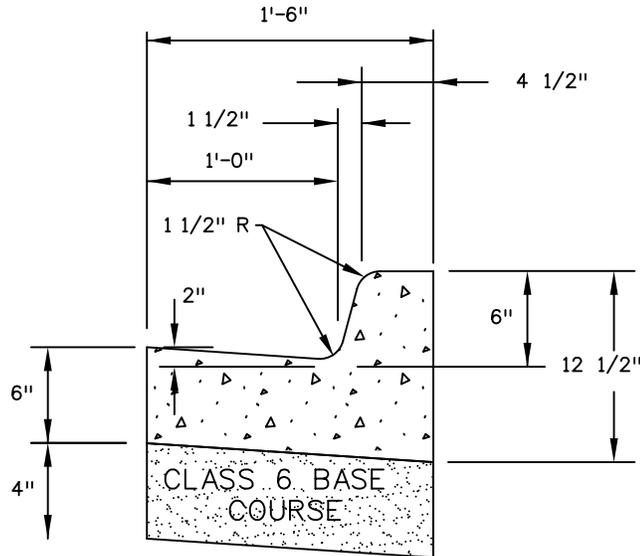
 <p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u></p> <p>LAST REVISION DATE: _____</p>	<p>Standard Drawing 3 Sheet 3 of 3</p>
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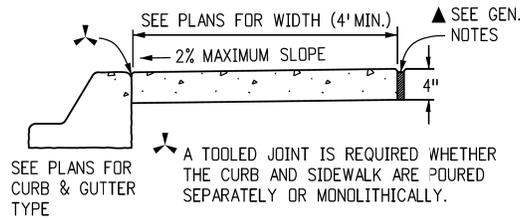
CURB AND GUTTER TYPE 2
(SECTION IM)
 (6 IN. MOUNTABLE - 1 FT. GUTTER)



CURB AND GUTTER TYPE 2
(SECTION IIM)
 (6 IN. MOUNTABLE - 2 FT. GUTTER)



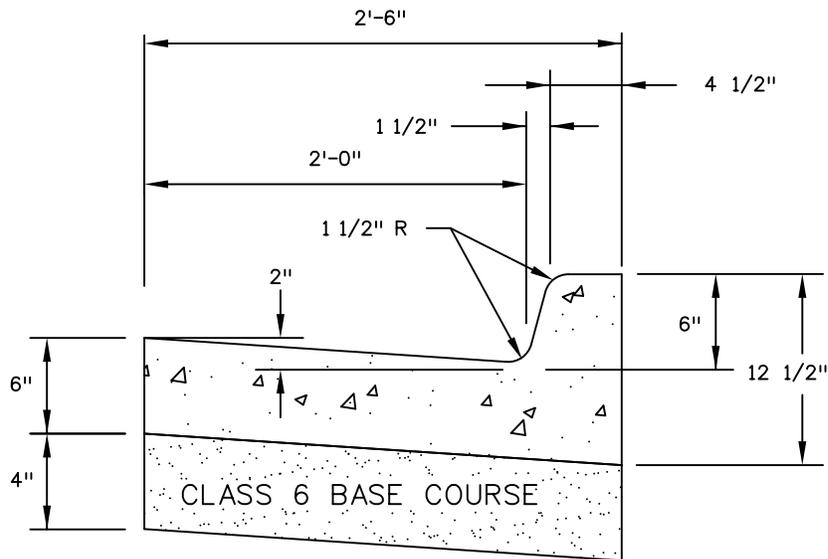
CONCRETE CURB & GUTTER DETAIL - 18"



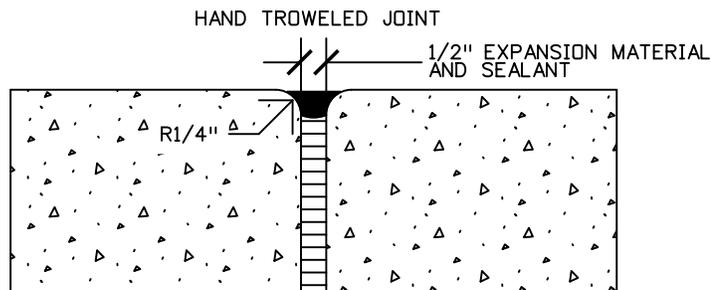
CONCRETE SIDEWALK

CURB DETAILS

 <p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____</p>	<p>Standard Drawing 4 Sheet 1 of 5</p>
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30" CURB & GUTTER

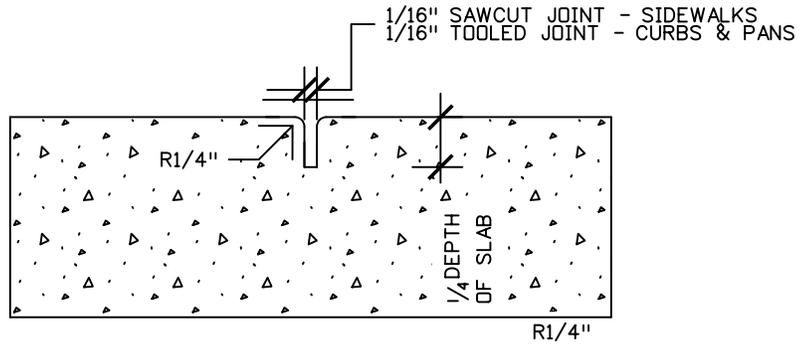


NOTE: PLACE EXPANSION JOINTS AS NOTED IN SPECIFICATIONS AND NOT TO EXCEED INTERVALS OF 500'. SEALANT TO MATCH MATERIAL COLOR. EXPANSION JOINT SHALL RUN BETWEEN ALL SURFACE LEVELS FROM FINISHED GRADE TO COMPACTED AGGREGATE.

EXPANSION JOINT-SIDEWALK

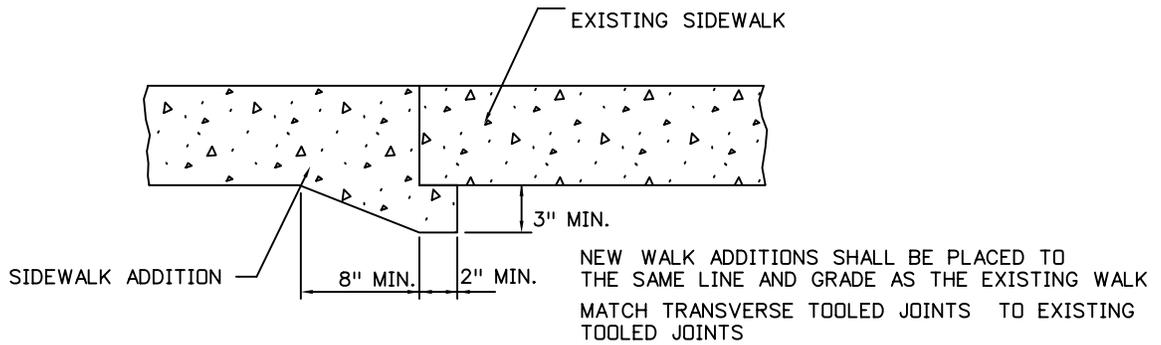
CONCRETE CURB, GUTTER, SIDEWALK, AND PAVEMENT DETAILS

 <p>TOWN OF BRECKENRIDGE ENGINEERING</p>	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____</p>	<p>Standard Drawing 4 Sheet 2 of 5</p>
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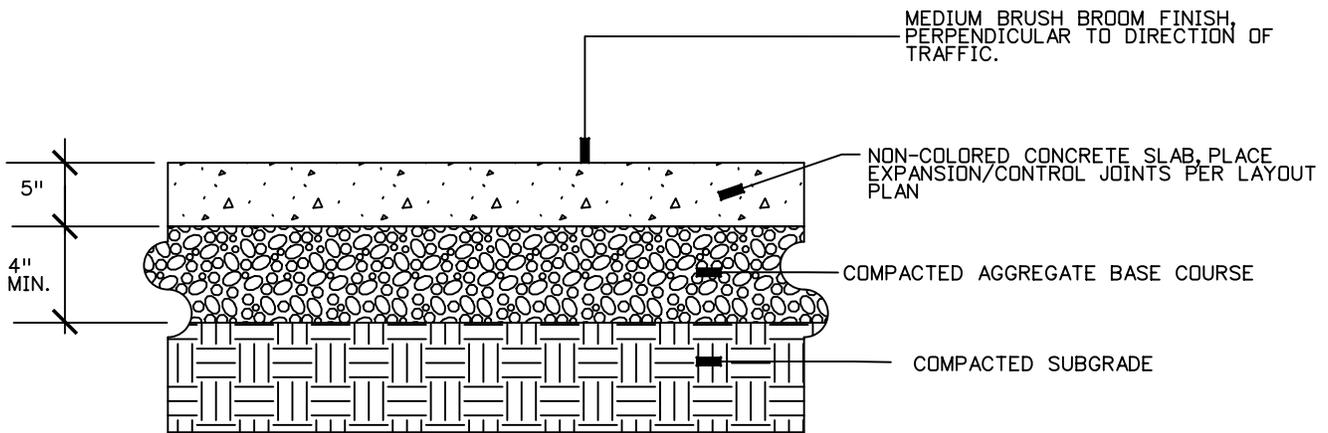


NOTE: PLACE CONTROL JOINTS ON CURB & GUTTER EVERY 10', ON SIDEWALKS EVERY 5'-6', AND ON CROSS-PANS EVERY 6'.

CONTROL JOINT-SIDEWALK



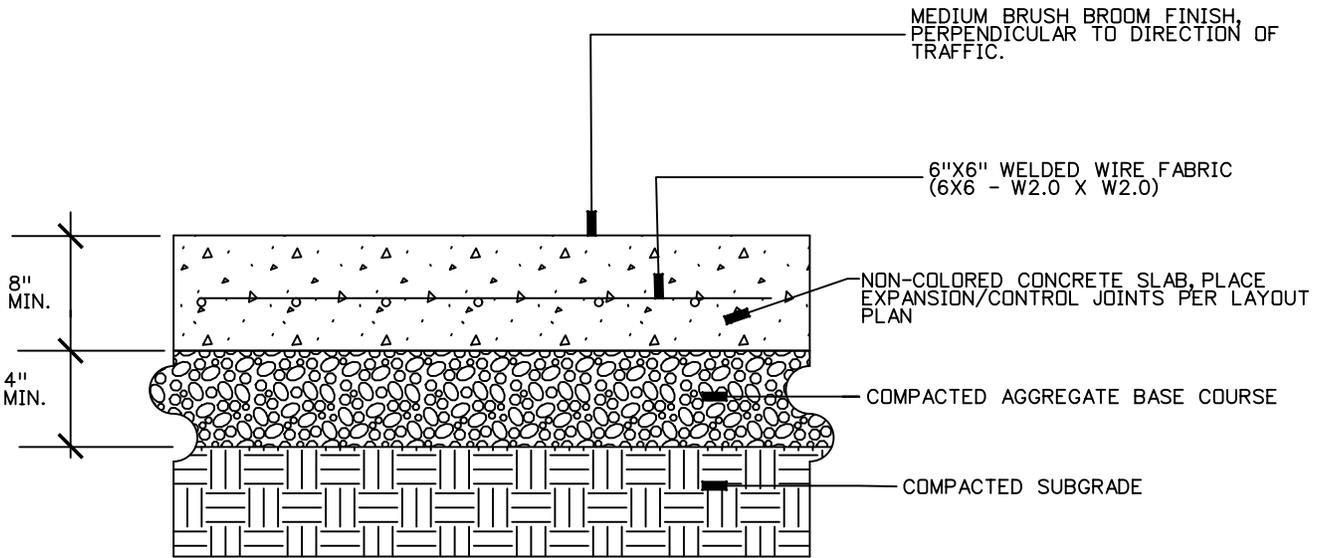
CONNECTION TO EXISTING SIDEWALK



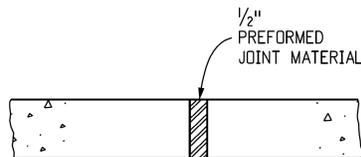
CONCRETE SIDEWALK

CONCRETE CURB, GUTTER, SIDEWALK, AND PAVEMENT DETAILS

 <p>TOWN OF BRECKENRIDGE ENGINEERING</p>	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: 11/3/20 LAST REVISION DATE: _____</p>	<p>Standard Drawing 4 Sheet 3 of 5</p>
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CONCRETE PAVEMENT (PANS, SPANDRELS, & BUS STOP)

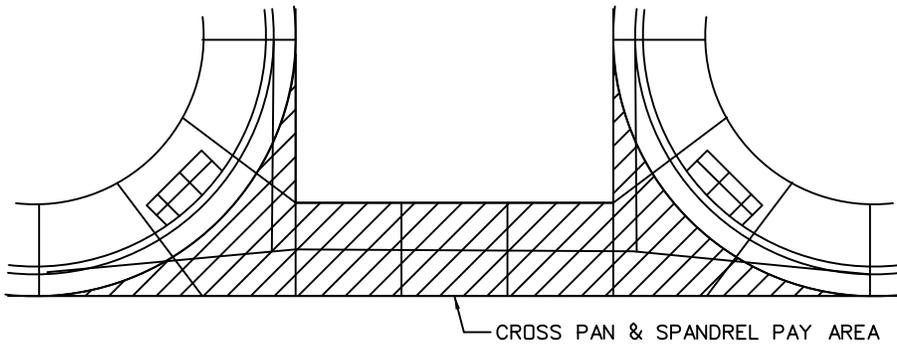
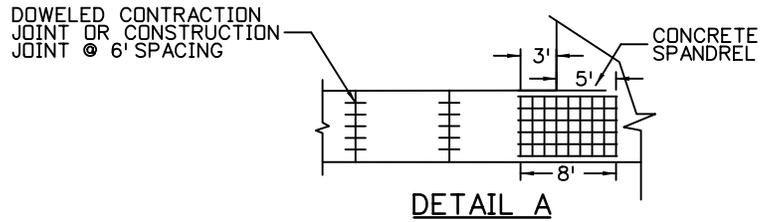
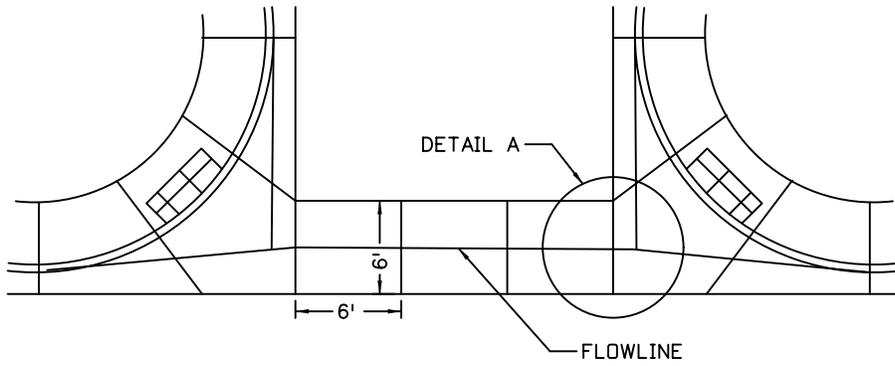


- NOTES: 1. EXPANSION JOINTS SHALL BE PLACED IN THE SIDEWALK AT INTERVALS OF NOT MORE THAN 500 FT.
2. EXPANSION JOINTS MAY BE SEALED WHEN SPECIFIED ON THE PLANS.

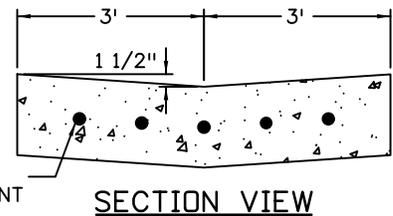
SIDEWALK EXPANSION JOINT

CONCRETE CURB, GUTTER, SIDEWALK, AND PAVEMENT DETAILS

 <p>TOWN OF BRECKENRIDGE ENGINEERING</p>	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____</p>	<p>Standard Drawing 4 Sheet 4 of 5</p>
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1" DIAMETER BY 12" LONG MIN.
SMOOTH DOWEL BARS & 12" OC
CENTERED ON CONTRACTION JOINT



CONCRETE CROSS-PAN STANDARD DETAIL

CONCRETE CURB, GUTTER, SIDEWALK, AND PAVEMENT DETAILS



TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 4
Sheet 5 of 5

CURB RAMP GENERAL NOTES:

- ① IN NEW CONSTRUCTION OR FULL-DEPTH RECONSTRUCTION, PROVIDE A SEPARATE CURB RAMP FOR EACH MARKED OR UNMARKED PEDESTRIAN STREET CROSSING. CURB RAMPS SHALL BE CONTAINED WHOLLY WITHIN THE WIDTH OF THE PEDESTRIAN STREET CROSSING OR CROSSWALK THEY SERVE.
- ② ALTERATIONS ARE DEFINED AS CHANGES TO AN EXISTING HIGHWAY THAT AFFECT PEDESTRIAN ACCESS, CIRCULATION, OR USE. ALTERATIONS INCLUDE, BUT ARE NOT LIMITED TO, RESURFACING, REHABILITATION, RECONSTRUCTION, CURB RAMP RETROFITS, HISTORIC RESTORATION, OR CHANGES OR REARRANGEMENT TO STRUCTURAL PARTS OR ELEMENTS OF A PEDESTRIAN FACILITY.
- ③ A WALKABLE SURFACE IS DEFINED AS A PAVED SURFACE ADJACENT TO A CURB RAMP OR TURNING SPACE, WITHOUT RAISED OBSTACLES, THAT COULD BE MISTAKENLY TRAVERSED BY A USER WHO IS VISUALLY IMPAIRED.
- ④ IN ALTERATIONS, WHERE AN EXISTING PHYSICAL CONSTRAINT PREVENTS PROVIDING A SEPARATE CURB RAMP FOR EACH PEDESTRIAN STREET CROSSING, A SINGLE DIAGONAL RAMP (ON THE APEX) SHALL BE PERMITTED TO SERVE BOTH PEDESTRIAN STREET CROSSINGS. THE USE OF A SINGLE DIAGONAL RAMP SHALL BE APPROVED BY THE TOWN PRIOR TO CONSTRUCTION. DIAGONAL RAMPS ARE NOT ACCEPTABLE IN NEW CONSTRUCTION OR FULL-DEPTH RECONSTRUCTION.
- ⑤ DETECTABLE WARNINGS SURFACES (DWS) ARE INTENDED TO INDICATE THE BOUNDARY BETWEEN A PEDESTRIAN ROUTE AND VEHICULAR ROUTE WHERE THERE IS A FLUSH RATHER THAN CURBED CONNECTION. DWS ARE NOT INTENDED TO PROVIDE WAYFINDING. DWS SHALL BE PROVIDED AT THE FOLLOWING LOCATIONS;
 1. CURB RAMPS, BLENDED TRANSITIONS, AND DEPRESSED CORNERS AT PEDESTRIAN STREET CROSSINGS;
 2. PEDESTRIAN REFUGE ISLANDS (6 FEET IN WIDTH OR GREATER);
 3. BOARDING PLATFORMS AT TRANSIT STOPS WHERE THE EDGE OF THE PLATFORM IS NOT PROTECTED TO PEDESTRIAN CROSS TRAFFIC; AND
 4. BOARDING AREAS AT SIDEWALK OR STREET LEVEL TRANSIT STOPS WHERE THE AREA IS NOT PROTECTED TO PEDESTRIAN CROSS TRAFFIC.
- ⑥ DETECTABLE WARNING SURFACES SHALL CONTRAST VISUALLY WITH THE ADJACENT GUTTER, HIGHWAY, OR PEDESTRIAN ACCESS ROUTE SURFACE, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT. FEDERAL YELLOW COLOR IS PREFERRED, HOWEVER, OTHER COLORS MAY BE USED IF APPROVED BY THE ENGINEER.
- ⑦ IN ALTERATIONS, TO AVOID CHASING GRADE INDEFINITELY ON STEEP ROADWAYS, A CURB RAMPS LENGTH IS NOT REQUIRED TO EXCEED 15 FEET REGARDLESS OF THE RESULTING RAMP RUNNING SLOPE.
- ⑧ ALL SLOPES ARE MEASURED WITH RESPECT TO A LEVEL PLANE.
- ⑨ DRAINAGE STRUCTURES, TRAFFIC SIGNAL EQUIPMENT, OR OTHER OBSTRUCTIONS SHALL NOT BE INSTALLED ON THE CURB RAMP, OR TURNING SPACE AREAS.
- ⑩ IN NEW CONSTRUCTION, PULL BOXES, METER BOXES, MAINTENANCE HOLE COVERS, VAULT LIDS, OR SIMILAR, SHALL NOT BE CONSTRUCTED WITHIN ANY PART OF CURB RAMP OR TURNING SPACE. IN ALTERATIONS, WHERE THESE ITEMS CANNOT BE RELOCATED OUTSIDE OF THE CURB RAMP OR TURNING SPACE, THEY MUST NOT CREATE A VERTICAL DISCONTINUITY GRATER THAN 1/2 INCH. ANY VERTICAL DISCONTINUITY BETWEEN 1/4 INCH AND 1/2 INCH SHALL BE BEVELED WITH A SLOPE NOT STEEPER THAN 1V:2H. THE BEVEL SHALL BE APPLIED ACROSS THE ENTIRE SURFACE DISCONTINUITY.
- ⑪ ALL CURB RAMP JOINTS AND GRADE BREAKS SHALL BE FLUSH (0'-1/8"). THE JOINT BETWEEN THE ROADWAY SURFACE AND THE GUTTER PAN SHALL BE FLUSH.
- ⑫ THE CONTRACTOR SHALL VERIFY REMOVAL LIMITS ARE SUFFICIENT TO PROVIDE POSITIVE DRAINAGE, MAINTAIN EXISTING DRAINAGE PATTERNS, AND AVOID PONDING IN THE FINAL CONFIGURATION.
- ⑬ FLARED SIDE SLOPES MAY EXCEED 10.0% ONLY WHERE THEY ABUT A NON-WALKABLE SURFACE, OR WHERE THE ADJACENT RAMP SURFACE IS BLOCKED TO PEDESTRIAN TRAFFIC.

CURB RAMP DETAILS

Curb Ramp General Notes

	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 1 of 26
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CURB RAMP GENERAL NOTES CONT.:

- ⑭ THE CHANGE IN GRADE AT THE BOTTOM OF THE CURB RAMP SHALL NOT EXCEED AN ALGEBRAIC DIFFERENCE OF 13.33%. THE COUNTER SLOPE OF THE GUTTER AT THE FOOT OF A RAMP, TURNING SPACE, OR BLENDED TRANSITION SHALL NOT EXCEED 5.0%.
- ⑮ GRADE BREAKS AT THE TOP AND BOTTOM OF RAMP RUNS SHALL BE PERPENDICULAR TO THE DIRECTION OF THE RAMP RUN. GRADE BREAKS SHALL NOT BE PERMITTED ON THE SURFACE OF THE RAMP RUN OR TURNING SPACE. SURFACE SLOPES THAT MEET AT GRADE BREAKS SHALL BE FLUSH.
- ⑯ A BROOM FINISH, WITH SWEEPS PERPENDICULAR TO THE DIRECTION OF PEDESTRIAN TRAFFIC, SHALL BE APPLIED TO ALL RAMP AND TURNING SPACE SURFACES.
- ⑰ IN ALTERATIONS, WHERE A RAMP OR TURNING SPACE MUST TIE INTO AN EXISTING GRADE THAT CANNOT BE ALTERED, THE RAMP OR TURNING SPACE MAY BE WARPED TO TRANSITION TO THE REQUIRED CROSS SLOPE. THE TRANSITION TO THE REQUIRED CROSS SLOPE SHALL BE SPREAD EVENLY OVER THE LENGTH OF THE RAMP OR TURNING SPACE TO MINIMIZE THE DEGREE OF WARPING. THE RATE OF CHANGE ON A RAMP OR TURNING SPACE SHALL NOT EXCEED 3% PER LINEAR FOOT.
- ⑱ DESIGN AND CONSTRUCT CURB RAMPS, TURNING SPACES, AND FLARE SLOPES WITH THE FLATTEST SLOPES POSSIBLE. THE SLOPES INDICATED IN THESE DETAILS SHOW THE MAXIMUM SLOPES ALLOWABLE. PREFERRED VALUES TO BE USED DURING DESIGN, LAYOUT, AND CONSTRUCTION ARE:
- RAMP RUNNING SLOPE 7.5%
 - RAMP CROSS SLOPE 1.5%
 - TURNING SPACE RUNNING SLOPE 1.5%
 - TURNING SPACE CROSS SLOPE 1.5%
 - FLARE SLOPE 8.0-9.0%
- ⑲ PROVIDE EXPANSION JOINT MATERIAL 1/2" THICK WHERE CURB RAMPS ADJOIN ANY RIGID PAVEMENT, OR STRUCTURE. THE TOP OF THE JOINT FILLER MATERIAL SHALL BE FLUSH WITH ADJOINING CONCRETE SURFACES. THE EXPANSION JOINT MATERIAL SHALL EXTEND FOR THE FULL DEPTH OF THE CONCRETE SURFACE.
- ⑳ PROVIDE TIE BAR REINFORCING BETWEEN INDEPEDENTLY Poured CONCRETE CURB RAMPS OR TURNING SPACES AND CURB AND GUTTER. DRILL AND GROUT NO. 4 12 INCH LONG REINFORCEMENT BARS (EPOXY COATED) AT 18 INCHES CENTER TO CENTER MINIMUM.

PERCENT SLOPE	1.0%	2.0%	5.0%	7.1%	8.3%	10.0%
EQUIVALENT RUN/RISE	100:1	50:1	20:1	14:1	12:1	10:1

SLOPE TABLE

CURB RAMP DETAILS

Curb Ramp General Notes

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 2 of 26
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PERPENDICULAR RAMP NOTES:

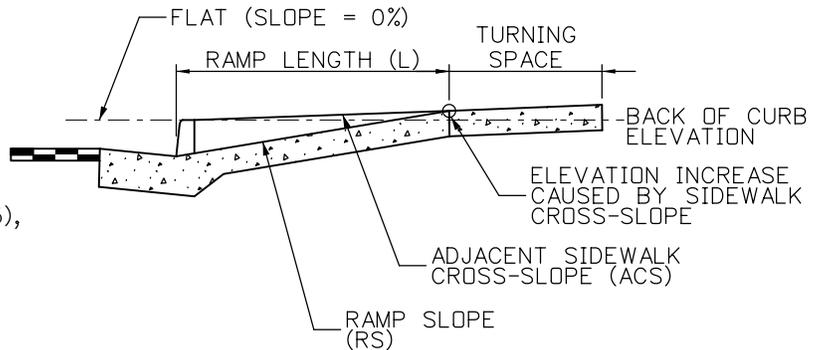
- ① RAMP WIDTH - PROVIDE 5 FT. OR GREATER WHERE POSSIBLE. IF SITE CONSTRAINTS DO NOT PERMIT, PROVIDE 4 FT. MINIMUM. RAMPS SERVICING SHARED USE PATHS SHALL MATCH THE WIDTH OF THE PATH.
- ← ② RAMP RUNNING SLOPE - 8.3% MAX.
- ③ TURNING SPACE RUNNING SLOPE - 2.0% MAX. TURNING SPACE RUNNING SLOPE IS MEASURED IN THE SAME DIRECTION AS THE RAMP RUNNING SLOPE.
- ← ④ RAMP AND TURNING SPACE CROSS SLOPE - 2.0% TYPICAL. AT CROSSINGS WITHOUT YIELD OR STOP CONTROL, OR WITH A SIGNAL WHERE VEHICLES CAN PROCEED THROUGH THE INTERSECTION WITHOUT SLOWING OR STOPPING, THE CROSS SLOPE OF RAMPS AND TURNING SPACES MAY EQUAL THE HIGHWAY GRADE. AT MIDBLOCK PEDESTRIAN STREET CROSSINGS THE RAMP AND TURNING SPACE CROSS SLOPE MAY EQUAL THE HIGHWAY GRADE.
- ⑤ TURNING SPACE DIMENSIONS - PROVIDE A TURNING SPACE AT THE TOP OF PERPENDICULAR RAMPS WITH A WIDTH EQUAL TO THE WIDTH OF THE CURB RAMP. TURNING SPACE LENGTH MUST BE 4 FT. MINIMUM, MEASURED IN THE DIRECTION OF THE RAMP RUN. WHEN A TURNING SPACE IS CONSTRAINED AT THE BACK OF SIDEWALK, INCREASE LENGTH TO 5 FT. MINIMUM IN THE DIRECTION OF THE RAMP RUN.
- ⑥ RAMP ALIGNMENT - RAMPS SHALL BE ALIGNED TO BE FULLY CONTAINED WITHIN THE CROSSWALK OR STREET CROSSING THEY SERVE. PROVIDE ONE RAMP FOR EACH STREET CROSSING DIRECTION. IN ALTERATIONS, WHERE EXISTING PHYSICAL CONSTRAINTS PREVENT PROVIDING ONE CURB RAMP FOR EACH CROSSING DIRECTION, A SINGLE DIAGONAL CURB RAMP (ON THE APEX OF A CORNER) SHALL BE PERMITTED TO SERVE BOTH PEDESTRIAN STREET CROSSINGS. IF A DIAGONAL RAMP IS USED, A CLEAR SPACE 4 FT. X 4FT. MUST BE PROVIDED AT THE BASE OF THE RAMP. THE CLEAR SPACE MUST BE WITHIN BOTH CROSSWALKS AND WHOLLY OUTSIDE OF ANY ADJACENT VEHICULAR TRAVEL LANES. DIAGONAL RAMPS ARE NOT ACCEPTABLE IN NEW CONSTRUCTION, OR FULL-DEPTH RECONSTRUCTION.
- ⑦ RAMP LENGTH - PERPENDICULAR RAMP LENGTH IS DEPENDENT UPON THE RAMP SLOPE, HEIGHT OF CURB, AND ADJACENT SIDEWALK CROSS-SLOPE WHICH MUST BE INTERCEPTED. SEE DETAIL A FOR CALCULATING RAMP LENGTH WHEN CHASING SIDEWALK CROSS-SLOPE. WHERE TERRAIN IS SLOPING A RAMP IS NOT REQUIRED TO CHASE GRADE MORE THAN 15 FT. REGARDLESS OF THE RESULTING RAMP SLOPE.
- ⑧ RAMP FLARES - WHERE A RAMP EDGE ABUTS A WALKABLE SURFACE, A FLARED SIDE SHALL BE PROVIDED. RAMP FLARE SLOPES SHALL NOT EXCEED 10.0%.
- ⑨ VERTICAL CURB RETURNS - VERTICAL CURB RETURNS MAY BE USED ONLY WHERE A RAMP ABUTS A NON-WALKABLE SURFACE, OR WHERE A RAMP IS PROTECTED FROM PEDESTRIAN CROSS TRAFFIC (FOR EXAMPLE BY A SIGNAL CABINET OR UTILITY POLE WHICH BLOCKS PASSAGE).
- ⑩ GUTTER COUNTER SLOPE - 5.0% MAX.

CH = Curb Height
 RS = Ramp Slope
 ACS = Adjacent Sidewalk Cross-Slope

$$L = \frac{CH}{(RS - ACS)}$$

EXAMPLE: CH = 6" (0.5 ft.), RS = 7.5% (0.075),
 ACS = 1.5% (0.015)
 $L = 0.5 / (0.075 - 0.015) = 8.3$ ft.

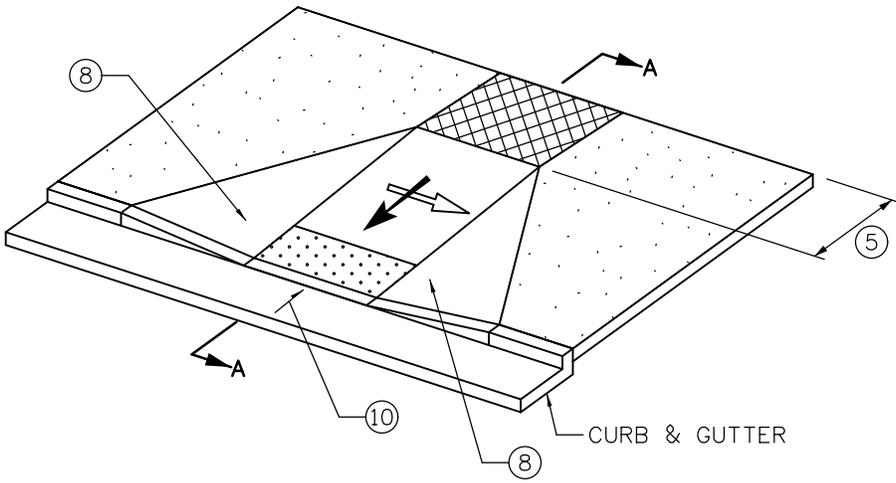
DETAIL A - RAMP LENGTH



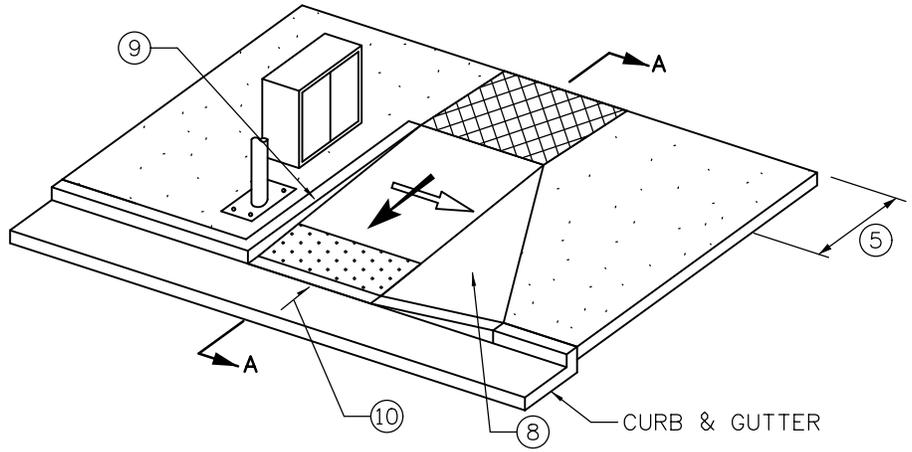
CURB RAMP DETAILS

Perpendicular Ramp Notes

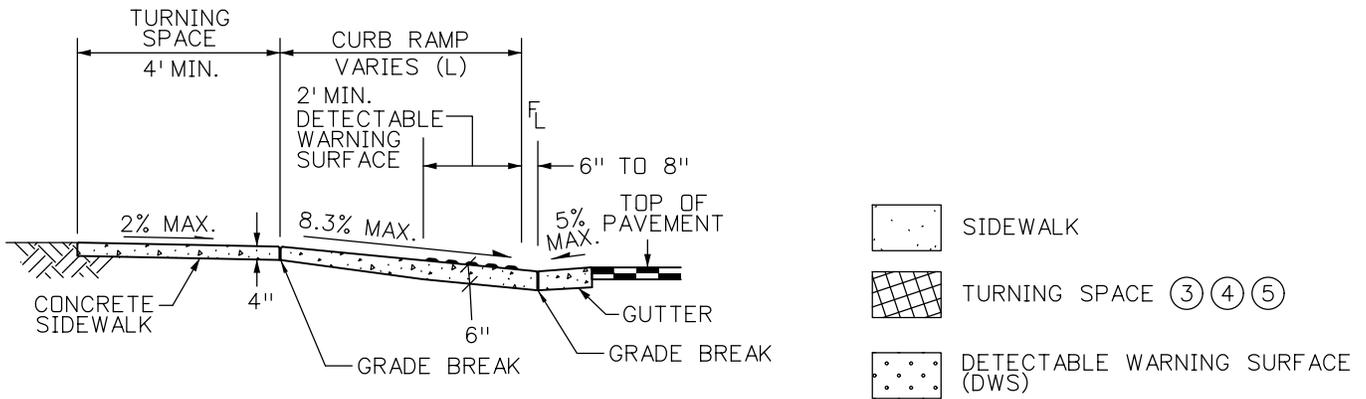
	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____</p>	<p>Standard Drawing 5 Sheet 3 of 26</p>
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PERPENDICULAR RAMP
(TYPICAL)



PERPENDICULAR RAMP
(WITH VERTICAL RETURN CURB)



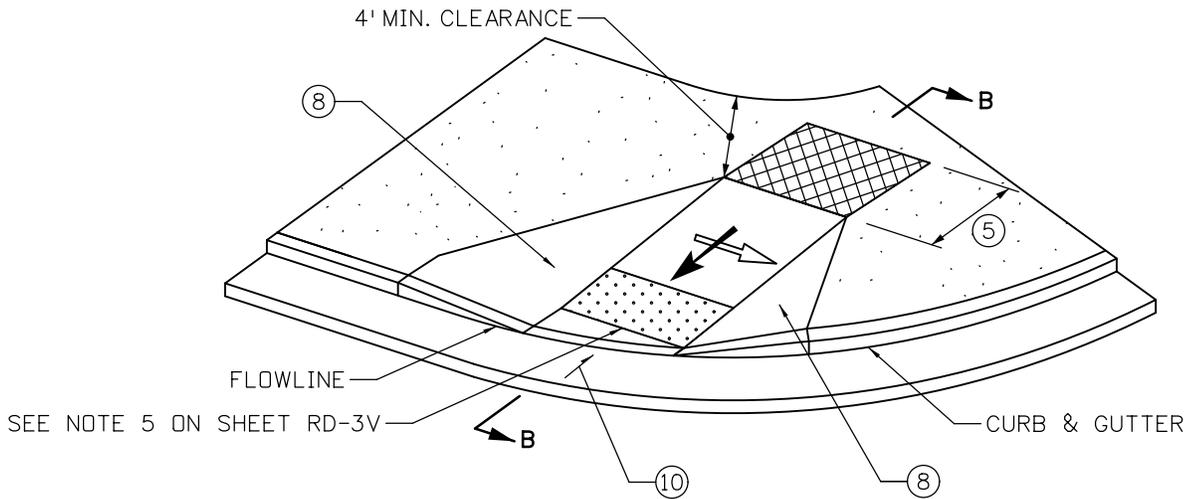
SECTION A-A

-  SIDEWALK
-  TURNING SPACE (3) (4) (5)
-  DETECTABLE WARNING SURFACE (DWS)

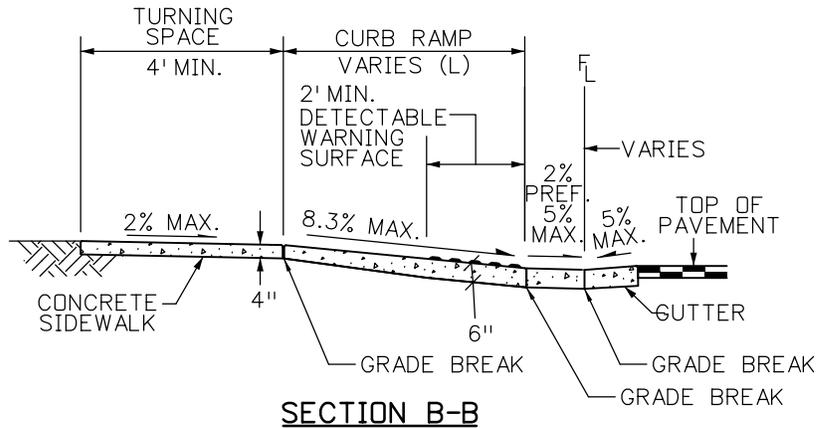
CURB RAMP DETAILS

Type 1 Perpendicular Curb Ramp

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 4 of 26
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PERPENDICULAR RAMP
(DIRECTIONAL)



SIDEWALK



TURNING SPACE (3) (4) (5)



DETECTABLE WARNING SURFACE (DWS)

CURB RAMP DETAILS

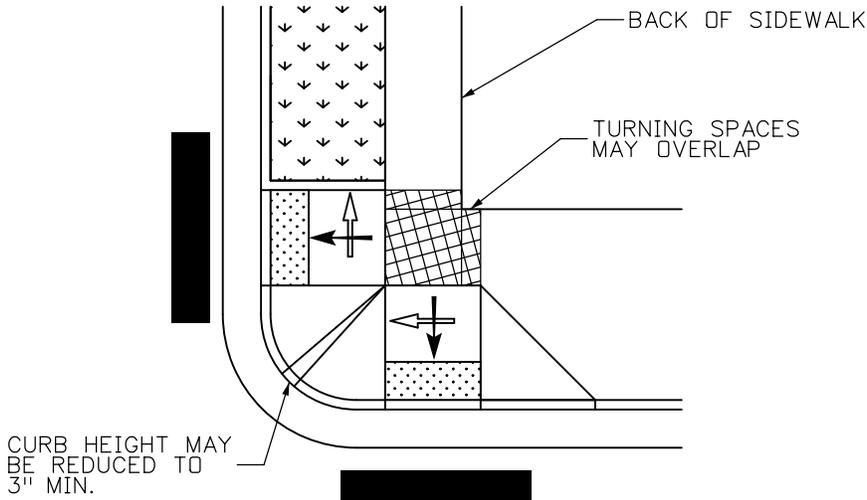
Type 1 Perpendicular Curb Ramp



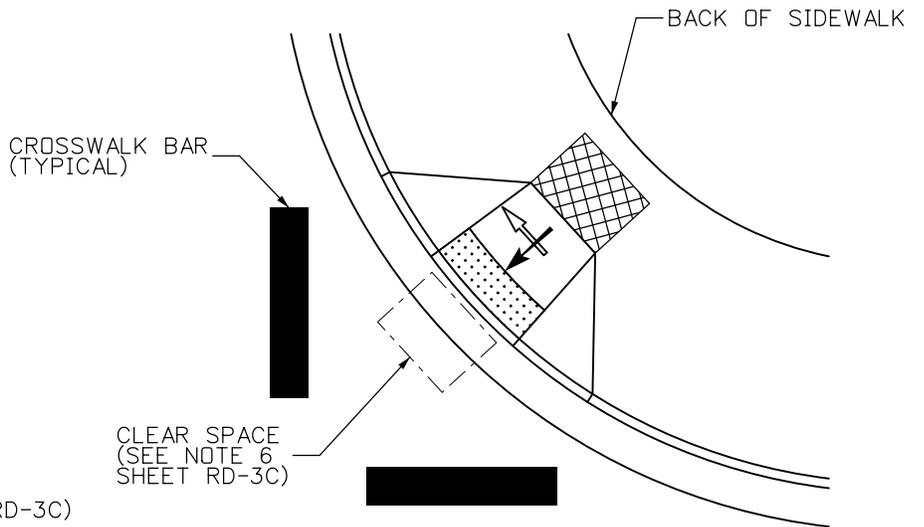
TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE:

Standard Drawing 5
Sheet 5 of 26



TYPE 1 RAMPS FOR WIDE SIDEWALK
(3" REDUCED CURB)



TYPE 1 RAMP
(DIAGONAL)

NOT ALLOWABLE IN NEW CONSTRUCTION/FULL DEPTH RECONSTRUCTION
SEE GENERAL NOTE 4

 TURNING SPACE
(SEE NOTES 3, 4, 5 - SHEET RD-3C)

 DETECTABLE WARNING SURFACE (DWS)
SEE DWS SHEETS FOR PLACEMENT DETAILS

 RAMP RUNNING SLOPE

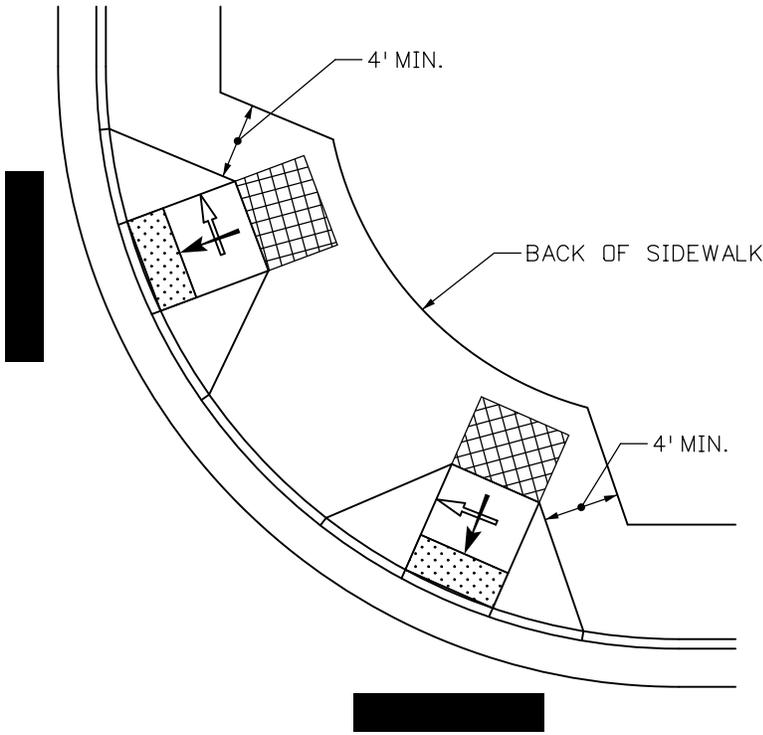
 RAMP CROSS SLOPE

NOTE

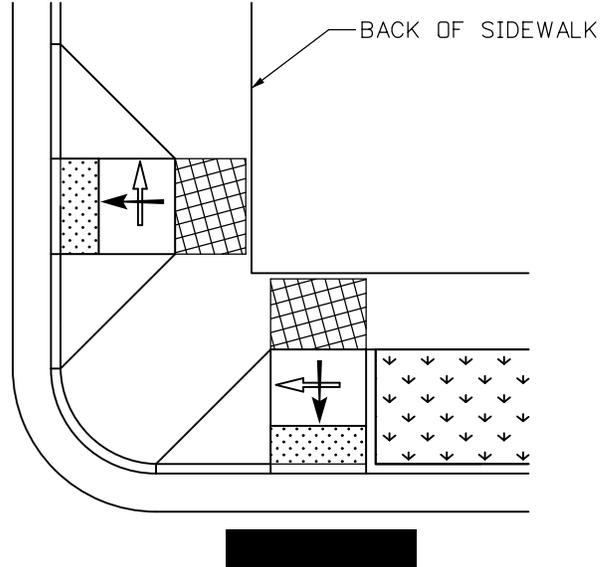
PLACEMENTS SHOWN ARE TYPICAL CONFIGURATIONS ONLY AND NOT INDICATIVE OF ALL OPTIONS. OTHER RAMP CONFIGURATIONS MAY BE ACCEPTABLE AS LONG AS THEY CONFORM TO THE CRITERIA IN THESE STANDARDS, AND ARE APPROVED BY THE ENGINEER.

CURB RAMP DETAILS
Type 1 Curb Ramp

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 6 of 26
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TYPE 1 PERPENDICULAR RAMPS



TYPE 1 RAMPS FOR WIDE SIDEWALK

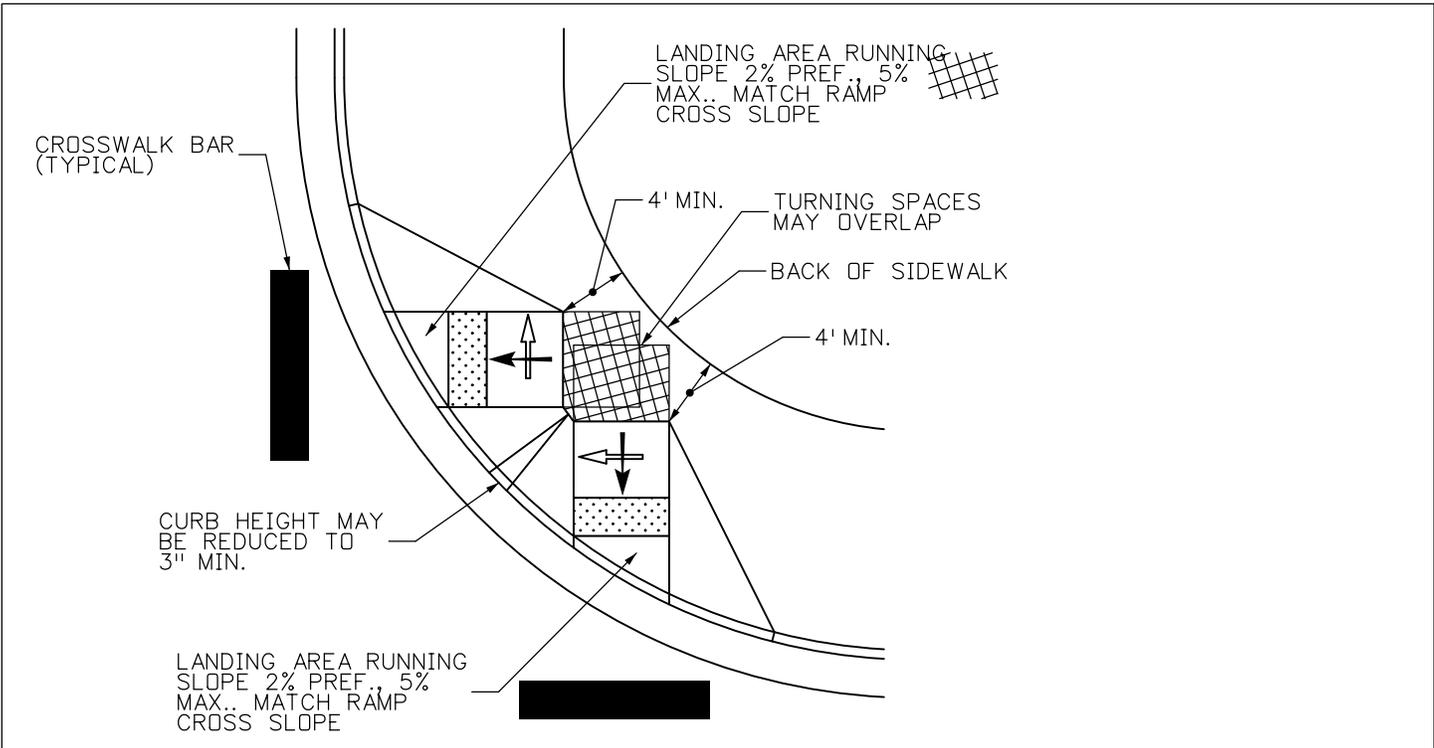
-  TURNING SPACE
(SEE NOTES 3, 4, 5 - SHEET RD-3C)
-  DETECTABLE WARNING SURFACE (DWS)
SEE DWS SHEETS FOR PLACEMENT DETAILS
-  RAMP RUNNING SLOPE
-  RAMP CROSS SLOPE

NOTE
 PLACEMENTS SHOWN ARE TYPICAL CONFIGURATIONS ONLY AND NOT INDICATIVE OF ALL OPTIONS. OTHER RAMP CONFIGURATIONS MAY BE ACCEPTABLE AS LONG AS THEY CONFORM TO THE CRITERIA IN THESE STANDARDS, AND ARE APPROVED BY THE ENGINEER.

CURB RAMP DETAILS

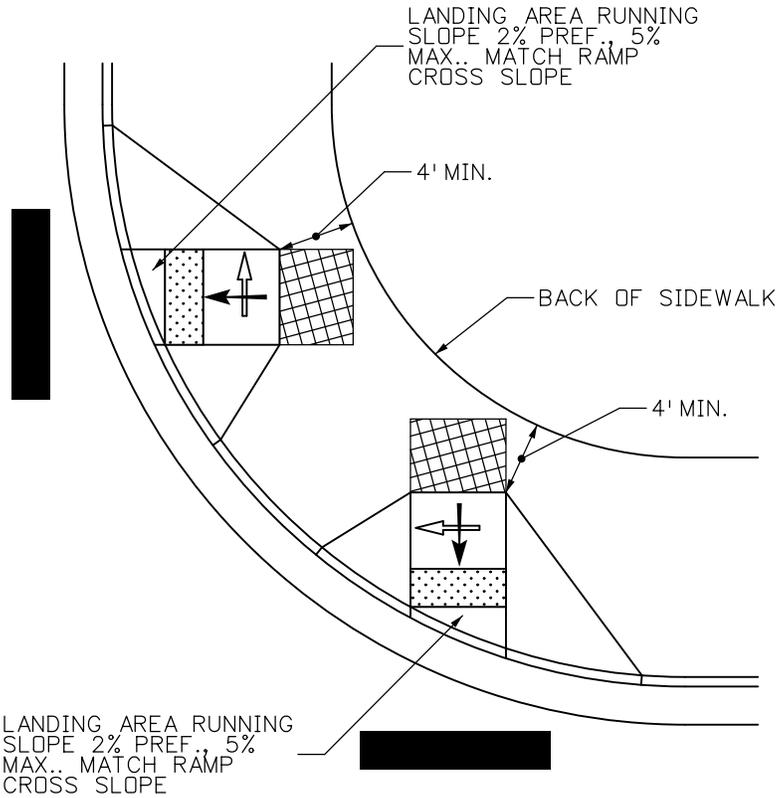
Type 1 Perpendicular Ramp

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 7 of 26
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TYPE 1 DIRECTIONAL RAMPS

(3" REDUCED CURB)



TYPE 1 DIRECTIONAL RAMPS
(LARGE RADIUS)

- TURNING SPACE (SEE NOTES 3, 4, 5 - SHEET RD-3C)
- DETECTABLE WARNING SURFACE (DWS) SEE DWS SHEETS FOR PLACEMENT DETAILS
- RAMP RUNNING SLOPE
- RAMP CROSS SLOPE

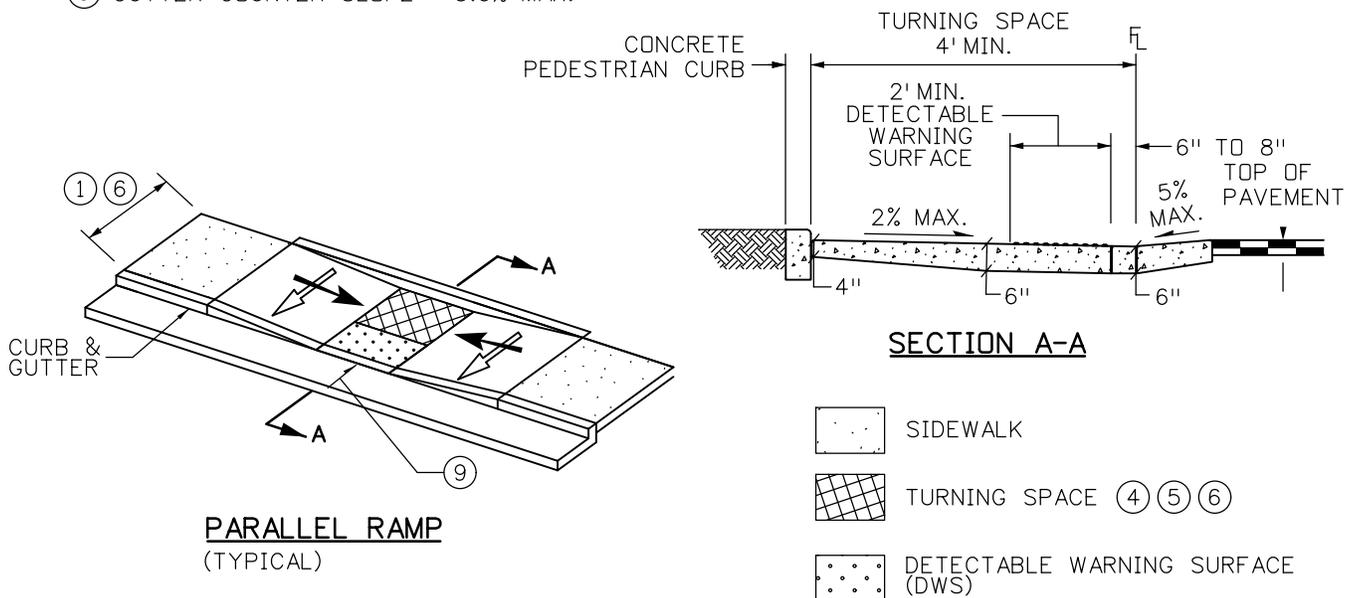
NOTE
PLACEMENTS SHOWN ARE TYPICAL CONFIGURATIONS ONLY AND NOT INDICATIVE OF ALL OPTIONS. OTHER RAMP CONFIGURATIONS MAY BE ACCEPTABLE AS LONG AS THEY CONFORM TO THE CRITERIA IN THESE STANDARDS, AND ARE APPROVED BY THE ENGINEER.

CURB RAMP DETAILS
Type 1 Directional Ramp

 <p>TOWN OF BRECKENRIDGE ENGINEERING</p>	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____</p>	<p>Standard Drawing 5 Sheet 8 of 26</p>
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PARALLEL RAMP NOTES

- ① RAMP WIDTH - PROVIDE A RAMP WIDTH EQUAL TO THE ADJOINING SIDEWALK, PROVIDE 4 FT. WIDTH MINIMUM. RAMPS SERVICING SHARED USE PATHS SHALL MATCH THE WIDTH OF THE PATH.
- ← ② RAMP RUNNING SLOPE - 8.3% MAX.
- ← ③ RAMP CROSS SLOPE - 2.0% MAX.
- ④ TURNING SPACE RUNNING SLOPE - 2.0% MAX. TURNING SPACE RUNNING SLOPE IS MEASURED PERPENDICULAR TO THE BACK OF CURB.
- ⑤ TURNING SPACE CROSS SLOPE - 2.0% TYPICAL, AT CROSSINGS WITHOUT YIELD OR STOP CONTROL, OR WITH A SIGNAL WHERE VEHICLES CAN PROCEED THROUGH THE INTERSECTION WITHOUT SLOWING OR STOPPING, THE CROSS SLOPE OF THE TURNING SPACE MAY EQUAL THE HIGHWAY GRADE. AT MIDBLOCK PEDESTRIAN STREET CROSSINGS THE TURNING SPACE CROSS SLOPE MAY EQUAL THE HIGHWAY GRADE. TURNING SPACE CROSS SLOPE IS MEASURED IN THE DIRECTION OF THE RAMP RUN.
- ⑥ TURNING SPACE DIMENSIONS - PROVIDE A TURNING SPACE AT THE BOTTOM OF PARALLEL RAMPS WITH A WIDTH EQUAL TO THE WIDTH OF THE CURB RAMP. PROVIDE 4 FT. MINIMUM, MEASURED IN THE DIRECTION OF THE RAMP RUN. IF THE TURNING SPACE IS CONSTRAINED ON TWO SIDES, PROVIDE 5 FT. MEASURED IN THE DIRECTION OF PEDESTRIAN STREET CROSSING. THE TURNING SPACE MAY CONTAIN THE DETECTABLE WARNING SURFACE.
- ⑦ RAMP ALIGNMENT - RAMPS SHALL BE ALIGNED SO THE TURNING SPACE IS FULLY CONTAINED WITHIN THE CROSSWALK OR STREET CROSSING THEY SERVE. PROVIDE ONE RAMP FOR EACH STREET CROSSING DIRECTION. IN ALTERATIONS, WHERE EXISTING PHYSICAL CONSTRAINTS PREVENT PROVIDING ONE CURB RAMP FOR EACH CROSSING DIRECTION, A SINGLE DIAGONAL CURB RAMP (ON THE APEX OF A CORNER) SHALL BE PERMITTED TO SERVE BOTH PEDESTRIAN STREET CROSSINGS. DIAGONAL RAMPS ARE NOT ACCEPTABLE IN NEW CONSTRUCTION, OR FULL-DEPTH RECONSTRUCTION.
- ⑧ RAMP LENGTH - PARALLEL RAMP LENGTH IS DEPENDENT UPON THE RAMP SLOPE AND THE CHANGE OF ELEVATION FROM THE TURNING SPACE TO THE SIDEWALK. WHERE TERRAIN IS SLOPING A RAMP IS NOT REQUIRED TO CHASE GRADE MORE THAN 15 FT. REGARDLESS OF THE RESULTING RAMP SLOPE.
- ⑨ GUTTER COUNTER SLOPE - 5.0% MAX.

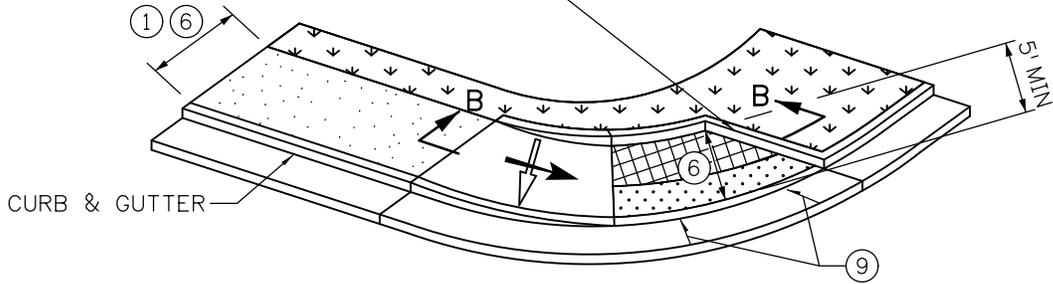


CURB RAMP DETAILS

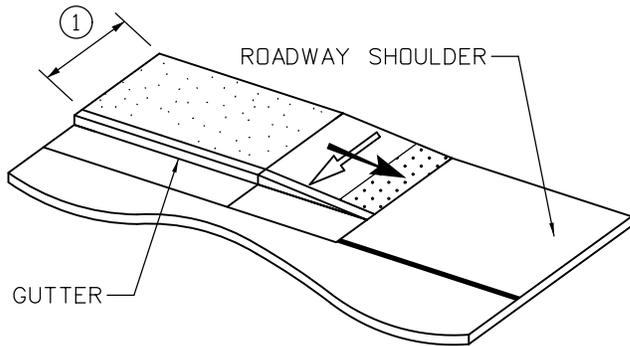
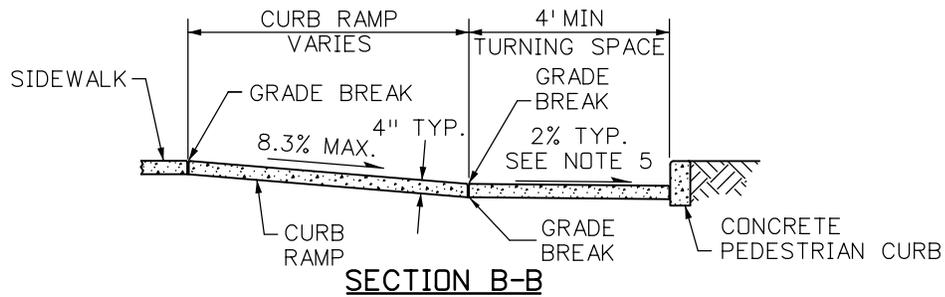
Parallel Ramp Notes

<p style="font-size: small; margin-top: 5px;">TOWN OF BRECKENRIDGE ENGINEERING</p>	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u></p> <p>LAST REVISION DATE: _____</p>	<p>Standard Drawing 5 Sheet 9 of 26</p>
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CURB FACE MAY BE ORIENTED PERPENDICULAR TO BACK OF CURB OR ORIENTED IN THE DIRECTION OF THE CROSSING AS SHOWN.



PARALLEL RAMP
(SIDEWALK ENDS)



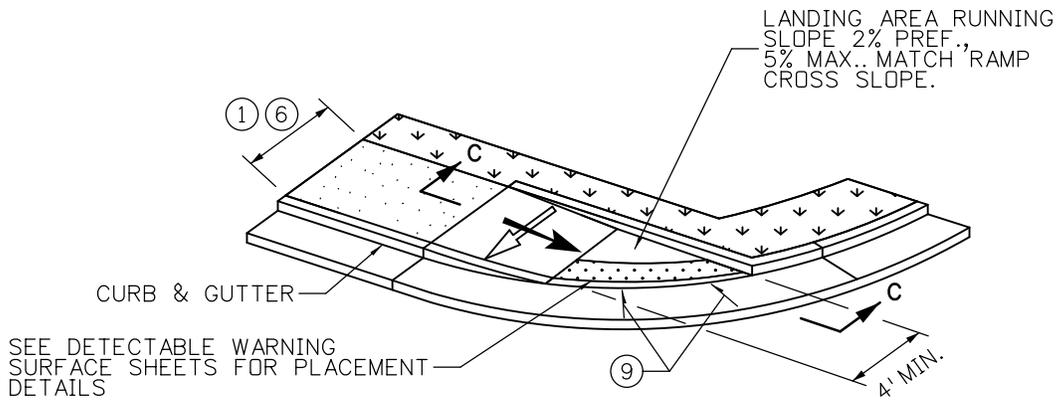
SIDEWALK TO SHOULDER TRANSITION

-  SIDEWALK
-  TURNING SPACE (4) (5) (6)
-  DETECTABLE WARNING SURFACE (DWS)

CURB RAMP DETAILS

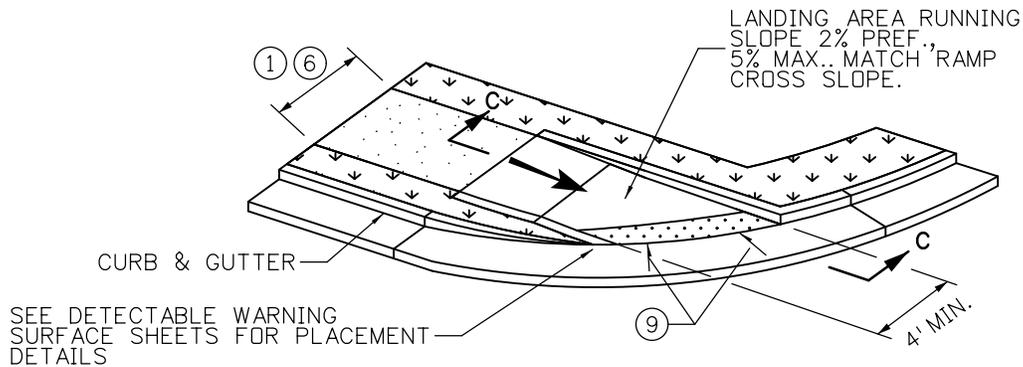
Type 2 Parallel Curb Ramp

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 10 of 26
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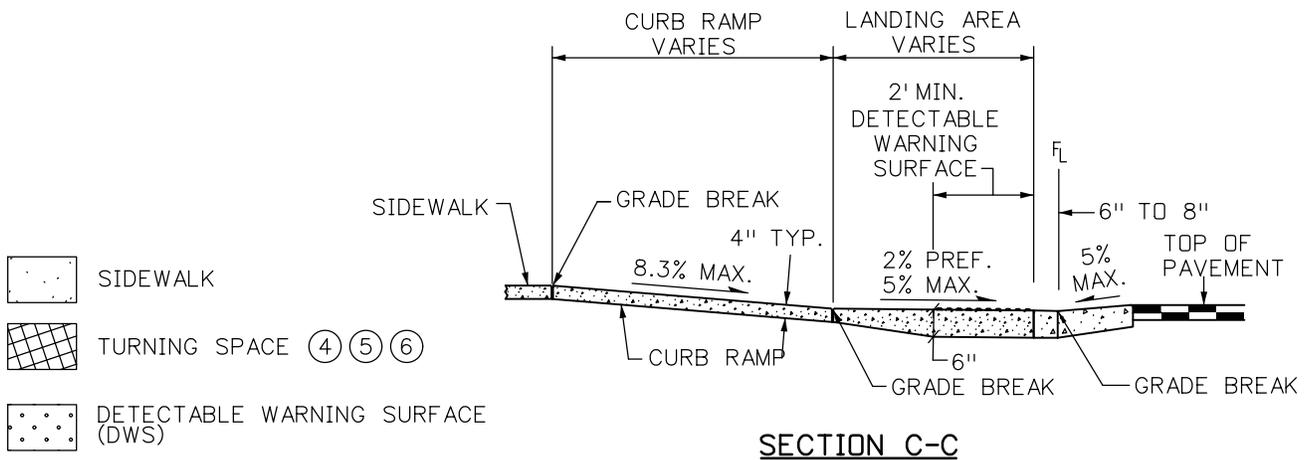


PARALLEL RAMP

(DIRECTIONAL - CROSSING IN ONE DIRECTION ONLY)



DIRECTIONAL RAMP



SECTION C-C

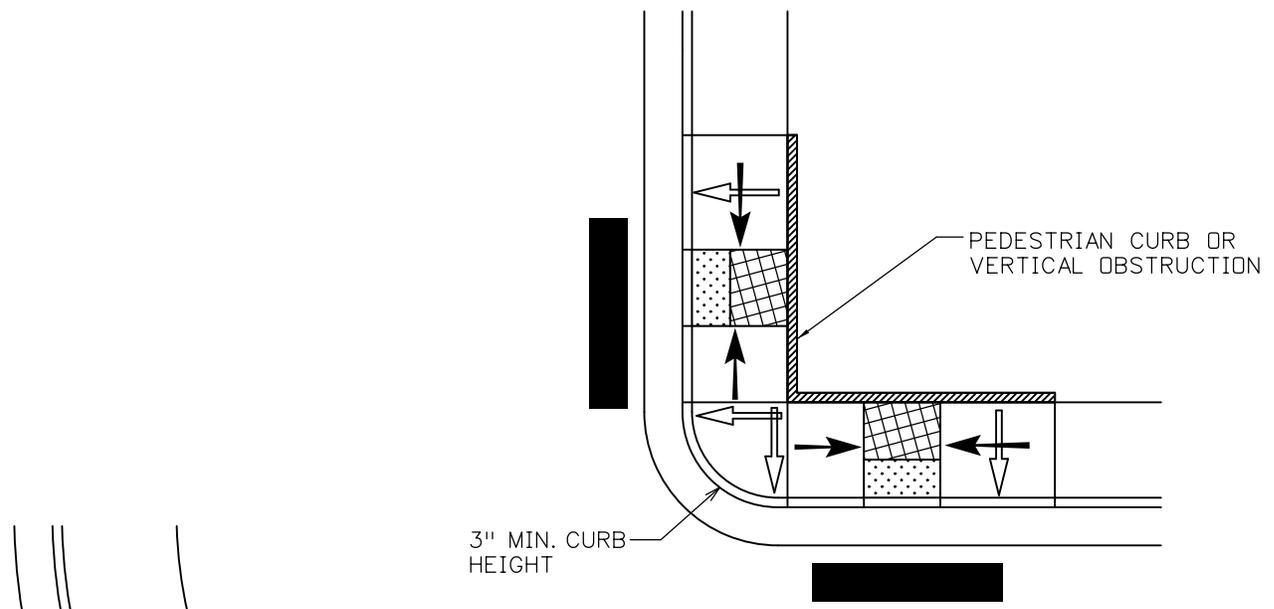
CURB RAMP DETAILS
Type 2 Parallel Curb Ramps



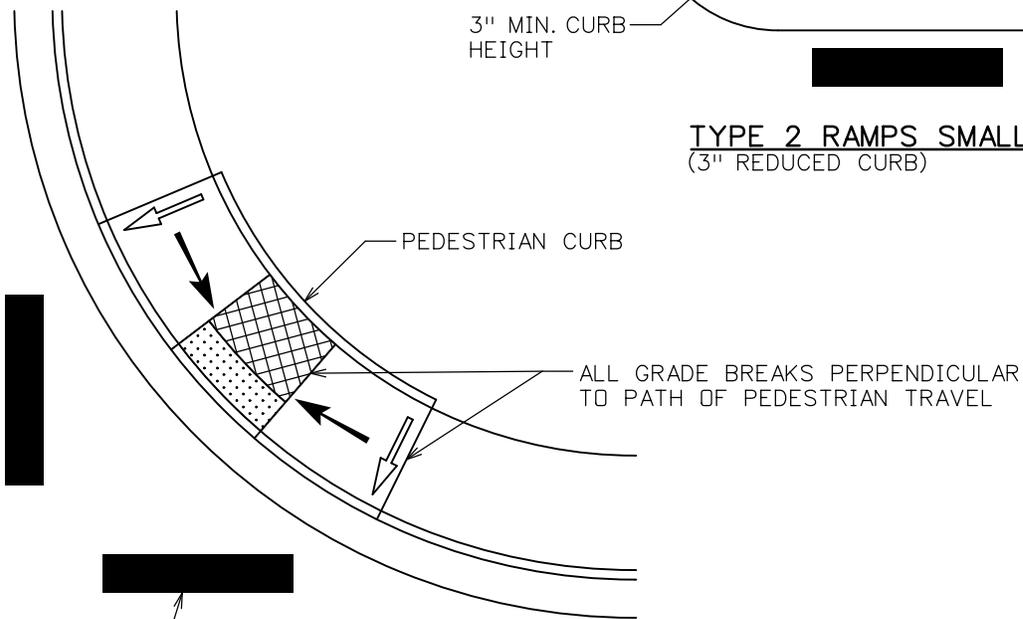
**TOWN OF BRECKENRIDGE
STANDARD DETAILS**

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 5
Sheet 11 of 26



TYPE 2 RAMPS SMALL RADIUS
(3" REDUCED CURB)



TYPE 2 RAMP (DIAGONAL)

NOT ALLOWABLE IN NEW CONSTRUCTION/FULL-DEPTH RECONSTRUCTION
SEE NOTE GENERAL NOTE 4

CROSSWALK BAR (TYPICAL)

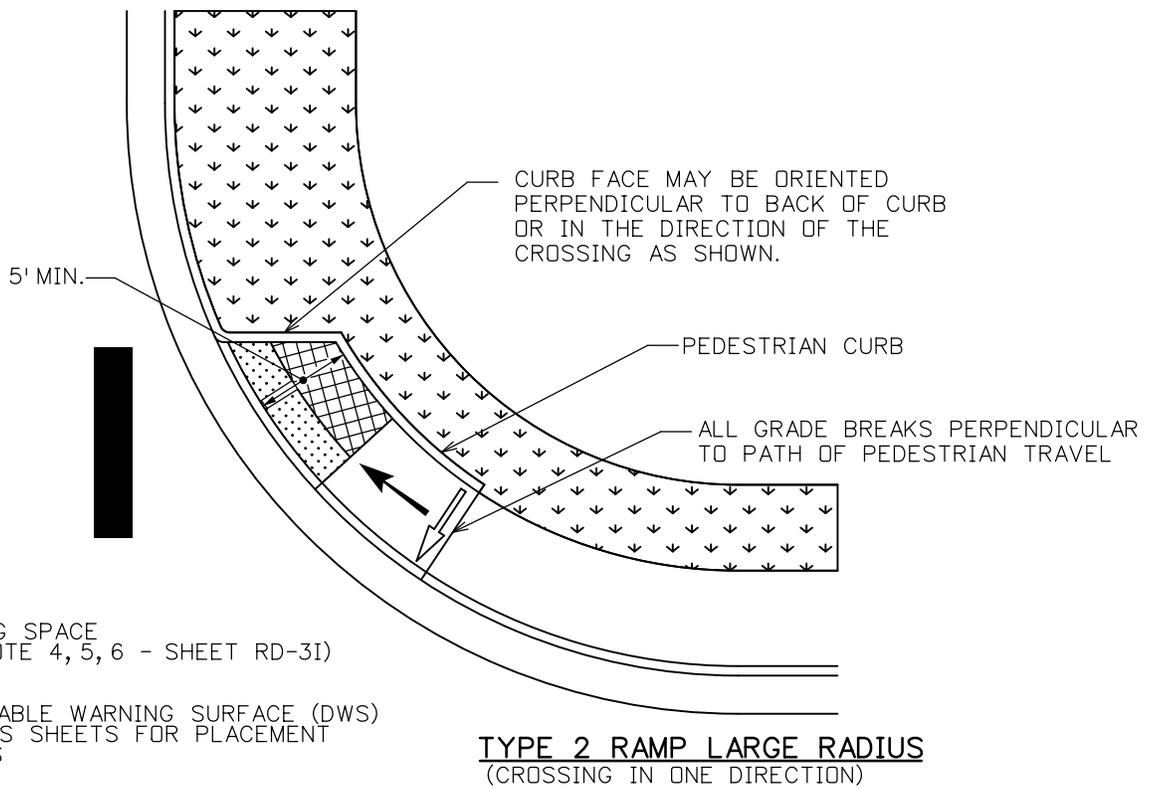
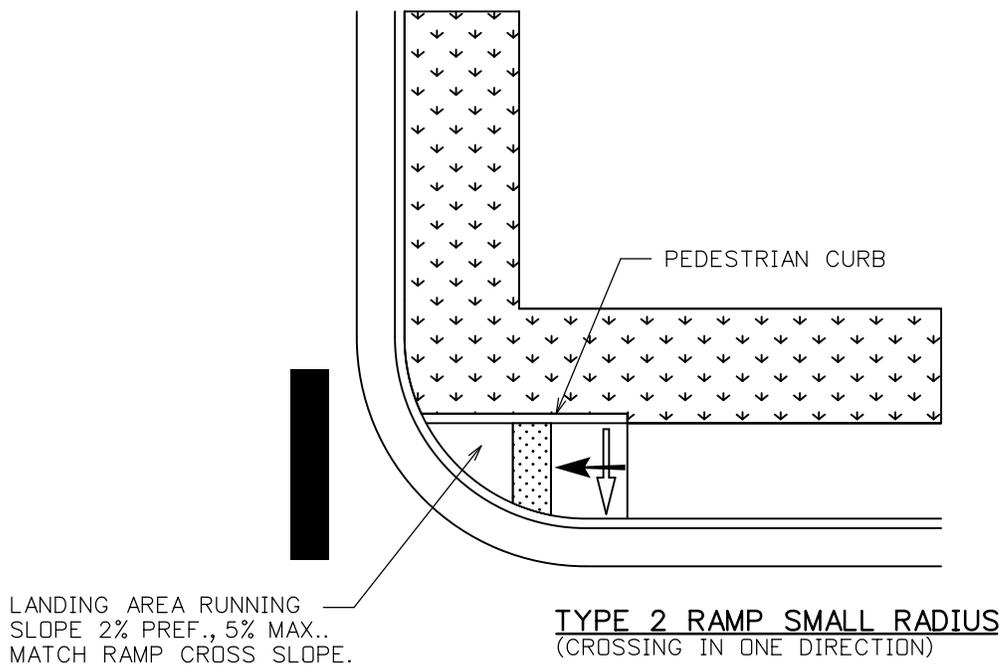
-  TURNING SPACE
(SEE NOTE 4, 5, 6 - SHEET RD-3I)
-  DETECTABLE WARNING SURFACE (DWS)
SEE DWS SHEETS FOR PLACEMENT DETAILS
-  RAMP RUNNING SLOPE
-  RAMP CROSS SLOPE

NOTE
PLACEMENTS SHOWN ARE TYPICAL CONFIGURATIONS ONLY AND NOT INDICATIVE OF ALL OPTIONS. OTHER RAMP CONFIGURATIONS MAY BE ACCEPTABLE AS LONG AS THEY CONFORM TO THE CRITERIA IN THESE STANDARDS, AND ARE APPROVED BY THE ENGINEER.

CURB RAMP DETAILS

Type 2 Parallel Curb Ramp

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 12 of 26
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 TURNING SPACE
(SEE NOTE 4, 5, 6 - SHEET RD-3I)

 DETECTABLE WARNING SURFACE (DWS)
SEE DWS SHEETS FOR PLACEMENT DETAILS

 RAMP RUNNING SLOPE

 RAMP CROSS SLOPE

CURB RAMP DETAILS

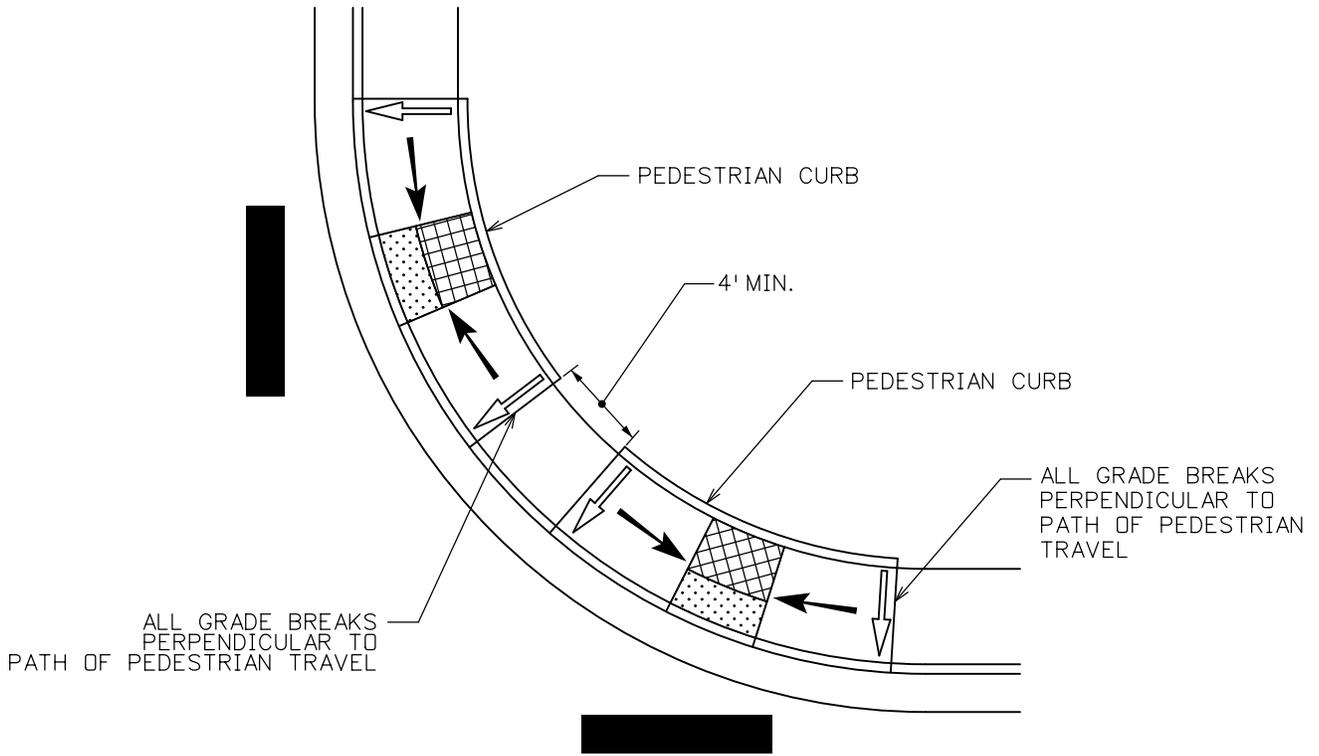
Type 2 Parallel Curb Ramp



TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 5
Sheet 13 of 26



TYPE 2 RAMPS LARGE RADIUS



TURNING SPACE
(SEE NOTE 4, 5, 6 - SHEET RD-31)



DETECTABLE WARNING SURFACE (DWS)
SEE DWS SHEETS FOR PLACEMENT
DETAILS



RAMP RUNNING SLOPE



RAMP CROSS SLOPE

CURB RAMP DETAILS

Type 2 Parallel Ramp



**TOWN OF BRECKENRIDGE
ENGINEERING**

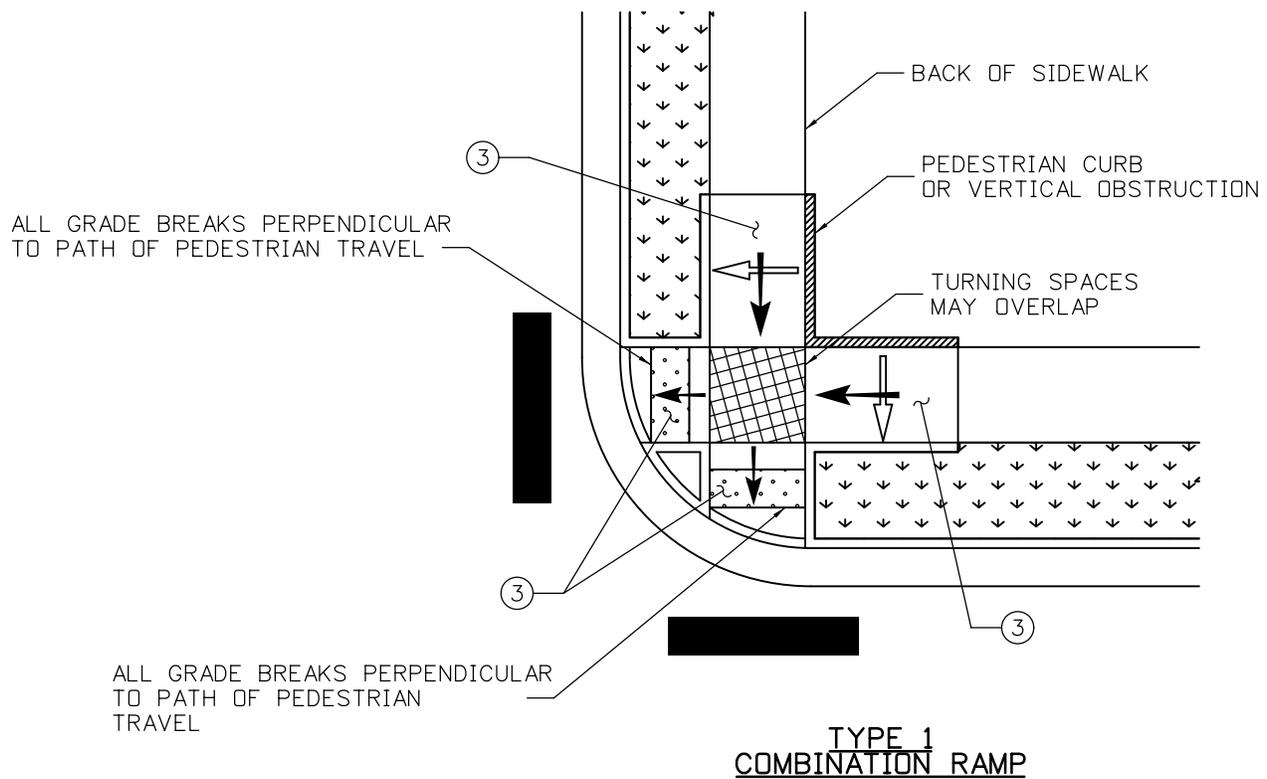
**TOWN OF BRECKENRIDGE
STANDARD DETAILS**

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 5
Sheet 14 of 26

COMBINATION CURB RAMP NOTES:

- ① THE CURB RAMP PLACEMENTS SHOWN ARE TYPICAL CONFIGURATIONS ONLY AND NOT INDICATIVE OF ALL OPTIONS. OTHER CURB RAMP CONFIGURATIONS MAY BE ACCEPTABLE AS LONG AS THEY CONFORM TO THE CRITERIA IN THESE STANDARDS, AND ARE APPROVED BY THE ENGINEER.
- ② RAMP AND TURNING SPACE CROSS SLOPE - 2.0% TYPICAL. AT CROSSINGS WITHOUT YIELD OR STOP CONTROL, OR WITH A SIGNAL WHERE VEHICLES CAN PROCEED THROUGH THE INTERSECTION WITHOUT SLOWING OR STOPPING, THE CROSS SLOPE OF THE RAMP AND TURNING SPACE MAY EQUAL THE HIGHWAY GRADE. AT MIDBLOCK PEDESTRIAN STREET CROSSINGS THE RAMP AND TURNING SPACE CROSS SLOPE MAY EQUAL THE HIGHWAY GRADE.
- ③ WHERE IT IS ACCEPTABLE FOR A RAMP OR TURNING SPACE CROSS SLOPE TO EXCEED 2.0% AND MATCH THE HIGHWAY GRADE, THE RAMP ABOVE THE TURNING SPACE MAY BE WARPED TO TIE INTO THE ADJOINING SIDEWALK CROSS SLOPE. THE TRANSITION TO THE SIDEWALK CROSS SLOPE SHALL BE SPREAD EVENLY OVER THE LENGTH OF THE RAMP TO MINIMIZE WARPING. THE RATE OF CHANGE IN CROSS SLOPE MAY NOT EXCEED 3.0% PER LINEAR FOOT.



 TURNING SPACE ②③

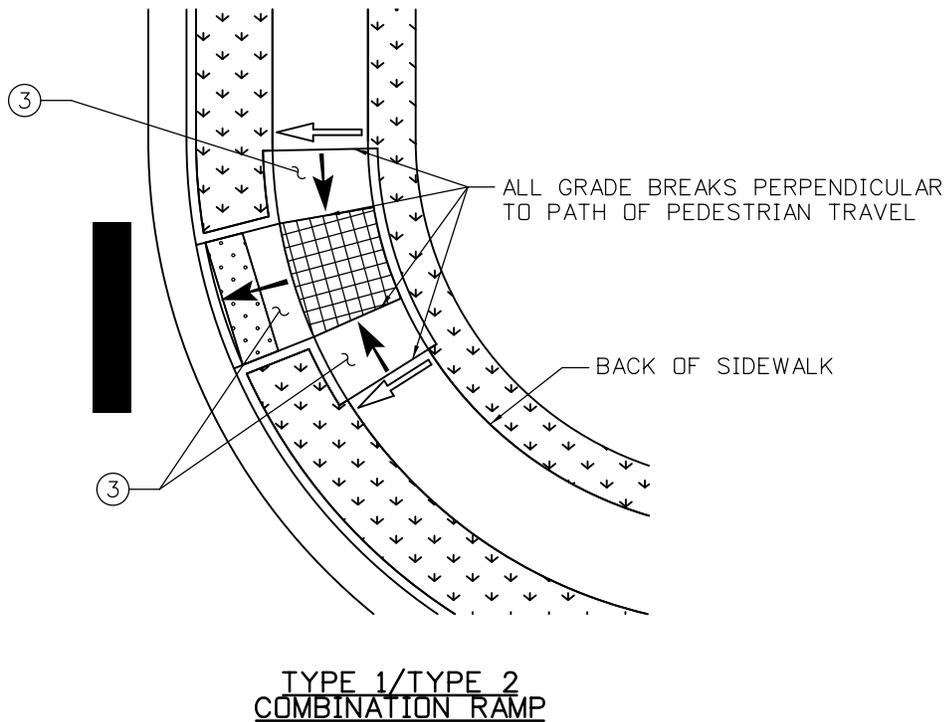
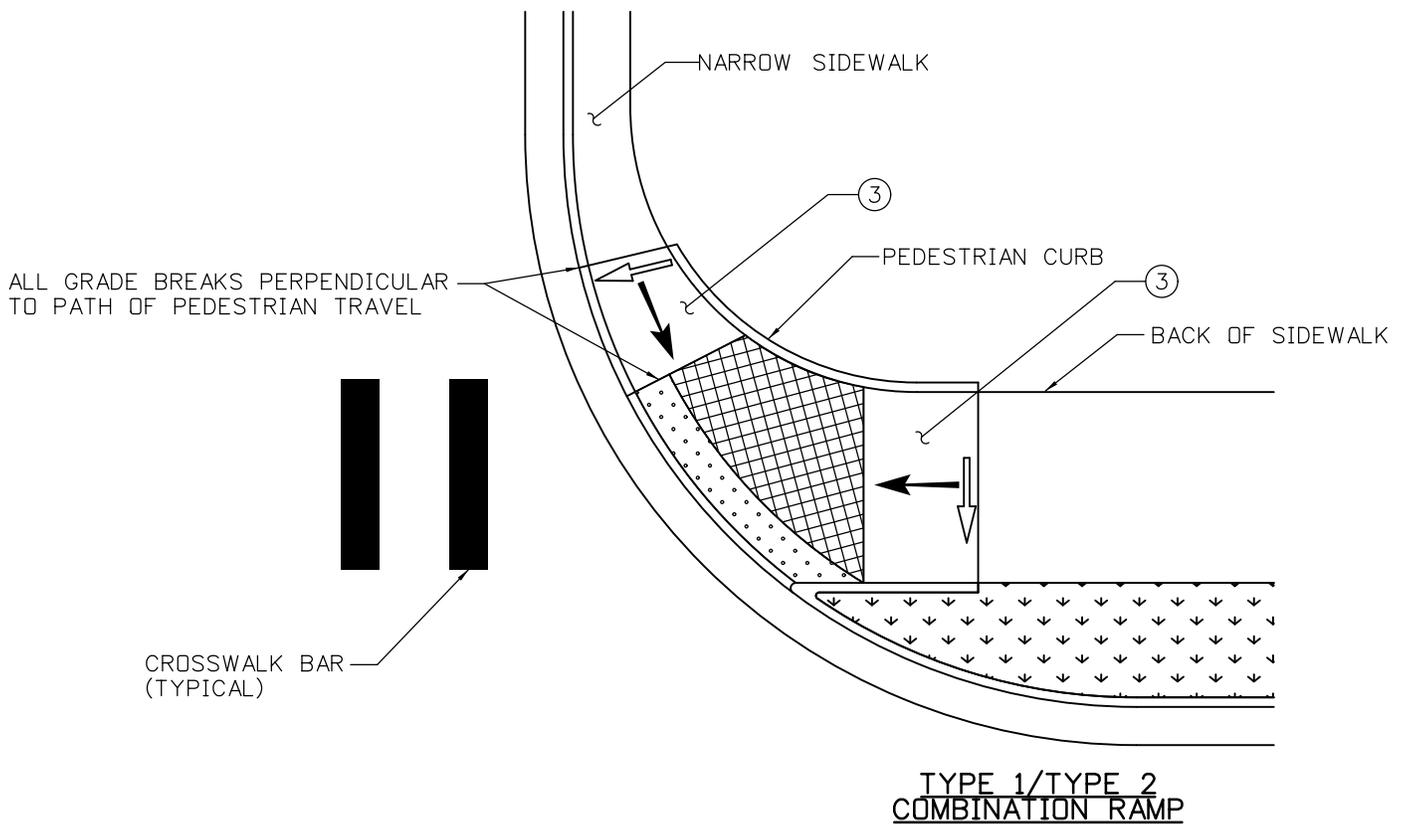
 DETECTABLE WARNING SURFACE (DWS)
SEE DWS SHEETS FOR PLACEMENT DETAILS

 RAMP RUNNING SLOPE

 RAMP CROSS SLOPE ②③

CURB RAMP DETAILS
Combination Curb Ramp Notes

 <p>TOWN OF BRECKENRIDGE ENGINEERING</p>	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____</p>	<p>Standard Drawing 26 Sheet 15 of 26</p>
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CURB RAMP DETAILS

Type 1/Type 2 Combination Ramp

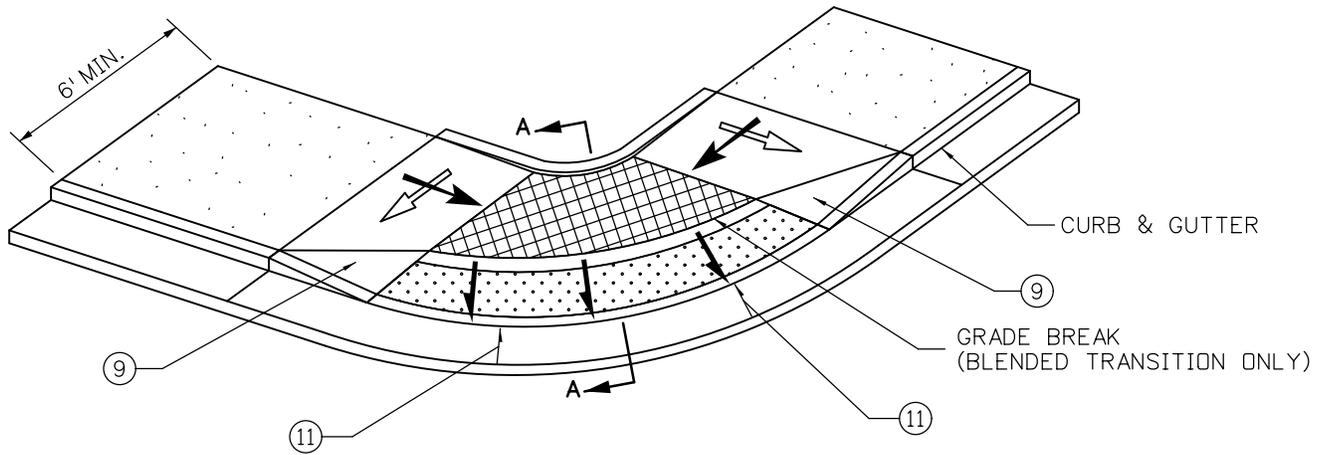
 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 16 of 26
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BLENDING TRANSITION & DEPRESSED CORNER NOTES

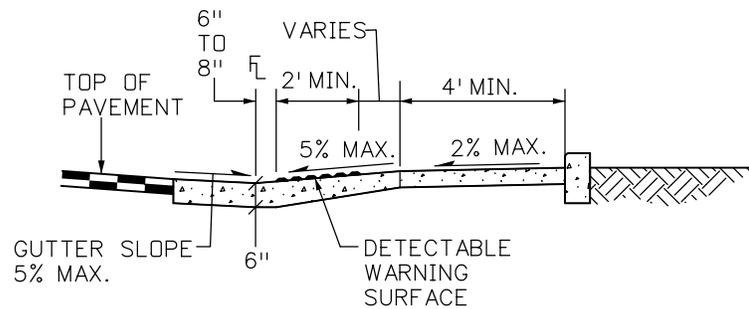
- ① PERPENDICULAR AND PARALLEL RAMP CONFIGURATIONS ARE PREFERRED. BLENDED TRANSITIONS AND DEPRESSED CORNERS SHOULD ONLY BE USED WHERE SITE CONDITIONS MAKE THEM A MORE APPROPRIATE OPTION, OR WHERE PERPENDICULAR OR PARALLEL RAMPS CANNOT BE INSTALLED DUE TO A PHYSICAL SITE CONSTRAINT.
- ② RAMP WIDTH - PROVIDE 5 FT. OR GREATER WHERE POSSIBLE. IF SITE CONSTRAINTS DO NOT PERMIT, PROVIDE 4 FT. WIDTH MINIMUM. RAMPS SERVICING SHARED USE PATHS SHALL MATCH THE WIDTH OF THE PATH.
- ← ③ RAMP RUNNING SLOPE - 8.3% MAX.
- ← ④ BLENDED TRANSITION RUNNING SLOPE - 5.0% MAX.
- ← ⑤ RAMP AND TURNING SPACE CROSS SLOPE - 2.0% TYPICAL. AT CROSSINGS WITHOUT YIELD OR STOP CONTROL, OR WITH A SIGNAL WHERE VEHICLES CAN PROCEED THROUGH THE INTERSECTION WITHOUT SLOWING OR STOPPING, THE CROSS SLOPE OF RAMPS AND TURNING SPACES MAY EQUAL THE HIGHWAY GRADE.
- ⑥ TURNING SPACE DIMENSIONS - PROVIDE A 4 FT. X 4 FT. MIN. TURNING SPACE AT THE BOTTOM OF RAMP RUNS. THE TURNING SPACE MAY CONTAIN THE DETECTABLE WARNING SURFACES.
- ⑦ RAMP ALIGNMENT - TURNING SPACE SHALL BE ALIGNED TO BE FULLY CONTAINED WITHIN THE CROSSWALK OR STREET CROSSING(S) THEY SERVE.
- ⑧ RAMP LENGTH - RAMP LENGTH IS DEPENDENT UPON THE RAMP SLOPE AND THE CHANGE OF ELEVATION FROM THE TURNING SPACE TO THE SIDEWALK. WHERE TERRAIN IS SLOPING A RAMP IS NOT REQUIRED TO CHASE GRADE MORE THAN 15 FT. REGARDLESS OF THE RESULTING RAMP SLOPE.
- ⑨ RAMP FLARES - WHERE A RAMP EDGE ABUTS A WALKABLE SURFACE, A FLARED SIDE MUST BE PROVIDED. RAMP FLARE SLOPES SHALL NOT EXCEED 10.0%.
- ⑩ VERTICAL CURB RETURNS - VERTICAL CURB RETURNS MAY BE USED ONLY WHERE A RAMP ABUTS A NON-WALKABLE SURFACE, OR WHERE A RAMP IS PROTECTED FROM PEDESTRIAN CROSS TRAFFIC (FOR EXAMPLE BY A SIGNAL CABINET OR UTILITY POLE WHICH BLOCKS PASSAGE).
- ⑪ GUTTER COUNTER SLOPE - 5.0% MAX.
- ⑫ DWS PLACEMENT - DWS SHALL BE PLACED AROUND THE RADIUS AND LOCATED AT THE BACK OF CURB ON BLENDED TRANSITION AND DEPRESSED CORNER RAMPS.

CURB RAMP DETAILS **Blended Transition & Depressed Corner Notes**

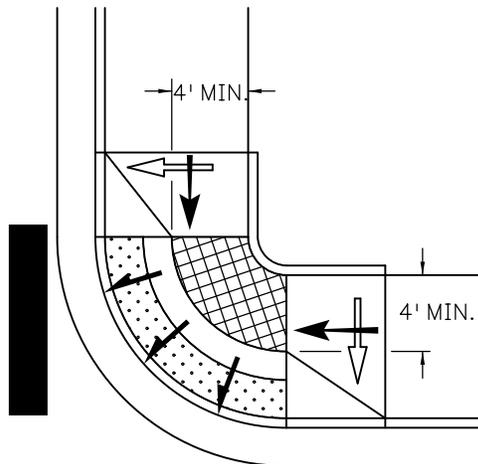
 <p>TOWN OF BRECKENRIDGE ENGINEERING</p>	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____</p>	<p>Standard Drawing 5 Sheet 17 of 26</p>
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BLENDED TRANSITION



SECTION A-A



-  SIDEWALK
-  TURNING SPACE ④ ⑤ ⑥
-  DETECTABLE WARNING SURFACE (DWS)

BLENDED TRANSITION

CURB RAMP DETAILS

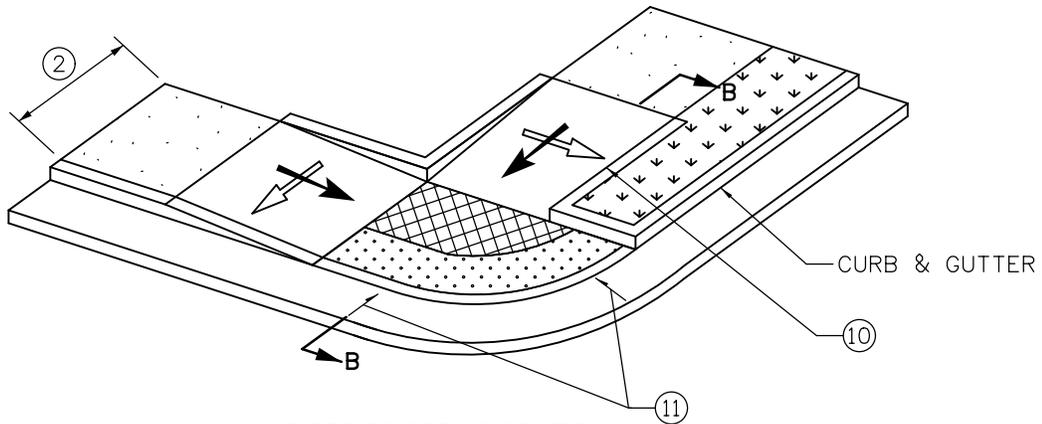
Type 5 Blended Transition Curb Ramp



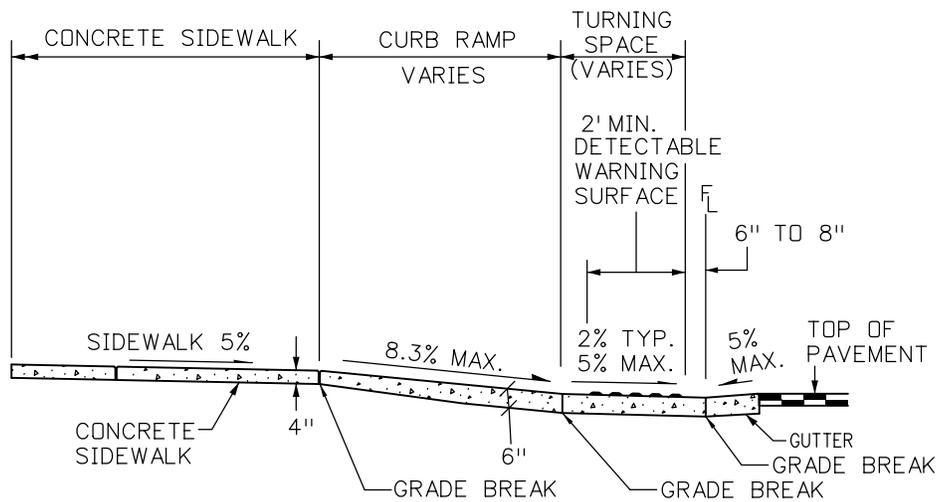
**TOWN OF BRECKENRIDGE
STANDARD DETAILS**

CREATION DATE: 11/3/20
 LAST REVISION DATE: _____

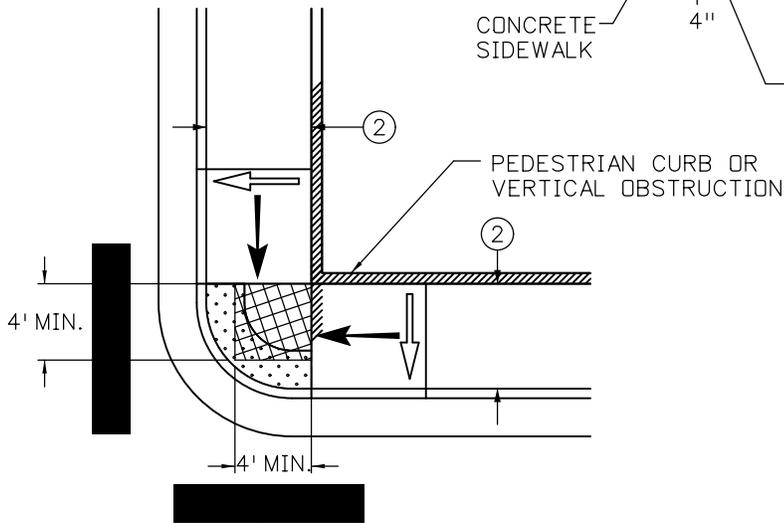
Standard Drawing 5
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DEPRESSED CORNER



SECTION B-B



CROSSWALK BAR (TYPICAL)

DEPRESSED CORNER

-  SIDEWALK
-  TURNING SPACE ④ ⑤ ⑥
-  DETECTABLE WARNING SURFACE (DWS)

CURB RAMP DETAILS

Type 5 Depressed Corner Curb Ramp



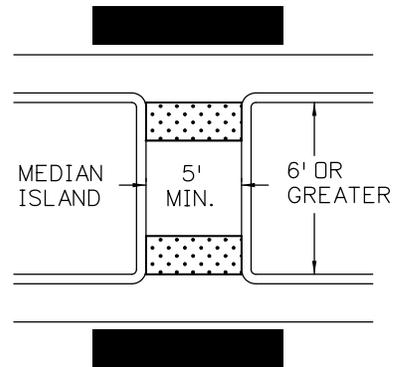
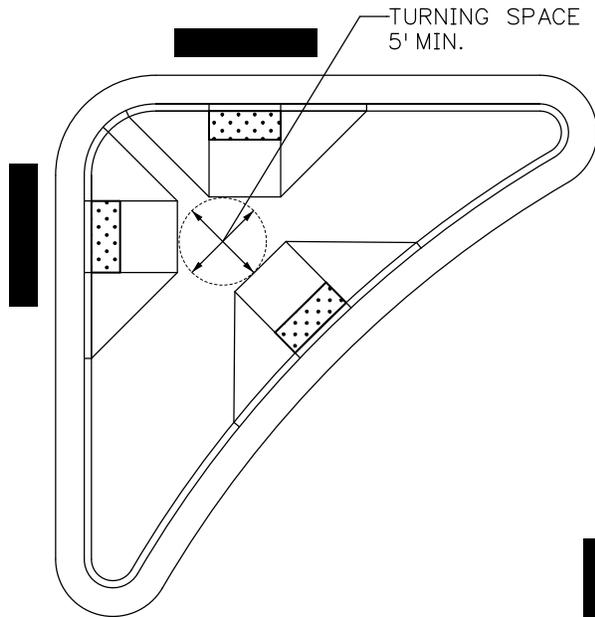
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STANDARD DETAILS**

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

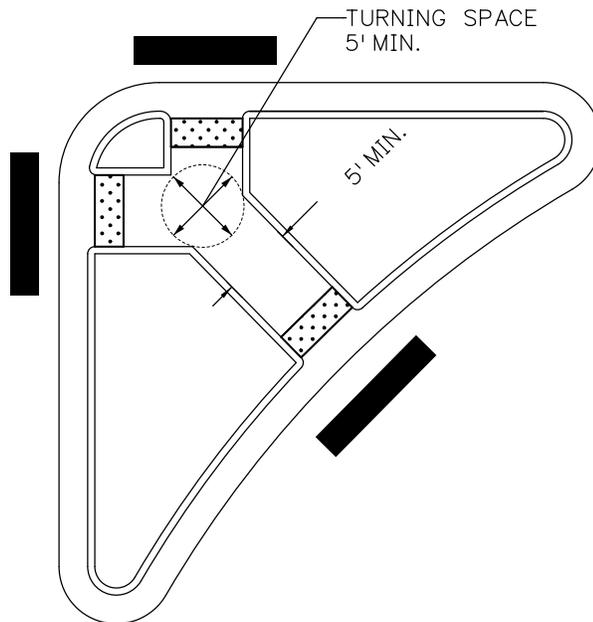
Standard Drawing 5
Sheet 19 of 26

NOTES:

- ① DETECTABLE WARNING SURFACES SHALL BE PLACED IN ALIGNMENT WITH THE BACK OF CURB.
- ② FLARED SIDES ARE PREFERENTIAL ON RAISED INTERSECTION ISLANDS AND SHOULD BE PROVIDED ON ISLANDS WHICH SERVE SHARED USE PATHS, OR AT LOCATIONS WHERE BICYCLE USE IS EXPECTED.
- ③ FOR CUT-THROUGH MEDIAN ISLANDS, DETECTABLE WARNING SURFACES SHALL BE PLACED IN ALIGNMENT WITH THE BACK OF CURB AND BE SEPARATED BY A MINIMUM 2 FOOT SPACE WITHOUT DWS. IF A 2 FOOT SEPARATION BETWEEN DETECTABLE WARNING SURFACES CANNOT BE PROVIDED NO DETECTABLE WARNING SURFACE SHALL BE INSTALLED.
- ④ CURB RAMP AND CUT-THROUGH WIDTHS SHOULD BE THE SAME WIDTH AS ANY SIDEWALK OR SHARED USE PATH WHICH THEY SERVE.



MEDIAN ISLAND



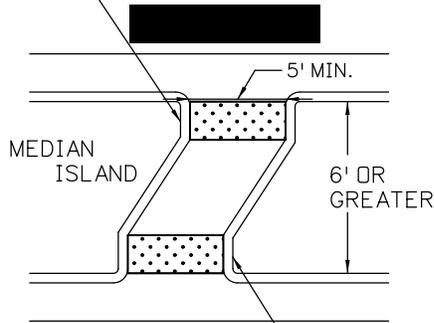
INTERSECTION ISLANDS

 TURNING SPACE

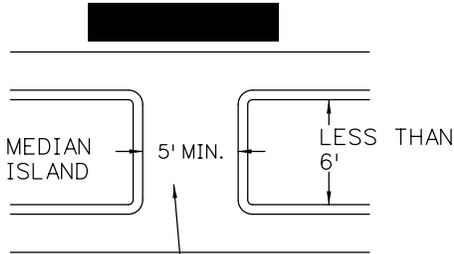
CURB RAMP DETAILS
Medians/Islands

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 20 of 26
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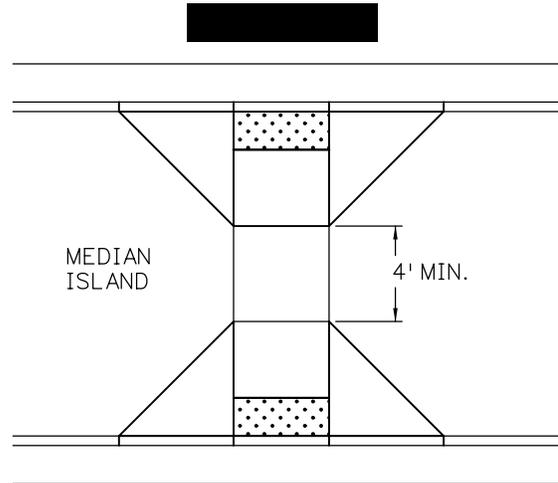
SQUARE CURB TO ORIENT PEDESTRIANS IN THE DIRECTION OF THE CROSSING



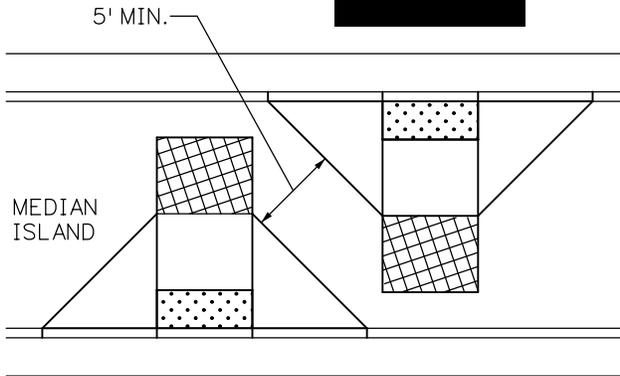
SQUARE CURB TO ORIENT PEDESTRIANS IN THE DIRECTION OF THE CROSSING



ELIMINATE DWS IF MEDIAN REFUGE IS LESS THAN 6' IN LENGTH IN THE DIRECTION OF PEDESTRIAN TRAVEL



CROSSWALK BAR (TYPICAL)



MEDIAN ISLANDS CONT.

 TURNING SPACE

CURB RAMP DETAILS

Medians/Islands



TOWN OF BRECKENRIDGE
ENGINEERING

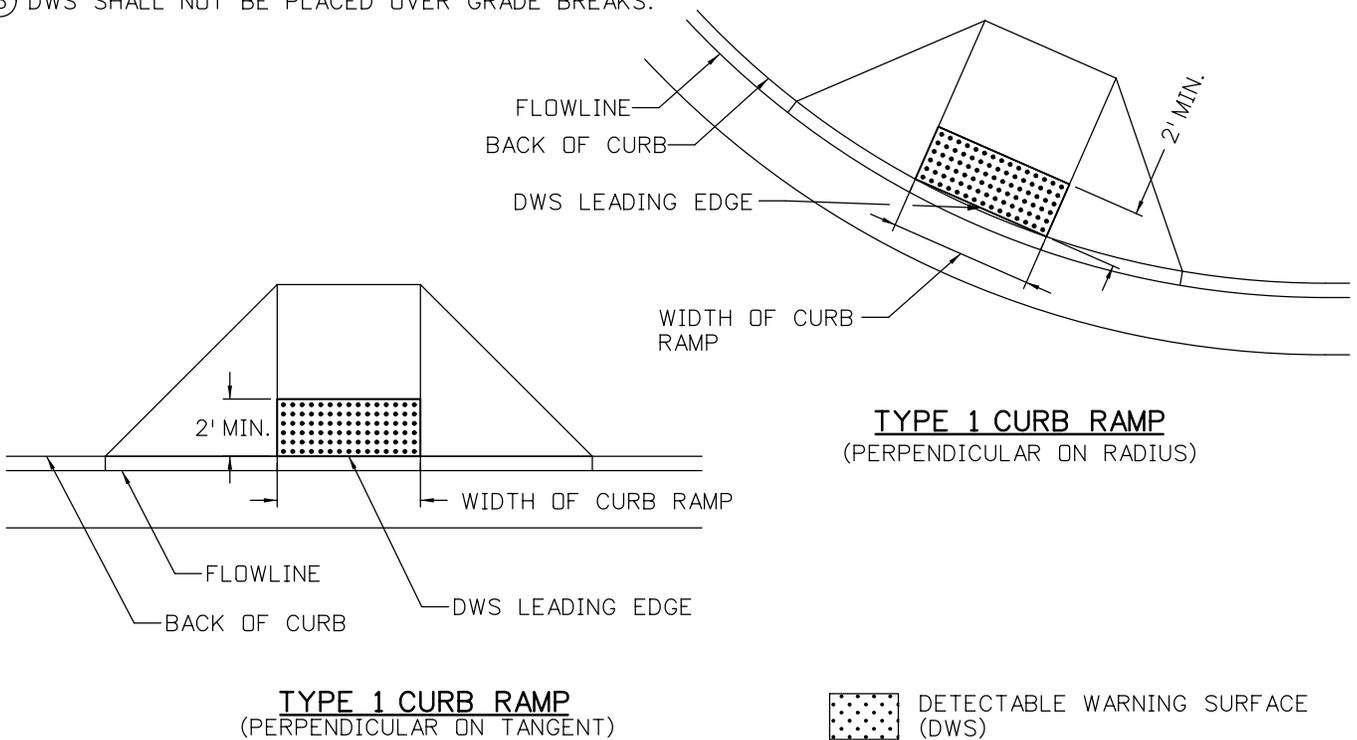
TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 5
Sheet 21 of 26

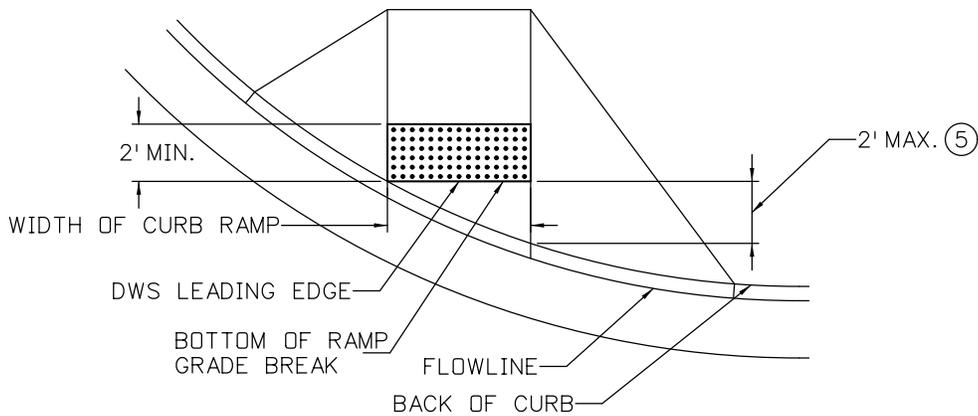
DETECTABLE WARNING SURFACE NOTES:

- ① DETECTABLE WARNING SURFACES (DWS) SHALL BE INSTALLED AT SIDEWALK, OR SHARED USE PATH, TO STREET TRANSITIONS, AND SHALL CONSIST OF TRUNCATED DOME SURFACES. ANY TRUNCATED DOME PANELS WHICH ARE USED MUST BE ON THE CDOT APPROVED PRODUCTS LIST (APL) AND SHALL BE CAST IRON.
- ② THE DETECTABLE WARNING SURFACE SHALL SPAN THE FULL WIDTH OF THE CURB RAMP, SHARED USE PATH, OR OTHER ROADWAY ENTRANCE AS APPLICABLE. A GAP OF 2 INCHES FROM THE EDGE OF THE DETECTABLE WARNING SURFACE TO THE EDGE OF THE CURB RAMP OR SHARED USE PATH IS PERMITTED.
- ③ WHEN DETECTABLE WARNING SURFACES ARE PLACED ON A SLOPE GREATER THAN 5.0%, TRUNCATED DOMES SHOULD BE ALIGNED IN THE DIRECTION OF THE RAMP RUN; OTHERWISE DOMES ARE NOT REQUIRED TO BE ALIGNED. TRUNCATED DOMES SHALL BE IN A SQUARE GRID OR RADIAL PATTERN. WHEN PLACED RADIALLY, PLACE ADJACENT DWS PLATES EDGE TO EDGE. EDGES OF CUT PLATES SHALL BE STRAIGHT.
- ④ LOCATE ONE CORNER OF THE DWS LEADING EDGE AT THE BACK OF CURB. NO POINT ON THE LEADING EDGE OF THE DWS MAY BE MORE THAN 5 FT. FROM THE BACK OF CURB. WHEN ANY POINT OF THE LEADING EDGE OF THE DWS WILL BE GREATER THAN 5 FT. FROM THE BACK OF CURB, PLACE THE DWS RADIALLY AT THE BACK OF CURB.
- ⑤ WHERE PERPENDICULAR DIRECTIONAL RAMPS ABUT A WALKABLE SURFACE, THE LEADING EDGE OF THE DWS SHALL NOT BE PLACED FURTHER THAN 2 FEET FROM THE BACK OF CURB. IF THE RADIUS OF A CORNER MAKES THIS IMPOSSIBLE, ORIENT THE CURB RAMP PERPENDICULAR TO THE CURB AND GUTTER.
- ⑥ IF THE DETECTABLE WARNING SURFACE IS CUT, GRIND OFF THE REMAINING PORTION OF ANY CUT TRUNCATED DOMES. SEAL ALL CUT PANEL EDGES WITH AN APL SEALANT TO PREVENT WATER DAMAGE.
- ⑦ TRUNCATED DOME PLATES SHALL BE EMBEDDED IN THE CONCRETE CURB RAMP WHILE THE CONCRETE IS PLASTIC.
- ⑧ DWS SHALL NOT BE PLACED OVER GRADE BREAKS.

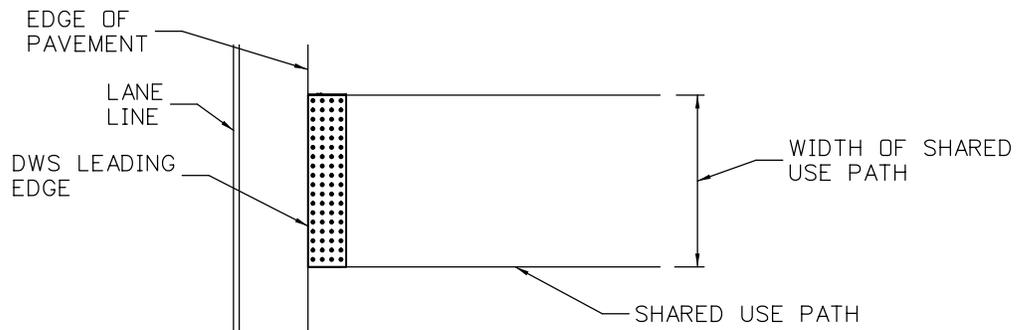


CURB RAMP DETAILS
Detectable Warning Surface Notes

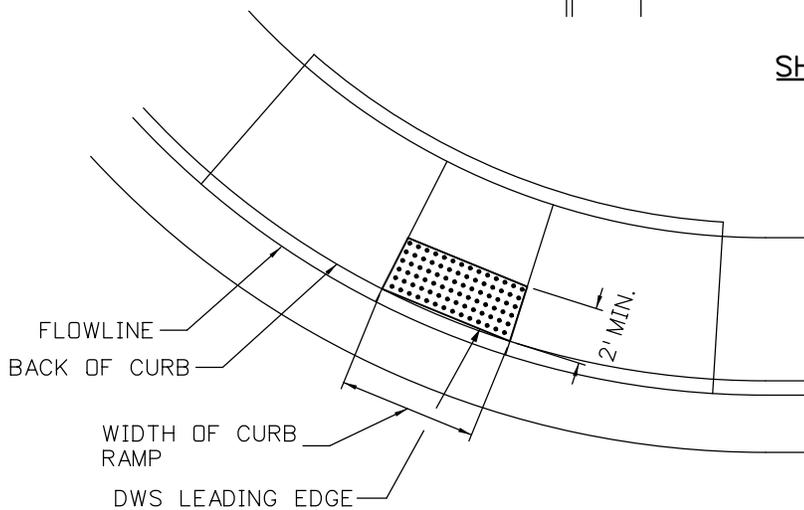
 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 22 of 26
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TYPE 1 CURB RAMP
(DIRECTIONAL ON RADIUS)



SHARED USE PATH CROSSING



 DETECTABLE WARNING SURFACE (DWS)

TYPE 2 CURB RAMP

CURB RAMP DETAILS

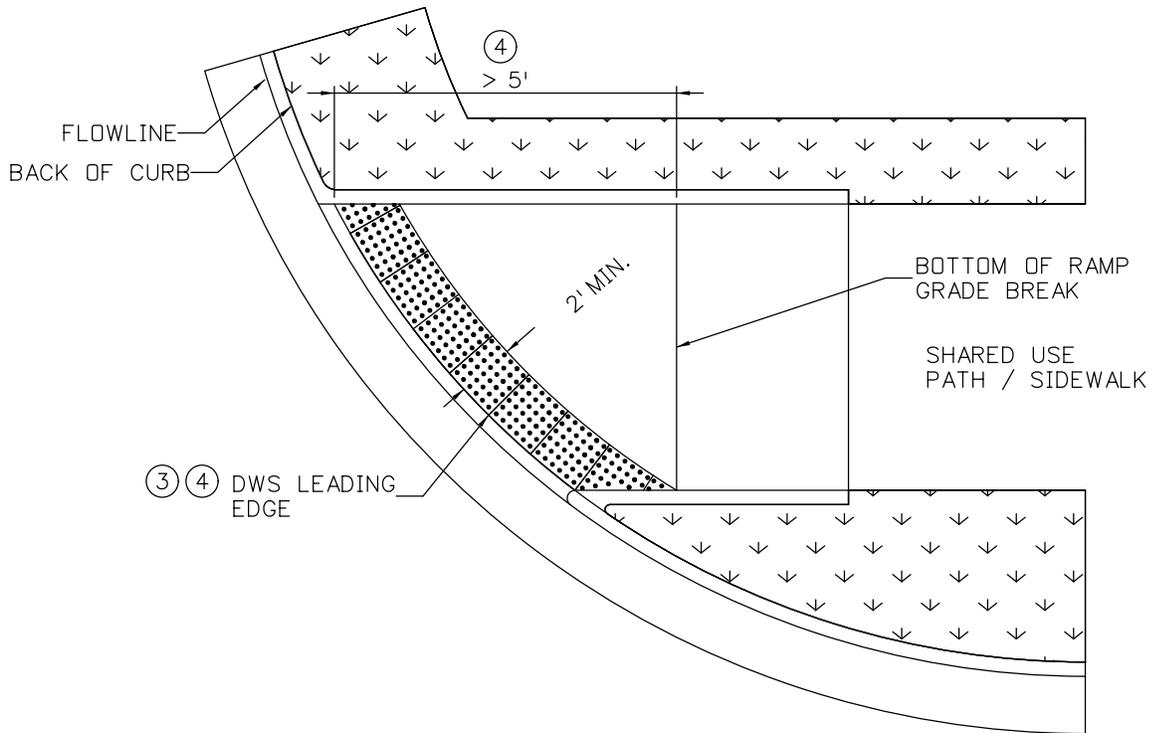
Detectable Warning Surface Placement



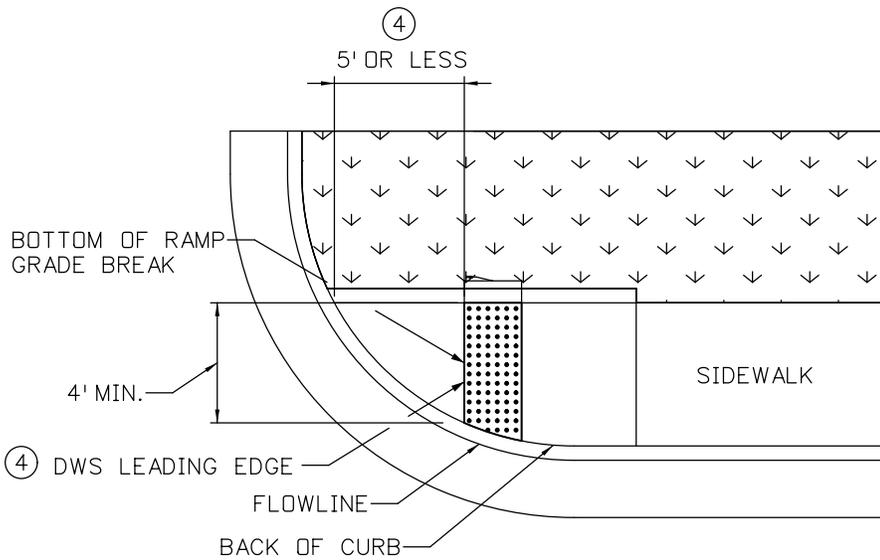
**TOWN OF BRECKENRIDGE
STANDARD DETAILS**

CREATION DATE: 11/3/20
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Standard Drawing 5
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TYPE 2 - DIRECTIONAL RAMP



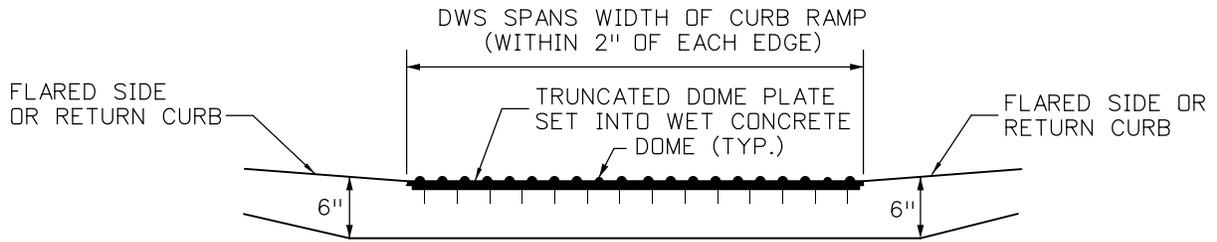
TYPE 2 - DIRECTIONAL RAMP

 DETECTABLE WARNING SURFACE (DWS)

CURB RAMP DETAILS

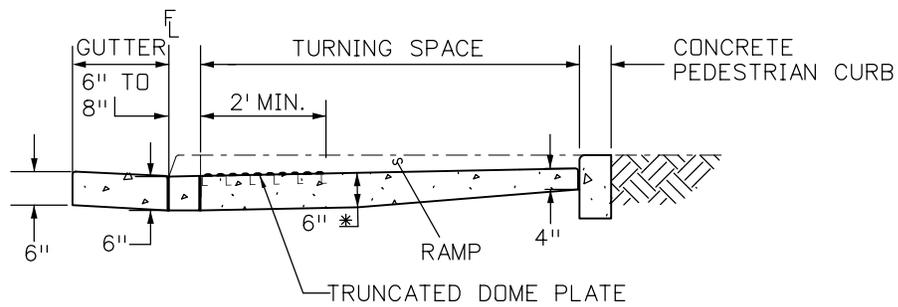
Detectable Warning Surface Placement

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 5 Sheet 24 of 26
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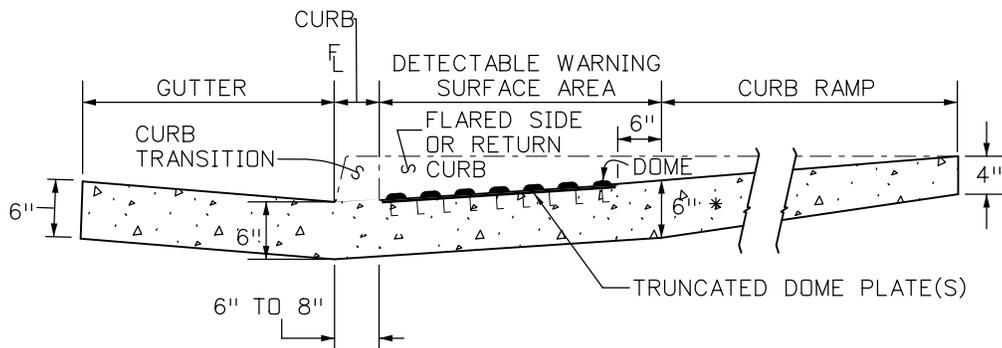
**SECTION VIEW OF DETECTABLE
WARNING SURFACE PLATE**

(LOOKING AT PERPENDICULAR RAMP
RUN FROM STREET)



**SECTION VIEW FOR PARALLEL
CURB RAMP TYPES**

(LOOKING PERPENDICULAR TO TURNING SPACE)



**SECTION VIEW FOR PERPENDICULAR
CURB RAMP TYPES**

(LOOKING PERPENDICULAR TO RAMP RUN)

CURB RAMP DETAILS
Detectable Warning Surface Details



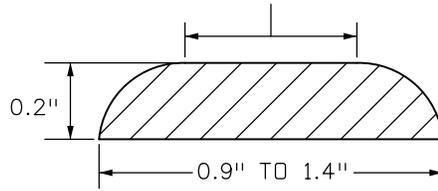
**TOWN OF BRECKENRIDGE
ENGINEERING**

**TOWN OF BRECKENRIDGE
STANDARD DETAILS**

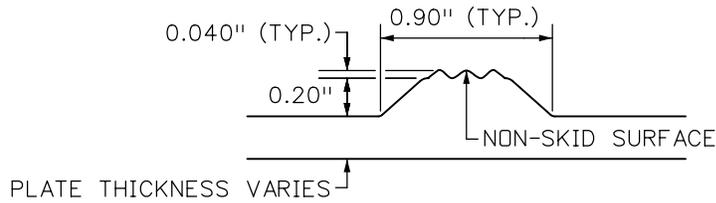
CREATION DATE: 11/3/20
LAST REVISION DATE: _____

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Sheet 25 of 26

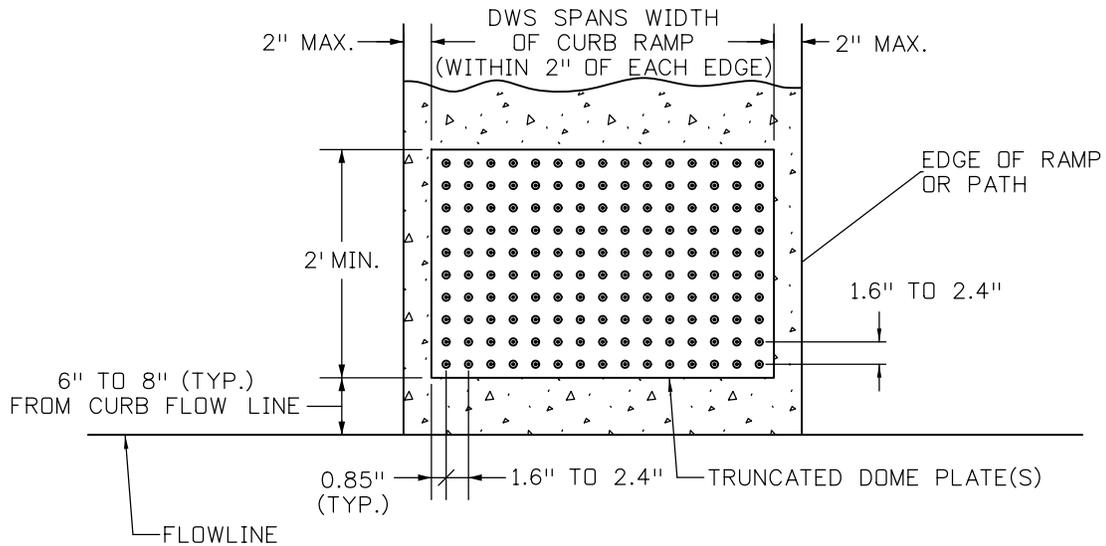
THE TOP DIAMETER OF THE TRUNCATED DOMES SHALL BE 50% TO 65% OF THE BASE DIAMETER



ELEVATION VIEW OF SINGLE TRUNCATED DOME



ELEVATION VIEW OF TRUNCATED DOME FOR DETECTABLE WARNING PLATE



PLAN VIEW OF DETECTABLE WARNING SURFACE PLATE

CURB RAMP DETAILS

Detectable Warning Surface Details

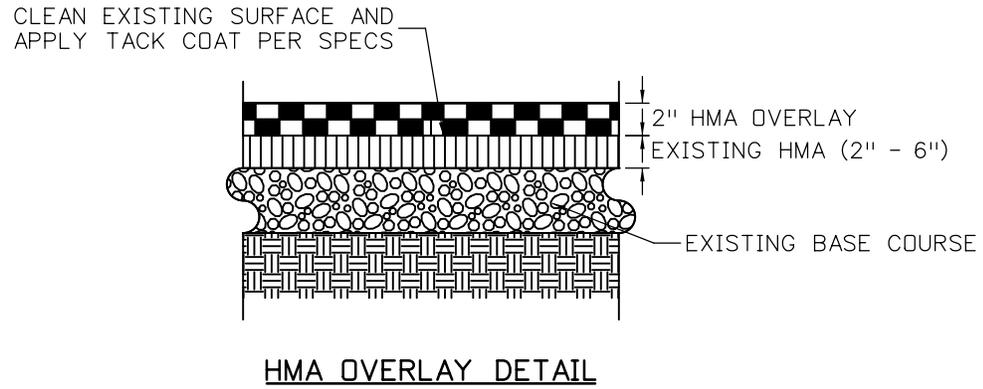
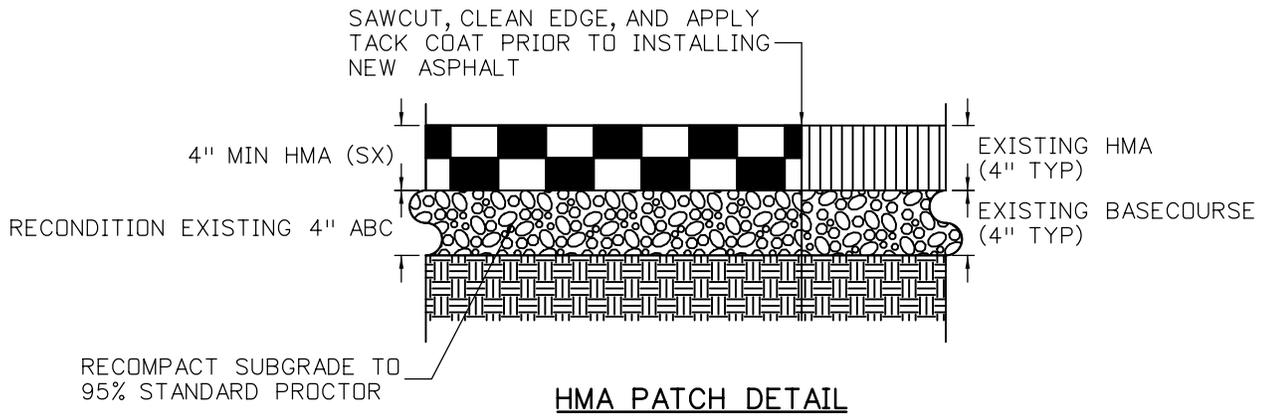


**TOWN OF BRECKENRIDGE
ENGINEERING**

**TOWN OF BRECKENRIDGE
STANDARD DETAILS**

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

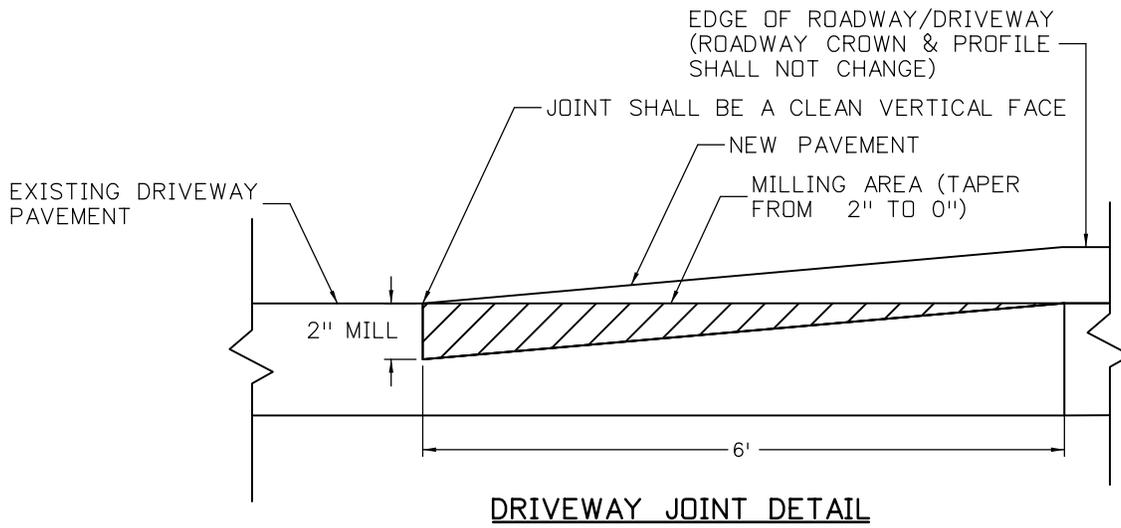
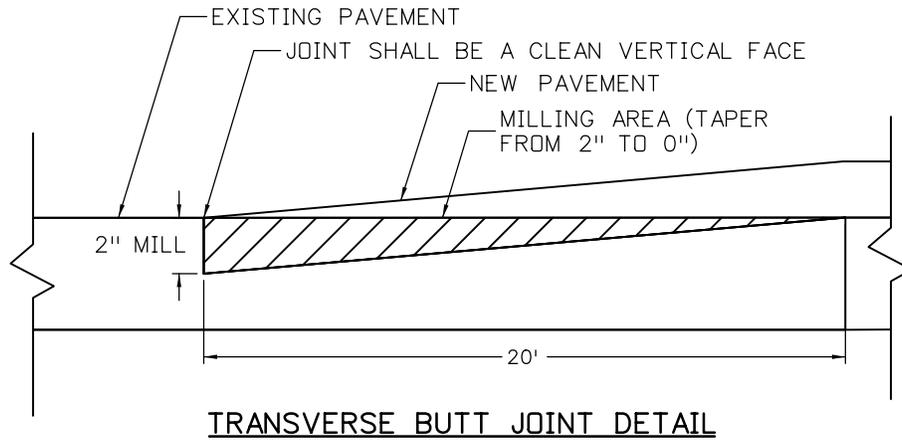
Standard Drawing 5
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ASPHALT DETAILS

Patching and Overlay Details

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 6 Sheet 1 of 2
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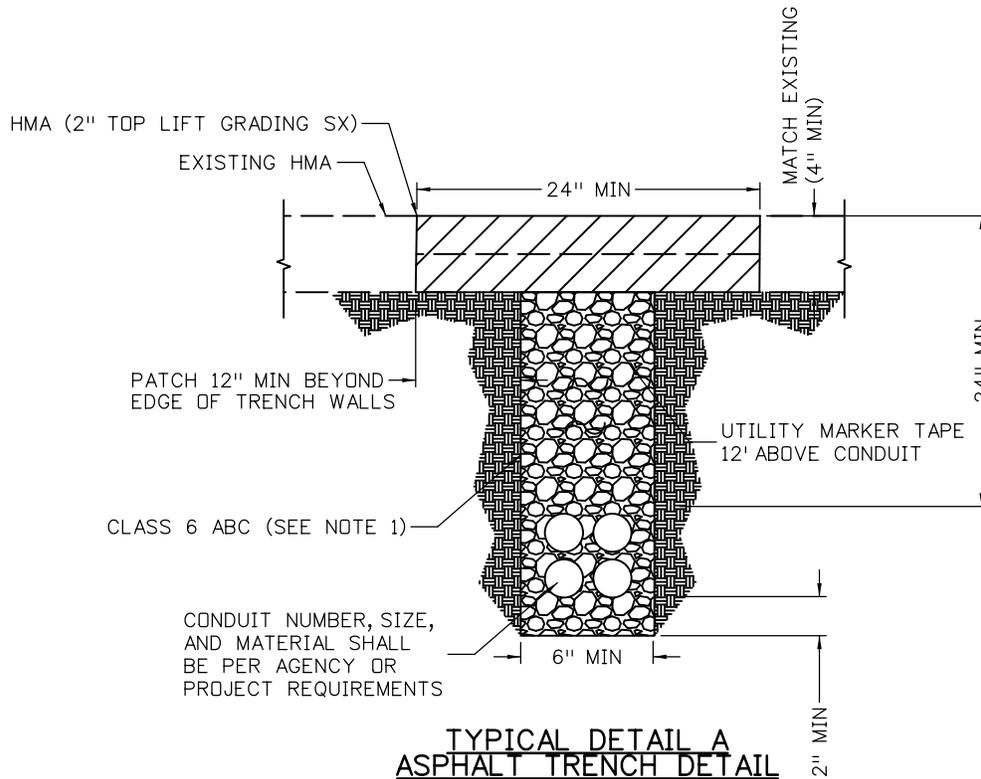
ASPHALT DETAILS

Joint Details

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 6 Sheet 2 of 2
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NOTES:

1. CLASS 6 AGGREGATE BASE COURSE OR OTHER APPROVED GRANULAR MATERIAL SHALL BE USED FOR CONDUIT BEDDING (2" MIN), 6" MIN ABOVE CONDUIT, AND 4" MIN BELOW PAVEMENT. APPROVED EXCAVATED MATERIAL MAY BE USED AS BACKFILL IN BETWEEN THESE AREAS IF APPROVED BY TOWN ENGINEER. BACKFILL WITH LARGE ROCK SHALL NOT BE REUSED.
2. EXCAVATED BACKFILL SHALL ONLY BE USED WITH APPROVAL OF TOWN ENGINEER.
3. TRENCH BACKFILL TO BE COMPACTED IN 6" LIFTS TO 95% MINIMUM COMPACTION.
4. PAVEMENT PATCHES SHALL BE 24" MINIMUM. PATCHES SHALL BE PARALLEL OR PERPENDICULAR TO ROADWAY. TRENCHES SHALL BE LOCATED TO AVOID WHEEL PATHS WITHIN LANE.
5. PAVEMENT CUTS SHALL BE CLEAN VERTICAL EDGES FROM SAWCUTTING OR ROTOMILLING.
6. MARKING TAPE SHALL BE INSTALLED 12" ABOVE TOP OF HIGHEST UTILITY IN TRENCH.
7. CONDUITS SHALL BE INSTALLED A MINIMUM OF 2' HORIZONTALLY FROM EDGE OF ALL WATER LINES.
8. CONDUITS SHALL BE INSTALLED WITH 2" MINIMUM HORIZONTAL SEPARATION.
9. PAVEMENT PATCH THICKNESS TO MATCH EXISTING OR MINIMUM DEPTH IN STANDARDS - WHICHEVER IS GREATER.
10. ADD ADDITIONAL NOTES AS NEEDED.



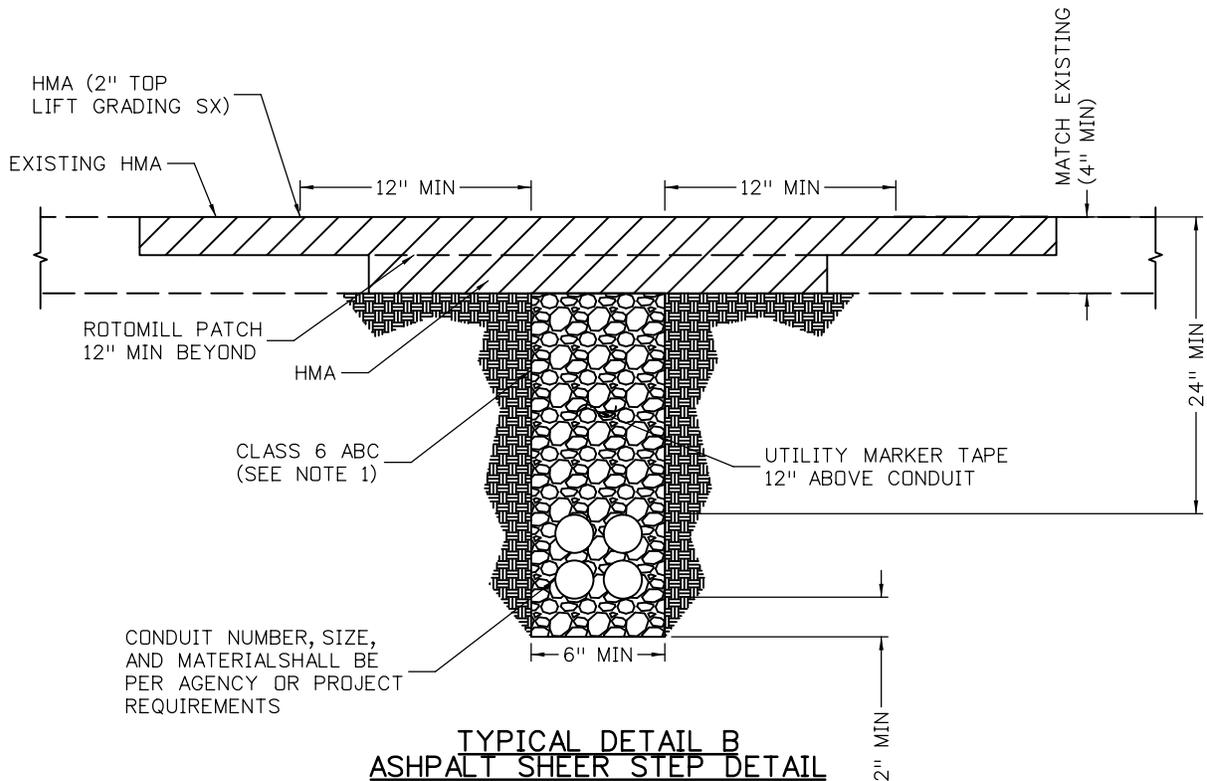
UTILITY TRENCH DETAILS



**TOWN OF BRECKENRIDGE
STANDARD DETAILS**

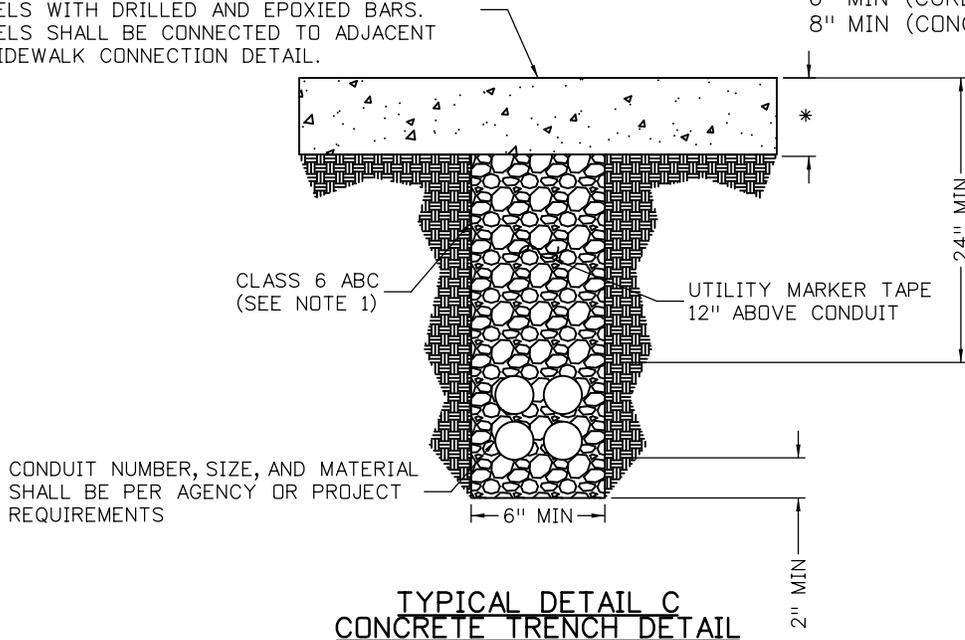
CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 7
Sheet 1 of 3



FULL WIDTH OF CONCRETE PANEL SHALL BE REMOVED AND REPLACED. CONCRETE PAVEMENT SHALL BE DOWELED TO ADJACENT PANELS WITH DRILLED AND EPOXIED BARS. SIDEWALK PANELS SHALL BE CONNECTED TO ADJACENT PANELS PER SIDEWALK CONNECTION DETAIL.

- * 5" MIN (SIDEWALK)
- 6" MIN (CURBS & PANS)
- 8" MIN (CONCRETE PAVEMENT)



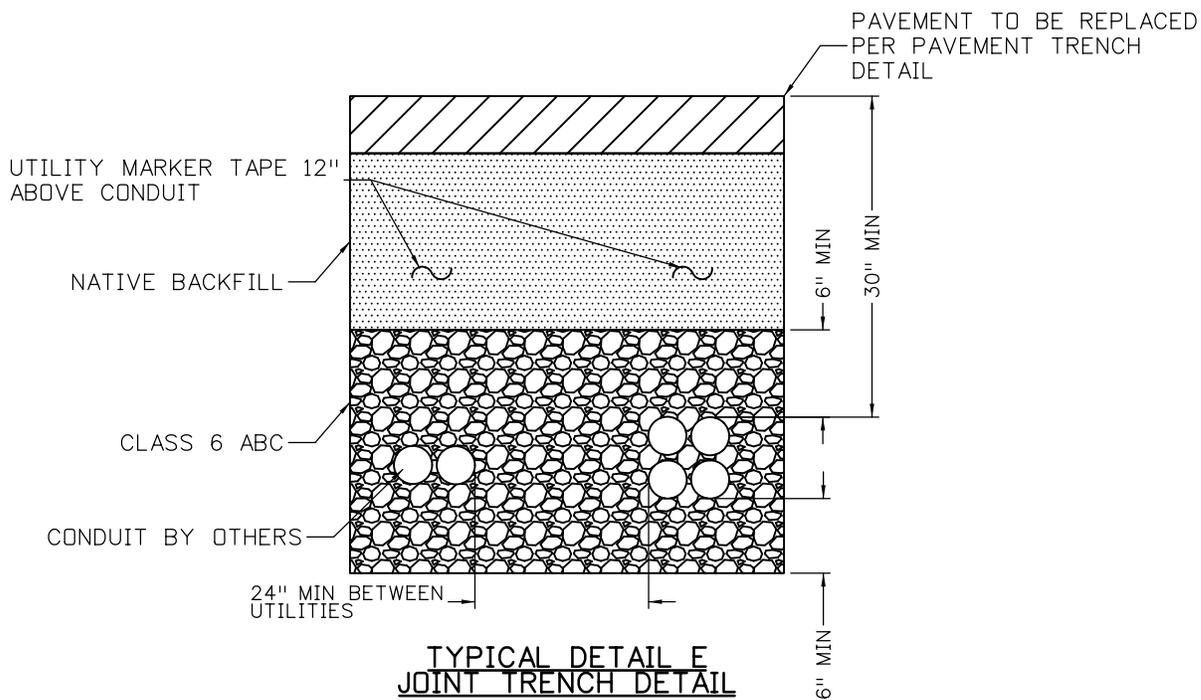
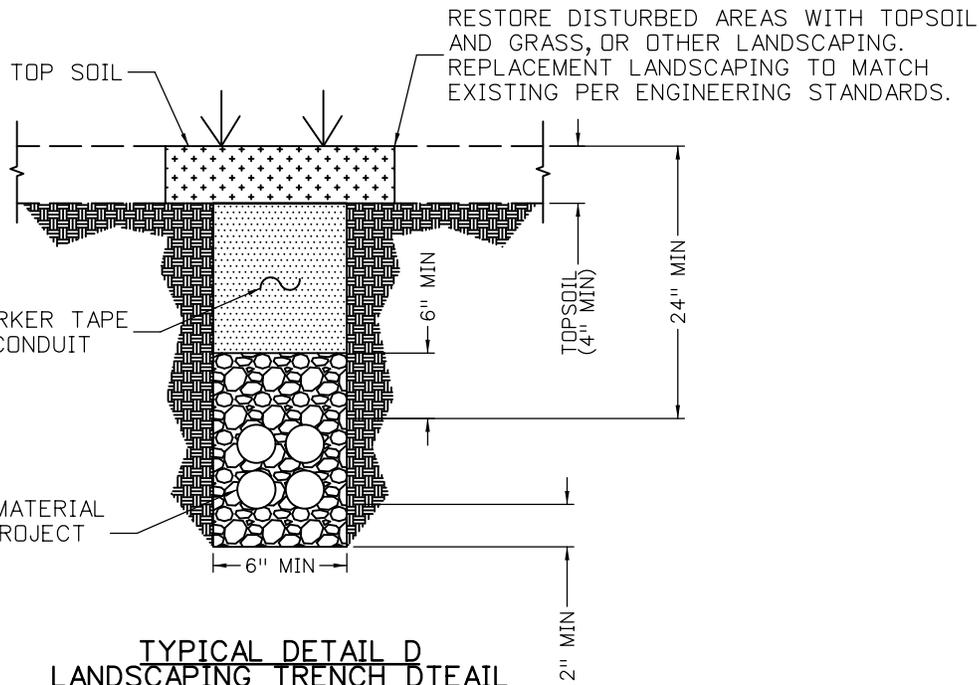
UTILITY TRENCH DETAILS



TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE: _____

Standard Drawing 7
Sheet 2 of 3



UTILITY TRENCH DETAILS

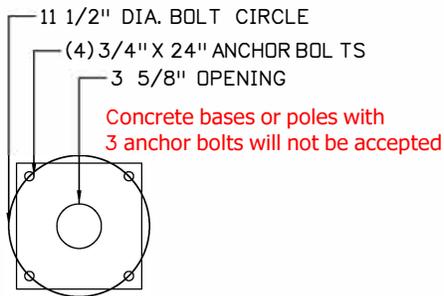
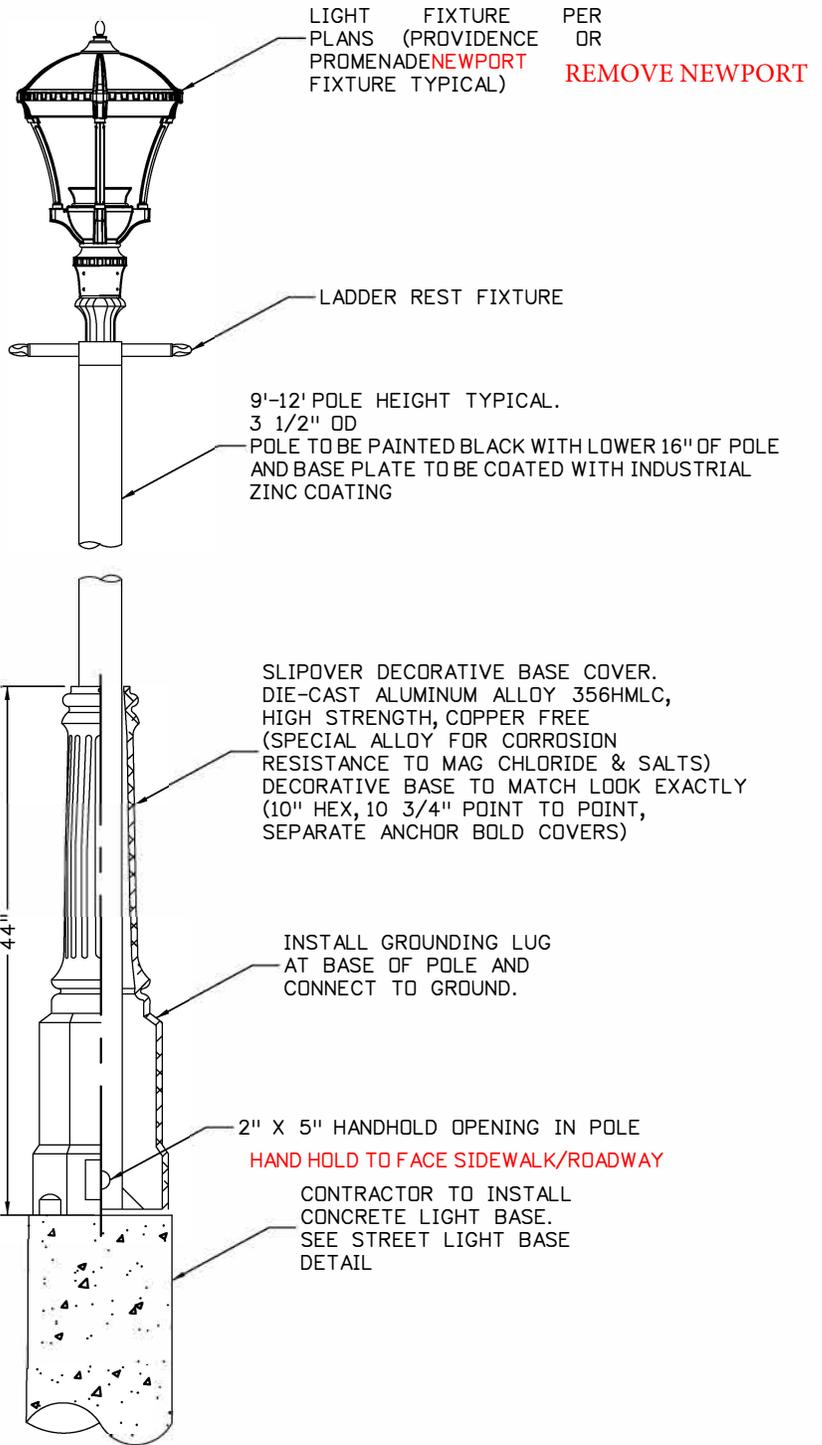


TOWN OF BRECKENRIDGE
ENGINEERING

TOWN OF BRECKENRIDGE
STANDARD DETAILS

CREATION DATE: 11/3/20
LAST REVISION DATE:

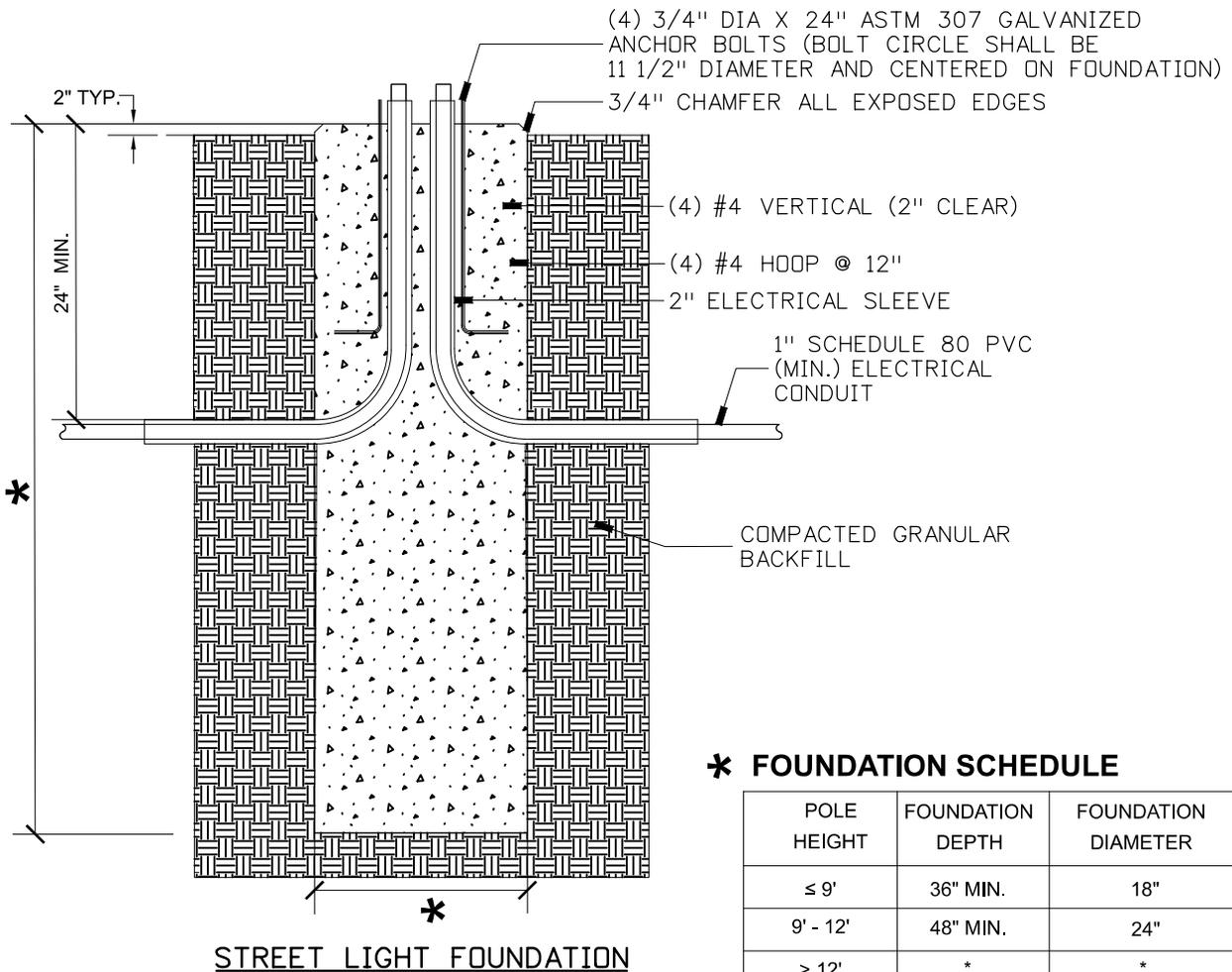
Standard Drawing 7
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STREET LIGHT STANDARD DETAIL

LIGHTING DETAILS
Street Light Standard Detail

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 8 Sheet 1 of 7
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*** FOUNDATION SCHEDULE**

POLE HEIGHT	FOUNDATION DEPTH	FOUNDATION DIAMETER
≤ 9'	36" MIN.	18"
9' - 12'	48" MIN.	24"
> 12'	*	*

* FOUNDATION DEPTH AND DIAMETER SHALL BE PER STRUCTURAL ENGINEER OR PER CDOT S STANDARD DETAILS

NOTES:

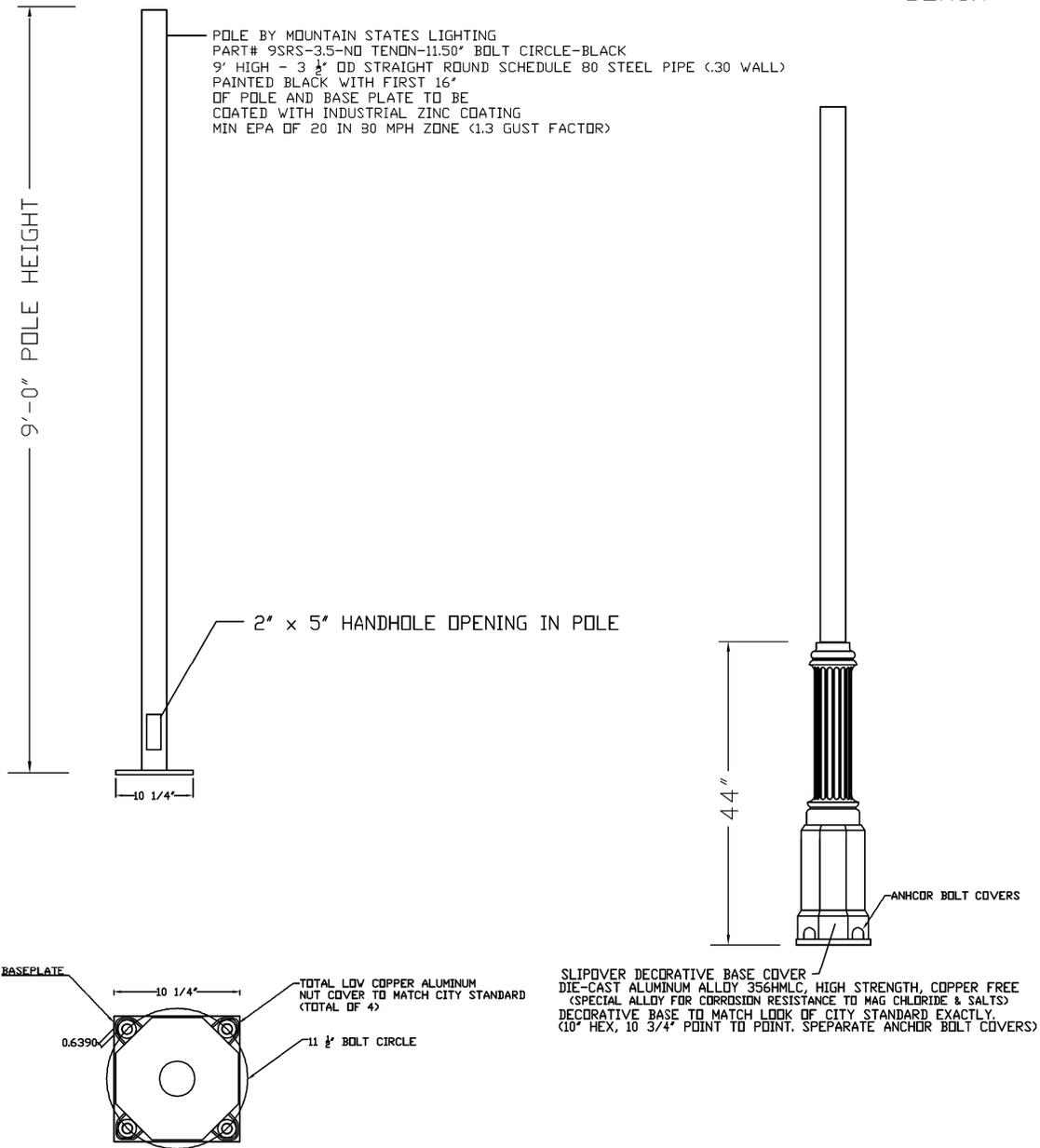
1. REBAR, ANCHOR BOLTS, AND FOUNDATION DIMENSIONS SHALL BE PER CDOT S-STANDARD PLANS OR PER STRUCTURAL ENGINEER FOR POLE HEIGHTS GREATER THAN 12'.
2. CONCRETE SHALL BE CDOT CLASS D (4500 PSI)
3. TOP OF CONCRETE FOUNDATION SHALL BE 2" ABOVE GROUND IN AREAS OUTSIDE OF SIDEWALKS. WHERE FOUNDATION IS LOCATED WITHIN SIDEWALK, THE TOP OF THE FOUNDATION SHALL BE FLUSH WITH SIDEWALK.
4. LIGHT POLE TO BE ELECTRONICALLY GROUNDED FROM GROUNDING LUG ON LIGHT POLE TO FOUNDATION OR GROUNDING ROD.
5. TYPICAL POLE INSTALLATION SHALL BE 3' FROM EDGE OF SIDEWALK.
6. WHERE REQUIRED BY CDOT OR AASHTO STANDARDS, BREAKAWAY TRANSFORMER BASES SHALL BE INSTALLED.
7. FOUNDATION DIMENSIONS SHALL BE PER TABLE BELOW. WHERE LIGHT PILES ARE INSTALLED WITH BANNERS, MULTIPLE FIXTURES, OR VARYING SOIL OR WIND CONDITIONS, FOUNDATIONS SHALL BE DESIGNED BY STRUCTURAL ENGINEER.

LIGHTING DETAILS
Street Light Standard Detail

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 8 Sheet 2 of 7
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PART# 9SRS-3.5-NO TENDON-11.50" BOLT CIRCLE-CA6640-BLACK

FINISH:
BLACK

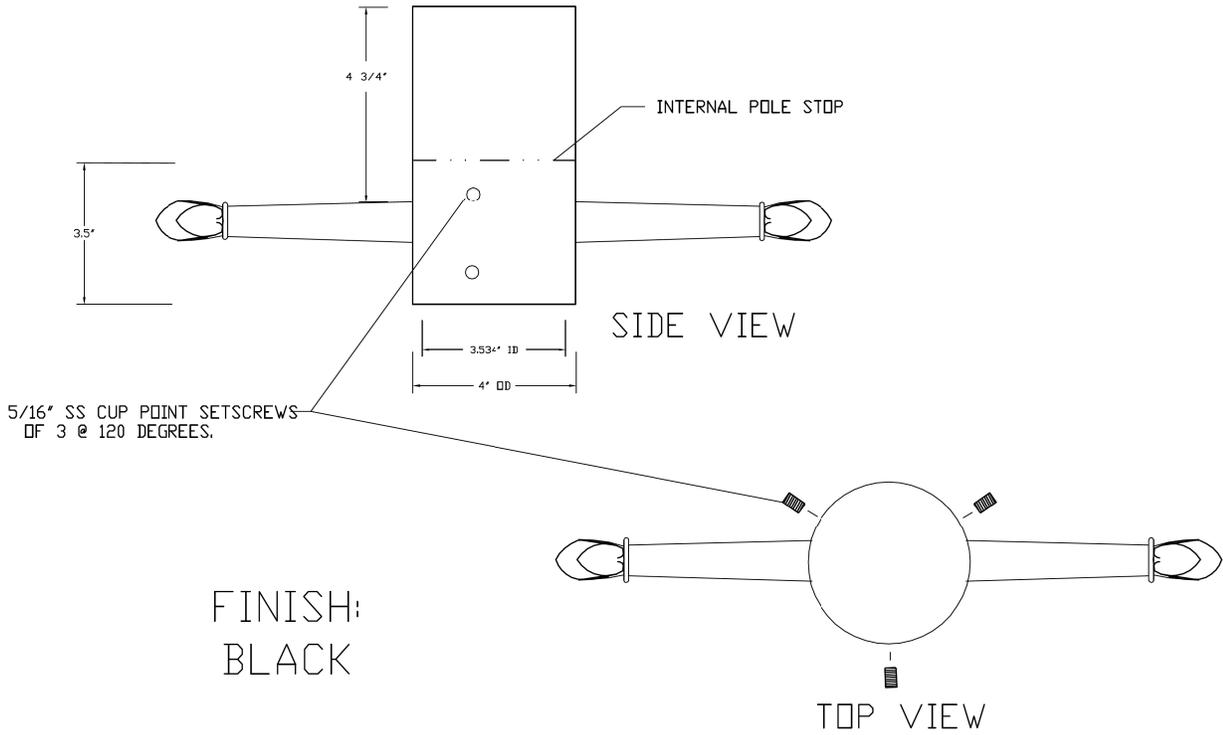


BASEPLATE INFORMATION

BASEPLATE TO BE 10 1/4" SQUARE 3/8" THICK. (SHARP CORNERS).
BOLT CIRCLE TO BE 11.5" EXACTLY. HOLES TO ACCOMMODATE
5/8" to 3/4" ANCHOR BOLTS PROVIDED WITH POLE.
BASE PLATE AND BOTTOM 18" OF POLE TO BE COATED
WITH INDUSTRIAL COLD GALV BEFORE BEING PAINTED.

LIGHTING DETAILS
9' Pole Standard

 <p>TOWN OF BRECKENRIDGE ENGINEERING</p>	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____</p>	<p>Standard Drawing 8 Sheet 3 of 7</p>
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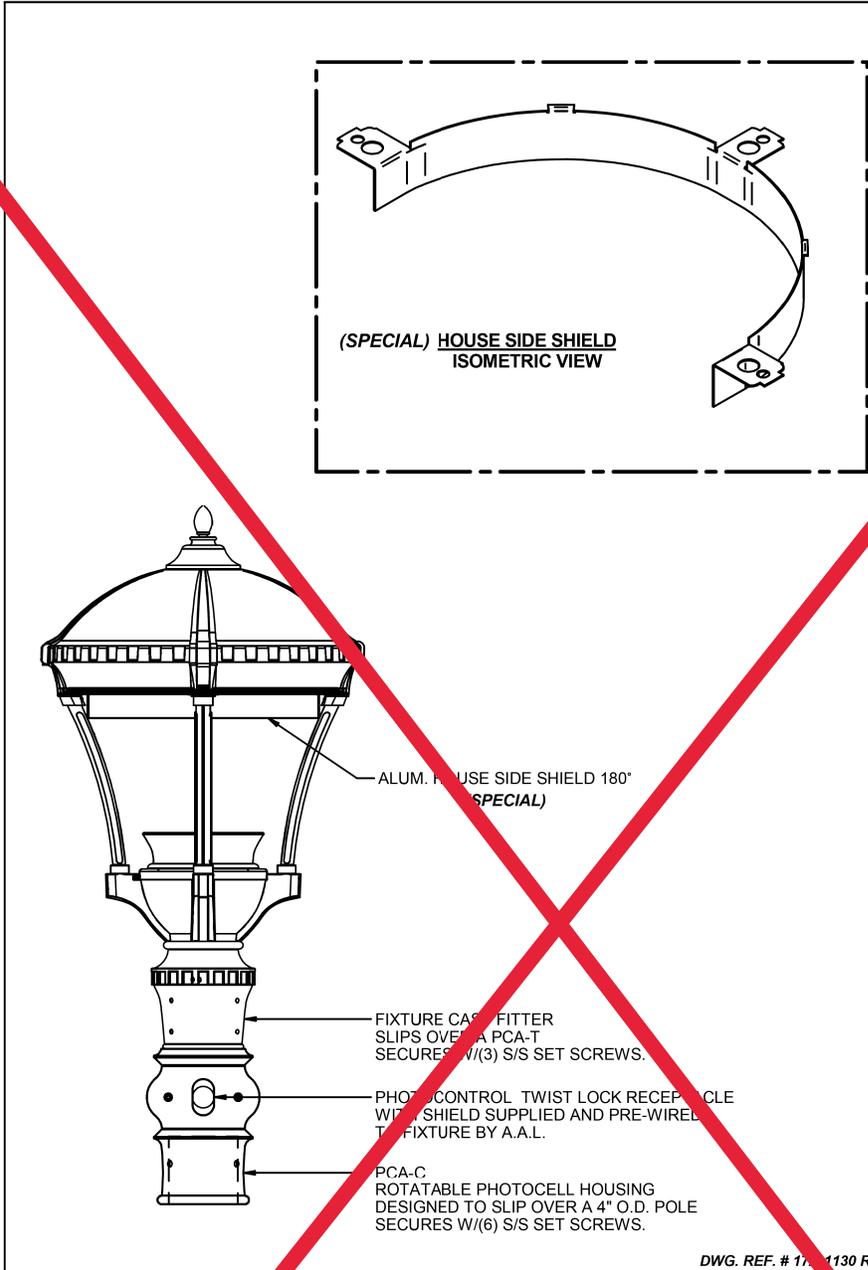
FINISH:
BLACK

TOWN OF BRECKENRIDGE DOWNTOWN
4" OD-3.5" ID LADDER REST
(Match Town Standard Exactly)

LIGHTING DETAILS

4' Outer Diameter Cutoff Ladder Rest

 TOWN OF BRECKENRIDGE ENGINEERING	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: <u>11/3/20</u> LAST REVISION DATE: _____	Standard Drawing 8 Sheet 4 of 7
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CATALOG NUMBER	PROV-T3 32LED-3K-700-LDL-HSS PCA-T
	18A-1609
FINISH: POLYESTER POWDER COAT.	AAL COLOR: BL
TO MATCH:	
PROVIDE SAMPLE COLOR CHIP	
LAMP TYPE	LED
WATTAGE	75
VOLTAGE	120-277
ANCHOR BOLTS	
QTY	
SIZE	
BOLT CIRCLE	
PROJECTION	
LEVELING NUTS AND WASHERS MUST BE INSTALLED UNDER ALL BASES	
ONE APPROVED DRAWING MUST BE RETURNED TO A.A.L. BEFORE THIS PRODUCT CAN BE FABRICATED	
Note: For locations near saltwater, clear anodize coating is the suggested application. This configuration will need to be requested during order entry.	
WARNING: THIS FIXTURE MUST BE GROUNDED IN ACCORDANCE WITH LOCAL CODES OR THE NATIONAL ELECTRICAL CODE. FAILURE TO DO SO MAY RESULT IN SERIOUS PERSONAL INJURY.	
*ARCHITECTURAL AREA LIGHTING ASSUMES NO RESPONSIBILITY OF HARM CAUSED BY FAILURES DUE TO IMPROPER SITE ANALYSIS OR USAGE OF PRODUCTS OTHER THAN THEIR INTENDED PURPOSE AS SHOWN IN THIS DOCUMENT.	

SOLD TO: _____ PO# _____ JOB NAME: _____
TOWN OF BRECKENRIDGE

 Hubbell Lighting, Inc.	 17760 Rowland St. City of Industry, CA 91748 (626)968-5666 Architectural Area Lighting Reserves The Right To Change Manufacturing Processes Without Notice.	18A-1609
		DATE: 11/20/2018 DRWN: ANTHONY APPROVED: REVIEWED By ANTHONY at 8:18 am, Dec 20, 2018 DATE: _____ REV. _____

NOTE: AN APPROVED EQUAL IS PERMISSIBLE WITH APPROVAL FROM THE TOWN.

LIGHTING DETAILS

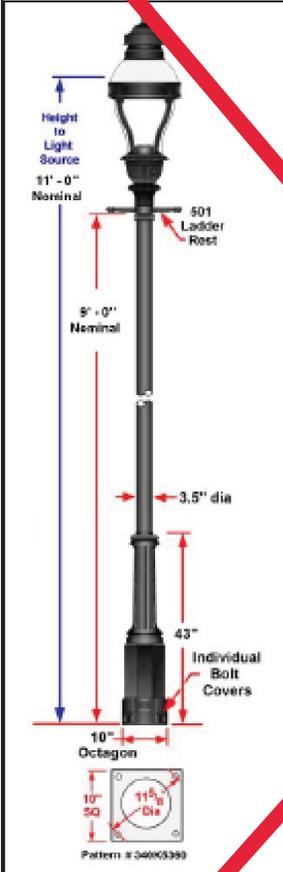
	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: 11/3/20 LAST REVISION DATE: _____	Standard Drawing 8 Sheet 5 of 7
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Penn Globe - Newport



THE PENNSYLVANIA GLOBE GASLIGHT CO.
 300 Shaw Road, North Branford, CT 06471
 PH: 203-484-7749 - FX: 203-484-7758
 www.PennGlobe.com
LEADERS IN SMART IoT™ LIGHTING SOLUTIONS

SPECIFICATION DWG# 617-10602-F660-P625-W501
 CLANTON & ASSOCIATES—TOWN OF BRECKENRIDGE PROJECT# 617-10602 DATE: 11/12/16



***** ATTENTION *****
 REGARDLESS OF NEW CONSTRUCTION OR RETROFIT
 DEDICATED NEC EQUIPMENT GROUND IS REQUIRED FOR ALL LED LIGHT FIXTURES.
 IMPROPER INSTALLATION WILL RESULT IN DAMAGE AND Voids ALL WARRANTIES. CONTACT PENN GLOBE WITH QUESTIONS.
***** ATTENTION *****
 OPERATING LINE VOLTAGE MUST BE CONFIRMED PRIOR TO FACTORY RELEASE OF ORDER.

PRIMARY LIGHT SOURCE:
 PennSTAR® LED

WATTAGE PLATFORM—TEMPERATURE:
 40W (max) - PLANNUS—3000K

VOLTAGE: AUTONSENSE
 120-277VAC
 CONFIRM OPERATING LINE VOLTAGE

GLOBE LENS:
 CLEAR TEXTURED ACRYLIC

POLE HEIGHT:
 9' (NOMINAL)

CONFIGURATION/MATL:
 BOLT DOWN
 ACCESS DOOR
 GROUNDING LUG
 ALUMINUM

APPLICATION:
 VILLAGE SIDEWALKS, CROSSINGS
 AND INTERSECTIONS

DISTRIBUTIONS:
 TYPE III (T3)
 TYPE V (T5)
 (PLEASE SPECIFY)

FINISH:
 BLACK 1003X LT

QUANTITY:
 (XX)

APPROVED BY: _____

DATE: _____

STOCK NUMBER	DESCRIPTION
F660-GX919-P625-40-277-T3 or-T5	NEWPORT 1000 LUMINAIRE
P625-W501-12-1000 W501-12-1000-CD1-15175-0300	SUSSEX POST LADDER REST

PROPOSAL DRAWING
 FOR REVIEW & APPROVAL

PREPARED BY: M. Stonier

The information contained in this drawing is the sole property of The Pennsylvania Globe Gaslight Co. Any reproduction in part or as a whole without the written permission of The Pennsylvania Globe Gaslight Co. is prohibited and may be subject to legal restriction or sanction. The information contained is privileged and confidential and may be protected from disclosure.

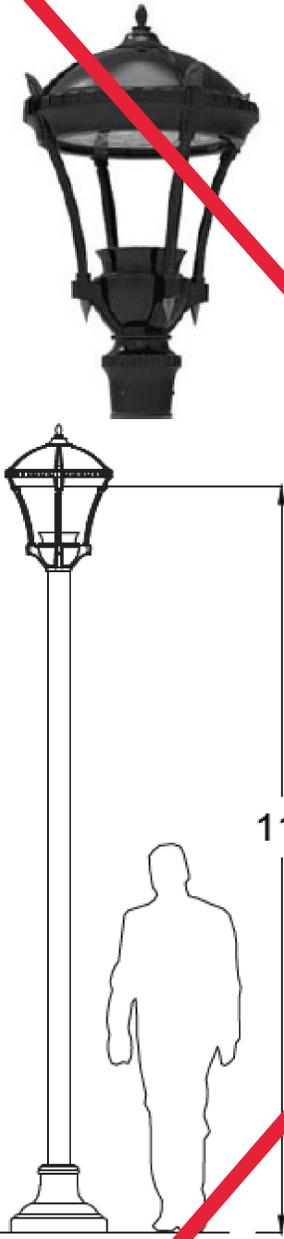
NOTE: AN APPROVED EQUAL IS PERMISSIBLE WITH APPROVAL FROM THE TOWN.

LIGHTING DETAILS
Breckenridge Typical Luminaires

	TOWN OF BRECKENRIDGE STANDARD DETAILS	CREATION DATE: 11/3/20	Standard Drawing 8 Sheet 6 of 7
		LAST REVISION DATE: _____	

THIS PAGE NEEDS REMOVED AND SUBSTITUTED WITH NEWEST PROVIDENCE SPEC SHEET - SW WAITING TO GET THIS DOCUMENT FROM MH LIGHTING

Architectural Area Lighting - Providence



9'-6" pole and base by Others.

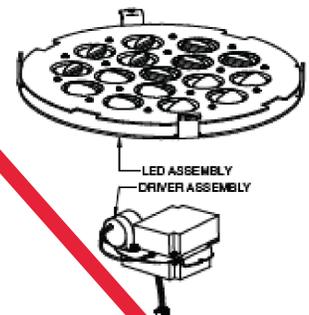
11'

Providence® LED Upgrade Kits – Medium Housing PROV-LK | TYPE

FEATURES

- DLC Qualified
- Reliable, uniform, glare free illumination
- Types II, III, IV, V and custom distributions
- 3000K, 4200K, 5100K CCT
- 0-10V dimming capable drivers
- Integral surge suppression
- LifeShield™ thermal protection
- 13 standard powder coat finishes

SPECIFICATIONS



LED ASSEMBLY
DRIVER ASSEMBLY

• IP Rating: 66



ORDERING INFORMATION

UPGRADE KIT	1	2	3	4	5
PROV-LK					
	Existing Optical System	Distribution	CCT	Drive Current	Bezel Finish

1. EXISTING OPTICAL SYSTEM

DIR (Upgrade kit for existing horizontal DIR luminaires)

IND (Upgrade kit for existing indirect ROW luminaires, includes lens assembly and solid state cap)

2. DISTRIBUTION

MicroCore Upgrade Kit Precision aimed optics

T2-32LED
T3-32LED
T4-32LED
T5-32LED
TL-32LED
TR-32LED

4. DRIVE CURRENT

700 450

5. BEZEL FINISH/COLOR

Bezel available in 13 standard finishes and premium finishes.

WH	Arctic White
BL	Black
BLT	Matte Black
DB	Dark Bronze
DGN	Dark Green
TT	Titanium
WOB	Weathered Bronze
MDB	Bronze Metallic
VBU	Verde Blue
CRT	Corten
MAL	Matte Aluminum
MGS	Medium Grey
AGN	Antique Green
LG	Light Grey
RAL	Premium Color
CUSTOM	* Contact Factory

8. COLOR TEMPERATURE

3K 4K 5K



ARCHITECTURAL AREA LIGHTING
18555 East Gale Ave. | City of Industry | CA 91745
P 626.988.5888 | F 626.369.2695 | www.aal.net
Copyright © 2014 Rev 2.15

JOB _____

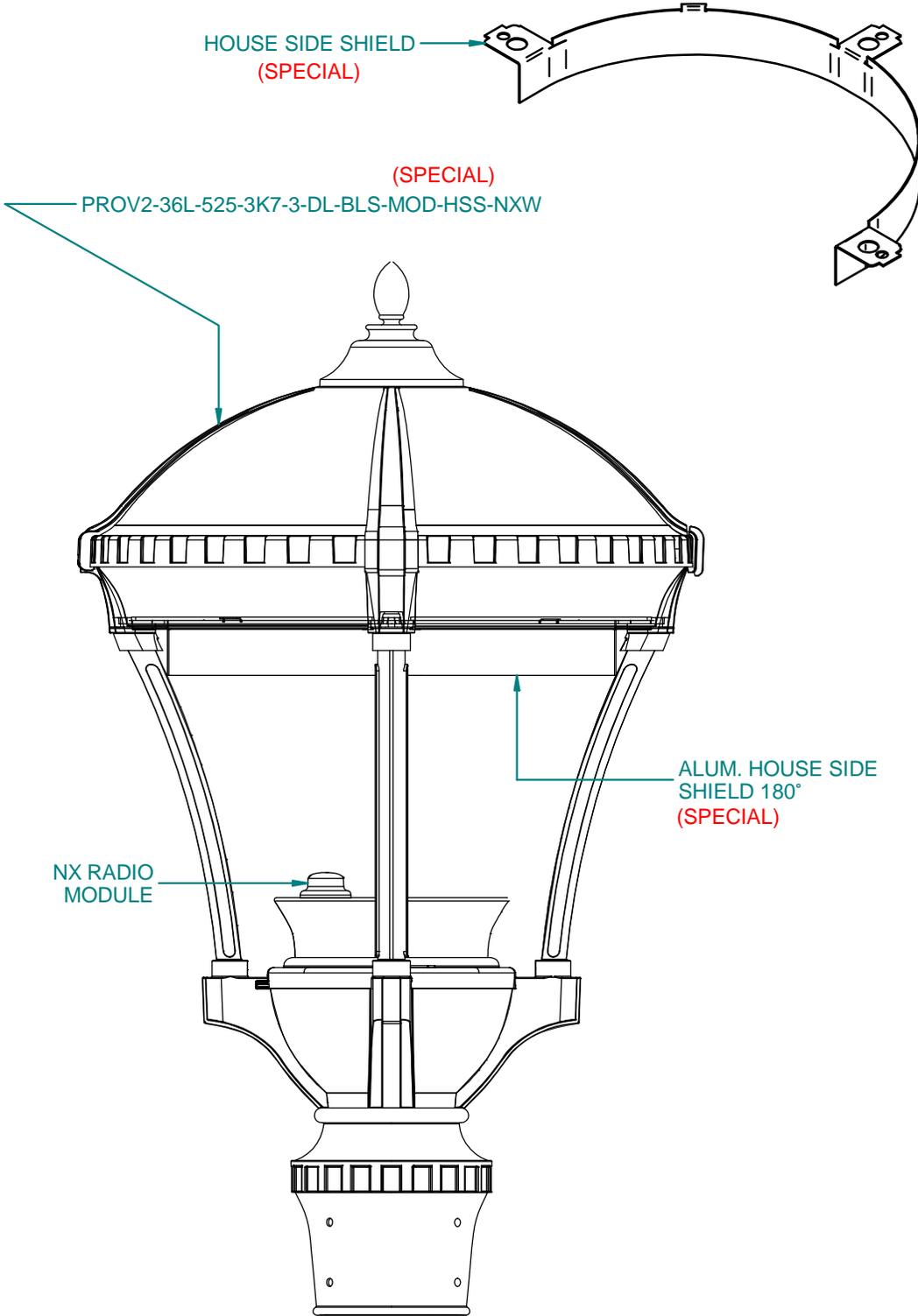
TYPE _____

NOTES _____

NOTE: AN APPROVED EQUAL IS PERMISSIBLE WITH APPROVAL FROM THE TOWN.

LIGHTING DETAILS
Breckenridge Typical Luminaires

	<p>TOWN OF BRECKENRIDGE STANDARD DETAILS</p>	<p>CREATION DATE: <u>11/3/20</u></p> <p>LAST REVISION DATE: _____</p>	<p>Standard Drawing 8 Sheet 7 of 7</p>
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TYPE:
CATALOG NUMBER PROV2-36L-525-3K7-3-DL-BLS- MOD-HSS-NXW
AAL COLOR: BLS
SPECIAL INSTRUCTIONS: NX EMBEDDED CONTROLS VOLTAGE 120-277
FIXTURE TO MOUNT TO A 4" O.D. TOP

LED COUNT, WATTAGE, VOLTAGE, CCT/CRI AND DISTRIBUTION MAY VARY BASED ON FINAL CAT STRING.

REFER TO SPECIFICATION SHEET FOR ADDITIONAL ELECTRICAL CHARACTERISTICS AND PHOTOMETRIC DATA

ANCHOR BOLTS

QTY

SIZE

BOLT CIRCLE

PROJECTION

LEVELING NUTS AND WASHERS MUST BE INSTALLED UNDER ALL BASES

ONE APPROVED DRAWING MUST BE RETURNED TO AAL BEFORE THIS PRODUCT CAN BE FABRICATED

WARNING: THIS FIXTURE MUST BE GROUNDED IN ACCORDANCE WITH LOCAL CODES OR THE NATIONAL ELECTRICAL CODE. FAILURE TO DO SO MAY RESULT IN SERIOUS PERSONAL INJURY.

* AAL ASSUMES NO RESPONSIBILITY OF HARM CAUSED BY FAILURES DUE TO IMPROPER SITE ANALYSIS OR USAGE OF PRODUCTS OTHER THAN THEIR INTENDED PURPOSE AS SHOWN IN THIS DOCUMENT.

SOLD TO:	PO#	JOB NAME:
TOWN OF BRECKENRIDGE - AAL PROVIDENCE SMART LIGHT FIXTURES FOR DARK SKIES		

CUSTOMER APPROVAL NEEDED PRIOR TO SHIPMENT OF FIXTURES.

X _____

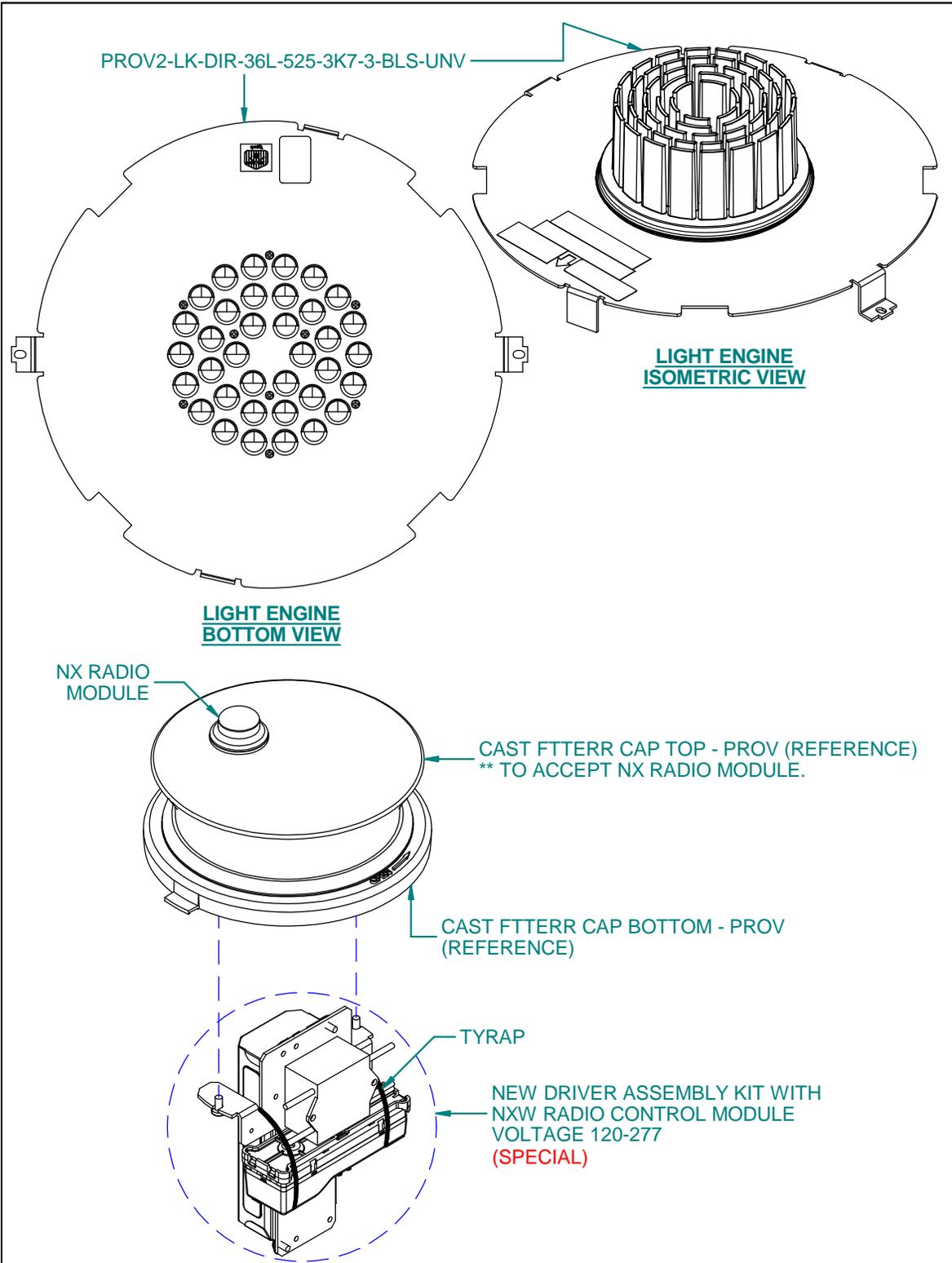
THIS DRAWING WILL EXPIRE IN 2 YEARS FROM APPROVAL DATE.



701 MILLENIUM BOULEVARD
GREENVILLE, SC 29607
(864)678-1000

Architectural Area Lighting
Reserves The Right To Change
Manufacturing Processes Without
Notice.

23A-2179	
DATE 07/21/2023	DRWN PBA
DATE 07/21/2023	APPRVD SM
DATE	REV. Δ



TYPE:
CATALOG NUMBER PROV2-LK-DIR-36L-525-3K7-3-BLS-UNV-MOD-NXW
AAL COLOR: BLS
SPECIAL INSTRUCTIONS: NEW DRIVER ASSEMBLY KIT WITH NX EMBEDDED CONTROLS VOLTAGE 120-277
LED COUNT, WATTAGE, VOLTAGE, CCT/CRI AND DISTRIBUTION MAY VARY BASED ON FINAL CAT STRING.
REFER TO SPECIFICATION SHEET FOR ADDITIONAL ELECTRICAL CHARACTERISTICS AND PHOTOMETRIC DATA
ANCHOR BOLTS
QTY
SIZE
BOLT CIRCLE
PROJECTION
LEVELING NUTS AND WASHERS MUST BE INSTALLED UNDER ALL BASES
ONE APPROVED DRAWING MUST BE RETURNED TO AAL BEFORE THIS PRODUCT CAN BE FABRICATED
WARNING: THIS FIXTURE MUST BE GROUNDED IN ACCORDANCE WITH LOCAL CODES OR THE NATIONAL ELECTRICAL CODE. FAILURE TO DO SO MAY RESULT IN SERIOUS PERSONAL INJURY. * AAL ASSUMES NO RESPONSIBILITY OF HARM CAUSED BY FAILURES DUE TO IMPROPER SITE ANALYSIS OR USAGE OF PRODUCTS OTHER THAN THEIR INTENDED PURPOSE AS SHOWN IN THIS DOCUMENT.

SOLD TO: **TOWN OF BRECKENRIDGE - AAL PROVIDENCE SMART LIGHT FIXTURES FOR DARK SKIES** PO# JOB NAME:

CUSTOMER APPROVAL NEEDED PRIOR TO SHIPMENT OF FIXTURES.

X _____

THIS DRAWING WILL EXPIRE IN 2 YEARS FROM APPROVAL DATE.

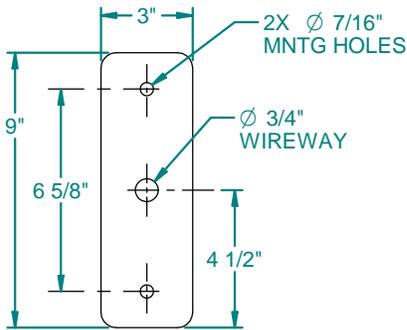
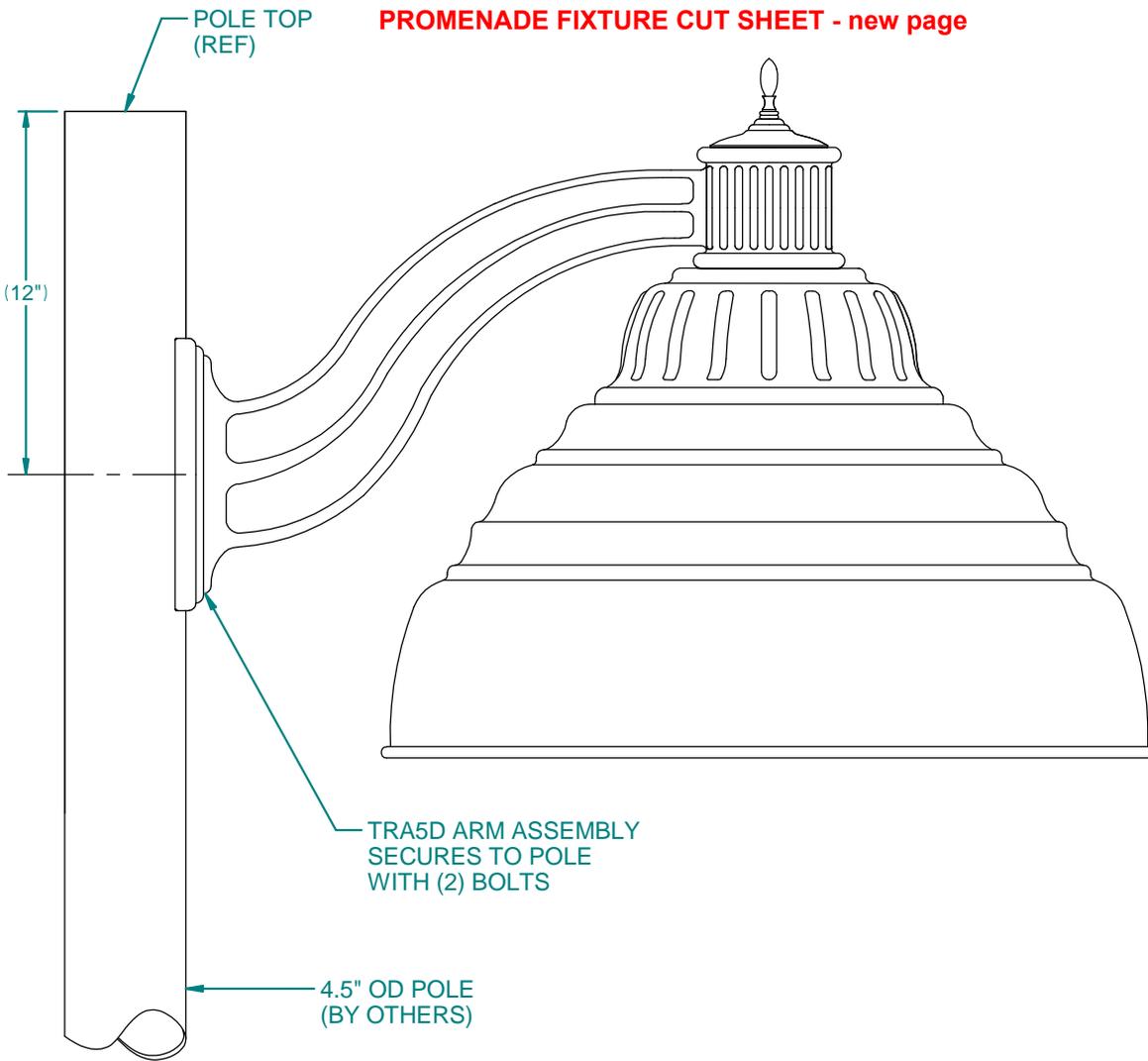


701 MILLENIUM BOULEVARD
GREENVILLE, SC 29607
(864)678-1000

Architectural Area Lighting Reserves The Right To Change Manufacturing Processes Without Notice.

23A-2180	
DATE 07/21/2023	DRWN PBA
DATE 07/21/2023	APPRVD SM
DATE	REV. Δ

PROMENADE FIXTURE CUT SHEET - new page



TRA5D ARM BACK VIEW MOUNTING DETAIL

NOTE:

- 1) MEANS OF MOUNTING AND MOUNTING HARDWARE BY OTHERS.

REF. DWG. 21A-1180
20A-1475
20A-1248

TYPE	INPUT: ETO <input checked="" type="checkbox"/> STD <input type="checkbox"/>
CATALOG NUMBER	PRM22-72L 335-3K7-3-CL TRA5D-MOD 4.5in
	21A-1354
FINISH: POLYESTER POWDER COAT.	
AAL COLOR:	BLS
TO MATCH:	
PROVIDE A SAMPLE COLOR CHIP	
LAMPING	
LAMP TYPE	LED
WATTAGE	76 watts
VOLTAGE	120-277V
ANCHOR BOLTS	
QTY	
SIZE	
BOLT CIRCLE	
PROJECTION	
LEVELING NUTS AND WASHERS MUST BE INSTALLED UNDER ALL BASES	
ONE APPROVED DRAWING MUST BE RETURNED TO A.A.L. BEFORE THIS PRODUCT CAN BE FABRICATED	
Note: For locations near saltwater, clear anodize coating is the suggested application. This configuration will need to be requested during order entry.	
WARNING: THIS FIXTURE MUST BE GROUNDED IN ACCORDANCE WITH LOCAL CODES OR THE NATIONAL ELECTRICAL CODE. FAILURE TO DO SO MAY RESULT IN SERIOUS PERSONAL INJURY.	
*ARCHITECTURAL AREA LIGHTING ASSUMES NO RESPONSIBILITY OF HARM CAUSED BY FAILURES DUE TO IMPROPER SITE ANALYSIS OR USAGE OF PRODUCTS OTHER THAN THEIR INTENDED PURPOSE AS SHOWN IN THIS DOCUMENT.	

SIGNED APPROVAL NEEDED PRIOR TO RELEASE OF ORDER.

PO#

JOB NAME: TOWN OF BRECKENRIDGE
WATSON AVENUE ROUNDABOUT

X



Hubbell Lighting, Inc.



17760 Rowland St.
City of Industry, CA 91748
(626)968-5666

Architectural Area Lighting Reserves The Right To Change Manufacturing Processes Without Notice.

21A-1354

DATE	DRWN
12/1/2021	JMP
DATE	APPRVD
DATE	R 129

TRA5U/TRA5D

PERIOD POLE MOUNT ARMS

DATE: _____ LOCATION: _____

TYPE: _____ PROJECT: _____

CATALOG #: _____

AAL ARMS



SPECIFICATIONS

CONSTRUCTION

- The arm shall be one piece cast aluminum construction and shall be prewired with a quick connector for easy installation.
- The up mount configuration shall have a cast aluminum fitter welded to the top of the arm(s) for attaching the fixture.
- The arm shall bolt to the side of a 4"/100mm or 5"/127 diameter pole.

Note: Fixture type and mounting orientation will determine size of arm tail.

ORDERING GUIDE

Example: TRA5U-BLT

CATALOG #

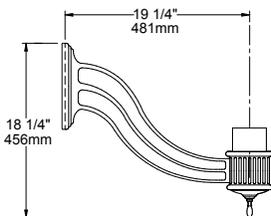
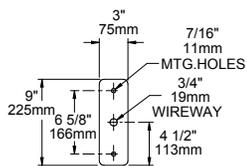
HOUSING

Arm	Color
TRA5U Mount up. Weight: 9 lbs. EPA: .62	BLS Black Gloss Smooth
TRA5D Mount down. Weight: 9 lbs. EPA: .62	BLT Black Matte Textured
	DBS Dark Bronze Gloss Smooth
	DBT Dark Bronze Matte Textured
	GTT Graphite Matte Textured
	LGS Light Grey Gloss Smooth
	LGT Light Grey Matte Textured
	PSS Platinum Silver Gloss Smooth
	VGT Verde Green Matte Textured
	WHS White Gloss Smooth
	WHT White Matte Textured
	Color Option
	CC¹ Custom Color

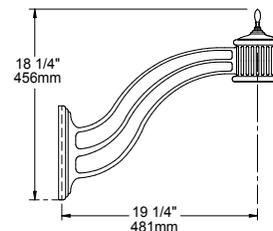
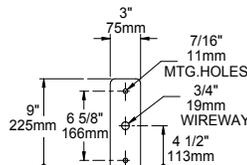
Notes:

- 1 Consult factory for custom color, marine and corrosive finish

DIMENSIONS

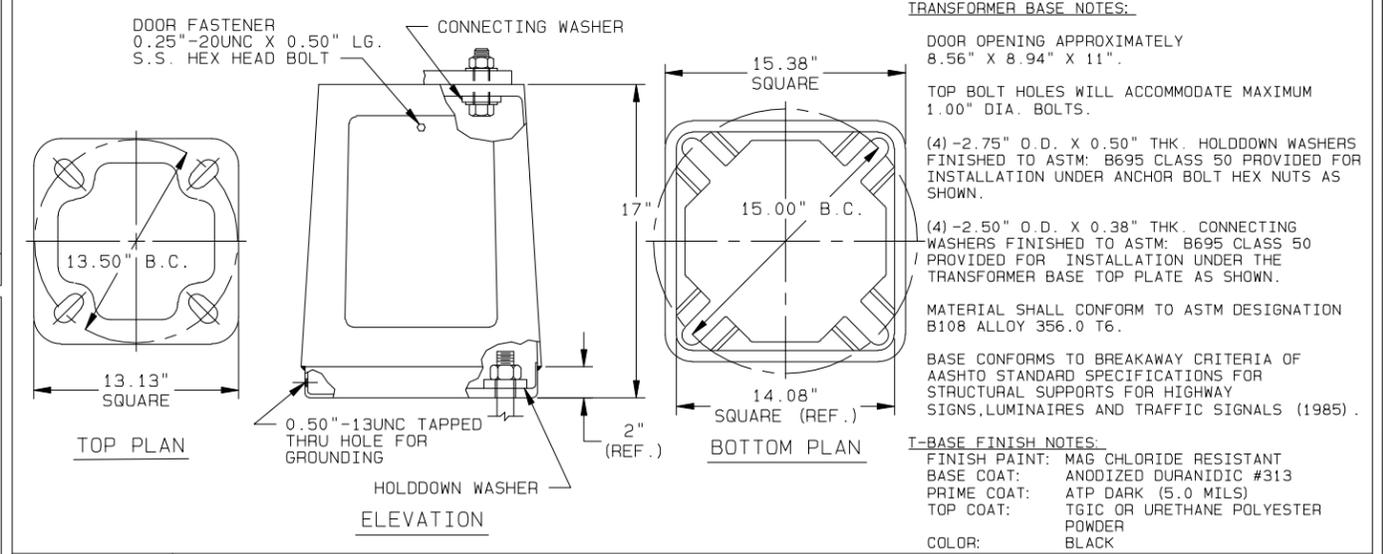
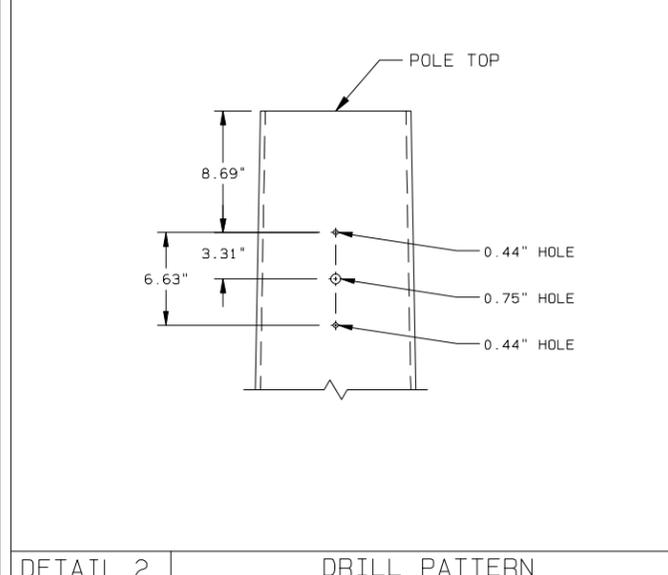
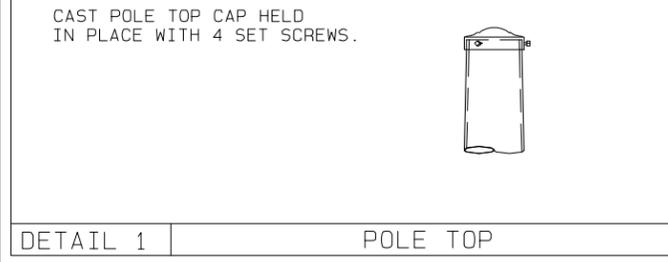
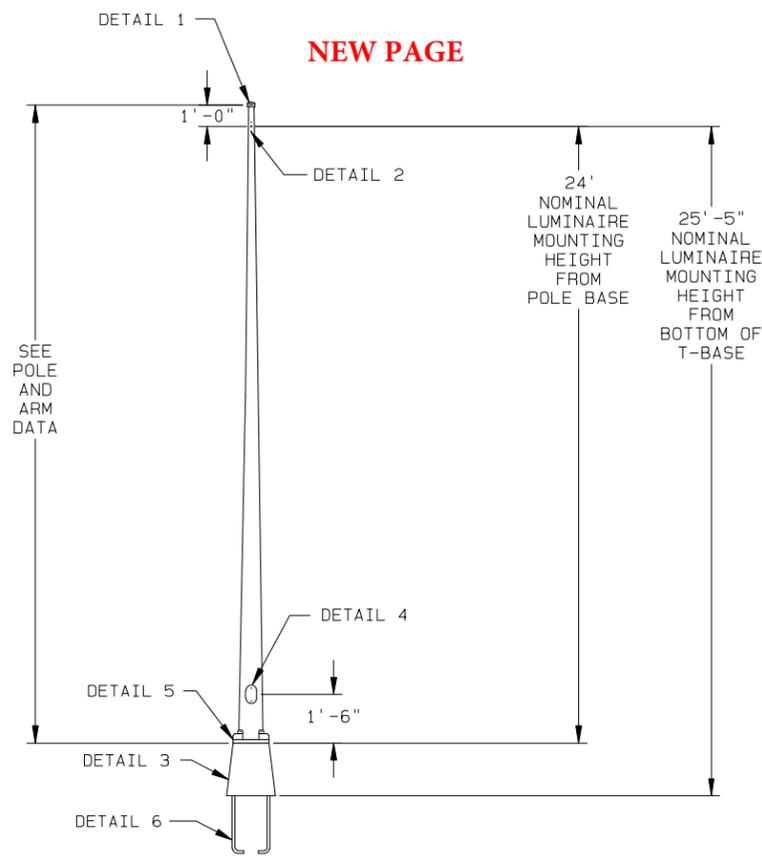


TRA5U (4" or 5" pole)



TRA5D (4" or 5" pole)

NEW PAGE



MATERIAL DATA

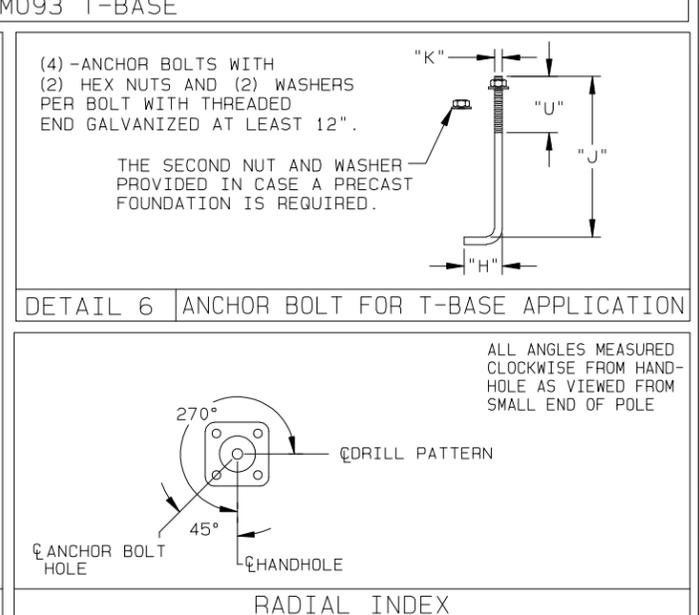
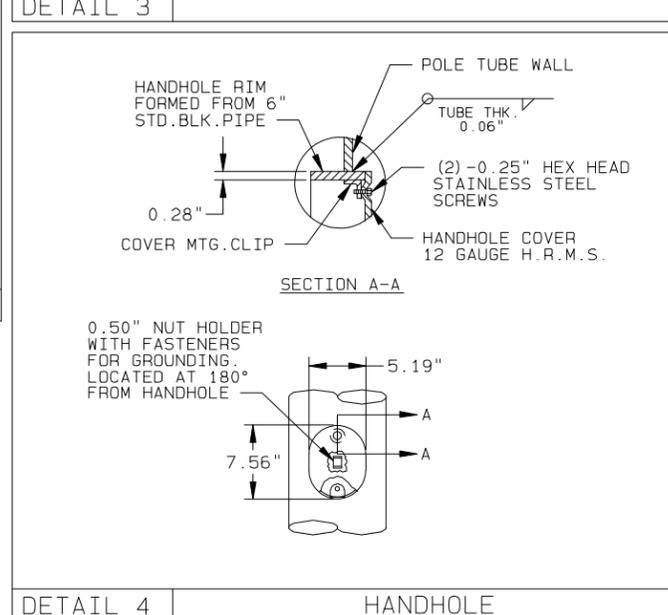
COMPONENT	ASTM DESIGNATION	MIN. YIELD (KSI)
POLE SHAFT	A595 GR. A	55
BASE PLATE	A36	36
ANCHOR BOLTS	F1554 GR.55	55
GALVANIZE-HARDWARE	F2329	--
T-BASE CONN. BOLTS	A325	--

FINISH DATA

SYSTEM: CUSTOMER SPECIFIED
 BASE COAT: HOT-DIP GALVANIZED TO ASTM A123
 PRIME COAT: HIGH BUILD EPOXY POWDER
 FINISH COAT: TGIC POWDER
 COLOR: BLACK
 SPEC: F-540F

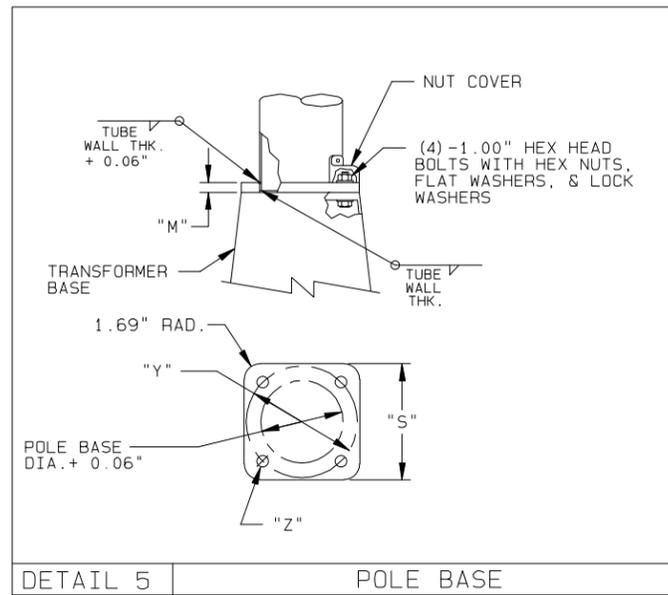
ALTHOUGH RARE, VIBRATIONS SEVERE ENOUGH TO CAUSE DAMAGE CAN OCCASIONALLY OCCUR IN STRUCTURES OF ALL TYPES. BECAUSE THEY ARE INFLUENCED BY MANY INTERACTING VARIABLES, VIBRATIONS ARE GENERALLY UNPREDICTABLE. THE USER'S MAINTENANCE PROGRAM SHOULD INCLUDE OBSERVATION FOR EXCESSIVE VIBRATION AND EXAMINATION FOR ANY STRUCTURAL DAMAGE OR BOLT LOOSENING. THE VALMONT WARRANTY SPECIFICALLY EXCLUDES FATIGUE FAILURE OR SIMILAR PHENOMENA RESULTING FROM INDUCED VIBRATION, HARMONIC OSCILLATION OR RESONANCE ASSOCIATED WITH MOVEMENT OF AIR CURRENTS AROUND THE PRODUCT.

VIBRATION DISCLAIMER



POLE DATA

QTY.	POLE TUBE				POLE BASE				ANCHOR BOLT			
	BASE DIA. (IN)	TOP DIA. (IN)	LENGTH (FT)	GAUGE OR THK. (IN)	SQUARE "S" (IN)	BOLT CIRCLE "Y" (IN)	THK. "M" (IN)	HOLE/SLOT "Z" (IN)	DIA. "K" (IN)	LENGTH "J" (IN)	HOOK "H" (IN)	THREAD LENGTH "U" (IN)
2	8.00	4.50	25.00	11	13.13	13.50	1.25	1.25	1.00	36.00	4.00	6.00



THE LIGHTING STRUCTURES SHOWN ON THIS DRAWING HAVE BEEN DESIGNED IN ACCORDANCE WITH THE LOADING AND THE ALLOWABLE STRESS REQUIREMENTS OF THE 2009 AASHTO "STANDARD SPECIFICATIONS FOR STRUCTURAL SUPPORTS FOR HIGHWAY SIGNS, LUMINAIRES AND TRAFFIC SIGNALS", FIFTH EDITION, INCLUDING THE 2011 INTERIM. THE WIND LOADS WERE CALCULATED FROM A BASIC WIND VELOCITY OF 100 MPH WITH A RECURRENCE INTERVAL OF 50 YEARS.

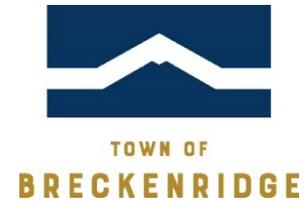
PER THE CODE COMMON LIGHTING STRUCTURES BELOW 55' ARE NOT REQUIRED TO BE ANALYZED FOR FATIGUE LOADS AS THEY HAVE NOT NORMALLY EXHIBITED FATIGUE PROBLEMS.

DESIGN LOADING CRITERIA: 1.7 EPA & 55LBS

DESIGN CRITERIA

Memo

To: Breckenridge Town Council Members
From: Town Staff
Date: 11/8/2023
Subject: Public Projects Update



Blue River Pathways

Staff is currently working on many different aspects of the Blue River Pathways project. Norris Design is currently completing a draft master plan document for the project. We will present the draft master plan to the Town Council in early 2024 for review and feedback. The Schoonover building will be demolished and the site cleared in May of 2024 with the Living Lab Bike Plaza being implemented upon completion.

Staff is also working with CDOT to finalize an RFP for consultant selection for the feasibility study and design of underpasses and pedestrian bridges in the project corridor. This project was funded at \$675,000 as a 50% grant match in 2023.

Food and Beverage Delivery Center

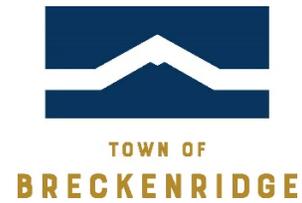
Staff is working alongside 106West Logistics on recommendations for a 2024 pilot program to present to Town Council on December 12, 2023.

Asphalt and Concrete Repair

Staff is currently finalizing the asphalt conditions evaluation for our roadway system and will then select streets that will be included in the 2024 project. The project is anticipated to be bid in February 2024 and for construction to begin in May 2024.

McCain Access Road Construction

Construction documents for this project are being finalized by the design team for bidding in February 2024. Construction is anticipated throughout the summer of 2024.



Memo

To: Breckenridge Town Council Members
 From: Mobility Staff
 Date: 11/8/2023
 Subject: **Mobility Update**

Transit

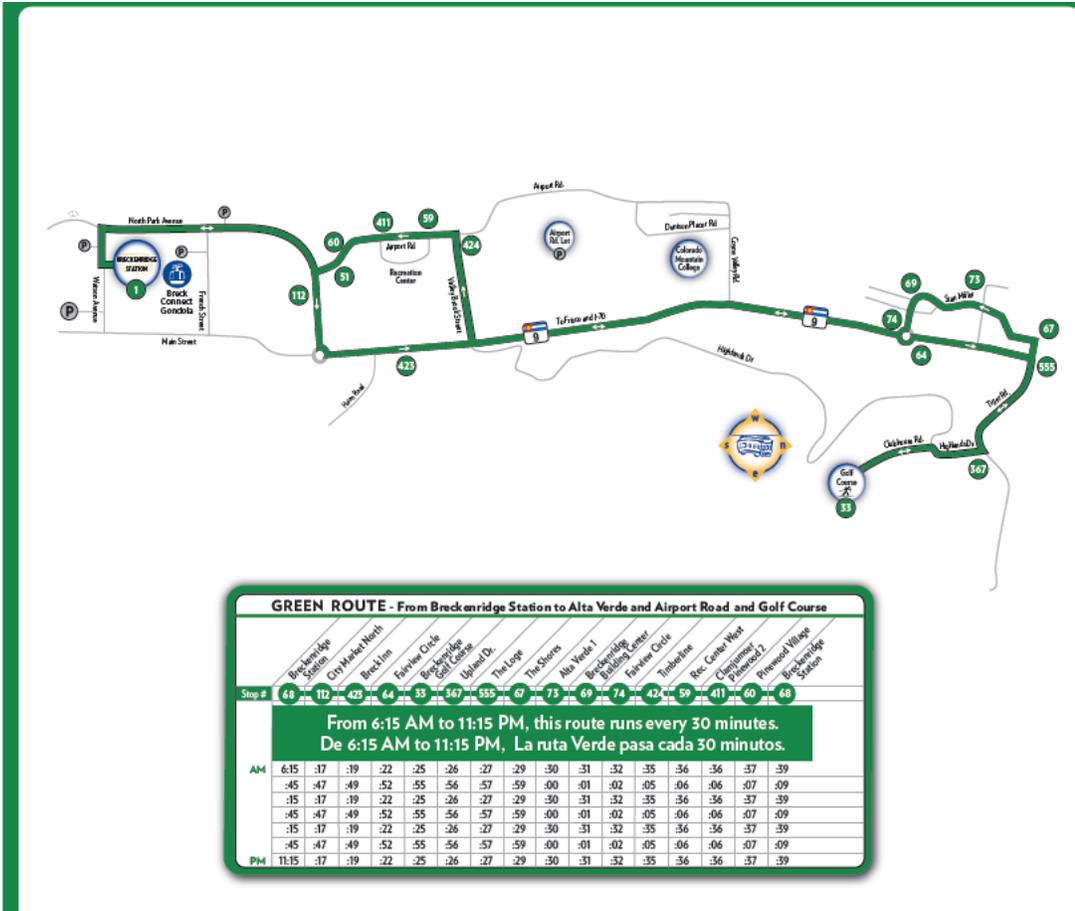
During the month of October, the Free Ride moved 39,422 passengers across all bus routes. These numbers reflect an increase of 4% compared to October 2022.

Route Name	Sum of Passenger Boardings
Gold Express Route	5,763
Gray Route	15,833
Green Route	3,271
Purple Route A	2,221
Purple Route B	3,031
Trolley Route	2,436
Total	32,537

As winter is setting in, new staff are being trained and the fleet is being prepared; the Free Ride will be rolling out Winter service in two phases. On November 10th, the **Purple** Route will be extended one block south to Jefferson and the **Trolley** will begin its new route from Main Street, east on Jefferson to head south on French to the Ice Rink. The Trolley will then be returning to the Transit Center via French, Jefferson, Ridge Street southbound with a new stop at the Tonopah Lot, and back on to Main Street northbound. The Trolley will now operate from 8am to 8pm daily. The **Gold Express** Route will no longer serve Peak 9 (Beaver Run) but as the season ramps up, will become 15-minute service up and down Ski Hill Road. Also on November 10th, the **Green** Route will begin its service to the Gold Run Nordic Center. This service change will require the Green Route to remain on Highway 9 inbound to Valleybrook, where it will then return on Airport Road to the Transit Center.

Phase two will begin on November 17th and involves dividing the Gray Route between the **Brown** and **Yellow** Routes. This update allows for 15-minute service on the north and south sides of town. This service improvement now allows for eight Free Ride buses per hour to and from the Peak 9 base area, including on 4 O'clock Road, Snowflake, and Kings Crown, which will move riders in and out of base areas very efficiently. The final service update on November 17th is the addition of a new route titled the **Ice Rink Express**. This route will operate two hours in the morning and two in the afternoon to move skiers between Beaver Run, South French Street, and the Ice Rink. This route will be operated by Breck Ski Resort to support the Trolley, Brown, and Purple Routes as we gather data on ridership demand on the French

Street corridor. For the updated public facing route maps, only the Green Route was available at the time this report was loaded:



Check BreckFreeRide.com for the newest maps and route times

Transit Technology

During the first week of November, GMV Syncromatics was onsite installing updated hardware in buses to allow for better tracking and app useability. This will be our final attempt at getting the MyFreeRide App up to expectations. Mobility staff have met with five transit/mobility application vendors and will be prepared to make a recommendation if the MyFreeRide App is not meeting our needs as winter begins.

October Traffic Count Data

October traffic counts at the EJ Tunnel were slightly higher than previous year and Hwy 9/Tiger Rd traffic counts were slightly lower than previous year. October traffic counts on the south end (River Park Dr) were about 10% higher compared to the same month last year.

CDOT Eisenhower Tunnel, Average Daily Total Traffic Counts (EB & WB)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2023	37290	39671	38648	31414	30132	37837	43623	39279	38860	33169		
2022	35851	38394	38795	30636	29665	37365	41946	39936	39582	32790	30145	34528
2021	34470	35126	37618	31250	31204	39513	41774	35557	38799	32166	31015	34600
2020	37669	35303	23910	11390	21442	33539	40756	34938	36790	33901	26787	32224
2019	38244	36034	38436	31567	30318	37402	44100	41526	38335	33214	29141	34553
2018	36771	36596	38333	29045	29940	38818	43998	40649	38010	29761	30153	36008
2017	33269	36718	39162	31483	N/A	40217	44022	39719	35614	30216	29087	32690

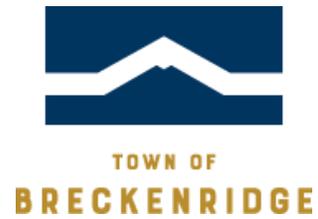
CDOT Hwy 9 & Tiger Rd, Average Daily Total Traffic Counts (NB & SB)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2023	25561	26129	25423	20266	17932	22107	26085	24365	23106	19796		
2022	25343	26314	25528	19385	17755	22419	25576	25157	23340	20126	19542	23392
2021	23613	23681	24455	19981	18729	23885	26569	24052	22303	19357	19779	23740
2020	26091	24334	16206	8459	12873	20096	25398	24184	23870	21272	18851	22557
2019	26864	25558	25043	19475	17420	19707	22715	25287	23769	18932	19522	23106
2018	24454	23112	23746	17638	16681	21491	25586	23805	21848	17993	19613	24572
2017	22314	22238	22640	16863	15739	20133	23872	22365	20694	17736	17914	22213

Hwy 9/River Park Drive CDOT Average Daily Total Traffic Counts (NB & SB)*

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2023	9677	9770	9490	6945	6884	9139	11402	10178	9055	7810		
2022	<i>Not Available</i>			6692	6947	9358	11132	10272	9763	7034	7525	9217

*Note: CDOT installed the River Park Dr counter in April 2022. On April 3rd, 2023, CDOT adjusted the counter to exclude counting vehicles turning in/out of River Park Dr, to get a more accurate count of through-traffic.



Memo

To: Town Council
From: Sustainability Staff
Date: 11/14/2023
Subject: Sustainability Update

PAYT/URO

The outreach and coaching around PAYT/URO has shifted to commercial accounts (businesses, multifamily) in advance of the 2024 deadlines for commercial compliance of universal recycling. Staff continues to compile information on potential barriers to compliance in an effort to address waivers, variances, and make recommendations about possible code revisions. Below is a summary of the outreach efforts.

URO Assistance:

- **Breckenridge**
 - 53 HOAs
 - 7 Businesses

What we are hearing about URO:

1. Lack of space continues to be a concern for many accounts. Staff are working to understand the nuances to space constraints in order to make recommendations on possible policy revisions and engaging with HC3 to ensure our messaging is consistent.
2. All HOAs express concern over contamination from STR visitors.
3. Some property managers want to self-haul their recycling to minimize contamination. This is currently not allowed under the ordinance if the property management company has a trash service contract.
4. Several properties that share trash with another property do not want to share recycling, primarily for contamination reasons.
5. Many of the property management companies contacted feel they have things under control and are on track for compliance.
6. Most property management companies and HOA boards are really excited about the ordinance.

Plastic Pollution Reduction

Staff met on-site with members of the Kroger beverage and deli teams to discuss the Plastic Pollution Reduction Ordinance and identify which products fall under the ordinance, and which are exempt. It was a productive conversation, and the Kroger team was receptive and ready to make the necessary changes to comply. Staff will continue to work with their teams to ensure they have the resources to be successful.

Material Management

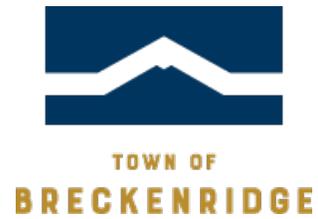
HC3 and the SCRAP [announced](#) that effective Jan 1, 2024 scrap metal will no longer be collected at the public recycling drop-off centers. Following the removal of the bins on Jan 1, all scrap metal and appliances will be accepted at the SCRAP free of charge. This is a result of extensive illegal dumping that occurs at the drop-off centers and unsafe operating conditions for the public and county staff. The County is working to make the drop-off centers a safe and convenient location to recycle your commonly recycled items.

Virtual Net Metering

During the 2021 legislative session, SB21-261 passed which aimed to increase deployment of renewable energy generation across the state to meet Colorado’s energy needs. One result of the legislation is a program known as virtual net metering (VNM) which allows distributed energy (i.e. a solar array) to meet loads of noncontiguous property owned or leased by the customer. In short, this program operates similar to a solar garden, however the customer (Town) can subscribe to 100% of the solar facility instead of a maximum of 40% under solar garden rules. There is no upfront cost to the Town and the Town retains the green attributes (Renewable Energy Certificates) for the life of the project.

Pivot Energy and Town of Breckenridge have been awarded two VNM projects to be developed in Aurora and Greeley. These projects combined have a capacity of 3.1 MW, have an annual estimated production of 7,793,384 kWh, and would serve the following Town facilities:

880 Airport Rd	Recreation Center
1107 Airport Rd	Public Works
175 White Cloud	Water Pump
2400 Gold Run Rd	Water Pump
189 Boreas Pass Rd	Ice Rink
189 Boreas Pass Rd	Ice Rink
80 N. Park Ave	Parking Garage
1117 Airport Rd	Public Works
130 Ski Hill Rd	Professional Building
68 Stan Miller Dr	N. Water Plant
0185 Swan Mountain Rd CR1	Swan Mountain Rd Water Pump
271 Lakeshore Loop	Gary Roberts Water Plant (Tarn)



Memo

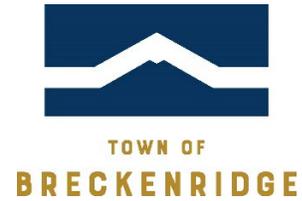
To: Town Council
From: Jessie Burley, Sustainability + Parking Manager
Date: 11/14/2023
Subject: Plastics Pollution Campaign

On March 28, 2023, the Breckenridge Town Council took a major step toward its material management goals with the passage of [Ordinance 12-23 that phases out certain single-use plastics from food serviceware and beverage containers](#). This ordinance also aligns Breckenridge with new state regulations set forth in HB 21-1162, the Plastic Pollution Reduction Act.

As part of the effort to implement this ordinance, Staff has been working directly with the community, lobby groups, and distributors by attending site visits, providing coaching and technical assistance, and piloting projects for reuse. In addition, we have been working with Launch Media on an outreach campaign designed to reach a variety of audiences (businesses, front line staff, visitors, residents) with short, effective messaging that helps illustrate the initiative and provides a call to action for how to engage with this plastic pollution reduction effort.

Launch will be at the Council meeting on November 14 to pitch the third-round concepts to Council. This information has been vetted by a committee of Staff, BTO, and a business representative.

Staff and Launch are looking for high level feedback and input from Council to move forward finalizing these concepts in advance of the busy winter season.



Memo

To: Breckenridge Town Council Members
From: Helen Cospolich, Town Clerk
Date: 11/8/2023
Subject: Committee Reports

The following committee reports were submitted for this meeting:

- Police Advisory Committee
- Summit Stage Advisory Board

Committees*	Representative	Report Status
Summit Stage Advisory Board	Matt Hulsey	Included
Police Advisory Committee	Chief Jim Baird	Included
Recreation Advisory Committee	Molly Boyd	No Meeting/Report
Transit and Parking Advisory Committee	Matt Hulsey	No Meeting/Report
Liquor and Marijuana Licensing Authority	Tara Olson	No Meeting/Report
Breckenridge Social Equity Advisory Commission	Shannon Haynes/Mack Russo	No Meeting/Report
Communications	Brooke Attebery	No Meeting/Report

***Note:** Reports provided by the Mayor and Council Members are listed in the Council agenda.

The following is a recap of the most recent **Police Advisory Committee** (PAC) meeting, held on Wednesday, November 1, 2023. Meetings are held bimonthly. The reporting individual to the Council is Chief of Police Jim Baird.

Committee: Police Advisory Committee (PAC)

Chief Jim Baird

2023 Community Representatives in attendance: Doug Blake, Matt Hulsey, Dave Askeland, Jim Trisler, Pauline Stein, Ryan Taylor and Phil Gallagher.

AC Gress and PAC members discussed the following:

- **Recruiting and Hiring process:** PAC was given a hiring update and told we have two students currently in the CMC Academy and we are actively hiring for the February 2024 Academy. We have several candidates in the hiring process and have seen a marked increase in interest from quality candidates over the past few months.
- **Response to Resistance Reports:** Sgt. Garrison Green gave an overview of two RTR reports to the group. A discussion ensued as to the details of the calls involved and how officers handle different calls .
- **Future meetings:** AC Gress led a discussion about expectations for the group and welcomed our four new board members.

The next PAC meeting will be held January 3, 2024

Summit Stage
October 25, 2023
Transit Board Meeting

Operations and Shop Report:

- 46 full time drivers with 48 Winter shifts to fill
- Additionally, 3 in training, and 7 in the hiring pipeline
- 1 new Gillig 40' bus delivered on 10/18 being inspected and put in service

Ridership:

- Total September 2023 fixed-route ridership was 93,029. A 2.0% decrease from September 2022 ridership of 94,931
- Ridership changes by Route September 2022 vs. September 2023:

Route	% Difference (Gain / Loss)
Breckenridge - Frisco	1.2%
Frisco - Silverthorne	-12.5%
Copper - Frisco	9.1%
Keystone/Dillon/Silverthorne	-11.7%
SMF Breck - Keystone	N/A
SMF Keystone - ABasin	N/A
Boreas Pass Loop	-2.1%
Free Ride Purple Contract	56.2%
Silverthorne Loop	21.9%
Wilderness Loop	1.3%
Blue River Commuter	62.3%
Lake County Commuter	6.6%
Park County Commuter	58.4%

Other Items:

- A Peak 7 resident attended the Stage Board meeting and presented a letter requesting a Summit Stage bus stop be installed at 4228 Ski Hill Road. According to the letter, this address is located on Peak 7 and maintained by the National Forest Service and Vail Resorts. The request is to support the 500 homes that utilize these roads as a back entrance to Peak 8. Stage Staff stated these are dirt roads and this would not simply be a new bus stop, it would require a new bus route altogether and they do not have the bandwidth to consider it at this time. Stage Board members may circle back at a later date to discuss feasibility of this route or if it can be better served with Microtransit.
- The Microtransit feasibility study is moving along with an expected March 29th final report delivery date.
- Winter service will be hourly with some exceptions:
 - All service is being extended to 1am
 - Silverthorne to Breck express, via Summit Cove in the AM and PM
 - One extra PM Breck to Frisco and one extra PM Boreas Pass loop

September 13th, 2023

Transit Advisory Board
C/O Chris Lubbers
Director of Transportation
Summit Stage
Frisco, Colorado 80443

Dear Mr. Lubbers,

I request this letter to be submitted to the Transit Advisory Board to request a bus stop at 4228 Ski Hill Road Summit County, Colorado 80424. This address is located on Peak 7 and is maintained by the National Forrest Service and Vail Resort adjacent to the Three Peaks Trail Head.

This request is for the following reasons:

- Over 400 cars daily transit up and down Peak 7 as it accommodates 500 homes and acts as back entrance to Peak 8 and subsequently town via Ski Hill Road. By providing local bus service, the carbon footprint being generated on Peak 7 can be reduced by providing public transportation for the guest and local residences on Peak 7.
- Traffic and parking at the Trail Head have been and continues to be problem especially in the summer at this address. Local bus service will reduce traffic and parking congestion.
- The National Forest Service and Vail Resorts support a bus stop at this location and will provide a bus stop if approved by the Transit Advisory Board.
- All parties (Residences, National Forest Service and Vail Resorts) believe it is possible to have this bus stop in place for the 2024-2025 ski season if we can get the Transit Advisory Board to approve this request.
- This bus stop will also accommodate not only Summit Stage stops but have an accommodation for commercial shuttle services.

The proposed originating and terminating route would be to the City Market & Gondola with interim stop (s) on Peak 7/8 Grandview/ Peak 7 Lodging. I have been meeting with Jody Church, COO of Vail Resorts for Breckenridge and Adam Bianchi, District Manager for NFS. All parties endorse the idea of a bus stop, but now I request the Transit Advisory Board's consideration to evaluate and approve this bus stop for Summit Stage service.

Thank you for the opportunity to submit my request. Please contact me at (571) 243-4354 if you have any questions. Please use the email this letter was attached for mapping location.

Sincerely,



Todd Ruelle
349 American Way
Peak 7 West
Breckenridge, Colorado 80424

Summit Stage Ridership

Fixed Routes

	September 2022 and 2023 Compared							% change 2022 to 2023	September 2022 and 2023 Y-T-D					
	2022			2023			2022			2023				
	Guests	Hours	Guests/Hour	Guests	Hours	Guests/Hour	Guests		Hours	Guests/Hour	Guests	Hours	Guests/Hour	
Town-To-Town Routes:	<i>T-T std. = 22</i>			<i>T-T std. = 22</i>				<i>T-T std. = 22</i>			<i>T-T std. = 22</i>			
Breckenridge-Frisco	20,067	720.0	27.9	20,301	760.0	26.7	1.2%	213,897	6,552.0	32.6	211,576	6,915.8	30.6	
Frisco-Silverthorne	17,292	465.0	37.2	15,122	465.0	32.5	-12.5%	173,396	3,569.1	48.6	161,155	4,231.5	38.1	
<i>Swan Mtn. Express</i>	<i>1,801</i>	<i>67.4</i>	<i>26.7</i>	<i>0</i>	<i>0.0</i>	<i>#DIV/0!</i>	n/a	<i>8,928</i>	<i>375.1</i>	<i>23.8</i>	<i>0</i>	<i>0.0</i>	<i>#DIV/0!</i>	
T-T Subtotal	39,160	1252.4	31.3	35,423	1225.0	28.9		396,221	10,496.2	37.7	372,731	11,147.3	33.4	
Town-To-Resort Routes:	<i>T-R std. = 22</i>			<i>T-R std. = 22</i>				<i>T-R std. = 22</i>			<i>T-R std. = 22</i>			
Copper Mountain-Frisco	5,042	525.0	9.6	5,499	525.0	10.5	9.1%	84,620	4,777.5	17.7	103,299	4,777.5	21.6	
Keystone/Dillon/Silverthorne	27,441	1007.9	27.2	24,239	1012.9	23.9	-11.7%	298,157	8,507.2	35.0	269,570	9,196.5	29.3	
SMF: Breck-Key	0	0.0	n/a	0	0.0	n/a	#DIV/0!	18,808	1,808.9	10.4	21,069	2,072.6	10.2	
SMF: Key-ABasin	0	0.0	n/a	0	0.0	n/a	#DIV/0!	9,224	748.5	12.3	8,778	853.4	10.3	
SMF Total	0	0.0	n/a	0	0.0	n/a	#DIV/0!	28,032	2,557.4	11.0	29,847	2,926	10.2	
T-R Subtotal	32,483	1532.9	21.2	29,738	1537.9	19.3		410,809	15,842.1	25.9	402,716	16,900.0	23.8	
Residential Routes:	<i>Res std. = 14</i>			<i>Res std. = 14</i>				<i>Res std. = 14</i>			<i>Res std. = 14</i>			
Boreas Pass Loop	5,004	340.0	14.7	4,901	360.0	13.6	-2.1%	71,969	3,093.8	23.3	70,693	3,191.9	22.1	
Purple (Free Ride contract)	4,545	525	8.7	7,098	525.0	13.5	56.2%	75,350	4,777.5	15.8	86,713	4,795.0	18.1	
Silverthorne Loop	3,983	278.4	14.3	4,856	278.4	17.4	21.9%	41,388	2,533.5	16.3	46,344	2,533.5	18.3	
Wilderness Loop	6,437	285.0	22.6	6,522	285.0	22.9	1.3%	57,405	2,593.5	22.1	62,652	2,593.5	24.2	
Res Subtotal	19,969	1428.4	14.0	23,377	1448.4	16.1		246,112	12,998.3	18.9	266,402	13,113.9	20.3	
Commuter Routes:	<i>Com std. = 10</i>			<i>Com std. = 10</i>				<i>Com std. = 10</i>			<i>Com std. = 10</i>			
Blue River Commuter	443	60.5	7.3	719	75.0	9.6	62.3%	3,824	550.5	6.9	9,794	702.3	13.9	
Lake County Commuter	1,514	252.0	6.0	1,614	252.0	6.4	6.6%	16,701	2,293.2	7.3	19,201	2,293.2	8.4	
Park County Commuter	1,362	82.5	16.5	2,158	156.1	13.8	58.4%	12,356	751.0	16.5	22,497	1,186.9	19.0	
Com Subtotal	3,319	395.0	8.4	4,491	483.1	9.3		32,881	3,594.7	9.1	51,492	4,182.4	12.3	
Misc. Fixed Route Subtotal	0	0.0	n/a	0	0.0	n/a		0	0.0	n/a	1,558	83.4	n/a	
FIXED ROUTE TOTALS	94,931	4,608.7	20.6	93,029	4694.4	19.8	-2.0%	1,086,023	42,931.3	25.3	1,094,899	45,427.0	24.1	

Mountain Mobility/Para Transit

	September 2022 and 2023 Compared								September 2022 and 2023 Y-T-D					
	2022			2023			2022			2023				
	Guests	Hours	Guests/Hour	Guests	Hours	Guests/Hour	Guests		Hours	Guests/Hour	Guests	Hours	Guests/Hour	
PARATRANSIT TOTALS	345	349.6	1.0	445	396.5	1.1	29.0%	3,383	3,020.0	1.1	3,984	3,637.6	1.1	
GRAND TOTAL	95,276	4,958.3	19.2	93,474	5,090.9	18.4		1,089,406	45,951.3	23.7	1,098,883	49,064.6	22.4	

CDOT Quarterly Report Data	Fixed Route	88,538	4211.3
	Commuter	4,491	483.1

Summit Stage Ridership

Monthly Riders:	January	February	March	April	May	June	July	August	September	October	November	December
Town to Town Routes												
Breckenridge-Frisco	36,627	29,957	29,133	17,737	17,080	17,116	21,868	21,757	20,301	1,000	1,000	1,000
Frisco-Silverthorne	22,592	19,900	21,566	16,698	15,155	15,531	17,327	17,264	15,122	1,000	1,000	1,000
<i>Swan Mtn. Express</i>	0	0	0	0	0	0	0	0	0	0	0	0
Town to Resort Routes												
Copper Mountain-Frisco	21,831	21,597	21,333	10,736	4,264	5,335	6,778	5,926	5,499	1,000	1,000	1,000
Keystone-Silverthorne	44,317	36,781	38,025	26,078	22,233	24,627	26,621	26,649	24,239	1,000	1,000	1,000
SMF: Breck-Key	5,621	5,528	5,786	3,463	671	0	0	0	0	0	1,000	1,000
SMF: Key-Abasin	1,856	1,641	2,235	2,626	420	0	0	0	0	0	1,000	1,000
SMF Total	7,477	7,169	8,021	6,089	1,091	0	0	0	0	0	2,000	2,000
Residential Routes												
Boreas Pass Loop	14,272	13,498	11,387	5,480	3,753	5,652	6,678	5,072	4,901	1,000	1,000	1,000
Purple (Free Ride contract)	12,909	14,130	12,116	8,452	5,490	7,357	9,585	9,576	7,098	1,000	1,000	1,000
Silverthorne Loop	6,306	5,346	6,137	4,799	4,238	4,808	4,725	5,129	4,856	1,000	1,000	1,000
Wildernest Loop	8,395	7,339	7,050	5,731	5,666	6,989	8,134	6,826	6,522	1,000	1,000	1,000
Commuter												
Blue River Commuter	2,105	1,812	1,330	657	550	717	1,061	843	719	1,000	1,000	1,000
Lake County Commuter	3,147	2,415	2,674	2,053	1,533	1,793	1,955	2,017	1,614	1,000	1,000	1,000
Park County Commuter	3,419	2,778	2,830	2,132	1,968	2,293	2,310	2,609	2,158	1,000	1,000	1,000
Misc. Fixed Route	139	0	0	267	1,068	84	0	0	0	0	0	0
Paratransit	376	448	596	451	388	428	384	468	445	1,000	1,000	1,000

Year to Date Riders:	February	March	April	May	June	July	August	September	October	November	December	
Town to Town Routes												
Breckenridge-Frisco	66,584	95,717	113,454	130,534	147,650	169,518	191,275	211,576	212,576	213,576	214,576	
Frisco - Silverthorne	42,492	64,058	80,756	95,911	111,442	128,769	146,033	161,155	162,155	163,155	164,155	
<i>Swan Mtn. Express</i>	0	0	0	0	0	0	0	0	0	0	0	
Town to Resort Routes												
Copper Mountain-Frisco	43,428	64,761	75,497	79,761	85,096	91,874	97,800	103,299	104,299	105,299	106,299	
Keystone-Silverthorne	81,098	119,123	145,201	167,434	192,061	218,682	245,331	269,570	270,570	271,570	272,570	
SMF: Breck-Key	11,149	16,935	20,398	21,069	21,069	21,069	21,069	21,069	21,069	22,069	23,069	
SMF: Key-Abasin	3,497	5,732	8,358	8,778	8,778	8,778	8,778	8,778	8,778	9,778	10,778	
SMF Total	14,646	22,667	28,756	29,847	29,847	29,847	29,847	29,847	29,847	31,847	33,847	
Residential Routes												
Boreas Pass Loop	27,770	39,157	44,637	48,390	54,042	60,720	65,792	70,693	71,693	72,693	73,693	
Purple (Free Ride contract)	27,039	39,155	47,607	53,097	60,454	70,039	79,615	86,713	87,713	88,713	89,713	
Silverthorne Loop	11,652	17,789	22,588	26,826	31,634	36,359	41,488	46,344	47,344	48,344	49,344	
Wildernest Loop	15,734	22,784	28,515	34,181	41,170	49,304	56,130	62,652	63,652	64,652	65,652	
Commuter												
Blue River Commuter	3,917	5,247	5,904	6,454	7,171	8,232	9,075	9,794	10,794	11,794	12,794	
Lake County Commuter	5,562	8,236	10,289	11,822	13,615	15,570	17,587	19,201	20,201	21,201	22,201	
Park County Commuter	6,197	9,027	11,159	13,127	15,420	17,730	20,339	22,497	23,497	24,497	25,497	
Misc. Fixed Route	139	139	406	1,474	1,558							
Paratransit	824	1,420	1,871	2,259	2,687	3,071	3,539	3,984	4,984	5,984	6,984	2023 Total Riders
												1,138,883

Misc Fixed Route Jan - ice sculptures; April & May school kids to Silco; June BBQ

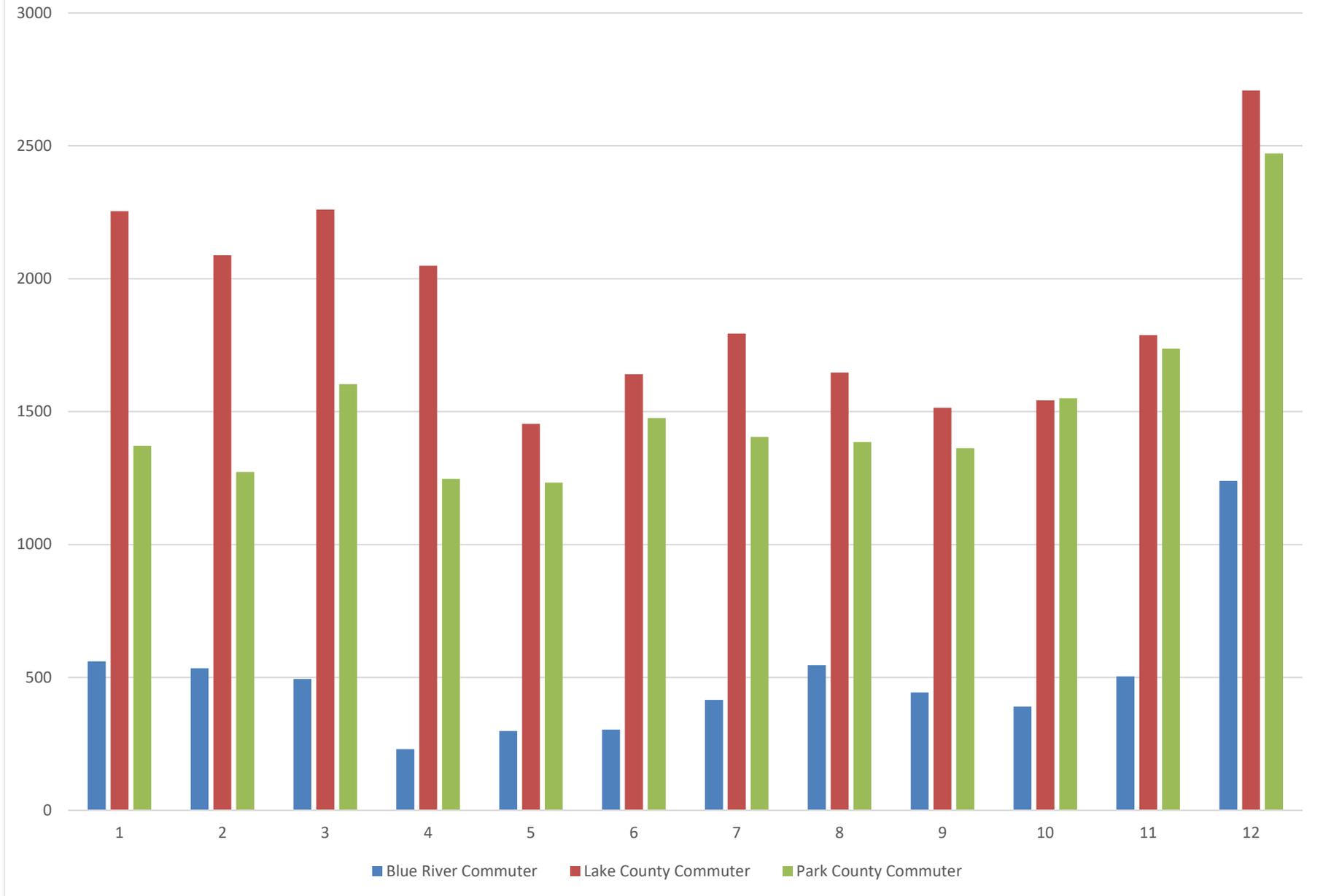
Summit Stage Ridership

Monthly Hours:	January	February	March	April	May	June	July	August	September	October	November	December
Town to Town Routes												
Breckenridge-Frisco	785.3	709.3	785.3	760.0	785.3	760.0	785.3	785.3	760.0	100.0	100.0	100.0
Frisco-Silverthorne	480.5	434.0	480.5	465.0	480.5	465.0	480.5	480.5	465.0	100.0	100.0	100.0
Swan Mtn. Express	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Town to Resort Routes												
Copper Mountain-Frisco	542.5	490.0	542.5	525.0	542.5	525.0	542.5	542.5	525.0	100.0	100.0	100.0
Keystone-Silverthorne	1041.5	940.7	1041.5	1007.9	1045.7	1012.9	1046.7	1046.7	1012.9	100.0	100.0	100.0
SMF: Breck-Key	483.1	436.3	483.1	467.5	202.6	0.0	0.0	0.0	0.0	0.0	100.0	100.0
SMF: Key-Abasin	198.9	179.7	198.9	192.5	83.4	0.0	0.0	0.0	0.0	0.0	100.0	100.0
SMF Total	682.0	616.0	682.0	660.0	286.0	0.0	0.0	0.0	0.0	0.0	200.0	200.0
Residential Routes												
Boreas Pass Loop	351.3	317.3	351.3	340.0	368.0	360.0	372.0	372.0	360.0	100.0	100.0	100.0
Purple (Free Ride contract)	542.5	490.0	542.5	542.5	542.5	525.0	542.5	542.5	525.0	100.0	100.0	100.0
Silverthorne Loop	287.7	259.8	287.7	278.4	287.7	278.4	287.7	287.7	278.4	100.0	100.0	100.0
Wilderness Loop	294.5	266.0	294.5	285.0	294.5	285.0	294.5	294.5	285.0	100.0	100.0	100.0
Commuter												
Blue River Commuter	83.7	75.6	83.7	75.6	78.7	75.0	77.5	77.5	75.0	100.0	100.0	100.0
Lake County Commuter	260.4	235.2	260.4	252.0	260.4	252.0	260.4	260.4	252.0	100.0	100.0	100.0
Park County Commuter	105.5	95.3	105.5	95.3	150.5	156.1	161.3	161.3	156.1	100.0	100.0	100.0
Misc. Fixed Route	10.0	0.0	0.0	25.7	23.8	24.0	0.0	0.0	0.0	0.0	0.0	0.0
Paratransit	342.4	388.9	467.3	420.6	370.4	381.9	377.1	445.8	396.5	100.0	100.0	100.0

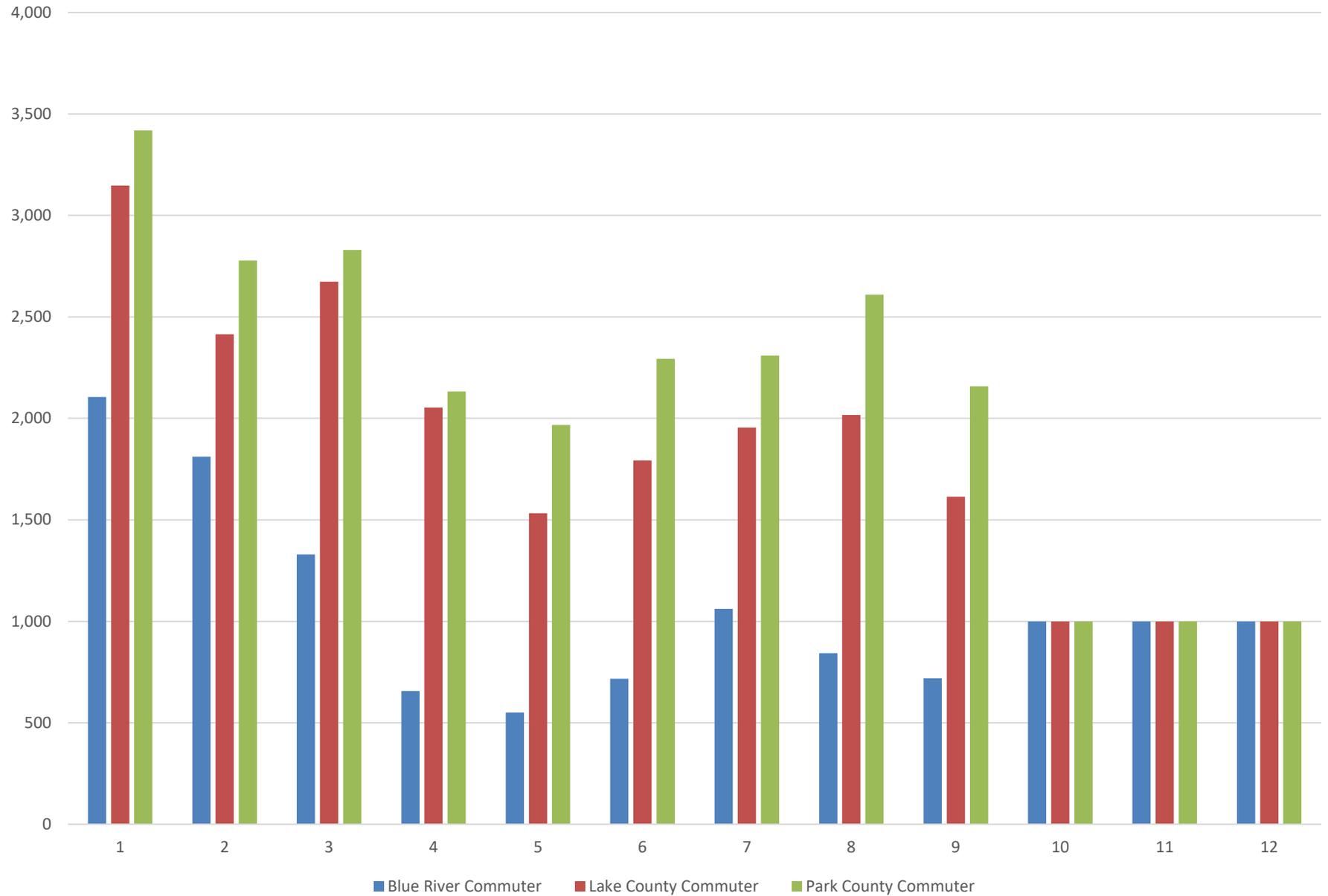
Year to Date Hours:	February	March	April	May	June	July	August	September	October	November	December	
Town to Town Routes												
Breckenridge-Frisco	1494.6	2279.9	3039.9	3825.2	4585.2	5370.5	6155.8	6915.8	7015.8	7115.8	7215.8	
Frisco - Silverthorne	914.5	1395.0	1860.0	2340.5	2805.5	3286.0	3766.5	4231.5	4331.5	4431.5	4531.5	
Swan Mtn. Express	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Town to Resort Routes												
Copper Mountain-Frisco	1032.5	1575.0	2100.0	2642.5	3167.5	3710.0	4252.5	4777.5	4877.5	4977.5	5077.5	
Keystone-Silverthorne	1982.2	3023.7	4031.6	5077.3	6090.2	7136.9	8183.6	9196.5	9296.5	9396.5	9496.5	
SMF: Breck-Key	919.4	1402.5	1870.0	2072.6	2072.6	2072.6	2072.6	2072.6	2072.6	2172.6	2272.6	
SMF: Key-Abasin	378.6	577.5	770.0	853.4	853.4	853.4	853.4	853.4	853.4	953.4	1053.4	
SMF Total	1298.0	1980.0	2640.0	2926.0	2926.0	2926.0	2926.0	2926.0	2926.0	3126.0	3326.0	
Residential Routes												
Boreas Pass Loop	668.6	1019.9	1359.9	1727.9	2087.9	2459.9	2831.9	3191.9	3291.9	3391.9	3491.9	
Purple (Free Ride contract)	1032.5	1575.0	2117.5	2660.0	3185.0	3727.5	4270.0	4795.0	4895.0	4995.0	5095.0	
Silverthorne Loop	547.5	835.2	1113.6	1401.3	1679.7	1967.4	2255.1	2533.5	2633.5	2733.5	2833.5	
Wilderness Loop	560.5	855.0	1140.0	1434.5	1719.5	2014.0	2308.5	2593.5	2693.5	2793.5	2893.5	
Commuter												
Blue River Commuter	159.3	243.0	318.6	397.3	472.3	549.8	627.3	702.3	802.3	902.3	1002.3	
Lake County Commuter	495.6	756.0	1008.0	1268.4	1520.4	1780.8	2041.2	2293.2	2393.2	2493.2	2593.2	
Park County Commuter	200.8	306.3	401.6	552.1	708.2	869.5	1030.8	1186.9	1286.9	1386.9	1486.9	
Misc. Fixed Route	10.0	10.0	35.7	59.4	83.4	83.4	83.4	83.4	83.4	83.4	83.4	
Paratransit	731.3	1198.6	1665.9	2036.3	2418.2	2795.3	3241.1	3637.6	3737.6	3837.6	3937.6	
												2023 Total Hours
												52981.2

Misc Fixed Route Jan - Ice sculptures; April & May Students to Silco; June BBQ

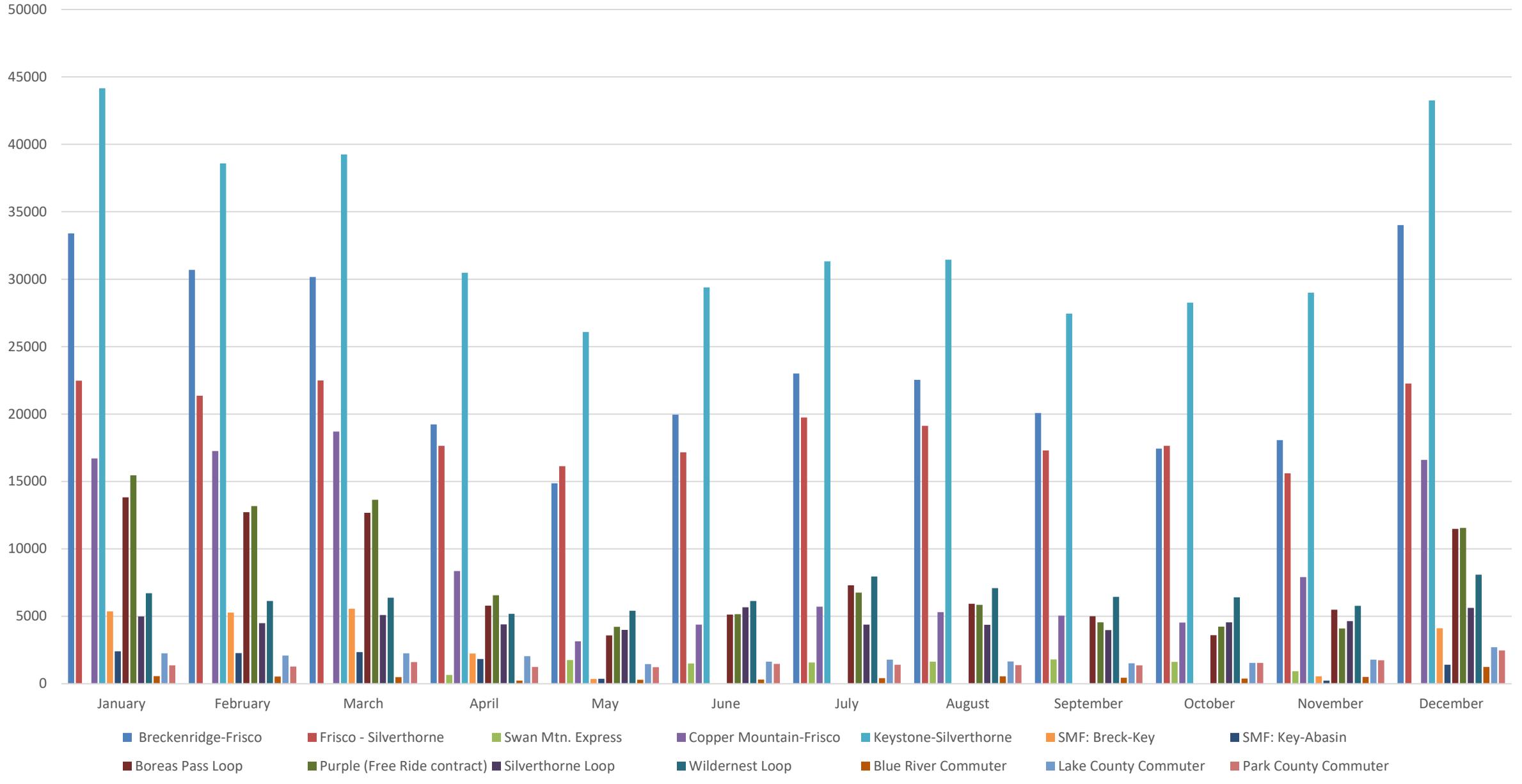
Lake County, Blue River & Park County 2022



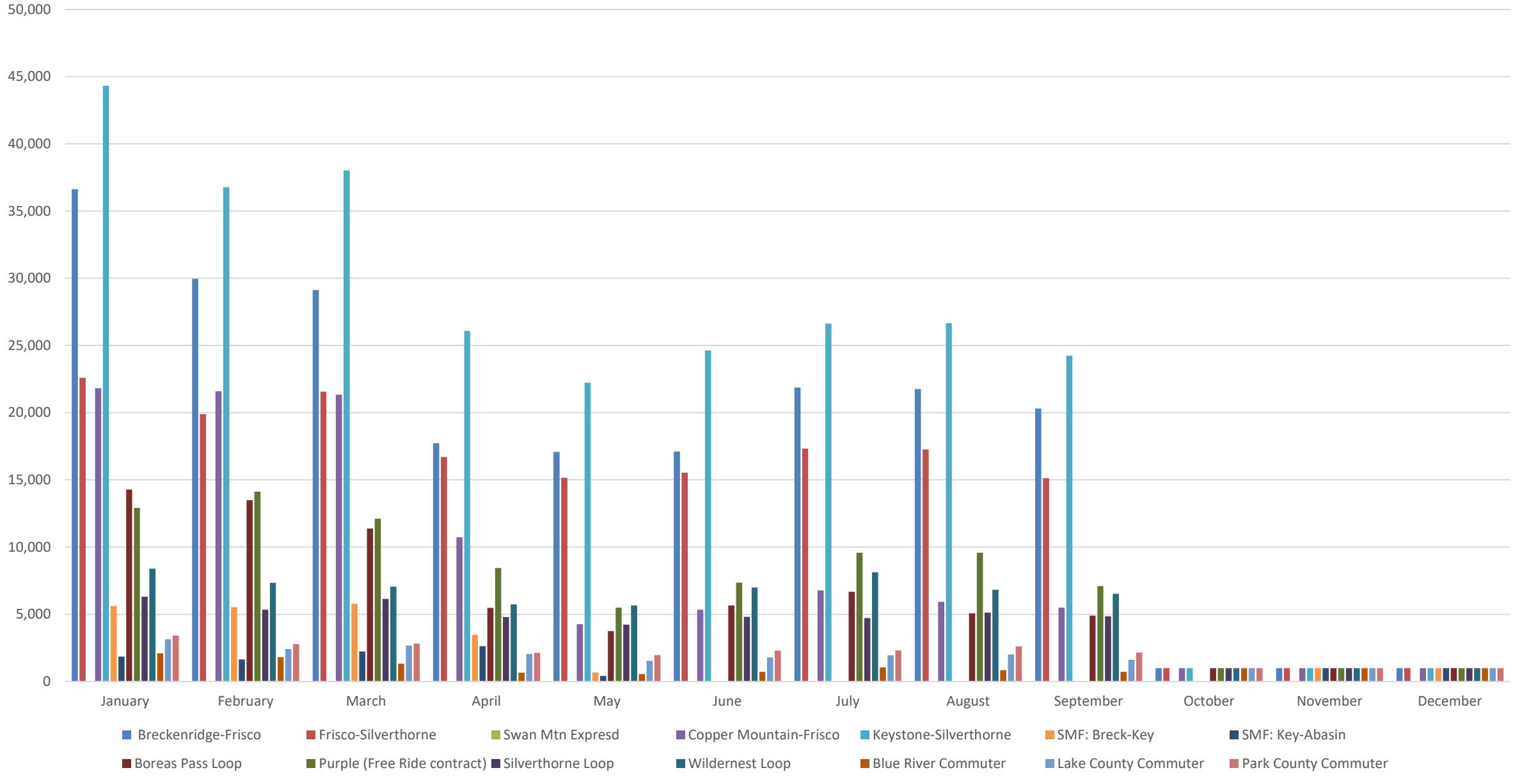
Lake County, Blue River & Park County 2023



Monthly Comparison 2022



Monthly Comparison 2023



Current Year (2023)

Previous Year (2022)

ACCOUNT DESCRIPTION	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUDGET	% USED	REVISED BUDGET	YTD EXPENDED	AVAILABLE BUDGET	% USED
MASS TRANSIT TAX	(15,606,000)	(13,080,628)	(2,525,372)	84%	(12,188,500)	(11,364,379)	(824,121)	93%
TREASURER'S FEES	178,000	58,833	119,167	33%	168,000	77,390	90,610	46%
TRANSP SVC REV - LAKE	(155,000)	(44,544)	(110,456)	29%	(155,000)	(53,213)	(101,787)	34%
TRANSP SVC REV-PARK	(100,000)	-	(100,000)	0%	(100,000)	-	(100,000)	0%
GRANT REVENUE	(1,761,056)	(866,126)	(894,930)	49%	(1,855,120)	(2,696,509)	841,389	145%
ADVERTISING FEES	(100,000)	(84,598)	(15,402)	85%	(100,000)	(129,159)	29,159	129%
FARE REVENUE-LAKE	-	-	-	-	(85,000)	(45)	(84,955)	0%
FARE REVENUE-PARK	-	-	-	-	(10,000)	-	(10,000)	0%
SALE OF ASSETS	-	(1,655)	1,655	-	-	-	-	-
MISC REVENUE	-	(1,900)	1,900	-	-	-	-	-
RENTAL INCOME	(21,303)	-	(21,303)	0%	(33,300)	(9,350)	(23,950)	28%
INTEREST REVENUE	(40,000)	-	(40,000)	0%	(40,000)	(146,566)	106,566	366%
Revenue Total	(17,605,359)	(14,020,618)	(3,584,741)	80%	(14,398,920)	(14,321,831)	(77,089)	99%
SALARY REGULAR	4,053,998	4,341,779	(287,781)	107%	3,653,814	2,683,573	970,241	73%
SALARY TEMPORARY	25,000	51,089	(26,089)	204%	25,000	35,629	(10,629)	143%
TRAINING PAY	8,000	10,596	(2,596)	132%	8,000	3,946	4,055	49%
VEHICLE ALLOWANCE	-	-	-	-	-	-	-	-
CRISP	513,731	503,204	10,527	98%	465,789	301,012	164,777	65%
RETIREMENT	118,188	123,797	(5,609)	105%	106,183	74,056	32,127	70%
HEALTH INSURANCE	1,746,200	1,010,610	735,590	58%	1,516,813	903,919	612,894	60%
MEDICARE TAX	58,137	70,340	(12,203)	121%	52,334	42,547	9,787	81%
UNEMPLOYMENT TAX	8,108	9,650	(1,542)	119%	7,307	5,956	1,351	82%
WORKMENS COMP	343,816	203,933	139,883	59%	343,816	188,697	155,119	55%
EMPLOYER 457 DEF COMP	24,669	24,710	(41)	100%	22,268	14,737	7,531	66%
OVERTIME	460,000	455,952	4,048	99%	460,000	256,023	203,977	56%
PAYROLL REIMBURSEMENT	-	-	-	-	-	-	-	-
EMPLOYEE SALARY INCREASES	71,663	-	71,663	0%	71,663	-	71,663	0%
Labor Total	7,431,510	6,805,660	625,850	92%	6,732,987	4,510,096	2,222,891	67%
OFFICE SUPPLIES	8,000	10,263	(2,263)	128%	8,000	4,259	3,741	53%
ADMINISTRATION	586,856	568,856	18,000	97%	798,702	426,642	372,060	53%
PROFESSIONAL ASSISTANCE	232,000	178,601	53,399	77%	232,000	201,305	30,695	87%
TELEPHONE	6,800	14,880	(8,080)	219%	6,800	6,992	(192)	103%
POSTAGE/FREIGHT	600	29	571	5%	600	25	575	4%
ADVERTISING/LEGAL NOTICES	50,000	53,885	(3,885)	108%	50,000	62,561	(12,561)	125%
PRINTING	11,000	3,037	7,963	28%	11,000	1,031	9,969	9%
Administration/Office Total	895,256	829,551	65,705	93%	1,107,102	702,815	404,287	63%
BUILDINGS	1,231,250	374,729	856,521	30%	531,250	405,219	126,031	76%
IMPR OTHER THAN BLDGS	-	64,489	(64,489)	-	-	2,006,523	(2,006,523)	-
BUSES/TRANSIT EQUIP	1,457,420	1,779,810	(322,390)	122%	1,027,435	76,356	951,079	7%
Capital and Fleet Replacement Total	2,688,670	2,219,028	469,642	83%	1,558,685	2,488,098	(929,413)	160%
BUILDING REPAIRS	35,000	38,135	(3,135)	109%	35,000	42,150	(7,150)	120%
BUS STOPS	12,000	21,528	(9,528)	179%	12,000	1,270	10,730	11%
EQUIPMENT REPAIRS	24,000	14,308	9,692	60%	24,000	10,116	13,884	42%
FUEL, OIL & ANTIFREEZE	770,986	598,339	172,647	78%	770,986	583,993	186,993	76%
MAINTENANCE CONTRACTS	100,000	115,752	(15,752)	116%	100,000	48,166	51,834	48%
MOTOR POOL USAGE	2,700	-	2,700	0%	2,700	3,235	(535)	120%
OPERATING SUPPLIES	45,000	45,660	(660)	101%	35,000	54,798	(19,798)	157%
PURCHASED TRANSPORTATION	497,760	333,651	164,109	67%	497,760	291,086	206,674	58%
RENTAL PAYMENTS	7,200	6,000	1,200	83%	7,200	5,400	1,800	75%
REPAIR & MAINTENANCE	1,900,000	1,509,008	390,992	79%	1,900,000	1,368,938	531,062	72%
ROAD SAND & SALT	2,000	-	2,000	0%	2,000	-	2,000	0%
UTILITIES	80,000	104,926	(24,926)	131%	60,000	81,288	(21,288)	135%
Operation and Maintenance Total	3,476,646	2,787,307	689,339	80%	3,446,646	2,490,440	956,206	72%
SAFETY	5,000	3,657	1,343	73%	5,000	2,402	2,598	48%
INSURANCE/BONDS	55,000	212,239	(157,239)	386%	55,000	139,548	(84,548)	254%
Safety and Insurance Total	60,000	215,896	(155,896)	360%	60,000	141,950	(81,950)	237%
DUES & MEETINGS	30,500	38,844	(8,344)	127%	30,500	13,536	16,964	44%
EDUCATION & TRAINING	10,000	3,241	6,759	32%	10,000	4,127	5,873	41%
EMPLOYEE RECOGNITION	7,950	9,240	(1,290)	116%	7,950	15,346	(7,396)	193%
TRAVEL/TRANSPORTATION	7,000	11,440	(4,440)	163%	10,000	7,628	2,372	76%
UNIFORM ALLOWANCE	12,000	10,238	1,762	85%	12,000	15,858	(3,858)	132%
Uniforms, Training and Recognition Total	67,450	73,003	(5,553)	108%	70,450	56,495	13,955	80%
Revenue Total	(17,605,359)	(14,020,618)	(3,584,741)	80%	(14,398,920)	(14,321,831)	(77,089)	99%
Expenses Total	11,930,862	10,711,417	1,219,445	90%	11,417,185	7,901,796	3,515,389	69%
Grand Total		(3,309,201)				(6,420,036)		
Capital and Fleet Replacement Total	2,688,670	2,219,028	469,642	83%	1,558,685	2,488,098	(929,413)	160%
Estimated Ending Fund Balance	32,873,201							
Effect on Fund Balance This Period	(1,090,173)							

SALES TAX REPORT

We are pleased to release the sales tax data for August 2023. Sales tax collections for the month were up 12.2% compared to 2022, and year to date 2023 collections continue to exceed last year by 5.9%. Consistent with June and July, mass transit did experience another month of decreased collections, down 4.9% compared to 2022 while year to date collections continue to be flat compared to 2022. As collections within town limits are retained by the county only for mass transit collections, this may indicate the towns continue to experience a larger loss of activity compared to unincorporated areas. Also of note, construction tax collections continue to greatly exceed prior years with the year to date increase in that category offsetting many of the other declining categories and carrying the overall year to year increase. We will continue to monitor this activity closely for the remainder of the year.

A few highlights:

Sales Tax

- Sales tax collections for the month of \$736,123 are 12.2% ahead of August 2022.
- Construction sales taxes of \$66,865 are 121.1% ahead of August 2022.
- Short term lodging sales taxes of \$247,184 account for over 1/3 of the total and are 4.67% ahead August 2022.

Mass Transit Tax

- Mass transit tax collections for the month of \$1,452,580 were 4.9% less than August 2022.
- Construction mass transit taxes of \$69,236 are 75.1% ahead of August 2022.
- Short term lodging mass transit taxes of \$274,949 account for roughly 1/5 of the total and were 0.94% less than August 2022.

Out of State (Online)

- Sales taxes from out of state vendors amounted to \$85,719 for the month, up 47% from August 2022.
- Mass transit taxes from out of state vendors were \$97,094 for the month, up 10.4% from August 2022.

September 2023 sales tax results and quarter 3 lodging tax results will be released in early November. Please let me know if you have any questions and have a great day.

2023 vs 2022 Compared by NAICS Category: Transit Taxes

Pie Chart Data

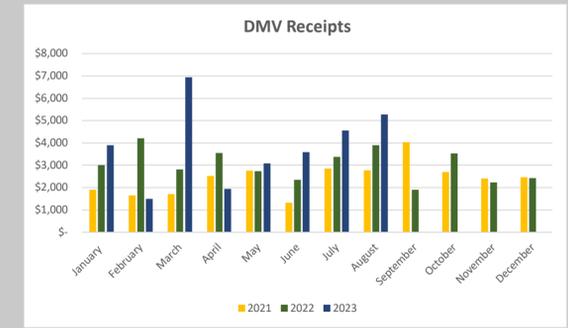
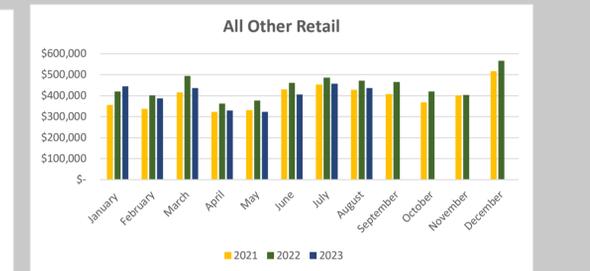
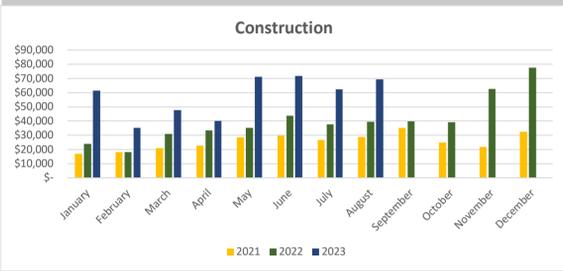
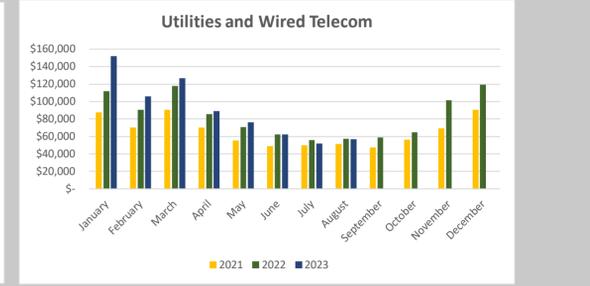
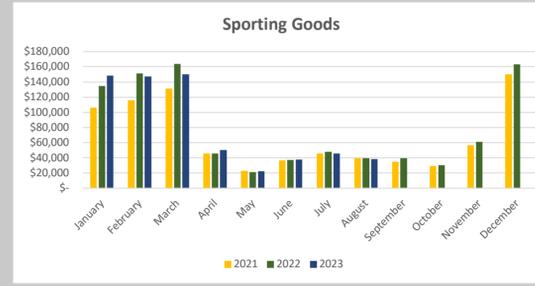
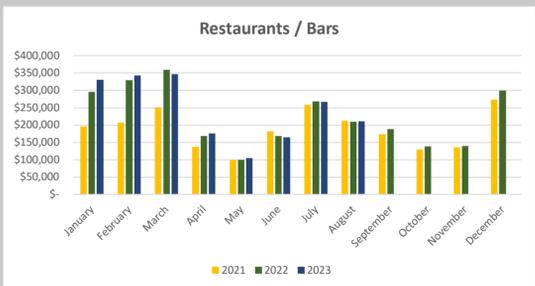
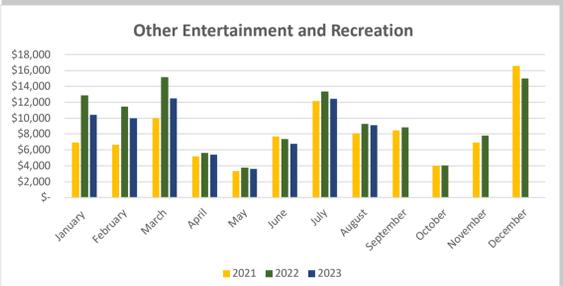
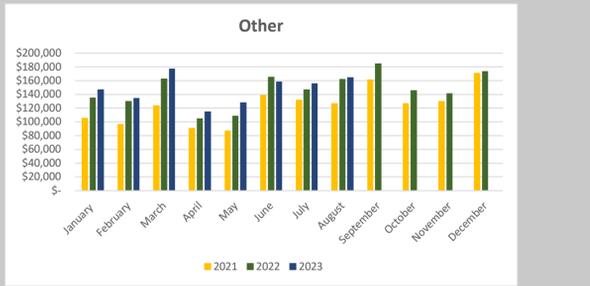
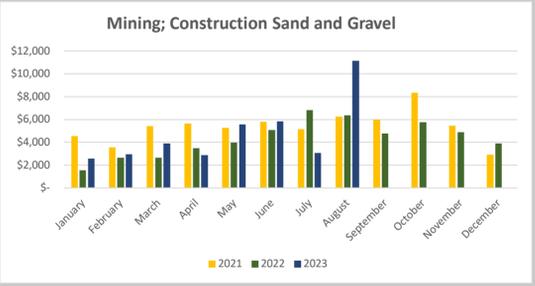
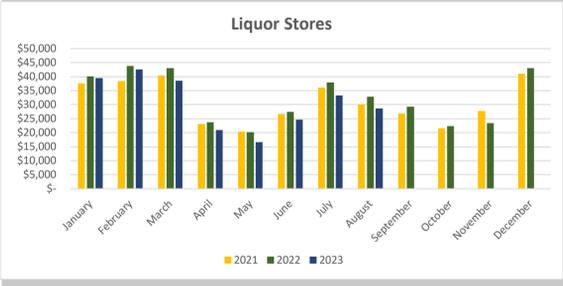
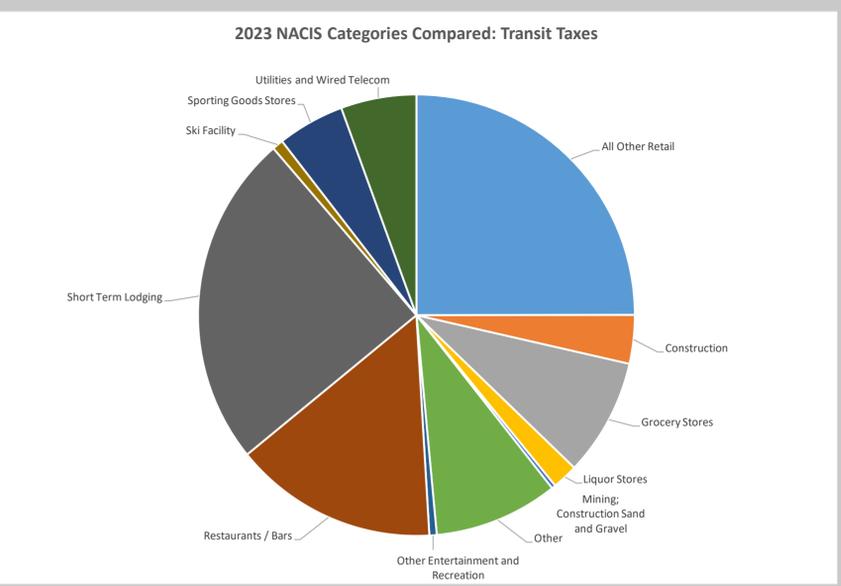
NAIC5 CATEGORY	2021	2022	2023	Difference	% Change
All Other Retail	\$ 3,075,835	\$ 3,475,247	\$ 3,222,609	\$ (252,638)	-7.27%
Construction	\$ 192,688	\$ 262,613	\$ 459,089	\$ 196,476	74.82%
Grocery Stores	\$ 910,314	\$ 1,093,006	\$ 1,109,784	\$ 16,778	1.54%
Liquor Stores	\$ 252,613	\$ 269,070	\$ 244,621	\$ (24,449)	-9.09%
Mining; Construction Sand and Gravel	\$ 41,623	\$ 32,492	\$ 37,891	\$ 5,399	16.62%
Other	\$ 905,435	\$ 1,118,589	\$ 1,183,365	\$ 64,775	5.79%
Other Entertainment and Recreation	\$ 60,012	\$ 78,818	\$ 70,288	\$ (8,530)	-10.82%
Restaurants / Bars	\$ 1,541,990	\$ 1,899,922	\$ 1,943,594	\$ 43,673	2.30%
Short Term Lodging	\$ 2,489,526	\$ 3,272,539	\$ 3,161,921	\$ (110,618)	-3.38%
Ski Facility	\$ 107,053	\$ 131,809	\$ 105,352	\$ (26,457)	-20.07%
Sporting Goods Stores	\$ 544,122	\$ 640,984	\$ 639,271	\$ (1,713)	-0.27%
Utilities and Wired Telecom	\$ 523,946	\$ 651,721	\$ 721,167	\$ 69,446	10.66%
YTD	\$10,645,158	\$12,926,810	\$12,898,951	-\$27,859	-0.22%

Monthly Total

Month	2021	2022	2023	Difference	% Change
January	\$ 1,483,323	\$ 2,004,094	\$ 2,208,809	\$ 204,716	10.21%
February	\$ 1,455,925	\$ 1,997,556	\$ 2,050,250	\$ 52,694	2.64%
March	\$ 1,768,890	\$ 2,331,723	\$ 2,218,546	\$ (113,178)	-4.85%
April	\$ 999,289	\$ 1,151,375	\$ 1,154,407	\$ 3,031	0.26%
May	\$ 848,612	\$ 942,166	\$ 947,760	\$ 5,594	0.59%
June	\$ 1,233,297	\$ 1,373,325	\$ 1,272,275	\$ (101,051)	-7.36%
July	\$ 1,516,762	\$ 1,599,597	\$ 1,594,324	\$ (5,273)	-0.33%
August	\$ 1,339,060	\$ 1,526,973	\$ 1,452,580	\$ (74,392)	-4.87%
September	\$ 1,241,547	\$ 1,392,238	\$ -		
October	\$ 1,067,490	\$ 1,188,395	\$ -		
November	\$ 1,218,629	\$ 1,313,900	\$ -		
December	\$ 2,224,023	\$ 2,402,988	\$ -		
YTD	\$ 10,645,158	\$ 12,926,810	\$ 12,898,951	\$ (27,859)	-0.22%
Total	\$ 16,396,847	\$ 19,224,331	\$ 12,898,951	\$ (6,325,380)	-32.90%

DMV Receipts

Month	2021	2022	2023	Difference	% Change
January	\$ 1,913	\$ 3,008	\$ 3,898	203.76%	0.07%
February	\$ 1,652	\$ 4,199	\$ 1,496	\$ (2,704)	-64.39%
March	\$ 1,709	\$ 2,814	\$ 6,949	\$ 4,135	146.91%
April	\$ 2,530	\$ 3,547	\$ 1,935	\$ (1,612)	-45.45%
May	\$ 2,761	\$ 2,736	\$ 3,090	\$ 353	12.92%
June	\$ 1,319	\$ 2,344	\$ 3,587	\$ 1,244	53.07%
July	\$ 2,852	\$ 3,369	\$ 4,557	\$ 1,188	35.28%
August	\$ 2,766	\$ 3,898	\$ 5,274	\$ 1,376	35.29%
September	\$ 4,034	\$ 1,899			
October	\$ 2,697	\$ 3,528			
November	\$ 2,402	\$ 2,240			
December	\$ 2,462	\$ 2,420			
YTD	\$ 17,501	\$ 25,916	\$ 30,785	\$ 4,870	18.79%
Total	\$ 29,095	\$ 36,003	\$ 30,785	\$ (5,217)	-14.49%



SUMMIT COUNTY TRANSIT BOARD MEETING

Wednesday, September 27, 2023, 8:15 a.m.

SUMMARY MINUTES

I. CALL TO ORDER

The monthly meeting of the Summit County Transit Board on Wednesday, September 27, 2023, was called to order by Chair, Kent Willis at 8:15 a.m.

II. ROLL CALL

Board Members present and answered to the roll call were:

Kent Willis, Chair – Town of Frisco
Becky Bowers - Upper Blue Basin (At Large Member)
Tony Camarata – Arapahoe Basin Ski Resort
Tom Daugherty – Town of Silverthorne
Katrina Doerfler (remotely) - Lower Blue Basin (At Large Member)
Scott Hoffman – Summit County
Matt Hulsey – Town of Breckenridge
Susan Juergensmeier – Snake River Basin (At Large Member)
Tom Koehler - Ten Mile Basin (At Large Member)
Elisabeth Lawrence (remotely) – Summit County
Chris McGinnis – Town of Frisco
Ted Pilling – Town of Blue River
Scott Verlinde – Keystone Ski Resort

Guests present: Peter Bakken, advocate with Swan Meadow Village; Miriam Garcia, Mountain Dreamers; David Reynolds, Finance Director, Summit County; Brent Spahn, Public Works, Summit County; Kyle Snyder, Finance, Summit County.

Staff present were as follows: Chris Lubbers, Transit Director; Ann Findley, Planner; Tracy Colvin and Vivian Pershing, Administration.

III. APPROVAL OF MINUTES AND AGENDA

The minutes from the August 30, 2023, Summit County Transit monthly meeting and Sept. 27, 2023, meeting agenda were reviewed. Tony Camarata moved to approve the minutes and agenda, with a second by Ted Pilling. Motions carried.

IV. RECOGNITION OF GUESTS AND PUBLIC COMMENTS

Commissioner Elisabeth Lawrence was welcomed as Summit County Board representative in place of Josh Blanchard. Guests were welcomed. No public comments were received.

V. MONTHLY UPDATE ITEMS

A. Vehicle Maintenance Contract Briefing

Chris Lubbers introduced Brent Spahn for his brief regarding the county vehicle maintenance contract

with TransDev, formerly First Vehicle Services. Tom Daugherty, Ann Findley and Katrina Doerfler commented on short idle spans, mileage over five-year periods, seasonal use, and out of warranty vehicles.

B. Sales Tax Collection, Policies and Timing Briefing

Mr. Lubbers introduced David Reynolds on his brief regarding county sales tax collection data through July 2023 and year to date, including mass transit, lodging and construction tax collections, as well as, out of state (online) sales taxes with town, county and unincorporated distribution.

C. Transit Director Report and Financials

Mr. Lubbers reviewed the Transit Financial Summary, Sales Tax Data and Budget Report in detail, focusing on current revenue, labor, administration/office, capital and fleet replacement, operation and maintenance, safety and insurance, training and recognition along with beginning and ending fund balances. A budget statement of operating revenue and expenses for year-to-date to August 31, 2023 was given. The Financial Report was approved unanimously by the Board.

D. Operations and Maintenance Report

Mr. Lubbers discussed the Transit Operations Summary in detail, focusing on current fixed-route passenger counts, and current mass transit sales tax receipts, and ridership changes by route, comparing fixed route hourly service in 2022 to hourly service in 2023 with a 3.0% decrease in August 2023, primarily Keystone/Dillon/Silverthorne, Boreas Pass, and Frisco/Silverthorne routes. He discussed bus operator staffing, training, recruiting efforts, and safety metrics. Ms. Lawrence and Ms. Doerfler inquired on driver and bus coverage needs for Swan Meadow Village service and trading or purchasing buses and grant cycles. Mr. Lubbers reviewed maintenance technician staffing, work orders, bus and para transit availability, warranty issues, road calls, costs, preventative maintenance, bus performance (bus mileage and age) and parts availability and budget impact. He mentioned new buses coming in winter and spring. He invited Board members to attend our annual Summit Stage employee appreciation celebration on October 25 in Frisco when safe driver awards will be presented. The Operations and Maintenance Report was approved unanimously by the board present.

VI. AGENDA ITEMS

A. Agenda Items

Ann Findley reported receiving 272 English and 72 Spanish responses on the passenger survey. Feedback was that our customers like that bus service is free. They dislike the lack of half-hour service or late-night service and lack of year-round Swan Mountain Flyer service. Ongoing polling was encouraged by Ms. Lawrence and Becky Bowers through next month.

Ms. Findley reviewed the micro-transit feasibility study with a scope for programs in communities similar to ours using a county service assessment. Goals of the study are to service the first/last mile, to possibly expand our operating area within county limits, and engage the public through social media and surveys. The scope is to provide services to write and apply for suitable funding to hire a company to operate a county system. The rough timeline would have the study complete by March of 2024 and hire an operating company to start up by Fall of 2024. She updated that Cotrex is in the process of updating their database for Transit to Trails and the trailhead easel signboards have been very successful.

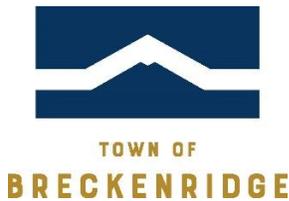
Ms. Findley gave an update regarding difficulty in trying to add shuttle service to Swan Meadow Village. Ms. Lawrence, Ms. Doerfler, Matt Hulsey and Kent Willis inquired of partial routes or contracting the service out. Fixed route night service could be extended from approximately 11:30pm until 1am. Ms. Findley gave the timeline for the winter schedule which begins Nov. 19.

B. Update on Construction Projects

Mr. Lubbers discussed transit building housing projects and management on the Little Beaver Trail employee housing renovation project and Transit Operations and Fleet Charging Facility. He reviewed environmental and financial impacts and recommendations. Tom Daugherty, Scott Verlinde and Matt Hulsey inquired of easements and priorities. Ms. Lawrence, Scott Hoffman and Becky Bowers suggested including the county housing department staff and reviewing grant options for return on investment. Board member expirations and renewals were tabled for the next meeting.

Adjournment

The meeting was adjourned at 9:55 a.m.



Memo

To: Breckenridge Town Council Members
From: Jon Dorr, Assistant Director of Recreation/Programs
Date: 11/1/2023
Subject: Breckenridge Events Committee

The Breckenridge Events Committee met on November 1, 2023. Below you will find the meeting minutes and a link to the SEPA calendar. The 60th anniversary of Ullr Fest is coming in December and a schedule of festivities were shared. Additionally, Lighting of Breckenridge and Race of the Santas logistics were covered. There will be a recruitment process for a new committee vice chair this month and that individual will begin their role in December. There are no additional items of note.

**Minutes
Breckenridge Events Committee
Wednesday, Nov 1, 2023
*Right event, right time, right result***

Attending: Michele Chapdelaine, Kelly Owens, Shannon Haynes, Jon Dorr, Lucy Kay, Neal Kerr, Carrie Benefiel, Dave Feller, Andy Banas. Cate McCluskie

Guests: Sarah Wetmore, Majai Bailey, Ashley Zimmerman, Hayden Van Andel, Melsissa Andrews, Hayden van Andel, Thomas Messersmitt, Tessa Breder, Rob Byam, Julie Rathke

I. Call to Order

- a Michele Chapdelaine called the meeting to order at 9:01am.
 - Committee Chair took roll call.
 - A motion was made to approve the October 4, 2023, Meeting Minutes.
M/S/P

II. Upcoming Events – Committee members reviewed upcoming events and had no concerns.

- a **11.20-12.2 Boy Scout Tree Sale Fundraiser**
- b **12.2.23 Lighting of Breckenridge & Race of the Santas**
 - Schedule of Events:
 - 12:00PM – 8:00PM - HANDMADE HOLIDAY MARKET by BCA
 - 3:00pm -6:00pm Toy Drive in BRP
 - 3:30pm - Holiday Dog Parade
 - 4:00pm - Moose March
 - 4:20pm - Race of the Santas – anticipating similar footprint as last year.
 - 5:00pm Lighting of Breckenridge
- c **12.7 - 9.23 60th Anniversary of Ullr Fest**
 - Schedule of Events:
 - Thursday

- Helmet decorating party @ Ready Paint Fire.
- 3:30pm crowning of Ullr King and Queen. Nominations are currently live.
- 4pm World's Longest Shotski unofficial world record breaking attempt on Main St. hosted by Rotary and Breck Distillery.
- 4:30pm Ullr Parade. In honor of Ullr Fest 60th anniversary doubling parade prize money; \$2,000 for 1st place, \$1,500 for 2nd place and \$1,000 for 3rd place. Currently have 7 floats registered.
- Friday
- Harford Ski Spectacular @ Breck Ski Resort and Ullr Comedy Night @ RWC.
- Saturday
- Winter Ice Skating Show at Stephen C. West Ice Arena and High Country Concert @ RWC.

III. General Updates and Discussions

a Update on Vice Chair Applications

- Position was posted Oct 6 with Spanish translation. Applications will be accepted through Friday Nov 3. Goal to fill with another committee member at large. Town will convene a small selection panel to oversee review and interview process. Goal to have filled for Dec meeting.

b Review 2024 Event Dates

- The Committee reviewed calendar of 2024 event dates and had no concerns at this time. Timing of events appears to be largely the same as prior years. The Committee will continue to review as new events come in.

c Holiday Sleigh Rides @ Gold Run Nordic Center

- Sleigh Rides have historically been run out of Gold Run Nordic Center. The Town is currently working with the event producer to agree on an appropriate amount of animation.

d The Quench Buggy water refill station Town purchased for events has arrived. Next step will be to address branding.

e Robin the Trash Guy

- Discussion about bringing Robin the Trash Guy to Breckenridge - stemming from a meeting with Launch Media around single use plastics campaign for Town. Suggestion that it would be make campaign more impactful to have an interactive component. Robin offers a visual demonstration of the trash produced by an individual over 30 days by wearing a suit made of his personal trash accumulated over that time frame. Robin's cost is \$10K for a day. Money goes directly to educational non-profit organizations.
- Concern around the cost effectiveness of one day. The committee felt that a single day might not allow for enough touch points to justify expense. Something with more longevity might be more impactful.
 - Resources about Robin the Trash Guy.
 - a. [Trash Me - 30 Days of Wearing My Trash - Robin Greenfield](#)
 - b. <https://youtu.be/Xay1YKpu6Nk?si=eajyV5rGnaKeQ8N2>

IV. Review Past Events – Note SEPA Group will meet Nov 7 to review event October events.

- a 10.7.23 Breckenridge Road Marathon – No concerns voiced at this time. Still pending SEPA Group Review.
- b 10.11.23 RWB Open House – no concerns.
- c 10.14.23 DDLM – EFS did not go out on schedule so Barney Ford Lot was not closed on time. Town Staff made a last-minute pivot to switch location to Blue River Plaza. Both dance performance in plaza and activation in Old Masonic Hall saw strong attendance.
- d 10.31.23 Wellington Halloween – No concerns voiced at this time. Still pending SEPA Group Review.

V. Review Agenda Items for next BEC Meeting – Dec 3, 2023

- a Update on Robin the Trash Guy
- b Breck Bike Week.

VI. Meeting formally adjourned at 9:35am.

The Breckenridge Events Committee evaluates events against four strategic goals:

- **Build Business** - An event designed to drive revenue for greater business community.
- **Branding/Media** - An event designed to draw external media (national & international) promoting the Breckenridge brand.
- **Fundraising** - An event designed to raise awareness and funding for a non-profit organization's mission.
- **Resident Focused** - An event designed specifically for residents vs. an event more broadly marketed to visitors and residents.

LINK TO SEPA CALENDAR

<https://calendar.google.com/calendar/u/0?cid=cmN0NTI3bnUwZ2dpZjE2azRyY2ttaGF2cW9AZ3JvdXAuY2FsZW5kYXluZ29vZ2xlLmNvbQ>



Memo

To: Breckenridge Town Council Members
From: Shannon Haynes, Deputy Town Manager
Date: 11/6/2023 (for 11/14/23 work session)
Subject: BTO Contract for Services

The current contract between the Town of Breckenridge and the Breckenridge Tourism Office (BTO) will expire on December 31, 2023. During the Council work session on October 24, proposed revisions to the scope of work and changes to other provisions of the current agreement were reviewed with Town Council.

The proposed contract is provided for Council review and consideration. The agreement includes the following updates:

- Highlights destination management services that include guest service training, employee orientation sessions, initiatives to support the Town's diversity, equity and inclusion (DEI) goals, marketing research and forecasting, and responsible tourism messaging and programs.
- Requires collaboration between the BTO and the Town's Communication and Engagement division to maximize their respective strengths, share information, and build on each other's efforts.
- Funding provided to the BTO supports efforts defined in the approved BTO Business Plan, which is adopted as part of the Town budget, and the BTO Marketing Plan, which is a subset of the BTO Business Plan.
- The BTO will support the Town's sustainability policies and programs and will follow Town recommendations related to sustainability efforts at all BTO events. Further, the BTO will promote education of plastics pollution regulations, and assist with branding and promoting of Town of Breckenridge water.
- The contract term is three (3) years, from 2024-2026.

No legislative action is required to enter into this agreement with the BTO. The Town Manager will sign the contract if Council supports the provisions of the agreement as drafted.

BTO representatives and Town staff will be available at the November 14th work session to answer any questions.

2024- 2026 CONTRACT FOR SERVICES

This Agreement ("*Agreement*") is made and entered into effective the 1st day of January 2024, by the between the Town of Breckenridge, a Colorado municipal corporation ("*Town*") and the Breckenridge Tourism Office, Inc., a Colorado non-profit corporation ("*BTO*").

WHEREAS, the Town has made funds available in the Town's annual 2024 budget for the purpose of marketing and promoting the Town as a year-round resort community, and to promote and market activities and events beneficial to the economic vitality of the community; and

WHEREAS, the Town anticipates making additional funds available for such purposes in its 2025 through 2026 annual budgets; and

WHEREAS, the Town and BTO desire to establish the terms and conditions under which BTO will provide marketing, promotional, advertising, events and other related services as are hereafter described for the benefit of the entire community of Breckenridge; and

WHEREAS, on November 2, 2010, the voters of the Town approved a 1% increase to the Town's Accommodations Tax beginning January 1, 2011 to provide sustainable marketing funds; and

WHEREAS, the intention of the dedicated marketing stream is for the betterment of the entire Breckenridge community; and

NOW, THEREFORE, the parties hereby agree that the BTO shall perform the services set forth in this Agreement and Town shall compensate BTO for those services all according to the following terms and conditions:

1. Scope of Services.

BTO agrees to provide marketing and management services for the Town which promote and market the Town as a year-round, sustainable resort community. BTO's marketing program and services shall be designed and implemented to benefit the entire Breckenridge community. Attached hereto as Exhibit "A" is the approved Business Plan for 2024 and as Exhibit "B" is the approved Marketing Plan for 2024.

BTO agrees to provide space of a size and quantity reasonably acceptable to Town in the various BTO marketing and sales channels for the promotion of Town services and facilities as they relate to the year-round visitor to the Town. BTO shall also provide the Town the opportunity to include information promoting Town services and facilities in BTO marketing and sales channels at no additional charge. The Town shall be responsible for providing the BTO with materials and/or information at the Town's expense. In addition, the BTO and Town Communication and Engagement division will work collaboratively to maximize respective strengths, share information, and build upon each other's efforts.

BTO will also engage in approved destination management services to include, but not be limited to: guest service training, employee orientation sessions, initiatives that support the Town's diversity, equity, and inclusion goals, marketing research and forecasting, responsible tourism messaging and programs in Town (e.g. B Like Breck), support sustainability policies and programs in general and

related to special events, especially for BTO produced events, visitation dispersion initiatives, and other directives approved by Town.

Unless this Agreement is sooner terminated, Exhibits "A" and "B" will be updated each year from 2024 to 2026 to reflect the approved Business and Marketing Plans presented first in 2024 and in each subsequent year.

Development management programs will be approved by Town as they are developed.

2. Contractual Relationship.

The BTO is a non-exclusive independent contractor to the Town under the terms of this Agreement. It is not the intent of this Agreement to form any other legal relationship beyond this Agreement, and, specifically, it is expressly understood and agreed that Town and BTO are not engaged in a partnership or joint venture and that the BTO is at all times acting and performing hereunder as an independent contractor and not an employee of the Town.

3. Term.

The term of this Agreement shall commence on January 1, 2024, and shall expire on December 31, 2026, unless sooner terminated as hereafter provided.

4. Budget Approval.

As a condition of payment to the BTO, BTO agrees to expend monies strictly in accordance with its approved budget, which is included in the 2024 Business Plan (Exhibit "A"); and will be provided no later than July 1st for each subsequent year of the contract. Prior to any significant strategic deviation that may cause BTO to alter its budget and/or its core purpose as set forth in the approved Business Plan, BTO shall notify the Town in writing of the proposed deviation. Proposed deviations shall be presumed approved unless the Town files written objection with BTO within fifteen (15) days of receipt of the BTO's written notice of its proposed budget deviation. If the Town files written objection with the BTO, the parties shall meet for the purpose of attempting to resolve the Town's objection. It is specifically understood and agreed the monies paid by the Town shall be utilized solely in accordance with BTO's approved budget and shall not be expended for other BTO activities. Unauthorized deviations in the expenditure of approved budgeted amounts by BTO shall be grounds for immediate termination of this Agreement without compliance with the notice and cure provisions of Section 9. All decisions made by BTO concerning the adoption, implementation or modification of the BTO Business or Marketing Plan, or budget shall be made at meetings open to the general public.

5. Accounting Records

The BTO agrees to keep current, accurate books of account in accordance with generally accepted accounting principles. Said books of account shall be kept at the BTO's principal place of business and shall be open for inspection and copying by the Town during regular business hours. Such books shall be closed and balanced at the end of the fiscal year, and an audit shall be made as of the closing date by an independent auditing firm, with a copy thereof to be supplied to the Town no later than September 1 of each year of this Agreement detailing expenditure of all marketing funds by BTO of the previous year during the term of this Agreement. The cost of the audit shall be paid by BTO out of its general budget.

6. Consideration
 - A. Subject to those deductions and offsets as hereinafter set forth, Town agrees to pay to BTO for its services under this Agreement the sum of \$4,951,071 for 2024 and amounts to be determined by the Breckenridge Town Council for each subsequent year of the contract. Such sum shall be paid from the Town's Marketing Fund and used only to implement the BTO's marketing program as described in this Agreement.
 - B. Payment to BTO as described in Section 6a shall be made in 2024 in accordance with the payment schedule described in the attached Exhibit "C", or as otherwise mutually agreed to in writing by the parties. Payment to BTO for 2024 and each subsequent year of the contract shall be mutually agreed upon by December 15th of each year.
 - C. So long as the Town is not in default under the terms of Agreement, it shall be a regular voting member of the BTO Board of Directors without further payments or assessments.

7. Additional Funding. As conditions precedent to payment by the Town under this Agreement, BTO shall:
 - A. Obtain additional funding from sponsorships and events to supplement Town of Breckenridge funding.
 - B. Contract with a third-party lodging referral vendor, Jackrabbit. Any funds received from this arrangement shall be used solely for the approved Business and Marketing Plans described in this agreement.

8. Exclusive Option to Purchase BTO's Intellectual Property.

BTO acknowledges that the Town's past funding (with tax dollars) has substantially assisted BTO in developing certain intellectual property rights relating to the marketing of the Town, its businesses, attractions, and vacation opportunities. BTO and Town agree that upon the occurrence of the limited circumstances described in this Section the Town should have the opportunity to acquire BTO's intellectual property rights as described in this Section for the Town's future use in its marketing activities. Accordingly, for and in consideration of the past funding provided to the BTO by the Town and the money to be paid to the BTO by the Town under this Agreement, the receipt and sufficiency of which is hereby confessed and acknowledged by BTO, BTO hereby grants to Town the exclusive and irrevocable option ("Option") to purchase BTO's Intellectual Property as defined below upon the following terms and conditions:

 - A. "BTO's Intellectual Property" Defined. As used in this Section, the term "BTO's Intellectual Property" means: all of BTO's domain name(s) used in marketing the Town, including, but not limited to "gobreck.com"; photographs; videos; copyrights; patents; trademarks; trade names; and other intangible property and intangible property rights used by BTO in the performance of its marketing activities for the Town under this Agreement, but does not mean or include the names, photographs, videos, copyrights, patents, trademarks, trade names or other intangible property or intangible property rights.
 - B. Term of Option. The term of this Option commences as of the date of this Agreement and ends, unless the Option is sooner exercised by the Town, one (1) year after the first to occur of: (i) the expiration of the term of this Agreement as described in Section 3, or (ii) the termination of this Agreement for any reason prior to the expiration of the term of this Agreement.
 - C. Exercise of the Option. The Option may be exercised by Town only if: (i) BTO is dissolved, either voluntarily or involuntarily, through the office of the Colorado Secretary of State and not reinstated within 30 days after dissolution; (ii) BTO ceases for any reason providing those marketing services for the Town described in Section 1: or (iii) BTO ceases operation for a

- period of thirty (30) consecutive days.
- D. Manner of Exercising the Option. If the Town elects to exercise the Option, it must give written notice of the exercise of the Option to BTO in accordance with the provisions in Section 15.
 - E. Date of Closing. Closing of the sale and purchase of BTO's Intellectual Property will be held at a date, time, and location mutually agreeable to Town and BTO; but in the absence of an agreement the date, time and location shall be determined by Town. The date for such closing shall be not less than fifteen (15) nor more than thirty (30) days following the giving of Town's notice of exercise of the Option as described in Subsection C, above.
 - F. Closing. At closing the Town shall deliver to BTO the purchase price (as hereafter defined) in good funds which comply with Colorado law. BTO shall execute and deliver to Town a bill of sale and other assignment documents sufficient to convey BTO's Intellectual Property to Town free and clear of all liens and encumbrances. The form and substance of the bill of sale and other assignment documents shall be subject to the reasonable approval of the Town's attorney.
 - G. Purchase Price. In recognition of the significant financial role played by the Town in the development of BTO's Intellectual Property, the purchase price to be paid by Town to BTO for the Intellectual Property is One Hundred Dollars (\$100).
 - H. No Other Offer to Sell or Mortgage by BTO. The Option is exclusive to the Town. BTO will not sell, mortgage, encumber, grant a security interest in, pledge, offer to sell or otherwise take any action to defeat the Town's exclusive rights under this section.
 - I. Specific Performance. The obligations of the BTO under this Section are specifically enforceable. In connection therewith, the prevailing party shall be entitled to recover its reasonable attorney's fees, court costs and expert witness fees from the other party.
 - J. Notice of Town's Rights. BTO will execute such documents as the Town may reasonably request giving public notice of the Town's rights under this Section 8. Such documents may be recorded with the Clerk and Recorder of Summit County, Colorado, or other appropriate governmental agency.
9. Default; Resolution of Disputes.
- A. Default. A default shall exist under this Agreement if any party violates any covenant, condition, obligation required to be performed hereunder. If any party ("**Defaulting Party**") fails to cure such default within twenty (20) days after another party ("**Non-Defaulting Party**") gives written notice of the default to the Defaulting Party, then, at the Non-Defaulting Party's option, the Non-Defaulting Party may terminate this Agreement. Notwithstanding any party's right to terminate this Agreement for an uncured default, this Agreement is subject to the rights of any party to invoke the remaining provisions of this Section 9.
 - B. Negotiation. The parties shall attempt in good faith to resolve any dispute arising out of or relating to this Agreement promptly by negotiations between persons who have authority to settle the controversy ("**Executives**"). Any party may give another party written notice of any dispute not resolved in the normal course of business. Within twenty (20) days after receipt of said notice, Executives of the parties to the dispute shall meet at a mutually acceptable time and place, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within thirty (30) days of the notice of dispute, or if the parties fail to meet within twenty (20) days, any party to the dispute may initiate mediation of the controversy as provided below.
 - C. Litigation. Any dispute arising out of or relating to this Agreement or the breach, termination or validity hereof, which has not been resolved by the methods set forth above within sixty (60) days of the initiation of mediation, may be finally settled by judicial action. Venue for any such action shall lie solely in the courts of Summit County, Colorado. Both parties waive the right to

a jury trial to enforce or interpret this agreement.

- D. Extension of Deadlines. All deadlines specified in this Section may be extended by mutual agreement.
- E. Costs. Each party shall pay its own costs with respect to negotiation. The prevailing party in any judicial action shall be entitled to reimbursement from the other party for all reasonable costs and expenses, including attorney fees in connection with such judicial action.

10. Termination.

This Agreement may be terminated for cause as provided in Sections 4 and 9, and for non-appropriation as provided in Section 16. Either party, upon thirty (30) days' prior written notice, may also terminate this Agreement without cause. In the event of termination, the parties shall promptly determine, or cause to be determined, the actual expenditures made by BTO under this Agreement to date of termination. In the event BTO's actual expenditures for services to be performed under this Agreement to date of termination are greater than the amount paid by the Town hereunder, the difference shall be paid to BTO by the Town within thirty (30) days of such determination. In the event BTO's actual expenditures for services to be performed under this Agreement to date of termination are less than the amount paid by the Town hereunder, the overpayment shall be repaid to Town by BTO within thirty (30) days of such determination.

11. Non-Assignability.

It is understood that the Town enters into this Agreement based on the special abilities of BTO, and accordingly, BTO shall not assign this Agreement without the prior written consent of the Town, which consent may be granted, withheld or conditionally approved in the discretion of the Town.

12. Reports.

- A. At any time TOB may request and BTO shall submit to the Town a written report comparing actual marketing expenditures and income against budgeted marketing expenditures and income both for the month of the report and on a year-to-date basis, plus such additional information as the Town may request. This is in addition to verbal updates during formal Town Council sessions.
- B. At any time TOB may request and BTO shall submit to the Town a written report containing the following information:
 - i. An outline of marketing services performed to date;
 - ii. The status of future marketing services to be performed by BTO during the remainder of the term of this Agreement;
 - iii. Comparisons of actual marketing expenditures and income against budgeted marketing expenditures and income for both the current quarter and on a year-to-date basis;
 - iv. Quantifiable results of marketing expenditures to date;
 - v. Such additional information as the Town may request.
- C. Not less than annually, BTO shall submit to the Town, a written report analyzing and demonstrating the effectiveness of its various marketing activities for the preceding year and its success in attaining the evaluation criteria set forth in the approved marketing plan.

13. Sustainability.

- A. BTO shall affirmatively promote activities within the Town and marketing practices that are "environmentally friendly" and that reduce, insofar and is practical, the negative impacts of

such activities on the environment. By way of example, and without limiting the generality of the preceding sentence, any special event produced by BTO involving the expenditure of funds received from Town pursuant to this Agreement shall be conducted by BTO in a manner that follows the Town's sustainability recommendations and reduces the negative impacts of the event on the environment. BTO shall consult with Town and/or the Sustainability Committee prior to holding any such event to obtain the Town's suggestions as to ways to hold the event that complies with this Section.

- B. BTO shall promote education around plastics pollution regulations and assist with and promote the Town's water campaign.

14. Entire Agreement; Amendment.

This written Agreement contains the entire understanding of the parties and no oral statements or representations not herein contained shall be of any force and effect between said parties. This Agreement shall not be modified or amended in any manner except by written instrument executed by the parties. Oral amendments to this Agreement are not permitted.

15. Notice and Communications.

All notices required or permitted under this Agreement shall be given by registered or certified mail, return receipt requested, postage prepaid, or by hand or commercial carrier delivery, or by telecopies, directed as follows:

If intended for Town, to:

Town of Breckenridge
P.O. Box 168
150 Ski Hill Road
Breckenridge, Colorado 80424
Attn: Town Manager
Email: shannonh@townofbreckenridge.com
Telephone number: (970) 453-2251

with a copy in each case (which shall not constitute notice) to:

Kirsten J. Crawford, Esq.
150 Ski Hill Road
P.O. Box 168
Breckenridge, CO 80424

If intended for BTO, to:

President/CEO
Breckenridge Tourism Office, Inc.
P.O. Box 1909
Breckenridge, Colorado 80424
Telecopier number: (970)453-7238
Telephone number: (970)453-5054

Any notice delivered by mail in accordance with this Section shall be effective on the third business day

after the same is deposited in any post office or postal box regularly maintained by the United States postal service. Any notice delivered by telecopier in accordance with this Section shall be effective upon receipt if concurrently with sending by telecopier receipt is confirmed orally by telephone and a copy of said notice is sent by certified mail, return receipt requested, on the same day to the intended recipient. Any notice delivered by hand or commercial carrier shall be effective upon actual receipt. Either party, by notice given as provided above, may change the address to which future notices may be sent. E-mail is not a valid method of giving notice under this Agreement.

16. Annual Appropriation.

Notwithstanding anything herein contained to the contrary, the Town's obligations under this Agreement are expressly subject to an annual appropriation being made by the Town Council of the Town of Breckenridge in an amount sufficient to allow Town to perform its obligations hereunder. In the event sufficient funds shall not be appropriated for the payment of sums due to BTO hereunder, this Agreement may be terminated by either party without penalty. The Town's obligations hereunder shall not constitute a general obligation indebtedness or multiple year direct or indirect debt or other financial obligation whatsoever within the meaning of the Constitution or laws of the State of Colorado.

17. Waiver.

The failure of either party to exercise any of their rights under this Agreement shall not be a waiver of those rights. A party waives only those rights specified in writing and signed by the party waiving such rights.

18. Applicable Law.

This Agreement shall be interpreted in all respects in accordance with the laws of the State of Colorado.

19. Section Headings.

Section headings are inserted for convenience only and in no way limit or define the interpretation to be placed upon this Agreement.

20. Third Parties.

This Agreement does not, and shall not be deemed or construed to, confer upon or grant to any third party (except a party to whom BTO may assign this Agreement in accordance with the terms hereof) any right to claim damages or to bring suit, action or other proceeding against the Town or BTO because of any breach hereof or because of any of the terms, covenants, agreements and conditions herein.

21. No Adverse Construction.

Both parties acknowledge having had the opportunity to participate in the drafting of this Agreement. This Agreement shall not be construed against either party based upon authorship.

22. Survival.

All unperformed obligations of this Agreement shall survive the termination or expiration of this Agreement.

23. Incorporation of Exhibits.

All exhibits described in this Agreement are incorporated into and made a part of this Agreement by reference.

IN WITNESS WHEREOF, the parties have executed this Agreement.

TOWN OF BRECKENRIDGE, a Colorado municipal corporation

Rick G. Holman, Town Manager

ATTEST:

Helen Cospolich, Town Clerk

BRECKENRIDGE TOURISM OFFICE, INC., a Colorado non-profit corporation

Travis Beck, Chairman of the Board of Directors

Bruce Horii, Vice-Chair of the Board of Directors

Breckenridge Tourism Office 2024 Business Plan

Introduction

Breckenridge has attained stable business levels so far in 2023. As of late August, we are forecasting summer/fall season lodging room nights up 2% over last year, which is on target for our 2023 goal. In May, when early forecasts for summer/fall lodging appeared unfavorable, we shifted to deeper funnel marketing. This decision proved effective in light of trends in the national and international travel markets. As predicted, the national travel market has shifted towards normal pre-pandemic patterns, with increased urban destination visits and very high outbound international travel so far in 2023. We expect this to continue for the foreseeable future. Inbound international travel will likely not rebound fully until late 2025.

Breckenridge continues to receive recognition and accolades for its leading destination stewardship work. Everything from attainable housing and DEI initiatives to plastics reduction and environmental stewardship has been reported on or otherwise recognized. Notably, our B Like Breckenridge (BLB) Campaign received the Governor's Award for Outstanding Sustainability Initiative in September 2022. Breckenridge was also recognized with a Heartland Emmy Award for Tomeka Jones' feature video in July 2023. BTO will present on our Destination Stewardship on two separate panels in this next Governor's Conference on September 29, 2023.

BTO Goals for 2024

- Achieve revenue goals consistent with the Town of Breckenridge (ToB) (2-4% growth, summer/fall focus)
- Continue industry-leading work in destination stewardship in tandem with ToB initiatives
- Protect and enhance the authentic Breckenridge brand
- Continue and improve upon DEI initiatives; help create and communicate an inclusive and welcoming culture

Destination Management

Community Engagement. BTO continues to build stronger engagement with the business and resident community. We will integrate results/direction from the 2023 Resident Sentiment Survey into our initiatives and operations. Public presentations of Resident Sentiment findings, BTO Winter and Summer Previews, BTO Annual Meeting, and regular communication through our DMMO Download newsletter will provide metrics for progress on this. BTO will continue to be an integral part of the Town's new 10 Mile Pride event, celebrating our diverse community.

Guest Service Training. BTO is continuing its custom guest service training program for businesses and organizations that request it. We recognize our Guest Service Champions frequently and in increasingly meaningful ways. We will continue our very successful partnership with Colorado Mountain College to offer English classes for Spanish speakers in the hospitality sector. We will add Spanish classes for English-speaking managers as soon as it is feasible.

Responsible Tourism. We will continue to grow our BLB Business Partnership program, helping businesses integrate relevant BLB principles into their daily operations. We help manage guest expectations with timely pre-arrival messaging available to all lodging partners. All of these messages are reinforced while in Breckenridge. BLB is strengthening the credibility and already positive

Exhibit "A"

perception of our Town as a desirable, sustainable destination, and increasing the touchpoints by which visitors can learn how to visit responsibly.

Dispersion. We will continue improving upon our visitor dispersion strategies, with intentional recommendations for trail use, event attendance, transit, etc., to help guests and residents enjoy Breckenridge in the best ways possible, while minimizing unintended impacts.

Destination Marketing

Target. Per our meeting with Town Council on August 22, 2023, our target visitation remains out-of-state destination visitors, focused on the summer and fall seasons. Approximately 90% of our paid media is directed to this audience at this time, as are the majority of our proactive PR efforts. Our primary winter initiatives include producing our iconic events: International Snow Sculpture Championships, Ullr Parade, and the Lighting of Breckenridge. We support the Ski Resort with media fairs and local messaging. Our responsible tourism messaging is continued year-round, as is factual and timely information updates on our website and inspiring and informative content on social media. We also serve as a lead generator for properties that target group business.

BTO has always been quick and proactive in forecasting upcoming business level changes and redirecting initiatives as necessary. We are prepared to adjust in-market messaging between lodging calls to action and responsible messaging as we understand upcoming trends. We also are quick to adjust marketing to be deeper in the funnel or have a stronger call to action if we anticipate any softening in demand for lodging from the out-of-state overnight sector.

Our summer/fall goal is 2-4% revenue growth over 2023. We expect summer/fall revenue to account for roughly 40% of the Town's annual taxable sales revenue.

Lodging forecasts, our best forecasting tool, are available in real time. We report weekly in our DMMO Download and monthly to Town Council. These reports are available anytime they are needed. We also report visitor mix and NPS results on a regular basis. BTO conducts extensive market research and will develop new data sources as ToB identifies needs.

Our 2024 budget increases are primarily inflationary – no significant new programs other than 10 Mile Pride, a community event for which we carry the operating expense. Our strategy for 2024 is to keep programs fairly consistent year over year, with continual improvement in execution, and flat as possible expenses. Our request of \$4,945,461 is a true 12% increase over 2023 (accounting for a \$217k correction) and is a 4% increase over our 2019 budget of \$4,760,700.

Our BTO Board members and management team greatly appreciate the confidence that the Town and community continue to show in our work and results. We take that trust very seriously and strive to be the best and most responsible stewards of Town resources and the Breckenridge brand. Thank you.

Travis Beck
Board Chair
Breckenridge Tourism Office

Lucy Kay
CEO/President
Breckenridge Tourism Office



BRECKENRIDGE TOURISM OFFICE MARKETING PLAN FRAMEWORK SUMMER / FALL 2024

V.4 - 6.16.2023

Our primary goal is to inspire overnight Out-Of-State visitation to Breckenridge during Summer and Fall. Using programmatic and geotargeted messaging to connect with our target audiences on the right platform at the right time. With a Summer/ Fall focus we also support BSR's winter marketing with BTO signature events and PR. Our website, with 1.5M annual users, is a key expression of our brand's inspiration and content and the payoff to our marketing strategy.

The BTO marketing goals for 2024 will flow from the following BTO strategic goals for 2024-2029.

- 1. Drive Business Model for long term viability in tandem with Town Council goals.**
Key Metric: Overall taxable sales collections. 60% winter/ 40% summer defines "balance."
- 2. Elevate and protect integrity of Breckenridge's authentic character and brand. Reflect that our community is friendly and welcoming to all.**

MARKET TRENDS IN TRAVEL

- Desire to travel is strong. Research by MMGY Global and Destination Analysts shows travelers have a desire to experience New Places and Travel Like a Local/Experience Hyper Local Gems.
- Video as a travel inspiration and planning tool is used by 30% of travelers (DA 6.14.2023)
- Search trends are morphing with the addition of social, voice, ai generated and structured data searches.
- Virtual travel is developing as a travel planning medium, our goal is to be at the forefront of this trend.

TOURISM SENTIMENT & TRENDS

- Colorado is #10 on Top Places to Travel (Miles / DA 3.14.2023)
- 40% of travelers are excited to visit a Mountain Destination in next 12 months (Miles / DA 3.14.23)
- Travelers are optimistic about personal finances for 2024 travel (DA 4.11.2023)
- Recession fears, cost of living and airline price sensitivity are barriers to travel (DA 6.14.2023)
- 35% put leisure travel as a high/extremely priority in next 12 months
- Travel is more of a priority for HHI \$100k+
- Boomers are more concerned about value than younger urbanites (DA 4.11.23)

TRAVEL MOTIVATORS (Miles 3.14.2023 State of US Traveler) over 50%

- Quality Time - Friends & Family
- Create Memories
- Explore New Places (MMGY – new adventures/undiscovered adventures)
- Recharge and Rejuvenate
- Connect with Nature (under 50%)

Exhibit “B”

AUDIENCE

Personas – CWEI, RBNT, & MG/FMM consolidation (based on 2023 Summer results we may leave MG/FMM combined)

Top 10 Source Markets (Source: 2022 Summer Intercept & Datafy & Google Analytics Searches)

Goal is >50% OOS of Summer/Fall Room Nights

Primary - >8% of Total OOS

TX – Dallas, Houston, Austin 22%

8-3% of Total OOS

KS /MO, FL, IL, NE, CA, OK, IA, MN

MEDIA OVERLAP AND CHANNELS

Our overall strategy has content distribution at its core driving engagement, inspiration, and awareness. With multiple media overlaps from our organic and paid media along with more video, native and custom content our goal is increased website engagement and continued Brand elevation as inclusive and welcoming.

OWNED MEDIA - ORGANIC, WEBSITE, SOCIAL, BLOG, EMAIL

Website - Content is king, organic search is our #1 website traffic driver at 69%. The current website was launched in 2017. With the new search trends such as voice, social, ai generated and structured data, it is time for gobreck.com to review and reinvest in the content, design, and coding to optimize our strong organic search results. In addition, the site has become content heavy.

We aim to continue the site’s strong visibility and engagement with up-to-date user interface, streamlined evergreen content, and amplified inspirational video and mobile-rendering content. The goal, to further inspire our target audiences to visit and stay in Breck in Summer / Fall. This project will require some budget realignment and a phased approach spanning 2023 and 2024.

Asset Management - To manage efficient asset collection, we’ll continue the implementation of a *digital asset management platform* for video and photographs.

First Party Data - With the final implementation of cookieless landscape, email data collection will be a component of this new environment for personalized and targeted communications. We will re-invest time and focus on email drip campaigns in response to web inquiries and ongoing travel inspiration.

PAID MEDIA - DIGITAL CAMPAIGNS

We plan to move and expand with paid ad trends showcasing our Brand through more mobile, native and custom content ads, expandable hero ads with video, UGC and interactive components and less focus on banner ads that require high creative costs. All with a retargeting and prospecting strategy and the goal of website engagement and inspiration.

Media Mix - Our current Kinda Town / In-Town BLB media mix of 80/20 OOS will re-balance to 90/10. We will review BLB stewardship media mix to reduce print, TV and bus ads while increasing paid in-town mobile targeting and reviewing In-Town BLB outdoor activations.

Agencies - We will continue the collaborative quarterly meetings with all agencies to encourage data, creative, strategy and technology sharing to the benefit of BTO’s marketing strategy and team involvement.

TIMING

- Digital Summer Phase 1 – Retargeting - January to March
- Digital Summer Phase 2 – Prospecting & Retargeting - April to July
- Digital Fall Phase 3 – Retargeting & Prospecting - July to September
- Always On – Year-round PPC, Organic Search and Organic Social

Exhibit "B"

BUDGET – SCENARIO A – Status Quo

88% of media for Kinda Town - OOS guests - \$1M (Summer/Fall/Winter - 55/35/10%)

12% of media for BLB - In Town / pre-arrival messaging.

BUDGET RECOMMENDATIONS 2024

National Working Media	\$1,000,000
Creative (BLB & Kinda Town)	\$256,000
Research (RRC, Rove, Keydata, Datafy, Talkwalker)	\$156,000
B Like Breckenridge Media + In-Town Activations	\$141,000
Website	\$130,000

WISH LIST

- Website 2024 - Refresh site to optimize to new search trends and showcase more inspirational video content.
 - Total Project \$130,000
 - A phased project with Phase 1 in 2023 \$45,000; Phases 2-4 \$85,000
 - BLB - Revise BLB local marketing campaign to focus more on mobile messaging vs. print and TV. \$141,000
 - Reduce print with Summit Daily and Comcast, reinvest \$ with In-Town signage and Digital BLB messaging to guests while in Breckenridge.
 - Working Media (Summer/Fall/Winter - 55/35/10%).
 - Markets - Dependent on economic landscape, implement one of the test markets. As an example, with a slowing economy: \$50,000
 - Develop an IP-based targeting campaign to re-engage a secondary market.
 - Agency - Review creative agency options to find a more creative approach to brand expression.
 - Associate revised brand expression with existing Breckenridge brand
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Exhibit “B”

2024 MEDIA STRATEGY AND APPROACH

2024 Room Nights Goal - 2023 Room Nights + 3%

Status Quo - 2023 +3%	Low Demand - Below 2023+3%	High Demand - 2023 +13%
Budget - 55/35/10 - Summer/Fall/Winter	Budget - 60/35/05 - Summer/Fall/Winter	Budget - 50/30/20 - Summer/Fall/Winter
Inspirational / Conversion - 60/40	Conversion / Inspirational – 60/40	Responsible / Inspirational - 60/40
Kinda Town - 88% of Budget	Kinda Town - 95% of Budget	Kinda Town - 80% of Budget
BLB - 12% of Budget	BLB - 5% of Budget	BLB - 20% of Budget
Media - Top of Funnel - Branding & Prospecting; Focus on June & October	Media - Mid Funnel - Conversion 15-20% to OOS Retargeting; % of BLB to OOS Kinda Town	Media - Top of Funnel - Branding Pivot Fall OOS to Kinda Town Responsible Messaging
Kinda Town OOS - DEI More Video, Inspirational organic social, Custom content Website refresh	Kinda Town OOS - DEI Email, Dynamic lodging content, Custom content, Organic social lodging, retail, restaurants, Paid social lodging, Video	Kinda Town OOS - DEI & Stewardship Responsible organic social, Mobile OOS BLB digital, Website refresh, Inspirational videos
BLB In Town - More Paid BLB social, digital, local search, less print/TV/SS bus, organic social	BLB In Town - Focus on pre-arrival messaging, community marketing	BLB In Town - More Paid BLB social, digital, local search
Personas and/or Markets Texas + high-spend markets, grow via geo-conquesting.	Personas and/or Markets - Retain existing, re-engage Florida. Review	Personas and/or Markets - Test NY, Brand USA Coop Test PPC / Social. Test DEI market.
Visuals - Diversity, Aspirational, Video	Visuals - Diversity, Aspirational, Lodging imagery, Directive CTAs	Visuals - Diversity, Stewardship, Dynamic videos

Common to all 3 options: Summer and Fall National Campaigns are solely out-of-state, and destination focused to our three personas and core geo-markets elevating and reflecting inclusive, welcoming, and aspirational messaging with targeting based on season, persona, geolocation. 100% local marketing, events and in-town activations are for our community and in-town guest stewardship campaign, B Like Breckenridge.

To make the best data-based decisions we allocate a significant amount to research, including mobility data, messaging effectiveness, sentiment tracking, spending lift, demographic and service-related data. We test our messaging for effectiveness constantly. We stay at the forefront of digital regulations, emerging travel planning tools (augmented reality, ai tools, video, new search strategies) and changing G4 tracking / privacy law updates as they relate to industry best practices.

Exhibit "B"

NOTES / TACTICAL SHIFTS SUMMER 2022 TO SUMMER 2023

- Phase 1 Summer national campaign transitioned to 100% retargeting for creative and targeting efficiency.
- Phase 2 Summer mobile geo-conquesting campaign in Texas and Florida to prospects who have visited our competition but not yet Breckenridge.
- Phase 2b Flex Plan pivoted strategy to have more conversion focus for our retargeting campaigns.
- Website Phase 1 – Initiating review and revision of content, navigation and coding to optimize to new search trends (voice, social, ai generated, structured data)
- Transitioned and consolidated our Personas to include Family Memory Makers with Multi-Generational cohort to streamline messaging and for creative efficiency.
- Refocused organic social content strategy from Twitter to platforms that resonate with our destination guest audience.
- Reduced cost of CRM program to a less complex email deployment engine, Active Campaign.
- Brand Health review and refocusing to ensure customer perceptions align with messaging.

Exhibit "C"

2024-2026 Marketing Contract Payment Schedule
(to be finalized with TOB Finance Department)



Memo

To: Mayor and Town Council
From: Julia Puester, AICP, Assistant Community Development Director
Date: 11/8/2023 for meeting of 11/14/23
Subject: Lighting Code Modifications Work Session

Staff presented the general concept of Dark Sky Community certification to the Council on January 24th after public comment from a citizen regarding the desire for the Town to pursue certification. A Certified Community is one which meets particular lighting legislative requirements to ensure quality lighting in the community and continually educates residents about the importance of dark skies. The intent of dark sky lighting is not to prevent lighting from being installed, but to ensure it is placed in the needed locations with the proper design for the use. Good lighting design directs light to where it is needed for its intended purpose, limits glare, and limits excessive energy use. Good lighting design also has beneficial effects on humans, wildlife, and the natural environment. After gathering more information on potential impacts of certification on both public and private property at the March 28th and April 24th meetings, the Town Council gave direction for staff to proceed with an application for certification, make code changes, and begin to phase replacement of non-compliant street light fixtures in Town.

The purpose of this work session is to propose changes to the current Exterior Lighting Code to comply with Dark Sky International's requirements for community certification. These code updates apply to private property. Other certification requirements include acceptable municipal lighting practices which Planning, Public Works, and Recreation staff are working on separately. In updating the Exterior Lighting Code, minor updates are also proposed to lighting regulations in the Sign Design Standards, the Design Standards for Off Street Parking Facilities, and the Ridgeline and Hillside Development policy.

The code changes attached are in ~~strike~~ and **bold underline**. The code has also, in part, been reformatted for ease of use. To distinguish the sections of existing code language that has been relocated in the policy, these sections are presented in a ~~scuiggly~~ underline.

The primary changes include:

1. Limit color temperature to 2,700 Kelvin (K) for residential properties and 3,000 K for commercial properties. These Kelvin temperatures are warmer in color and healthier and safer for human eyes. (Section 9-12-11 A.3)
2. Create a lumen per acre maximum on commercial properties over a certain size. This will limit the amount of light these properties can install across the entirety of the site to ensure lighting is used where needed and not allowing excessive lighting. (Section 9-12-11 B.3)
3. Reorganization of the Lighting Zone sections for ease of navigation.
4. Implement a signage lighting curfew. A signage lighting curfew an hour after the close of business is a requirement for certified communities. However, the conformance date for compliance can extend up to ten years from the date of approval, for commercial property owners the conformance date could be as late as 2033. (Section 9-12-13. A.2, Section 9-12-6 C).

5. Add bistro lighting allowance for commercial properties with approved food and beverage locations in Lighting Zone 2. (Section 9-12-11 C.5, Section 9-12-7)
6. Lighting Zone map change- Expand Lighting Zone 2 to include some commercial portions of Airport Road- This area's uses have changed significantly over the past 15 years when the lighting zone map was initially created and may be appropriate for some additional lighting as it is not in an outlier or important wildlife corridor of Town as is Zone 3. This area is shown in orange on the map attached. The remainder of the Zone map has no change proposed.

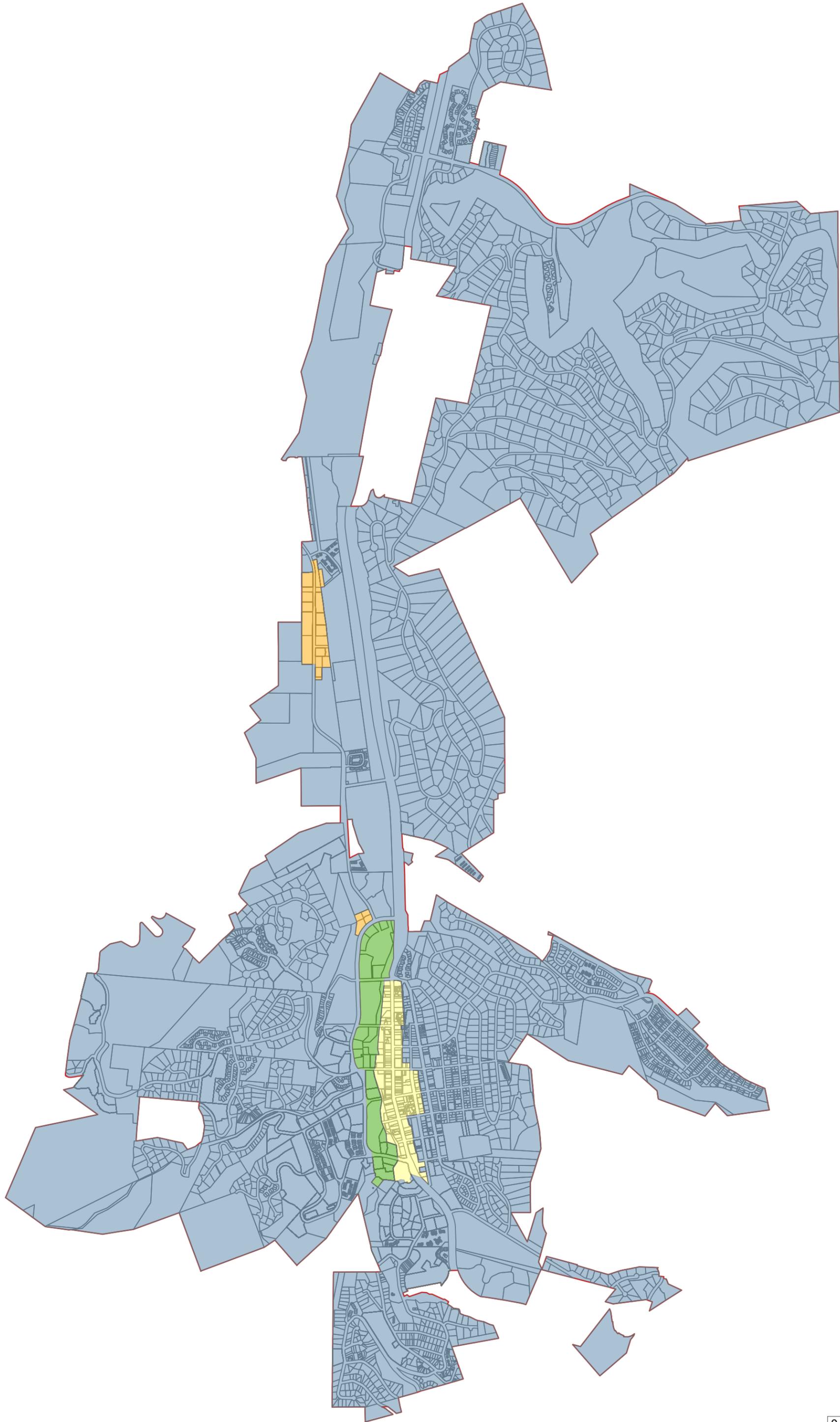
The Planning Commission made additional recommendations beyond those listed above which are not required to achieve the Dark Sky Community Certification. At the September 19th meeting, the Commission unanimously recommended there be the following changes which have been included in the proposed attachment:

7. Add a lighting curfew of 11 p.m. for residential in Lighting Zone 3 and encourage the use of motion sensors. This addresses the Planning Commission's concerns regarding unnecessary lighting impacts late at night. (Section 9-12-11 D.3)
8. Limit the number of lights on a residential structure (2 fixtures per entrance plus 6 additional allowed). This would limit over lighting of homes. (Section 9-12-12 A.1)
9. Limit the size of a decorative light bulb size (limited to 3 inches). (Section 9-12-7)
10. Modify the dates allowed for decorative lighting from the current November 1-end of the Breckenridge Ski Resort season to:
 - a. Lighting Zone 3 (residential uses): November 1-February 1
 - b. Lighting Zone 1&2: November 1-April 1 (Section 9-12-8 B)
11. To allow or not allow for residential bistro lighting was raised as a question (currently only allowed for commercial outdoor dining areas).

Lastly, the Council had previously asked a question on decorative lighting for which we wanted to provide clarification. The current code allows for warm or soft LED decorative lighting (aka holiday lighting). Staff is only aware of white decorative lighting available on the market in "warm" or "soft" LEDs. Should the Council desire to see colored lighting in all or just residential Zone 3, a modification could be made to allow for non LED colored lighting which will not be as bright in appearance as LEDs or remove the reference to "warm" or "soft" to allow for colored LEDs. In the past, Council has voiced that having white lights provide a more consistent appearance in the commercial core where buildings are close together. This is a question for the Council.

Staff will be available at the meeting to answer questions and is seeking Town Council input on the following questions:

1. *Sign Light Curfew:* Does the Council prefer a commercial sign light curfew for commercial properties to follow the current conformance date for private property lighting of July 1, 2025 or should the sign lighting conformance date be moved out, up to a maximum to the year 2033?
2. *Bistro Lights:*
 - a. Does the Council support bistro lights for commercial food and beverage service in Lighting Zone 2?
 - b. Should bistro lighting be added as allowed lighting in residential areas?
3. *Zone Map Change:* Does Council agree that Zone 2 should be expanded to the commercial areas of Airport Road (shown in orange on the map)?
4. *Residential Light Curfew:* Does Council support the lighting curfew of 11 p.m. for single family residential in Lighting Zone 3? If so, is there a desired conformance date?
5. *Residential Light Fixture Limit:* Is the Council comfortable with limiting the number of exterior light fixtures on residential structures?
6. *Decorative Lighting:*
 - a. Does the Council want colored holiday lights to be allowed? If so, should they be limited to certain Lighting Zones (e.g. residential Zone 3)?
 - b. Does the Council support a curfew for decorative lighting in the residential areas of Zone 3 (would exclude Beaver Run, Peak 7 and Peak 8)?



9.13.2023

Proposed Lighting Zones
Town of Breckenridge

- Lighting Zone 1: High Ambient Lighting
 - Lighting Zone 2: Medium Ambient Lighting
 - Proposed Lighting Zone 2 Expansion
- Lighting Zone 3: Low Ambient Lighting
 - Town Boundary
 - Property Lines



CHAPTER 12
EXTERIOR LIGHTING REGULATIONS

SECTION:

- 9-12-1: Title**
- 9-12-2: Findings**
- 9-12-3: Purpose**
- 9-12-4: Legislative findings regarding elimination of nonconforming lighting fixtures**
- 9-12-5: Authority**
- 9-12-6: Applicability; Compliance date**
- 9-12-7: Definitions**
- 9-12-8: Exemptions**
- 9-12-9: Prohibited lighting**
- 9-12-10: Lighting zones**
- 9-12-11: Lighting standards**
- 9-12-12: Lighting standards for specific uses**
- 9-12-13: Relief procedures**
- 9-12-14: Violations; Penalties; Enforcement**

9-12-1: TITLE:

This chapter shall be known and may be cited as the Town of Breckenridge Exterior Lighting Ordinance. (Ord. 21, Series 2007)

9-12-2: FINDINGS:

The town council of the Town of Breckenridge hereby finds and determines that:

- A. The welfare and enjoyment of the town is associated with its small town character;

B. Because of the importance of the view of the stars in the night sky ~~to~~ **and the health of** the town's residents and visitors, it is important that the town adopt responsible lighting standards to preserve that view **and level of health**;

C. Protecting the wildlife population living within the town and surrounding areas that depends upon the night sky and a natural level of darkness at night.

~~C~~**D.** Preserving and protecting the night sky enhances the use and enjoyment of property through the use of appropriate lighting practices;

~~D~~**E.** The town values the practice of energy conservation, and because of the town's devotion to energy conservation, emphasis on responsible lighting practices is desired to decrease the human impact on the environment; and

~~E~~**F.** Individual pole and building mounted fixtures and lighting systems should be designed, constructed, and installed to: 1) preserve the town's small town character; 2) minimize impacts on adjacent property owners; 3) ~~control glare and light trespass,~~ **reduce light pollution**; 4) conserve energy; 5) maintain safety and security of people and wildlife; and 6) maintain the view of the stars in the night sky. (Ord. 21, Series 2007)

9-12-3: PURPOSE:

The purposes of this ~~C~~Chapter are to:

- A. Provide adequate light for safety and security;
- B. Promote efficient ~~and cost effective~~ lighting ~~and~~ to conserve energy;
- C. Reduce light pollution, light trespass, glare, and offensive light sources;
- D. Provide an environmentally sensitive nighttime environment that includes the ability to view the stars against a dark sky;
- E. Prevent inappropriate, poorly designed or installed outdoor lighting;
- F. Encourage quality lighting design and light fixture shielding; and

G. Establish a program to remove or replace light fixtures that violate the requirements of this ~~Chapter~~. (Ord. 21, Series 2007)

9-12-4: LEGISLATIVE FINDINGS REGARDING ELIMINATION OF NONCONFORMING LIGHTING FIXTURES:

A. On balance, the burdens created to individual property owners by the provisions of this ~~Chapter~~ requiring the eventual elimination~~ing~~ of nonconforming lighting fixtures are greatly outweighed by the benefits that will be provided to all of the citizens of and the many visitors to the town and areas that are in close proximity to the town. The value of the fixtures required to be replaced by this ~~Chapter~~ are comparatively small and that, on balance, the burden placed on property owners is minimal, given the value of such fixtures as compared to the substantial benefits gained by such replacement, which is a substantial decrease of unnecessary light trespass and light pollution.

B. The required period for the eventual elimination of nonconforming lighting fixtures contained in this ~~Chapter~~, which is based upon the formula that is used by the United States ~~Internal Revenue Service~~ to depreciate fixtures attached to real property over a fifteen (15) year period **as approved in 2007 and extended an additional two years to 2025**, is reasonable and provides a rational basis for the deadline for the elimination of nonconforming lighting fixtures established by this ~~Chapter~~.

C. The deadline for the eventual elimination of nonconforming lighting fixtures established by this ~~Chapter~~ will allow the property owner to recoup or recover costs or otherwise to reap the benefits of the useful life of such nonconforming fixtures in a manner that is consistent with the generally accepted methods of depreciating fixtures utilized by the United States ~~Internal Revenue Service~~. (Ord. 21, Series 2007; amd. Ord. 29, Series 2020)

9-12-5: AUTHORITY:

The town council hereby finds, determines and declares that it has the power to adopt this ~~Chapter~~ pursuant to:

A. The local government land use control enabling act, ~~a~~Article 20 of ~~t~~Title 29, Colorado Revised Statutes;

B. Part 3 of ~~a~~Article 23 of ~~t~~Title 31, Colorado Revised Statutes (concerning municipal zoning powers);

- C. Section [31-15-103](#), Colorado Revised Statutes (concerning municipal police powers);
- D. Section [31-15-401](#), Colorado Revised Statutes (concerning municipal police powers);
- E. The authority granted to home rule municipalities by ~~a~~Article [XX](#) of the Colorado constitution; and
- F. The powers contained in the Breckenridge town charter. (Ord. 21, Series 2007)

9-12-6: APPLICABILITY; COMPLIANCE DATE:

- A. The provisions of this ~~€~~Chapter shall apply to all new “development” of real property (as that term is defined in ~~s~~Section [9-1-5](#) of this ~~€~~Title) which:
 - 1. Involves new construction for which a development permit is required;
 - 2. Involves the remodeling of an existing building or structure for which a development permit is required; provided, however, that compliance with the requirements of this ~~€~~Chapter is required for a remodel of an existing building or structure only with respect to the remodeled portion of the existing building or structure; or
 - 3. Involves the installation of new exterior light fixtures, **including replacement fixtures.**
- B. All commercial and residential outdoor lighting fixtures that were lawfully installed prior to July 1, 2007 but that do not comply with the requirements of this Chapter are declared to be legal nonconforming fixtures. All legal nonconforming fixtures **and light sources** may continue to be used and maintained after the adoption of this Chapter, but shall be brought into compliance with the requirements of this Chapter upon the first to occur of:
 - 1. A determination by the Director that the legal nonconforming fixture constitutes a public hazard or nuisance;
 - 2. The replacement of the legal nonconforming fixture; or
 - 3. July 1, 2025.

Notwithstanding any other provision of this Chapter, all legal nonconforming fixtures **and light sources** shall be brought into compliance with the requirements of this Chapter not later than July 1, 2025.

4. Prior to July 1, 2025 a legal nonconforming fixture described in Section [9-12-6B](#) may be brought into compliance with the requirements of this Chapter by the approval of such fixture as a retrofit fixture as defined in Section [9-12-7](#). Once approved as a retrofit fixture by the Director pursuant to Section [9-12-6B](#) the fixture shall be deemed to be in compliance with the requirements of this Chapter.

C. All legal nonconforming decorative, **signage**, and bistro lighting may continue to be used and maintained after the adoption of the ordinance codified in this ~~€~~Chapter **on (date of adoption)**, but shall be brought into compliance with the requirements of this ~~€~~Chapter upon the first to occur of:

1. A determination by the director that the legal nonconforming fixture constitutes a public hazard or nuisance; or
2. ~~April 30, 2012~~ **July 1, 2025**. (Ord. 21, Series 2007; amd. Ord. 30, Series 2010; Ord. 29, Series 2020)

9-12-7: DEFINITIONS:

When used in this ~~€~~Chapter, the following words, terms, and phrases, and their derivations shall have the meanings provided in this ~~s~~Section, except where the context clearly indicates a different meaning. Words, terms, and phrases, and their derivations used in this ~~€~~Chapter which are defined in the Breckenridge Development Code (~~€~~Chapter [1](#) of this ~~€~~Title) shall have the meaning provided in that ~~€~~Chapter, unless there is a conflict with a specific definition set forth in this ~~s~~Section, in which case the specific definition in this ~~s~~Section shall control.

ADDRESS LIGHTING: Fixtures used to illuminate the address of a property.

ARCHITECTURAL ACCENT LIGHTING: Fixtures used to accent architectural features, materials, colors, style of buildings, landscape features, or art that are located, aimed and shielded so that light is directed downward onto those features or upwards if fully contained within an architectural element.

BISTRO LIGHTS: A display of small white or clear bulbs on a string or tubes **that are** used to call attention and provide light and ambiance to an exterior food and beverage area designated by the site plan **allowed** in Lighting Zone 1 **and Lighting Zone 2**.

BULB: Includes all types of lighting sources.

DECORATIVE LIGHTING: Decorative string lighting, **consisting of bulbs no larger than three inches**, that outlines a building or structure; or decorative string lighting in trees; or decorative string lighting between commercial or mixed use buildings or to a post or structure forming a canopy over a walkway.

EAVE OVERHANG: The section of roof overhanging the building wall, often called a soffit.

EMERGENCY LIGHTING: Lighting used by a police department, fire department, or other governmental entity for the purpose of public safety.

ENERGY STAR: A joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy which aims to save money and protect the environment through energy efficient products and practices.

FIXTURE: An electrical device that has a housing, mount, or socket for a light source or lamp and the parts to distribute, position, and protect the light source.

FLUORESCENT: A lamp containing mercury vapor with an inner phosphor coating that interacts to create visible light.

FOOT-CANDLE: A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot. One foot-candle equals approximately 0.1 (0.093) lux.

FULLY SHIELDED: An outdoor light fixture constructed so that in its installed position all of the light emitted by the fixture is projected below the horizontal plane passing through the lowest light emitting part of the fixture.

ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (OR IESNA): The professional society of lighting engineers, including those from manufacturing companies and others professionally involved in lighting.

INCANDESCENT: A wire filament enclosed in a glass bulb that is heated until glowing. Tungsten-halogen lamps are a type of incandescent.

INCIDENT LIGHT: Light that strikes a surface or an object. Incident light can be from a light source directly or reflecting off another surface.

KELVIN (K): The unit of measurement indicating correlated color temperature (CCT) of a light, defined by a scale that ranges from red light (1,000 K) to blue-white light (10,000 K or more).

LIGHT EMITTING DIODE (LED): A semiconductor diode that emits light when a voltage is applied to it and that is used especially in electronic devices (as for an indicator light). Warm white or filtered LEDs meet CCT <3,000 K; S/P ratio <1.2.

~~LZ-1: Lighting Zone 1 (the Downtown Overlay District Lighting Zone) as described in section [9-12-11](#) of this chapter.~~

~~LZ-2: Lighting Zone 2 (the Commercial Area Lighting Zone) as described in section [9-12-11](#) of this chapter.~~

~~LZ-3: Lighting Zone 3 (the Residential Lighting Zone) as described in section [9-12-11](#) of this chapter.~~

LIGHT POLLUTION: Any artificial light that is emitted either directly or indirectly by reflection that alters the appearance of the night sky; interferes with astronomical observation; or interferes with the natural functioning of nocturnal native wildlife.

LIGHT TRESPASS: Any form of shining light emanating from a fixture that penetrates property other than that for which it is intended and permitted.

LIGHTING ZONE: A geographic area of the town as described in ~~s~~Section [9-12-10](#) of this ~~€~~Chapter. The lighting zones of the town are depicted on the map maintained in the ~~Office of the Director~~ **Community Development Office**. Such map is incorporated herein by reference and made a part of this ~~€~~Chapter. The map shall be interpreted so that the boundaries of the lighting zones follow the centerlines of streets, roads, alleys and rights-of-way, and existing property boundaries. ~~Disputes regarding the boundaries of the lighting zones shall be determined by the town council.~~

LZ-1: Lighting Zone 1 (the High Ambient Lighting Zone) as described in Section [9-12-11](#) of this Chapter.

LZ-2: Lighting Zone 2 (the Medium Ambient Lighting Zone) as described in Section 9-12-11 of this Chapter.

LZ-3: Lighting Zone 3 (the Low Ambient Lighting Zone) as described in Section 9-12-11 of this Chapter.

LUMENS: A unit of measurement for the actual amount of visible light which is produced by a lamp as specified by the manufacturer. A foot-candle is one lumen per square foot.

MOTION SENSOR: A mechanism for controlling illumination by turning lights on when activated by motion and remaining on during activity for a maximum of thirty (30) minutes following the last detection of motion.

OPAQUE **LIGHT FIXTURE**: An outdoor light fixture in which the walls of a fixture which **whose walls that** house the light source are comprised of a solid material, unable to be permeated by light, ~~should a light source be held behind it.~~ Glass is not considered opaque however, glass on a fixture may be acceptable if the glass is **flat, horizontal, and does not allow any light to be emitted above the horizontal plane.** ~~below the opaque aspect of the fixture which houses the light source.~~

OUTLINE LIGHTING ON A BUILDING OR STRUCTURE: Any arrangement or display of incandescent bulbs or lighting tubes used to outline or call attention to the features of a building, including the building's frame, shape, roofline or window dimensions. Outline lighting includes both temporary and permanent arrangement of bulbs or lighting tubing, whether located inside or outside of a building, if such bulbs or tubing is visible to the public from a public right-of-way or from an outdoor public area.

OVERHEAD WALKWAY LIGHTING: Downcast, fully shielded small white or clear light emitting diode (LED) ~~LED "warm or "soft" bulbs which provide outdoor light for the purpose of facilitating safe pedestrian traffic through a publicly owned pedestrian access corridor that is not a public street or alley. Overhead walkway lights shall be installed on a black or gray wire or metal rod, not to exceed three thousand kelvin (3,000 K) kelvin or a maximum of eight hundred fifty (850) total lumens across the property or area. Overhead walkway lighting may not be located in any location that is wider than thirty two (32) feet.~~

PARKING LOT LIGHTING: Off street parking lots consisting of ten (10) or more parking spaces shall meet ~~s~~Section [9-3-9](#) of this ~~t~~Title.

PHOTOCELL: A mechanism that is activated by the ~~nonpresence~~**absence** of sunlight (and has the effect of illuminating a property all night). ~~Photocells are permitted only at primary entrances and where the light source is fully shielded.~~

PUBLIC ART: Artwork created and placed on a site in connection with the town's public art program.

RETROFIT FIXTURE: A legal non-conforming fixture as described in Section [9-12-6B](#) that has a permanent opaque lining applied to it which extends to the lowest portion of the bulb **or lower**, or other permanent modification to the fixture approved by the Director that brings such fixture **and light source** into compliance with the requirements of this Section.

SECURITY LIGHTING: ~~A light~~**Lighting that is** used either commercially or residentially for protection of goods or property.

SEMI-OPAQUE **LIGHT FIXTURE**: An outdoor light fixture with walls of a fixture **whose walls are** comprised of a nonopaque material such as frosted, colored glass, or **a** material such as mica which allows for some light trespass to be emitted from **through** the walls of the fixture, referred to as a "glow_z"; but such that the light source is not visible through the walls. **Within semi-opaque fixtures the bulb must be recessed so that no portion of the bulb would be visible if the nonopaque material was removed. Semi-opaque is sometimes called "translucent."** Clear glass is not considered to be semi-opaque.

UNSHIELDED FIXTURE: A light fixture shielded in such a manner that the light emitted directly from the lamp or indirectly from the fixture is projected at angles above the horizontal plane without limitation.

UPLIGHTING: Lighting that is directed in such a manner as to shine light rays above the horizontal plane. (Ord. 21, Series 2007; amd. Ord. 35, Series 2007; Ord. 30, Series 2010; Ord. 1, Series 2019; Ord. 19, Series 2020; Ord. 29, Series 2020; Ord. 6, Series 2022)

9-12-8: EXEMPTIONS:

The provisions of this ~~€~~Chapter shall not apply to the following:

A. *Emergency Lighting*: Temporary lighting required for public safety in the reasonable determination of public safety officials with authority.

B. *Decorative Lighting:* In all lighting zones decorative lighting is permitted only from November 1 through end of ski season at Breckenridge Ski Resort **February 1 in Lighting Zone 3 and April 1 in Lighting Zone 1 and 2**. At all other times decorative lighting is unlawful. **Decorative lighting that outlines a building or structure shall not protrude from the upper wall plane or the roof. Decorative lighting shall consist only of light emitting diode (LED) "warm white" LED bulbs; "warm" or "soft" LED bulbs that do not exceed a temperature CCT of two thousand eight hundred kelvins (2,800 K) kelvin are required in LZ-1 and LZ-2. Colored incandescent decorative lighting is allowed on residential properties in LZ-3. Decorative lighting shall not blink all at once, flash, or rotate, nor create a hazard or nuisance from glare. Decorative lighting shall be maintained in good working condition at all times.**

C. *Street Lighting **Municipal Lighting:*** Lighting required for public safety installed by a public entity or private utility company along a public right-of-way, **at a trailhead, along a trail, or at any public park or playground**. Lighting in the right-of-way **All such lighting** shall comply with the requirements of the **Town's** engineering regulations **standards**.

D. *Temporary Lighting:* Lighting for festivals, celebrations, or other public activities as approved by the town.

E. *Lighting of Flags:* The lighting of national, State or local Municipal flags is permitted **to be** lit with a maximum of two (2) fixtures of not more than eighty watts (80 W) each **emitting no more than a total of seventy five (75) lumens per linear foot of pole height; poles of greater than twenty (20) feet must be lit from above with no more than eight hundred (800) lumens**. This exemption shall not apply to any other type of flag.

F. *Lighting of Public Art:* The lighting of public art is permitted with a maximum of two (2) fixtures of not more than sixty watts (60 W) each **no more than a total of seventy five (75) emitted lumens per linear foot of structure height; structures of greater than twenty (20) feet must be lit from above with no more than eight hundred (800) lumens**.

G. *Architectural Accent Lighting:* **Fixtures must be fully shielded and their light must be downcast. Lamp color shall be a warm white color, with a CCT that does not exceed two thousand seven hundred kelvins (2,700 K)**. Lighting to accent an architectural element that **is must be** aimed or shielded to prevent lighting of the night sky, with a maximum of one fixture **or LED lighting strip per feature** of not more than fifty watts (50 W) **nine hundred (900) emitted lumens** per property. **Uplighting is permitted if the illumination is effectively**

contained within an overhanging architectural element and is a maximum of one fixture per feature of not more than eight hundred (800) emitted lumens.

H. ~~Sign Lighting:~~ The lighting of a sign when done in accordance with the requirements of chapter [15](#) of this title. (Ord. 21, Series 2007; amd. Ord. 30, Series 2010; Ord. 1, Series 2019; Ord. 3, Series 2019; Ord. 3, Series 2022)

H. Address Lighting: Fixtures used to light an address must be downcast and fully shielded. Lamp color shall be a warm white color, with a CCT that does not exceed two thousand seven hundred kelvins (2,700 K). The chosen lamp type of each fixture shall not exceed nine hundred fifty (950) emitted lumens.

9-12-9: PROHIBITED LIGHTING:

The following are prohibited within the town:

- A. An unshielded fixture or lamp for outdoor lighting;
- B. A searchlight;
- C. A laser light;
- D. A semiopaque or transparent backlit canopy or awning; and
- E. Any lighting that does not comply with the requirements of this ~~Chapter~~ Chapter. (Ord. 30, Series 2010)

9-12-10: LIGHTING ZONES:

- A. The purpose of the lighting zones is to separate areas within the town which have different lighting needs, natural conditions, ~~different~~ levels of appropriate light usage, and ~~different~~ sensitivities to the various obtrusive aspects of outdoor lighting. Because of this, the lighting zones are defined within this ~~Chapter~~ Chapter with lighting standards appropriate to each zone. (Ord. [21](#), Series 2007; amd. Ord. [35](#), Series 2007)
- B. The boundaries of the lighting zones are shown on the map maintained in the ~~Office of the Director~~ **Community Development Office**. (Ord. 21, Series 2007)

9-12-11: LIGHTING STANDARDS:

A. *Lighting Standards for LZ-1 (Downtown Overlay District Lighting Zone): **Lighting Standards for All Lighting Zones:***

1. *Fully Shielded:* Only fully shielded, downcast, semiopaque or opaque fixtures with no portion of bulb visible are permitted, for commercial, mixed use, triplex, duplex and single-family residential structures, and garages associated with such uses. Such fixtures are prohibited for all other types of structures.

2. Maximum Fixture Height: Maximum fixture height as measured from finished grade:

Residential	15 feet
Commercial	18 feet
Pedestrian pathways	10 feet
Upper story decks	7 feet above deck
Eave overhangs (e.g., soffit)	10 feet plus 1 foot for every 5 feet from edge of eave*
Eave overhangs (e.g., high soffits)	Plus 1 foot for every 5 feet from edge of eave*
Bistro lights	15 feet above grade or 8 feet above rooftop deck

*** For example, for a 20 foot tall high eave with a 10 foot overhang, a fixture may be 12 feet high as measured from grade or from an upper level deck (10 feet + 2 feet).**

3. Lamp Type: All lamp types must be a warm white color, with a CCT that does not exceed two thousand seven hundred kelvins (2,700 K) on residential properties and does not exceed three thousand kelvins (3,000 K) on commercial properties.

a. LED: Permitted at a maximum of twelve watts (12 W) or no greater than nine hundred fifty (950) emitted lumens per fixture.

b. Fluorescent: Must be energy star ENERGY STAR rated with adequate cold rating. Permitted at a maximum of fifteen watts (15 W) per fixture.

c. Incandescent: Permitted on building mounted or signage fixtures at a maximum of sixty watts (60 W) per fixture.

d. Induction, high pressure sodium, low pressure sodium, and All other lamp types: Must be energy star ENERGY STAR rated and shall not exceed nine hundred fifty (950) emitted lumens per fixture.

4. *Bistro Lighting:* Temporary bistro lighting is permitted at an exterior food and beverage area designated by the site plan to provide light and ambiance. The term "temporary" as used in this Section means from May 1 through October 31 of the same year. At all other times bistro lighting is unlawful. Bistro lighting is allowed in LZ-1 and LZ-2. Bistro lighting is not allowed in LZ-3 or for residential use. The following standards shall apply to temporary bistro lighting:

a. Consist only of light emitting diode (LED) bulbs;

a. Be used only with "warm" color or "soft" LED bulbs that do not exceed a temperature of two thousand eight hundred kelvin (2,800 K) kelvin;

b. Be fully shielded and downcast;

c. If on rooftops, bistro lights shall not be highly visible from the right-of-way when located on a rooftop (e.g., rooftop deck screened on a minimum of two (2) sides by wall, adjacent buildings, etc.), and they must be set back a minimum of 5 feet from the rooftop edge.

B. *Lighting Standards for LZ-1 (Downtown Overlay District Lighting Zone High Ambient Lighting Zone):*

1. *Fixtures:* Semi-opaque fixtures are allowed in LZ-1 provided they are fully shielded and downcast.

2. *Pole Lights Generally:* Pole lights may have a maximum of two (2) light sources fixtures per pole.

3. *Bistro Lighting:* Temporary bistro lighting is permitted at an exterior food and beverage area designated by the site plan to provide light and ambiance. The term "temporary" as used in this section means from May 1 through October 31 of the same year. At all other

~~times bistro lighting is unlawful. The following standards shall apply to temporary bistro lighting:~~

- ~~a. Consist only of light emitting diode (LED) bulbs;~~
- ~~b. Be used only with "warm" or "soft" LED bulbs that do not exceed a temperature of two thousand eight hundred (2,800) kelvin;~~
- ~~c. Be downcast;~~
- ~~d. If on rooftops, bistro lights shall not be highly visible from the right-of-way (e.g., rooftop deck screened on a minimum of two (2) sides by wall, adjacent buildings, etc.), and they must be set back a minimum of 5 feet from the rooftop edge.~~

~~43. Photometric Plan:~~ Commercial and mixed use properties require a photometric plan of estimated foot-candle levels with maximum and average illumination. ~~Emitted~~**Incident** light **on the ground** shall not be greater than one (1) foot-candle at the property line, except at site entry points if determined by the director to be necessary. **Properties over half (1/2) an acre in size shall be limited to a maximum of fifty thousand (50,000) lumens per acre.** Cut-sheets for all exterior light fixtures shall ~~also~~ be submitted with the photometric plan.

~~5. Maximum Fixture Height:~~ Maximum fixture height as measured from finished grade:

Residential	15 feet
Commercial	18 feet
Pedestrian pathways	10 feet
Upper story decks	7 feet above deck
Eave overhangs (e.g., soffit)	10 feet
Eave overhangs (e.g., high soffits)	Plus 1 foot for every 5 feet from edge of eave*

Bistro lights	15 feet above grade or 8 feet above rooftop deck
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*For example, a 20 foot tall eave with 10 foot overhang, a fixture may be 12 feet high from grade or upper level deck (10 feet + 2 feet).

~~6. Lamp Type: The lamp shall be energy star rated fluorescent with adequate cold rating, induction, high pressure sodium, LED or low pressure sodium. Incandescent lamps are permitted on building mounted or signage fixtures at a maximum wattage of sixty watts (60 W). Energy star rated compact fluorescent lamps are encouraged. Fluorescent fixtures are permitted at fifteen watts (15 W) or warm white or filtered LEDs at twelve watts (12 W) maximum or no greater than nine hundred fifty (950) lumens. Other lamp types with energy star rating are permitted.~~

~~74. Overhead Walkway Lighting: Overhead walkway lighting is permitted year round in Lighting Zone 1.~~

5. Bistro Lighting: Temporary bistro lighting is permitted.

BC. Lighting standards for LZ-2 (Commercial Area Lighting Zone-Medium Ambient Lighting Zone):

~~1. Fully Shielded: Only fully shielded, downcast, opaque fixtures with no portion of bulb visible are permitted.~~

~~21. Pole Lights: Pole lights may have a maximum of two (2) light sources~~ **fixtures** per pole.

~~32. Photometric Plan: Commercial and mixed use properties require a photometric plan of estimated foot-candle levels with maximum and average illumination. Emitted~~ **Incident** light **on the ground** shall not be greater than **one-half (0.5)** foot-candle at the property line, except at site entry points if determined by the Director to be necessary. **Properties over half (1/2) an acre in size shall be limited to a maximum of fifty thousand (50,000) lumens per acre.** Cut-sheets for all exterior light fixtures shall also be submitted with the photometric plan.

~~4. Maximum Fixture Height: Maximum fixture height above existing grade for all fixtures except those used for outdoor sports facility (field, arena or track) lighting shall be as follows:~~

Residential	15 feet
Commercial	18 feet
Pedestrian pathways	10 feet
Upper story decks	7 feet above deck
Eave overhangs (e.g., soffit)	10 feet
Eave overhang above 10 feet (e.g., high soffits)	Plus 1 foot for every 5 feet from edge of eave*

* For example, a 20 foot tall eave with 10 foot overhang, a fixture may be 12 feet high from grade or upper level deck (10 feet + 2 feet).

5. Lamp Type: The lamp shall be energy star rated fluorescent with adequate cold rating, induction, high pressure sodium, LED or low pressure sodium. Incandescent lamps are permitted on building mounted or signage fixtures at a maximum wattage of sixty watts (60 W). Energy star rated compact fluorescent lamps are encouraged. Fluorescent fixtures are permitted at fifteen watts (15 W) or warm white or filtered LEDs at twelve watts (12 W) maximum or no greater than nine hundred fifty (950) lumens. Other lamp types with energy star rating are permitted.

63. Location: The setbacks from the property line shall be at least equal to the total height of the luminaries **light fixtures. Parking facility lighting shall follow the setback requirements defined in Section 9-3-9.**

74. Overhead Walkway Lighting: Overhead walkway lighting is permitted year-round in Lighting Zone 2.

5. Bistro Lighting: Temporary bistro lighting is permitted.

CD. Lighting standards for LZ-3 (Residential Lighting Zone-Low Ambient Lighting Zone):

~~1. Fully Shielded: Only fully shielded, downcast, opaque fixtures with no portion of bulb visible are permitted.~~

~~2. Pole Lights:~~ Pole lights may have a maximum of one light source **fixture** per pole.

~~3. Photometric Plan:~~ Commercial, mixed use or multifamily residential properties require a photometric plan of estimated foot-candle levels with maximum and average illumination. ~~Emitted~~ **Incident** light **on the ground** shall not be greater than two-tenths (2/100.2) foot-candle at the property line, except at site entry points if ~~determined by the Director to be necessary for safety.~~ **Commercial properties over half (1/2) an acre in size shall be limited to a maximum of fifty thousand (50,000) lumens per acre.** Cut-sheets for all exterior light fixtures shall ~~also~~ be submitted with the photometric plan.

~~4. Maximum Fixture Height:~~ Maximum fixture height above existing grade for all fixtures except those used for outdoor sports facility (field, arena or track) lighting shall be as follows:

Residential	15 feet
Commercial	18 feet
Pedestrian pathways	10 feet
Upper story decks	7 feet above deck
Eave overhangs (e.g., soffit)	10 feet
Eave overhang above 10 feet (e.g., high soffits)	Plus 1 foot for every 5 feet from edge of eave*

* For example, a 20 foot tall eave with 10 foot overhang, a fixture may be 12 feet high from grade or upper level deck (10 feet + 2 feet).

~~5. Lamp Type:~~ The lamp shall be energy star rated fluorescent with adequate cold rating, induction, high pressure sodium, LED or low pressure sodium. Incandescent lamps are permitted on building mounted or signage fixtures at a maximum wattage of sixty watts (60 W). Energy star rated compact fluorescent lamps are encouraged. Fluorescent fixtures are

permitted at fifteen watts (15 W) or warm white or filtered LEDs at twelve watts (12 W) maximum or no greater than nine hundred fifty (950) lumens. Other lamp types with energy star rating are permitted.

~~6.3.~~ *Location:* The setbacks from the property line shall be at least equal to the total height of the luminaries **light fixtures. Parking facility lighting shall follow the setback requirements defined in Section 9-3-9.** (Ord. 1, Series 2019; amd. Ord. 19, Series 2020; Ord. 6, Series 2022)

4. Curfew: Residential lighting shall be extinguished at eleven o'clock (11:00) P.M. unless on a timer or motion sensor. Fixtures on a timer or motion sensor shall not be on for longer than thirty (30) minutes continuously after the curfew is in effect.

5. Bistro Lighting: Temporary bistro lighting is not permitted.

9-12-12: LIGHTING STANDARDS FOR SPECIFIC USES:

A. Standards for Specific Uses:

1. *Single-Family Residential:* Exterior lighting shall be fully shielded, downcast and opaque with no bulb visible. Energy star rated compact fluorescent lamps are encouraged. **Exterior lighting shall be limited to two light fixtures per entrance to a structure and maximum of six additional fixtures on and around the residence that are compliant with all requirements listed in this Chapter.**

2. *Gas Stations:* Canopy fixtures shall be mounted on the lower surface of canopies and must be fully shielded in and of themselves (canopy edges do not qualify as shielding) by means of a flat lens recessed into the underside of the canopy, or a **fixture that has a** flat lens with **and** opaque sides. Lighting shall not exceed twenty (20) foot-candles **on the ground.** Areas outside **the area covered by the** service station pump island canopy shall be illuminated so that the maximum horizontal illuminance at grade level is no more than ten (10) foot-candles.

~~4. *Architectural Accent Lighting:* Fixtures must be fully shielded and downcast. Fixtures used to accent architectural features, materials, colors, style of buildings, landscaping or art shall be located, aimed and shielded so that light is directed downward onto those features.~~

Uplighting is permitted if the illumination is effectively contained within an overhanging architectural element and is no more than forty (40) watts.

~~53.~~ *Recreational Facilities:* Lighting for fields, courts, ice rinks, or tracks shall not exceed maximum illuminance criteria as defined by the Illuminating Engineering Society of North America (IESNA). Exterior sports arenas, with exterior luminaries light fixtures for the playing area, shall be **illuminated only for scheduled events and** extinguished by ten o'clock (10:00) P.M. or within one-half (1/2) hour after the conclusion of the final event of the day, whichever is later. The remainder of the facility lighting, except for reasons of security, shall be extinguished at ten o'clock (10:00) P.M. or within ~~one (1) hour~~ **one-half (1/2) hour** after the **end of an** event, whichever is later. **Exterior sports arenas, with exterior lighting fixtures for the playing area, shall have the illumination level determined by the sport of play in each event. Light levels shall be reduced for sports that require less than the maximum available lighting for the field based on IES sports lighting standards.**

~~7.~~ *Decorative, Overhead Walkway Lighting, and Bistro Lighting:* Decorative, overhead walkway, and bistro lighting shall not blink all at once, flash, or rotate, nor create a hazard or nuisance from glare. Decorative, overhead walkway, and bistro lighting shall be maintained in good working condition at all times. Decorative lighting that outlines a building or structure shall not protrude from the upper wall plane or the roof. Decorative lighting shall consist only of light emitting diode (LED) bulbs; "warm" or "soft" LED bulbs that do not exceed a temperature of two thousand eight hundred (2,800) kelvin are required.

~~84.~~ *Parking Lots:* Parking lots shall meet the requirements of ~~s~~Sections 9-3-8 and 9-3-9 of this ~~t~~title.

9-12-13: LIGHTING STANDARDS FOR SPECIFIC TYPES:

A. Standards for Specific Types:

~~31.~~ *Security Lighting:* Security lighting ~~should~~ **shall use the lowest possible illumination to effectively allow surveillance, be shielded, and directed downward toward designated areas. The use of motion sensors, timers, photocells or other**

means to activate lighting during times when it is needed is encouraged to conserve energy, and provide safety, and promote compatibility between different land uses. However, photocells are permitted only at primary entrances to a building and where the light source is fully shielded. Security lighting intensity/illuminance levels shall be a maximum of ten (10) foot-candles.

***62. Signage Illumination:* All signage in LZ-1, LZ-2 and LZ-3 shall comply with ~~Chapter 15~~ of this ~~Chapter~~ Title. Signage utilizing lighting shall have fixtures mounted to the top of the sign structure and aimed downward onto the sign from above. Fixtures shall be fully shielded so that light is directed only onto the sign facade/face and not aimed at the sky, adjacent streets, roads or properties. Luminance shall not exceed nine (9) foot candles or one hundred nits (100 candelas per square meter) during the first hour after sunset, and lighting must be fully extinguished one hour after sunset or within one-half (1/2) hour of the end of normal business hours, whichever is later.**

***a.* The provisions of this Section shall follow the applicability and compliance defined in Section 9-12-6 with a modified compliance date of sign lighting replacement required by July 1, 2025.**

***3. Overhead Walkway Lighting:* Overhead walkway lights shall be installed on a black or gray wire or metal rod, not to exceed three thousand kelvins (3,000 K) nor a maximum of eight hundred fifty (850) total lumens across the property or area. Overhead walkway lighting may not be located in any location that is wider than thirty two (32) feet. Overhead walkway lighting shall not blink, flash, or rotate, nor create a hazard or nuisance from glare. Overhead walkway lighting shall be maintained in safe and good working conditions at all times.**

***94. Bistro Lights:* Bistro lighting shall not blink, or rotate, nor create a hazard or nuisance from glare. Bistro lighting shall be maintained in safe and good working conditions at all times. Bistro lights shall be extinguished by ten o'clock (10:00) P.M. or within one-half (1/2) hour after the close of business, whichever is later.**

***109. LED Strip Lighting:* Commercial LED strip lighting shall:**

a. Be fully shielded with no light source visible

***ab.* Be white **or soft white** in color;**

- ~~bc.~~ Not exceed two thousand eight hundred **kelvins** (2,800 ~~K~~) kelvin;
- ~~cd.~~ Not ~~flash~~**blink** or rotate;
- ~~d.~~ ~~Be installed so that the source is not visible;~~
- e. Not exceed one and one-half (1 1/2) watt maximum per linear foot; and
- f. Be installed at a height no greater than 4 feet as measured from the ground or floor directly below. (Ord. 21, Series 2007; amd. Ord. 1, Series 2019; Ord. 3, Series 2019; Ord. 19, Series 2020; Ord. 6, Series 2022)

9-12-~~13~~14: RELIEF PROCEDURES:

A. The town council may grant a variance from any requirement of this ~~e~~**C**hapter, upon written request by a developer or owner of property following a public hearing, and only upon finding that:

1. A strict application of such requirement would, when regarded as a whole, result in confiscation of the property or
2. That extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal or requirement.

B. No variance shall have the effect of nullifying the intent and purpose of these regulations. The town council shall not approve a variance under this ~~s~~**S**ection unless it makes findings based upon the evidence presented to it in each specific case that:

1. The granting of the variance, exception or waiver of condition will not be detrimental to the public health, safety, or welfare or injurious to other property;
2. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result,

distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and

4. The relief sought will not in any manner vary the provisions of the Development Code, Town master plan or other Town law, except that those documents may be amended in the manner prescribed by law.

C. The variance criteria set forth in this ~~s~~Section shall control over the variance criteria set forth in ~~s~~Section [9-1-11](#) of this ~~t~~Title. (Ord. 21, Series 2007)

9-12-1415: VIOLATIONS; PENALTIES; ENFORCEMENT:

A. It shall be unlawful and a misdemeanor offense for any person to fail to comply with the requirements of this ~~c~~Chapter. Every person convicted of a violation of any provision of this ~~c~~Chapter shall be punished as provided in ~~t~~Title [1](#), ~~c~~Chapter [4](#) of this Code.

B. In addition to other remedies available to the town, the town may commence an action pursuant to ~~s~~Section [1-8-10](#) of this Code to enjoin the alleged violation of any provision of this ~~c~~Chapter, or to compel compliance with any provision of this ~~c~~Chapter. Any remedies provided for in this ~~c~~Chapter shall be cumulative and not exclusive, and shall be in addition to any other remedies provided by law. (Ord. 21, Series 2007)

The Breckenridge Town Code is current through Ord. 35, Series 2022, passed November 22, 2022.

Disclaimer: The town clerk's office has the official version of the Breckenridge Town Code. Users should contact the town clerk's office for ordinances passed subsequent to the ordinance cited above.

[Town Website: www.townofbreckenridge.com](http://www.townofbreckenridge.com)

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From CHAPTER 15**9-15-18: SIGN DESIGN STANDARDS - GENERALLY:**

All signs for which a permit is required under this Chapter shall be subject to the following general limitations:

A. Sign Design And Materials: Unless otherwise expressly provided in this Chapter, signs must be constructed predominantly of natural materials, such as rough cedar, redwood, pine, or other types of solid wood. Wood or alternative materials that mimic wood grain (e.g., high density urethane) are encouraged. Metal may be used as an accent (maximum of 25 percent of sign area) on wood relief signs.

B. Architectural Compatibility: A sign (including its supporting structure and components, if any) shall be architecturally compatible with any building to which the sign is to be attached and with the surrounding structures.

C. Lighting Standards: **All sign lighting shall comply with signage illumination requirements listed in Section 9-12-12 and the lighting zone limitations listed in Section 9-12-11.**

1. Shielded Lighting: Light bulbs or lighting tubes used for illuminating a sign shall not be visible from the vehicular travel lanes of adjacent public rights-of-way. The use of adequate shielding, designed so that light from sign illuminating devices does not shine directly into the eyes of passing motorists without first being reflected off the sign or its background, is required whenever sign lighting is used.

~~2. Subdued Lighting: The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent travel way or closest Municipal street; and the illumination of a sign shall not be noticeably brighter than other lighting in the vicinity and shall comply with chapter 12 of this title.~~

~~3.~~ 2. Direction Of Lighting: All lighting fixtures shall be placed above the sign and shall shine downward toward the sign. Illumination of signs shall not be directed toward adjacent properties.

~~4.~~ 3. Internally Lit Signs: No sign that is placed on the exterior of a building or on the interior of the building within five feet (5') of a window shall be internally lit.

D. Component Painting: All light fixtures, conduit, and shielding shall be painted a flat, dark color, or shall be painted to match either the building or the supporting structure that serves as the background of the sign.

E. Confusing Or Dangerous Signs: No sign or sign structure shall:

1. Obstruct the view of, resemble, or purport to be a device to control the operation of motor vehicles or pedestrians in the right-of-way, or any other official sign.
2. Create an unsafe distraction for motor vehicle operators.
3. Obstruct the view of motor vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley, or other thoroughfare.
4. Obstruct free ingress to or egress from required door, window, fire escape, or other required exit or standpipe.

F. Parked Vehicles Not To Be Used As Signs: Notwithstanding ~~s~~Subsection [9-15-9K](#) of this ~~c~~Chapter, no parked vehicle, including, but not limited to, an automobile, truck, bus, semi-truck (attached or detached), trailer, mobile home, motor home, boat, van, or other motor vehicle, shall be used as a sign or sign structure. Delivery trucks parked during hours of operation are excluded.

G. Clearance: Signs shall not be located with less than three feet (3') horizontal or eight feet (8') vertical clearance from overhead electric conductors. No sign shall obstruct any window to such an extent that any light or ventilation is reduced to a point below that required by any law or ordinance. (Ord. 3, Series 2019)

[9-3-9E](#) – Design Standards for Off Street Parking Facilities

From CHAPTER 3

9-3-9: DESIGN STANDARDS FOR OFF STREET PARKING FACILITIES:

Each off street parking facility constructed pursuant to the requirements of this chapter shall conform to the following design standards:

A. *Compliance With Codes Required:* The design and structural quality of all off street parking spaces and facilities required by this chapter shall conform to: (1) all applicable standards contained in this chapter; (2) the development code; (3) the engineering regulations; and (4) other applicable town ordinances. Drainage facilities shall be constructed pursuant to the engineering regulations.

B. *Width of Parking Aisles:* The following minimum aisle widths shall apply to all off street parking facilities within the town:

Angle Of Parking Stall	Aisle Width
45°	12'
60°	16'
75°	22'
90°	24'

C. *Size of Parking Stalls:* The following minimum sizes shall apply to all off street parking stalls within the town:

	Length	Width	Height
30° – 90° parking	18'	9'	n/a
Parallel parking	25'	8'	n/a
Enclosed parking	18'	9'	n/a
Stacked parking	18'	9'	6'5"

D. *Ingress and Egress*: The ingress and egress provisions for off street parking spaces shall conform to the engineering regulations.

E. *Lighting*: All parking facilities containing ten (10) or more parking spaces shall submit a photometric plan. **This information shall be provided by a registered Colorado engineer.**

1. The parking lot lighting shall not exceed IESNA recommended foot-candle **and lumen** levels, and applications are encouraged to use the lower end of the range. ~~This information shall be provided by a registered Colorado engineer.~~
2. All fixtures shall not exceed the maximum fixture height or number of fixtures per pole in the property's designated lighting zone per ~~s~~**Section 9-12-11** of this ~~t~~**Title**.
3. All lights shall be level mounted and ~~eighty five degrees (85°)~~ **ninety degree (90°)** full cut off **downcast** fixtures.
4. All fixtures shall be a minimum of half the distance of the length of the pole **from the property line** (e.g., an 18-foot pole shall be a minimum of 9 feet from the property line).
5. Lighting fixtures shall not exceed three thousand **kelvins** (3,000 **K**) ~~kelvin~~ **in CCT**. LEDs **lighting** shall use filtered LEDs ~~for a warm white color~~ to minimize blue light emission.
6. Foot-candle levels shall not exceed two-tenths (0.2) foot-candle at a property line, unless for safety ingress/egress as determined by the ~~e~~**D**irector.
7. Parking lot **light fixture** are encouraged to be greater in number and lower to grade **rather** than have a reduced number and increased height.

F. *Grades*: The sustained surface grades for parking areas shall not exceed a minimum of one-half percent (0.5%) or a maximum of four percent (4%). Driveway grades shall not exceed a maximum grade of eight percent (8%). The first 5 feet of a driveway shall be graded to match the cross slope of the connecting street. For downhill sites, a 20-foot staging area with a maximum grade of negative four percent (-4%) is required (~~s~~**Section 9-3-19**, attachment B of this ~~c~~**Chapter**). For uphill sites, a 20-foot staging area with the first 5 feet matching the cross slope of the connecting road and the next 15 feet at a maximum grade of four percent (4%) is required (~~s~~**Section 9-3-19**, attachment C of this ~~c~~**Chapter**). Grades shall comply with all requirements of the engineering regulations.

G. *Heated Driveways:* Driveway heat systems shall terminate at the property line. If the system extends into the public right-of-way, a separate zone must be created for that portion of the system and accommodations must be made to reduce the impacts of the melted drainage at the snow/melted interface. A revocable license agreement acceptable in form and substance to the town attorney must be approved by the town and executed prior to the issuance of a certificate of occupancy. Heated driveways shall comply with all requirements of the engineering regulations.

H. *Drainage:* All off street parking facilities shall be graded for proper drainage so that all surface discharge is channeled to a natural or improved drainageway without causing nuisance or damage to other properties or the improvements thereon.

I. *Location:* The location of all required off street parking facilities shall be as follows:

1. *Residential Uses:* For residential uses, except residences located in buildings adjacent to the "Riverwalk" as defined in ~~s~~Section [9-1-19-37A](#), "Policy 37 (absolute) special areas," of this ~~€~~Title, all required off street parking spaces shall be provided on the same property as the residential units they are intended to serve.

2. *Nonresidential Uses:* Off street parking for nonresidential uses shall be placed totally on the same parcel of land as the use, unless a fee in lieu is paid to the town as provided in ~~s~~Section [9-3-12](#) of this ~~€~~Chapter.

3. *Parking Space Location:* No parking space shall be located closer than 5 feet from any public street, public alley, public pedestrianway or public right-of-way or 3 feet from any property line.

J. *Landscaping:* A minimum of twenty five (25) square feet per parking stall shall be utilized for landscaping purposes. Any parking facility containing more than two (2) side-by-side loading spaces shall contain at least two hundred (200) square feet of landscaped area raised a minimum of six inches (6") above the parking surface for each two (2) side by side loading spaces. Landscaping shall be maintained according to the standards contained in the development code.

K. *Snow Stacking:* (Rep. by Ord. [1](#), Series 2019)

L. *Signs*: Appropriate signage directing traffic shall be placed in any off street parking facility pursuant to the Breckenridge Sign Code¹. **in compliance with sign design and lighting regulations in Section 9-12-12 and Section 9-15-18 of this Title.**

M. *Paving*:

1. *Off Street Parking Spaces*: All off street parking spaces shall be paved.
2. *Driveways*: All driveways shall be paved; provided, however, that any unpaved driveway which exists at the time of the adoption of this subsection M shall be paved as a condition of the issuance of a development permit for future development of the subject property in accordance with the following schedule: (a) within the conservation district, whenever a Class B minor development permit or higher is issued; and (b) outside the conservation district, whenever a Class D major development permit or higher is issued. (Ord. 9, Series 2015; amd. Ord. 1, Series 2019; Ord. 3, Series 2019; Ord. 3, Series 2022)

Notes:

¹ See ~~Chapter~~ [15](#) of this ~~¶~~ Title.

Memo

To: Town Council
From: Mark Truckey, Community Development Director
Date: November 7, 2023 (for November 14 Council Work Session)
Subject: Himmelstein Annexation

The Council previously discussed a proposed annexation of the property owned by Richard Himmelstein at its April 25, 2023 meeting. The annexation request is for the property at 10944 State Highway 9 located south of the 7-Eleven property and adjacent to the French Creek Trail.



Figure 1: Aerial image of 10944 Hwy 9

The parcel is 0.368 acres in size and would be within Land Use District 5, which recommends service commercial and lodging land uses, along with employee housing. The property has no density under the County zoning.

Current Proposal

The applicant has made some modifications to his original annexation proposal. The different aspects and issues associated with the current proposal are listed below. The applicant has provided a letter with supporting materials that explain his request and rationale regarding each issue in further detail. The letter and materials are attached.

Land Use

The applicant has provided two options for unit types for the Council's consideration.

1. A two-bedroom single family residence (approximately 1,300 square feet) with an Accessory Dwelling Unit of about 400 square feet in size. Both units would be deed restricted (see discussion later). The residence would be three stories, with the bottom floor serving as garage space (floor plans attached).
2. Two studio apartments totaling 1,075 square feet size on one level above a garage space. Both units would be deed restricted.

Staff Analysis: The surrounding commercial and industrial uses along with the highway location are very incompatible with a single-family residence. The two studios for workforce housing are something that the Council and staff felt was possible for the site previously, although not an ideal living arrangement. Staff does not support the option with a single-family residence.

Council Input:

- Does the Council support the location of a single-family residence with an ADU or two studio apartments at this location?

Deed Restrictions

The applicant proposes to deed restrict all units under either housing option to persons working 30 hours per week in Summit County. An exception is proposed in the deed restriction for working persons using the residence for 10 years that qualify as Summit County retirees. The units could not be used as seasonal homes or short-term rentals and the rental rates for the units are proposed to be between 100 and 120 percent AMI.

Staff Analysis: We suggest that the applicant use the Town's standard deed restriction, which differs slightly from the points listed above regarding retirees. Regarding AMIs, staff recommends keeping the AMI at or below 100% to ensure affordability.

Council Input:

- Does Council agree with staff's recommendations on using the standard deed restriction and requiring rental rates at or below 100% AMI?

Requested Fee Waivers

The applicant has requested fee waivers for the following items:

- Annexation fee
- Development permit fee
- Building permit fee
- Water PIFs
- TDR fee

Staff Analysis: Council previously weighed in on fee waivers on April 25. At that time, the Council indicated support for waiving fees associated with those portions of the apartment building that were clearly intended for use by the workforce occupants. Mr. Himmelstein would be responsible for paying any of the above fees on a pro-rated basis for space within the building that he controlled.

Council Input:

- Does Council concur with the previously-discussed fee waiver arrangement?

Other Requested Code Waivers

The applicant has requested waiver from the following Code requirements, staff analysis is listed after each request.

- Relief from payment in-lieu for undergrounding electric lines: The applicant believes that he is not subject to this requirement because the existing overhead lines are in the Right-of-Way and because he will not be accessing those lines for electric service. Staff is still researching this item and will hopefully have more information by the time of Council work session.
- Proposed security gate on the front driveway: Policy 47 of the Development Code prohibits privacy gates anywhere in Town and staff does not support this waiver request.
- Request for a waiver from negative points for building height: The applicant requests this waiver because of site conditions with a large grade change occurring across the creek to the properties to the northeast, which sit higher than the applicant's property. He proposes a shed roof that is highest near these properties. Staff does not support the waiver of points.
- Request to receive positive points (+10 points) for the proposed trail dedication. As the trail dedication is being offered as a public benefit in this annexation and development discussion, staff believes based on past Council precedent that it would not be eligible for positive points at the time of development permit application. But this is a judgement call for the Council. This requirement to avoid "double-dipping" is included in the Code for Development Agreements, but is not codified regarding Annexation Agreements. Regarding points, a trail dedication of this magnitude would normally only qualify for +3 points, based on past precedent.
- Requesting access easement to access Town water lines off Magnum Bonum Drive. If the Council supports the annexation, staff will work with the Water Department to determine if this easement is appropriate and can be granted.

Council Input:

- Does Council wish to waive the prohibition on security gates for this property?
- Is Council amenable to waiving negative points for exceeding recommended heights in the Development Code?
- Does the Council believe that the offer of the trail dedication precludes the earning of positive points at time of development permit, or is the Council willing to allow the project to be eligible for positive points?

Workforce Housing Proposal

Lot 11, French Creek Center Sub, at 10944 Hwy 9.



November 14, 2023
Prepared by Richard Himmelstein

Town of Breckenridge

P.O. Box 168, Breckenridge, Colorado 80424
Work Session Fees:

Filing Fee: \$590.00

(Note: One-half of the fee may be applied to the Development Permit fee.)

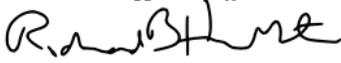
PROJECT <u>10944 State HWY 9 Breckenridge CO 80424</u>	PL-2023-
PROPERTY OWNER <u>RH Mining Claims, LLC</u>	
MAILING ADDRESS <u>907 Hyacinth Dr. Delray Beach FL 33483</u> PHONE No. <u>970-368-2010</u>	
EMAIL ADDRESS <u>richard.himmelstein@gmail.com</u>	
APPLICANT/AGENT _____ PHONE No. _____ if other than Owner	
STREET ADDRESS OF PROPERTY <u>10944 State HWY 9 Breckenridge CO 8044</u>	
LEGAL DESCRIPTION <u>Lot 11, French Creek Center Sub</u>	PRESENT USE OF PROPERTY <u>Industrial zoning</u>

WRITE A SHORT DESCRIPTION OF THE PROPOSAL (Required):

Please see attached.

<p>SUBMITTAL REQUIREMENTS: Two (2) copies of any maps, drawings or materials needed to adequately describe the proposal. All drawings and maps shall be to scale. Please include:</p> <p> <input checked="" type="checkbox"/> Site Plan (2) <input type="checkbox"/> All Exterior Elevations (existing/proposed) (2) <input type="checkbox"/> Floor Plans (2) <input type="checkbox"/> Preliminary Drainage Plan (2) <input type="checkbox"/> Material and Sample Board (1) <input checked="" type="checkbox"/> Utility Plan (2) <input type="checkbox"/> 8.5" x 11" Adobe (.pdf) file of site plan and elevations (1 electronic copy) </p> <p>SUBMITTAL DEADLINE: Work Sessions are reviewed by the staff and Planning Commission based upon time availability at the Planning Commission meetings. The decision to allow a Work Session will be determined by the staff. The date of the meeting, duration of discussion, and topics for discussion will be determined at the discretion of the Town.</p>
--

I am aware that any decision, direction or advice provided by the Town staff or Planning Commission during the review of a Work Session is preliminary and is subject to change. A final decision and permit will only be issued after a formal permit is submitted by the applicant and approved by the Town of Breckenridge. By submitting this application, applicant consents to the Town's staff and elected and appointed officials entering property for purposes related to the review of this application.

Property Owner's Signature <u></u>	Date <u>10/25/23</u>
Applicant/Agent's Signature _____	Date _____
Staff Signature _____	Date _____
Staff Signature _____	Date <u>10/25/23</u>
Property Owner's Signature verifying acceptance of any conditions of approval placed on the project by Town staff <u></u>	Date _____

This request for a Work Session contains no agreement, consideration, or promise that a permit will be issued by the Town. A permit will be issued only in accordance with the Town's planning requirements/code and building codes.

WORK SESSION

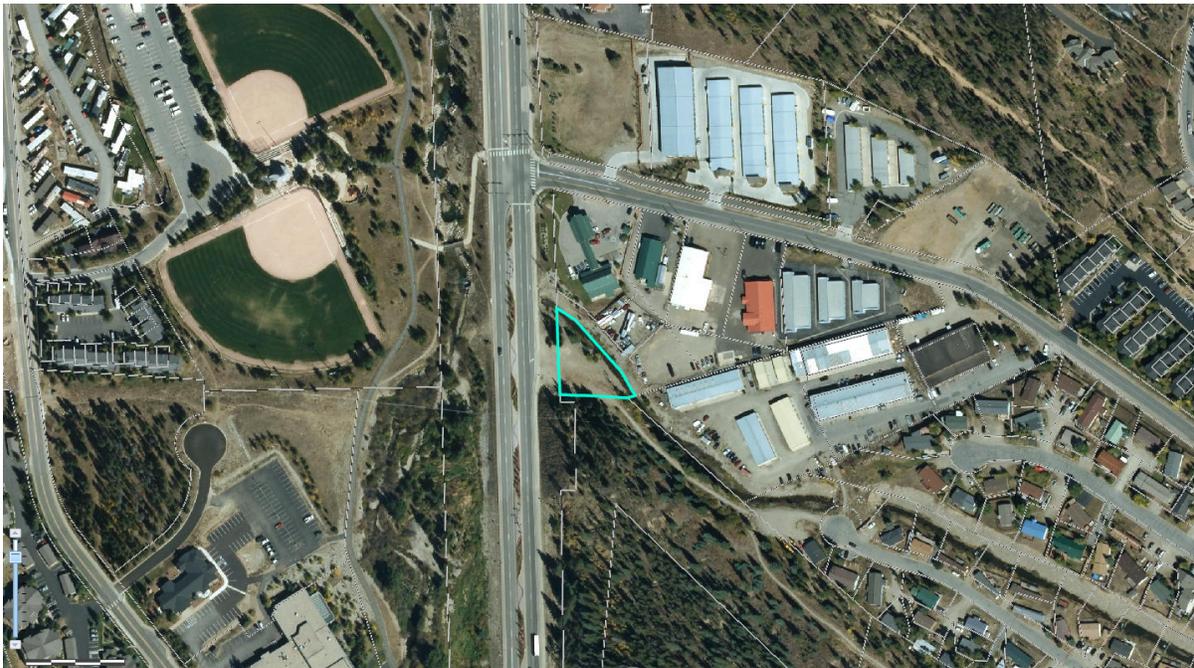
Application

This is NOT a building permit or a development permit. Please contact the building department (970-453-3180) to determine if this project requires a building permit or development permit.

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Deed	Exhibit 4
Title Commitment	Exhibit 5
CDOT permit	Exhibit 6
Revocable License for French Creek Trail	Exhibit 7
Will Serve Sewer Service Letter	Exhibit 8

VICINITY MAP



Project Narrative

RH Mining Claims, LLC in which Richard Himmelstein is the sole manager “(Owner)” is respectfully requesting the Town of Breckenridge annex its property, a .368 acre site, at 10944 Hwy 9 that is currently in unincorporated Summit County. Owner is proposing to build workforce housing. Two options are being proposed:

1. Option 1 - will consist of 2 workforce housing units: a two-bedroom single-family home (approximately 1,300 sq. feet) plus an ADU \leq 400 sq. The first floor would be garage/storage/mechanicals/laundry (utilized by owner and/or workforce housing tenants). The 2nd and 3rd floors would be the single-family unit and accessory unit that would both be deed restricted for renting as workforce housing (see floor plans identified as Option 1 in Exhibit 3). Requests for Town Council regarding Option 1 are below (i.e., does maximizing workforce housing to benefit the community support variances or deviating from the Development Code per the below)?
 - a. Requesting no negative points for the structure to be \leq 32' from current grade due to said extensive mining. The properties on the other side of the creek are about 20' higher in elevation. And with the sloping shed roof higher on the northeast, along the creek facing the properties on the other side of the creek and pitched down towards the southwest, provides a nice visual balance.
 - b. Does the Town Council support describing the workforce housing project as a deed restricted single-family development plus a deed restricted ADU (assuming that the primary residence would be 1,300 square feet in size, and the ADU would be limited to 400 square feet)? Doing so would lower the soft costs significantly and maximize the workforce housing square footage.
2. Option 2 – removes the 3rd floor and shrinks the workforce housing units (so there would be 2 workforce housing studios on the 2nd floor) plus the owner's dedicated residential space on the ground level (see floor plans identified as Option 2 in Exhibit 3). Option 2 has 1,075 square feet of workforce housing as compared to Option 1 that has 58% more square feet of workforce housing. Note: due to site limitations, the garage only has one access point; and, if staff wants it allocated to either the workforce tenants or the owner, best to allocate it as "owner's use" (and then owner can allow workforce tenants to use it). Option 2 assumes that owner's dedicated residential space would be deemed part of a duplex that allows unlimited square footage (note, if necessary to deem Option 2 as a duplex, we could change the 2 workforce housing studios into one workforce housing unit so there would only be a total of two residential units proposed, including owner's dedicated residential space). In Option 2, owner would be paying a TDR fee associated with its designated residential finished space (i.e., 425 square feet).

Zoning

The current zoning for Summit County is industrial zoning (I-1). If annexed, requesting Land Use District #5 (LUD 5). Mark Truckey previously said “The current Land Use District for the property is LUD 5, which allows service commercial uses, lodging, and employee housing. See [BRECKENRIDGE LAND USE GUIDELINES \(townofbreckenridge.com\)](http://townofbreckenridge.com) 7-11 has the same zoning. Upon annexation the land would need to be placed within an official Land Use District. LUD 5 could work as we would interpret it to allow the housing.”

It is further our understanding that LUD 5 allows parking of vehicles, trailers and equipment. Previously Mr. Truckey wrote “LUD 5 allows for the parking of vehicles, trailers, and equipment in outside parking areas for service commercial uses. I believe it can be implied that this parking would be acceptable for your proposed use and compatible with adjacent service commercial uses.”

LUD 5 states “*A portion of this District presently exists within Town boundaries. The remaining portions of this District not yet in Town are highly suitable and of a high priority for immediate annexation*”

Description of Development

The workforce housing units described in both Option 1 and Option 2 would be deed restricted for renting as workforce housing as follows:

1. Must be occupied as a primary residence by a person employed a minimum of 30 hours a week in Summit County. Only exception is if person using the property, as their primary residence for a minimum of 10 years while working 30 hours a week in Summit County retires (“Retiree”). Then, the Retiree may continue to live in the residence as long as they occupy the property as their principal place of residence at least 9 months of the year.
2. May not be used as a seasonal home, vacation home, or as a short term rental.
3. The Affordability Level (% AMI) for single-family and accessory unit rental rate shall be between 100.1 – 120%

Natural grade doesn't exist on the property due to the extensive mining (the property is basically flat) with the properties on the other side of the creek about 20' higher in elevation. We envision a sloping roof, basically a shed roof higher along the creek on the northeast (towards the adjacent properties that are about 20' higher in elevation) and pitched down towards the southwest (with a photovoltaic solar system). Final roof pitch will be determined for best solar and natural shedding of snow. Accordingly, attached are some rough floor plans identified as Exhibit 3.

We would maintain a 25' setback from the edge of the stream (see attached survey and letter dated March 12, 2023, marked as Exhibit 2, showing the proposed building location). Further, the proposed building setbacks would be about 23' south side yard and 39' front yard. At this time, we anticipate using helical piles to avoid encroaching into the 25' setback from the edge of the stream and the sewer easement.

Construction Costs and Waiver Requests

As an experienced developer, building in Denver for the last ten (10) years, we look forward to benefiting the community with our workforce housing proposal. Unfortunately, our estimated construction costs in the Western Slope runs about 2.5X what our construction costs are in Denver. At an estimated build cost of \$600 per square feet, the construction costs make the project financially difficult. And, the deed restriction makes it impossible to recoup the construction costs, if the property were sold. Due to high construction costs, the only way that this project becomes financially feasible is to obtain waivers. Accordingly, respectfully requesting a waiver for the following annexation and building costs:

1. Annexation Fee \$14,980.00
2. Development Permit Fee \$2,045.00
3. Building Permit Fee \$10,070.00
4. Water PIFs \$13,534.14
5. Any legal fees incurred by ToB for easement grant for trail or easement for workforce housing.
6. TDR Fee for the workforce housing: \$237,070 (if deemed a single-family).
 - Note: the sewer fee is significantly less if development is deemed a single-family home with an ADU. Accordingly, our annexation request is for the Town of Breckenridge to approve our project as a single-family home with an ADU.

Existing electrical wires to remain (and not be moved underground). Previously, Mr, Truckey wrote "**Staff does not support the request as we collect from everyone in this same situation with the goal of eventually underlining everywhere in Town.**" Please note that the electrical wires are in the right of way ("R.O.W."). Further, electrical service will not be accessed from said overhead wires. Rather, via underground from a 50 KVA transformer that is in the opposite direction of the overhead wires in the R.O.W (i.e., said transformer is located in the southeast direction from our property). Accordingly, Policy 28 requiring underground of the overhead wires in the R.O.W doesn't apply since it is not "within the area of development and for any extensions off site". See Code excerpt below:

9-1-19-28A:POLICY 28 (ABSOLUTE) UTILITIES:

A. Underground Utilities: **Within the area of the development and for any extensions off site**, all utility lines shall be placed underground. For renovations, restorations and remodels that exceed thirty percent (30%) of the structure's estimated value prior to renovation, restoration or remodel, all utility lines on site shall be placed underground. An exception to this undergrounding requirement is provided for transmission lines

carrying voltage of thirty three kilovolts (33 kV) or greater. (Ord. 1, Series 2019)

Requesting permission to build a gate across the driveway in the front yard to secure the property from unauthorized vehicles. If the gate is cantilevered, it will extend past the driveway as necessary (with the cantilevered portion being buffered with landscaping). Due to size constraints, the landscape buffer would be limited to strip-type landscaping along Hwy 9 (with a gate across the driveway). Digressing, earlier this year, an entity of mine was sued and had a large claim regarding a slip and fall on another property. When I went into Google maps to get a "street view" picture for this application, I was rather alarmed to learn that EMT was on the subject property in June of this year (as shown in the first two pictures). The property has direct access from Hwy 9. Presently, strangers periodically park their vehicles on the subject property on a regular occurrence. Digressing, Colorado statutes state that Colorado is a "Fence In" state. Basically, the statute burdens the liability on the owner if they do not secure their property.

Requesting positive 10 points for easement grant for the French Creek Trail for permanent access.

Requesting easement grant from Town of Breckenridge to access water main at the end (west side) of Magnum Bonum in French Creek neighborhood.

Benefit for Annexation

1. Summit County needs more than 2,500 housing units in the next 5 years to meet the needs of the workforce. We would be building two high quality workforce housing units.
2. Receiving the easement grant for the French Creek Trail for permanent access (Scott Reid, Director of Recreation, already said it is very important for the ToB to have an easement grant for permanent access as there is no other access due to the adjacent mine shaft next to our property).
3. The property currently looks like a construction site with building materials scattered on it. And, if developed under the Summit County Development Code, we could install a 6' chain link fence with opaque slats along the front and 10' tall chain link fence on the side. My personal needs are a carport (enclosed on 3 sides) for a workshop to maintain my snow vehicles (but I am also OK with a garage). A garage would be more aesthetically pleasing than a carport. And, if I build a garage the deed restricted workforce housing would be included. On the other hand, if I prevail in my litigation with the County, the simplest and the most financially feasible thing for me to do is to place shipping containers with a container cover over it. See picture:



My overall cost is minimal (since I already have the shipping containers). However, this is the entrance to the ToB; so, I would prefer to work with the ToB to come up with a better option. In fact, LUD 5 states ***“District 5 is an extremely visible area and is considered the northern front door to the Breckenridge downtown area. It is important that this District make an architectural statement that is appropriate for this function. The architectural design should not only compliment the flavor of Breckenridge, but it should be compatible with the surrounding neighborhood as well”***

If annexed, the ToB would control the development of the property. Other than the Entrada property, our property is the last remaining property in this District that has not been annexed by the ToB.

If the Town Council supports this workforce development proposal, we would incorporate this proposal into a Development agreement.

Thank you.

Richard Himmelstein
970-368-2010



Date: March 12, 2023

Chris Kulick, AICP
Community Development Department
Town of Breckenridge
PO Box 168, 150 Ski Hill Road
Breckenridge, CO 80424

Mr. Kulick,

At the request of the Richard Himmelstein, Great Divide Consulting (GDC) reviewed the edge of stream and top of bank on the property located at 10944 Highway 9, Breckenridge, CO ("Lot 11").

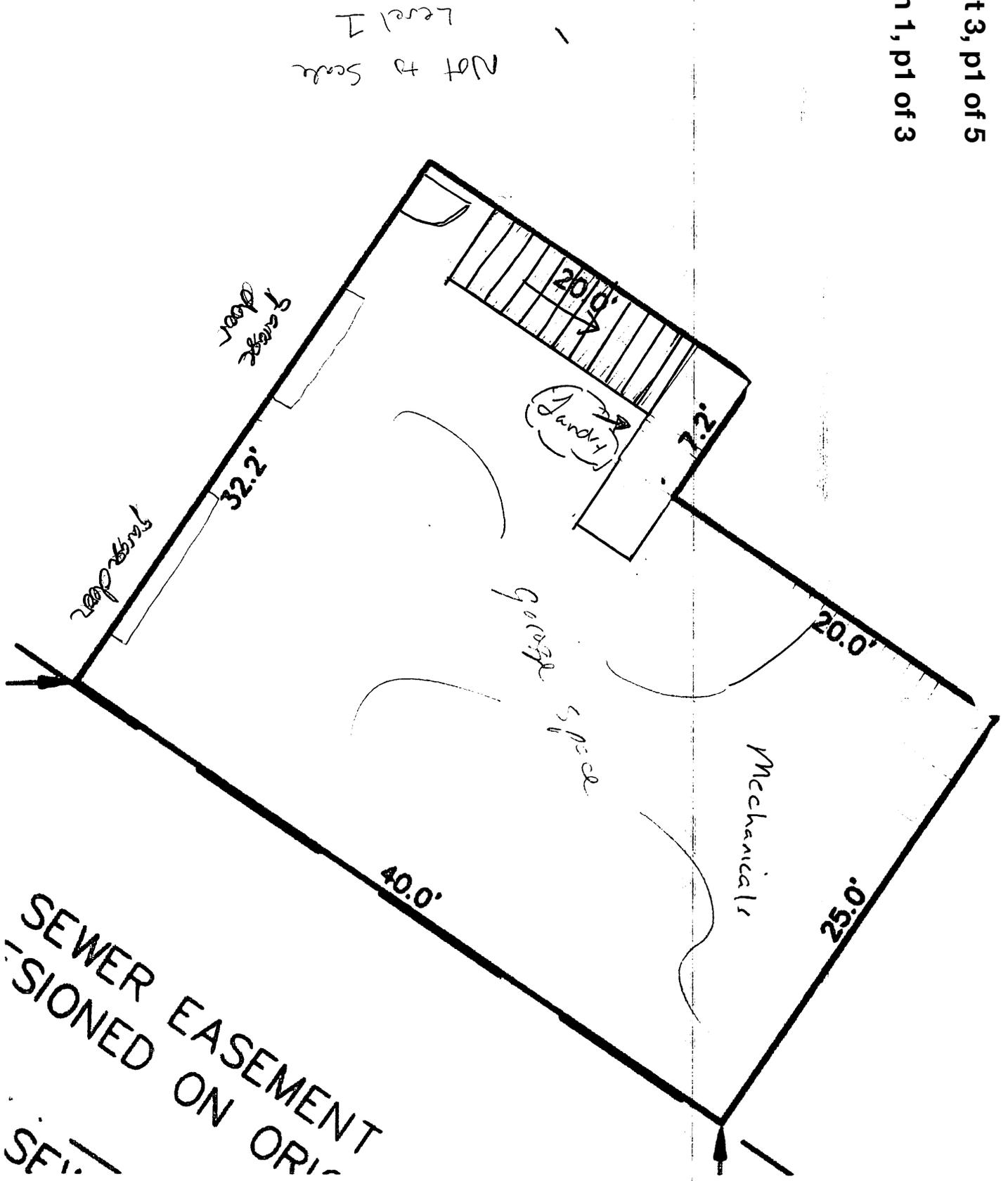
After our review and analysis, we believe that the edge of stream should be the measurement used for the 25' setback for the Environmentally Sensitive Area (see attached).

The top of bank is man-made due to being tailings. And, the plat was recorded April 17, 1980, and is attached. Accordingly, Lot 11 meets 10-2-4-4 setback exemptions A and B.

Reiterating, based on the topography of the site we conclude that the Environmentally Sensitive Area is approximately the edge of stream rather than the top of the man-made bank on Lot 11.

Sincerely,

Chad A. Malear – Owner/PLS #38129

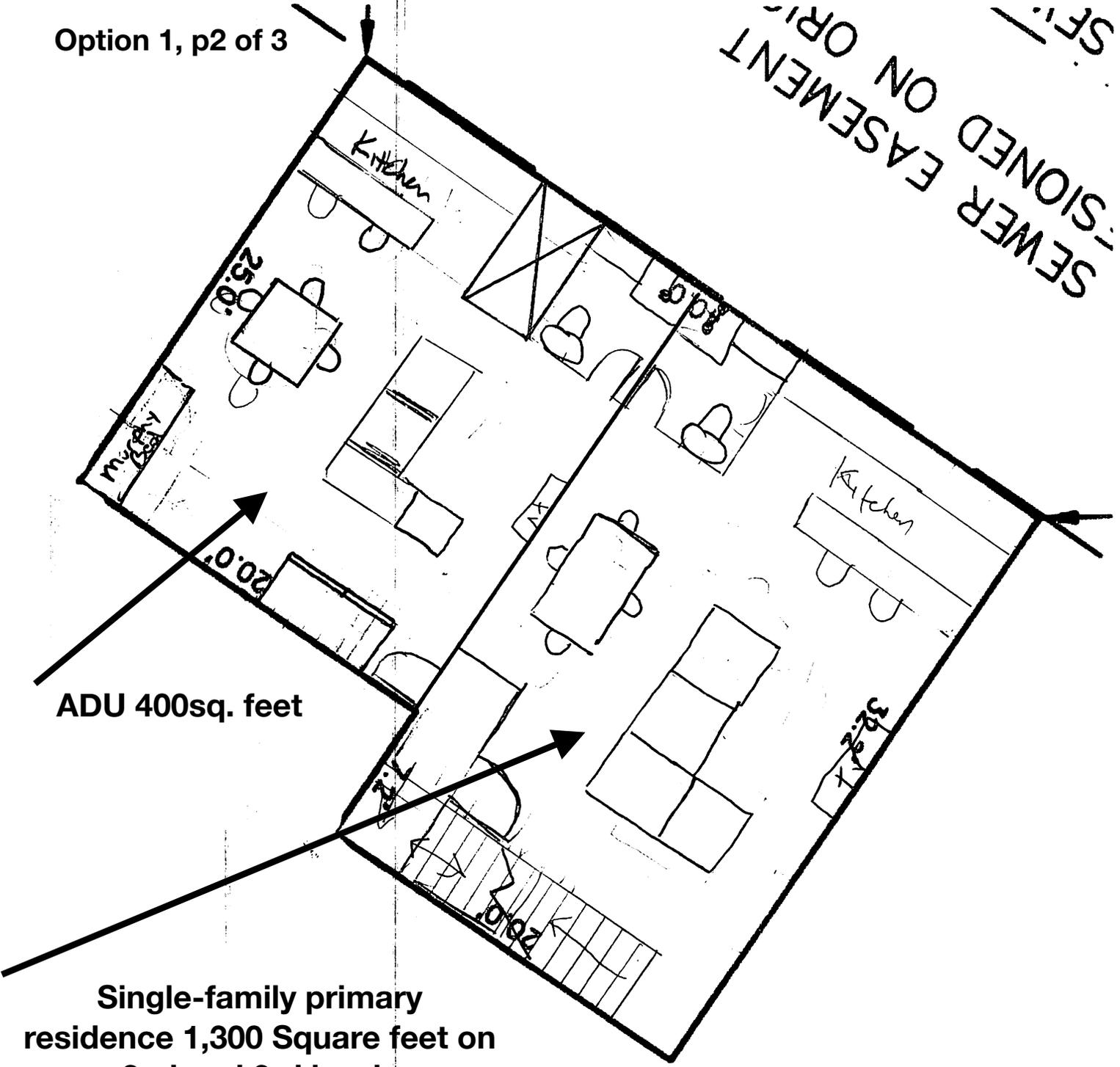


Garage space shared between workforce housing and owner

Exhibit 3, p2 of 5

Option 1, p2 of 3

SEWER EASEMENT
-SIONED ON ORI-
S.F.

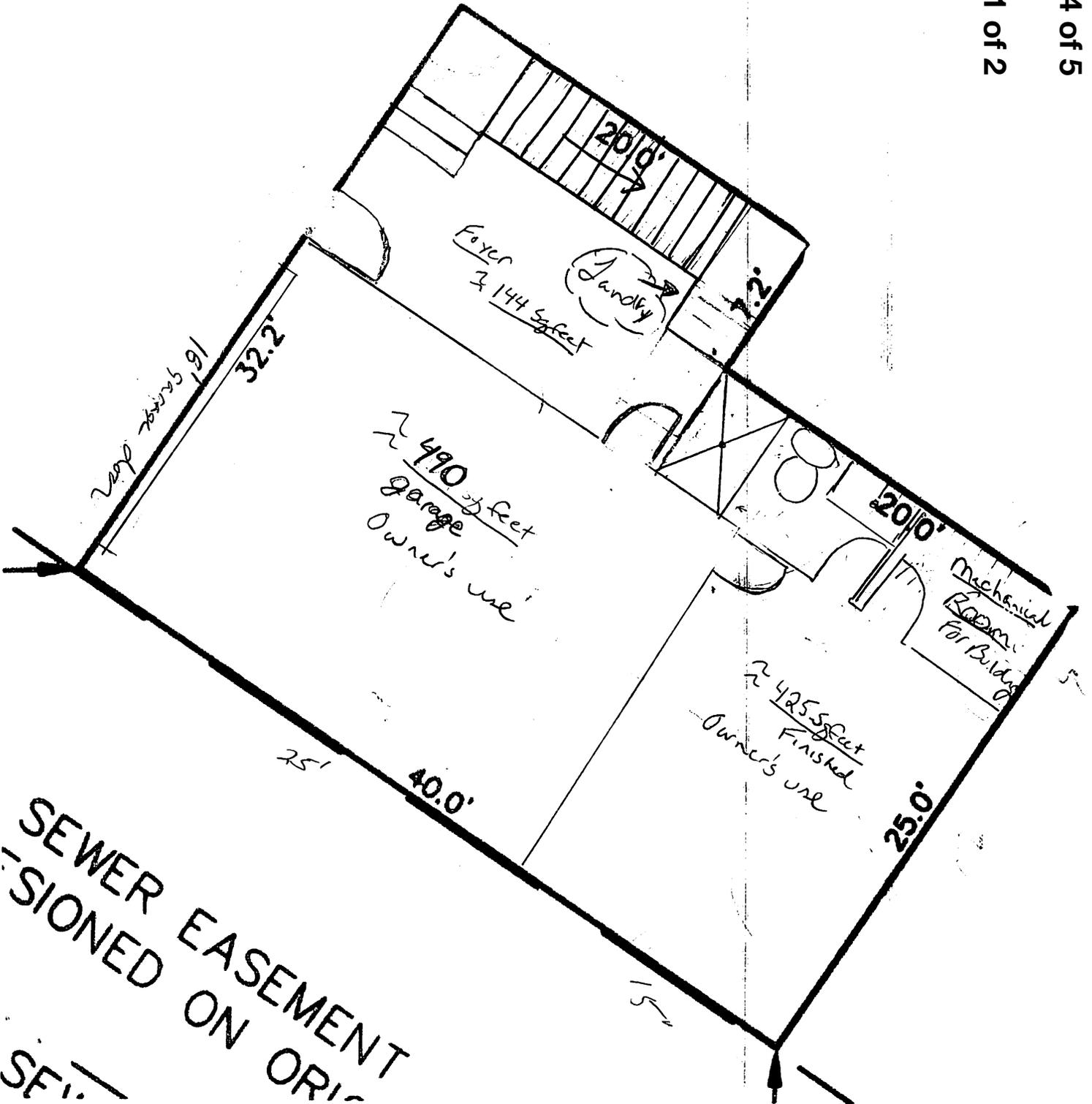


ADU 400sq. feet

Single-family primary residence 1,300 Square feet on 2nd and 3rd levels

Not to Scale
Level 2

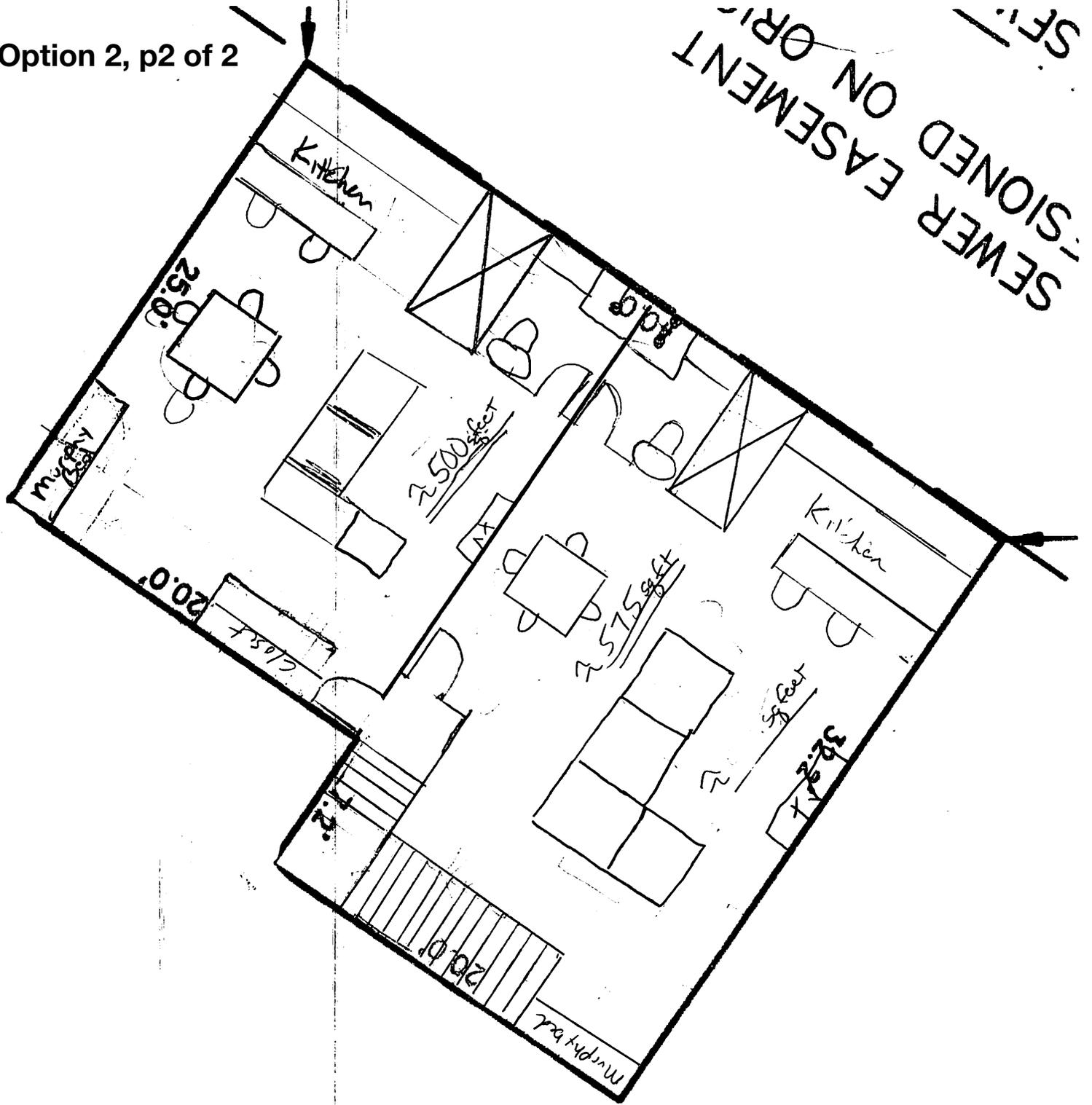
Not to Scale
Level 1



SEWER EASEMENT
CONDITIONED ON ORIGINAL
SEWER

Exhibit 3, p5 of 5

Option 2, p2 of 2



Not to Scale
Level 2

Exhibit 4



1276053

Kathleen Neel - Summit County Recorder

2 Pages

11/17/2021 10:30 AM

DF: \$17.50



③ 18-df 1750

State Documentary Fee
Date: November 16, 2021
\$17.50

Special Warranty Deed (Pursuant to 38-30-115 C.R.S.)

THIS DEED, made on November 16th, 2021 by PETROLEUM WHOLESALE, L.P., A TEXAS LIMITED PARTNERSHIP Grantor(s), of the County of Montgomery and State of Texas for the consideration of (\$175,000.00) ***One Hundred Seventy Five Thousand and 00/100*** dollars in hand paid, hereby sells and conveys to RH MINING CLAIMS, LLC, A COLORADO LIMITED LIABILITY COMPANY Grantee(s), whose street address is 907 HYACINTH DRIVE, DELRAY BEACH, FL 33483, County of Palm Beach, and State of Florida, the following real property in the County of Summit, and State of Colorado, to wit:

LOT 11, FRENCH CREEK CENTER, ACCORDING TO THE PLAT FILED APRIL 17, 1980 UNDER RECEPTION NO. 205667, COUNTY OF SUMMIT, STATE OF COLORADO.

also known by street and number as: 10944 STATE HIGHWAY 9, BRECKENRIDGE, CO 80424

with all its appurtenances and warrants the title against all persons claiming under the Grantor(s) except SUBJECT TO TAXES FOR THE YEAR 2021 AND SUBSEQUENT YEARS AND THOSE ITEMS SET FORTH ON THE ATTACHED EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.

PETROLEUM WHOLESALE L.P., A TEXAS LIMITED PARTNERSHIP

PWI GP L.L.C., AS GENERAL PARTNER

PWI HOLDINGS L.L.P., AS MEMBER

By: [Signature]
JOHN W. COOK, AS MANAGING PARTNER

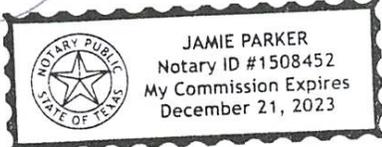
State of TEXAS)
)ss.
County of MONTGOMERY)

The foregoing instrument was acknowledged before me on this day of November 15, 2021 by JOHN W. COOK, AS MANAGING PARTNER OF PWI HOLDINGS L.L.P., AS MEMBER OF PWI GP L.L.C., AS GENERAL PARTNER OF PETROLEUM WHOLESALE L.P., A TEXAS LIMITED PARTNERSHIP

Witness my hand and official seal

My Commission expires: 12-21-2023

[Signature]
Notary Public



When recorded return to: RH MINING CLAIMS, LLC, A COLORADO LIMITED LIABILITY COMPANY
907 HYACINTH DRIVE, DELRAY BEACH, FL 33483





Exhibit 5

Customer Distribution



Prevent fraud - Please call a member of our closing team for wire transfer instructions or to initiate a wire transfer. Note that our wiring instructions will never change.

Order Number: **MGN20206809.2**

Date: **10/05/2023**

Property Address: **10944 STATE HIGHWAY 9, BRECKENRIDGE, CO 80424**

For Closing Assistance

For Title Assistance

Greg Nielsen
200 NORTH RIDGE
BRECKENRIDGE, CO 80424
PO BOX 2280
(970) 423-0254 (Work)
(877) 408-7385 (Work Fax)
gnielsen@ltgc.com

Seller/Owner

RH MINING CLAIMS, LLC, A COLORADO LIMITED
LIABILITY COMPANY
Attention: RICHARD M. HIMMELSTEIN
Delivered via: Electronic Mail



Estimate of Title Fees

Order Number: MGN20206809.2

Date: 10/05/2023

Property Address: 10944 STATE HIGHWAY 9, BRECKENRIDGE, CO 80424

Seller(s): RH MINING CLAIMS, LLC, A COLORADO LIMITED LIABILITY COMPANY

Buyer(s):

Thank you for putting your trust in Land Title. Below is the estimate of title fees for the transaction. The final fees will be collected at closing. Visit ltgc.com to learn more about Land Title.

Estimate of Title Insurance Fees	
"ALTA" Owner's Policy 06-17-06 Builder/Developer Rate	TBD
TOTAL	TBD

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the documents on your property.

Chain of Title Documents:

[Summit county recorded 11/17/2021 under reception no. 1276053](#)

[Summit county recorded 12/26/1989 under reception no. 390574](#)

[Summit county recorded 04/28/1987 under reception no. 336008](#)

Plat Map(s):

[Summit county recorded 04/17/1982 under reception no. 205667](#)

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: MGN20206809.2

Property Address:

10944 STATE HIGHWAY 9, BRECKENRIDGE, CO 80424

1. Effective Date:

09/29/2023 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"ALTA" Owner's Policy 06-17-06 Builder/Developer Rate
Proposed Insured:

TBD

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A FEE SIMPLE

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

RH MINING CLAIMS, LLC, A COLORADO LIMITED LIABILITY COMPANY

5. The Land referred to in this Commitment is described as follows:

LOT 11, FRENCH CREEK CENTER, ACCORDING TO THE PLAT FILED APRIL 17, 1980 UNDER RECEPTION NO. [205667](#), COUNTY OF SUMMIT, STATE OF COLORADO.

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**AMERICAN
LAND TITLE
ASSOCIATION**



ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part I
(Requirements)

Order Number: MGN20206809.2

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

THIS COMMITMENT IS FOR INFORMATION ONLY, AND NO POLICY WILL BE ISSUED PURSUANT HERETO.

NOTE: STATEMENT OF AUTHORITY FOR RH MINING CLAIMS, LLC, A COLORADO LIMITED LIABILITY COMPANY RECORDED JULY 24, 2015 UNDER RECEPTION NO. [1087262](#) DISCLOSES RICHARD HIMMELSTEIN, MEMBER, AS PERSON(S) WHO MAY ACQUIRE, CONVEY, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID LIMITED LIABILITY COMPANY.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: MGN20206809.2

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. **Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
2. **Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
3. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
6. **(a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
7. **(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
8. **RIGHT OF PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED JUNE 11, 1884, IN BOOK 51 AT PAGE [349](#).**
9. **RIGHT OF THE PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED OCTOBER 19, 1925 IN BOOK 105 AT PAGE [391](#).**
10. **RESERVATION AND EASEMENT AS CONTAINED IN DEED FROM THE B & B MINES, INC., A COLORADO CORPORATION TO WM. JAMES STARK RECORDED MAY 31, 1961 IN BOOK 158 AT PAGE [92](#) AS FOLLOWS:**

"EXCEPTING AND RESERVING, HOWEVER, ALL OF THE MINERALS IN PLACE AND MINERAL RIGHTS IN LODGES, IN, UNDER OR WITHIN SAID PLACER CLAIM, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AND OF OCCUPATION AND USE OF SO MUCH OF THE SURFACE OF SAID LAND AS MAY BE REASONABLY NECESSARY FOR THE CONDUCTING OF ACTUAL LODGE MINING OPERATIONS AT ANY TIME; BUT THE OWNER OF THE SURFACE RIGHTS SHALL HAVE THE RIGHTS TO REMOVE, AT SUCH OWNERS EXPENSE, ANY IMPROVEMETS UPON THE SURFACE WHICH IT MAY BE NECESSARY TO REMOVE TO ALLOW SUCH LODGE MINING OPERATIONS."

NOTE: PORTION OF SAID MINERAL RIGHTS WERE DEEDED TO FRENCH GULCH MINES, INC., A COLORADO CORPORATION IN DEED RECORDED MARCH 5, 1973 IN BOOK 231 AT PAGE [676](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: MGN20206809.2

11. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AGREEMENT RECORDED APRIL 10, 1980 AT RECEPTION NO. [205362](#).
12. NOTES, DEDICATIONS, EASEMENTS, OBLIGATIONS AND BURDENS AS SHOWN ON PLAT FOR FRENCH CREEK CENTER FILED APRIL 17, 1980 UNDER RECEPTION NO. [205667](#).

NOTE: 24 FOOT UTILITY EASEMENT ALONG THE SOUTHEASTERLY CORNER OF LOT 4.

NOTE: 10 FOOT UTILITY EASEMENT ALONG THE SOUTH LOT LINE OF LOTS 10 AND 12.

NOTE: 30 FOOT DRAINAGE EASEMENT ALONG THE WESTERLY LOT LINE OF LOT 10.

NOTE: 50 FOOT I-1 BUILDING SETBACK LINE LOCATED ALONG THE NORTH LOT LINE OF LOT 4.

13. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND BURDENS AS CONTAINED IN DECLARATION OF FRENCH CREEK CENTER, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, RECORDED APRIL 22, 1980 UNDER RECEPTION NO. [205890](#).

NOTE: CLARIFICATION OF PARAGRAPH 2.2 FRENCH CREEK CENTER DECLARATION FOR SNOW STACKING AS CONTAINED IN DOCUMENT RECORDED APRIL 8, 1985 UNDER RECEPTION NO. [294871](#).

14. TERMS, CONDITIONS AND PROVISIONS OF WATER AGREEMENT RECORDED APRIL 22, 1980 AT RECEPTION NO. [205891](#).
15. TERMS, CONDITIONS AND PROVISIONS OF RESOLUTION NO. 92-1 RECORDED JANUARY 17, 1992 AT RECEPTION NO. [416133](#).
16. TERMS, CONDITIONS AND PROVISIONS OF COURT ORDER RECORDED JUNE 26, 1992 UNDER RECEPTION NO. [423998](#).
17. TERMS, CONDITIONS AND PROVISIONS OF RESTRICTIVE COVENANTS RECORDED JANUARY 22, 1998 UNDER RECEPTION NO. [557160](#).
18. TERMS, CONDITIONS AND PROVISIONS OF RESOLUTION NO. 2023-05 RECORDED JULY 28, 2023 UNDER RECEPTION NO. [1314733](#).

NOTE: (FOR INFORMATIONAL PURPOSES ONLY) LAND TITLE HAS BEEN PROVIDED A COPY OF AN IMPROVEMENT LOCATION CERTIFICATE DATED AUGUST 13, 2021 PREPARED BY GREAT DIVIDE CONSULTING, JOB NO. 20-401. (IMAGE [41196860](#)). NOTES 4 AND 8 OF SURVEY INDICATE POSSIBLE UNRECORDED AND UNLOCATED UTILITES.



Land Title Guarantee Company Disclosure Statements

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Note: Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.



**Joint Notice of Privacy Policy of
Land Title Guarantee Company
Land Title Guarantee Company of Summit
County
Land Title Insurance Corporation and
Old Republic National Title Insurancy Company**

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



Commitment For Title Insurance

Issued by Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
 Land Title Guarantee Company
 200 N Ridge, P.O. Box 2280
 Breckenridge, CO 80424
 970-453-2255

President



OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
 A Stock Company
 400 Second Avenue South, Minneapolis, Minnesota 55401
 (612) 371-1111

By  President
 Attest  Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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COLORADO
Department of Transportation
Region 3

Exhibit 6

R3 Traffic Section, Access Unit
222 S 6th St, Rm 100
Grand Junction, CO 81501
PH (970) 683-6284 FAX (970) 683-6290

<<<< e-mailed >>>>

December 13, 2022

Permit No. 322156

RH Mining Claims
907 Hyacinth Dr.
Delray Beach, Florida 33483

Dear Permittee:

1. Please review the attached State Highway Access Permit (Form #101) and all enclosed attachments
2. If you ACCEPT the Permit and its Terms and Conditions (and are authorized to sign as legal owner of the property, or as an authorized representative), please complete the DocuSign process within 60 days of the transmittal date on the permit. Your signature confirms your agreement to all the listed Terms and Conditions.
3. If you fail to complete the DocuSign within 60 days, the Colorado Department of Transportation (CDOT) will consider this permit withdrawn.
4. You may use the PayPal link to pay for this permit or send a check or money order made payable to "CDOT" for the total amount due of \$50.00 to our office.
5. If you wish to APPEAL the Terms and Conditions of the permit, please refer to the attached Form 101, Pages 2 and 3 for an explanation of the appeal procedures.
6. As described in the additional attached Terms and Conditions, you must make a written request to obtain a Notice to Proceed. DO NOT begin any work within the State Highway Right-of-Way without a validated Access Permit and Notice to Proceed. Use of this permit without the Colorado Department of Transportation's validation shall be considered a violation of State Law.

If you have any questions please call Kandis Aggen, Asst. Access Manager, at (970) 683-6270 or Brian Killian, Region 3 Access Program Manager, at (970) 683-6284.

If you choose to return the signed permit and/or check by mail, please send to:

Region 3 Access Unit
Attn: Kandis Aggen, Asst. Access Manager
222 S 6th St, Rm 100
Grand Junction, CO 81501

COLORADO DEPARTMENT OF TRANSPORTATION			CDOT Permit No.
STATE HIGHWAY ACCESS PERMIT			322156
			State Highway No / Mp / Side 009C / 87.451 / Right
Permit Fee \$50.00	Date of Transmittal 12/13/2022	Region / Section / Patrol / Name 3 / 02 / 2P46 Louis (Mitch) Painovich	Local Jurisdiction Blue River

The Permittee(s):	The Applicant(s):												
RH Mining Claims 907 Hyacinth Dr. Delray Beach, Florida 33483 970-368-2010	Richard Himmelstein 907 Hyacinth Dr. Delray Beach, Florida 33483												
<p>is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.</p>													
<p>Location: Located on the east side of Hwy 009 approximately 360 feet south of Huron Rd. and 2740 feet south of MP 88</p>													
<table border="1"> <tr> <td>Access to Provide Service to:</td> <td>(Land Use Code)</td> <td>(Size)</td> <td>(Units)</td> </tr> <tr> <td>210 - Single-Family Detached Housing Two 450 sq ft + sleep</td> <td></td> <td>2</td> <td>DHV</td> </tr> <tr> <td>1097 - Agricultural/Storage</td> <td></td> <td>1</td> <td></td> </tr> </table>		Access to Provide Service to:	(Land Use Code)	(Size)	(Units)	210 - Single-Family Detached Housing Two 450 sq ft + sleep		2	DHV	1097 - Agricultural/Storage		1	
Access to Provide Service to:	(Land Use Code)	(Size)	(Units)										
210 - Single-Family Detached Housing Two 450 sq ft + sleep		2	DHV										
1097 - Agricultural/Storage		1											
<p>Additional Information:</p> <p>Adding 2 workforce housing units of approximately 450 sq feet each (plus loft sleeping area). Replaces Permit # 322138</p>													

MUNICIPALITY OR COUNTY APPROVAL			
Required only when the appropriate local authority retains issuing authority.			
Signature	Print Name	Date	Title
<p>Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.</p> <p>The permittee shall notify Kevin McWhirt 2P4 with the Colorado Department of Transportation, at (970) 471-9909 at least 48 hours prior to commencing construction within the State Highway right-of-way.</p> <p>The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.</p>			
DocuSigned by: Permittee Signature: <i>Richard Himmelstein</i>	Print Name Richard Himmelstein	Date 12/13/2022 5:19 PM PST	
DocuSigned by: Co-Permittee Signature: (if applicable)	Print Name	Date	

This permit is not valid until signed by a duly authorized representative of the Department.			
COLORADO DEPARTMENT OF TRANSPORTATION			
DocuSigned by: Signature <i>Brian Killian</i>	Print Name Brian Killian	Title Access Manager	Date (of issue) 12/19/2022 7:09 AM MST

Copy Distribution: Required: 1.Region 2.Applicant 3.Staff Access Section 4.Central Files Make copies as necessary for: Local Authority Inspector Traffic Engineer MTCE Patrol Traffic Engineer **Previous editions are obsolete and may not be used Page 1 of 3 CDOT Form #101 5/07**

State Highway Access Permit Form 101, Page 2

The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.

2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.

3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.

4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4]

2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.

3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.

4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

DS
RH

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

**STATE of COLORADO HIGHWAY ACCESS PERMIT
ADDITIONAL TERMS and CONDITIONS**

December 13, 2022

PERMIT No. 322156

Permittee(s): RH Mining Claims

Location: Summit County on CO Highway 009C, near Mile Ref. Pt. 87.451 Right

1. This permitted access is only for the use and purpose stated in the Application and Permit. This Permit is issued in accordance with the State Highway Access Code (2 CCR 601-1), hereafter referred to as the "Access Code", and is based in part upon the information submitted by the Permittee. Any subsequent relocation, reconstruction, modifications, the type of traffic using the access or 20% increase in volume to the access shall require a new application and coordination with Colorado Department of Transportation, hereafter referred to as "CDOT". Any changes causing non-compliance with the Access Code may render this permit void, requiring a new permit.
2. This permit replaces any and all additional access permits that may be in existence for this access.
3. This permit is for an as-constructed access with a change in use from agricultural/storage to Single-Family Detached Housing (Two 450 sq ft + sleep lofts) with agricultural/storage.
4. The total traffic volume shall be 3 DHV (Design Hourly Volume).
5. This access shall have a Right-In/Right-Out Only.
6. The Permittee is responsible for obtaining any necessary additional Federal, State and/or City/County permits or clearance. Approval of this access permit does not constitute verification of this action by the Permittee. Permittee is also responsible for obtaining all necessary utility permits in addition to this access permit.
7. No drainage from this site shall enter onto the State Highway travel lanes. The Permittee is required to maintain all drainage in excess of historical flows and time of concentration on site. All existing drainage structures shall be extended, modified or upgraded, as applicable, to accommodate all new construction and safety standards, in accordance with the Department's standard specifications.
8. Nothing in this permit shall prohibit the Chief Engineer from exercising the right granted in CRS 43-3-102—including, but not limited to, restricting left hand turns by construction of physical medial separations.
9. It shall be the responsibility of the Permittee to maintain adequate sight distance for this driveway. It is the sole responsibility of the Permittee to trim and/or remove vegetation (i.e.: weeds, grass, shrubs and trees) to maintain adequate sight distance.
10. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of this permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas, the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant

**STATE of COLORADO HIGHWAY ACCESS PERMIT
ADDITIONAL TERMS and CONDITIONS**

December 13, 2022

PERMIT No. 322156

Permittee(s): RH Mining Claims

Location: Summit County on CO Highway 009C, near Mile Ref. Pt. 87.451 Right

11. All costs associated with any type of utility work will be at the sole responsibility and cost of the Permittee and at no cost to CDOT.
12. Any current or proposed cattle guard shall be maintained fully within the property boundaries and all repairs are the sole responsibility of the property owner.
13. Backing maneuvers within and onto the state highway right-of-way are strictly prohibited. All vehicles shall enter and exit the highway right-of-way in a forward movement. Backing into the right-of-way shall be considered a violation of the Terms and Conditions of the Access Permit and may result in the revocation of the permit by CDOT and/or Issuing Authority.
14. The Permittee assumes responsibility for any and all easements that are associated with this access. If an easement is part of this access permit, CDOT shall not be liable for incorrect information in the easement documentation and it's the permittees responsibility to ensure all applicable laws and regulations have been followed.

COLORADO DEPARTMENT OF TRANSPORTATION

Environmental Clearances Information Summary

PURPOSE - This summary is intended to inform entities external to CDOT that may be entering the state highway right-of-way to perform work related to their own facilities (such as Utility, Special Use or Access Permittees), about some of the more commonly encountered environmental permits/clearances that may apply to their activities. This listing is not all-inclusive—additional environmental or cultural resource permits/clearances may be required in certain instances. Appropriate local, state and federal agencies should be contacted for additional information if there is any uncertainty about what permits/clearances are required for a specific activity. **IMPORTANT: Please Review The Following Information Carefully – Failure to Comply With Regulatory Requirements May Result In Suspension or Revocation of Your CDOT Permit, Or Enforcement Actions By Other Agencies.**

CLEARANCE CONTACTS - As indicated in the permit/clearance descriptions listed below, the following agencies may be contacted for additional information:

- Colorado Department of Public Health and Environment (CDPHE): General Information – (303) 692-2000
Water Quality Control Division (WQCD): (303) 692-3500
Environmental Permitting Website <https://www.colorado.gov/pacific/cdphe/all-permits>
- CDOT Water Quality Program Manager: (303) 512-4053 <https://www.codot.gov/programs/environmental/water-quality>
- CDOT Asbestos Project Manager: (303) 512-5519
- Colorado Office of Archaeology and Historic Preservation: (303) 866-5216
- U.S. Army Corps of Engineers, District Regulatory Offices:
Omaha District (Northeastern CO), Denver Office (303) 979-4120
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>
Sacramento District (Western CO), Grand Junction Office (970) 243-1199
<http://www.spk.usace.army.mil/Missions/Regulatory.aspx>
Albuquerque District (Southeastern CO), Pueblo Office (719) 543-9459
<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>
- CDOT Utilities, Special Use and Access Permitting: (303) 757-9654 <https://www.codot.gov/business/permits>

Wildlife Resources - Disturbance of wildlife shall be avoided to the maximum extent practicable. Entry into areas of known or suspected threatened or endangered species habitat requires special authorization from the CDOT permitting office. If any threatened or endangered species are encountered during the progress of the permitted work, work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Information about threatened or endangered species may be obtained from the CDOT website, <http://www.codot.gov/programs/environmental/wildlife/guidelines>, or the Colorado Parks and Wildlife (CPW) website, <http://www.cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>. Additional guidance may be provided by the appropriate Region Planning and Environmental Manager (RPEM).

Cultural Resources - The applicant must request a file search of the permit area through the Colorado Office of Archaeology and Historic Preservation (OAHP), Denver, to ascertain if historic or archaeological resources have previously been identified (<https://www.historycolorado.org/file-access>; 303-866-5216). Inventory of the permit area by a qualified cultural resources specialist may be necessary, per the recommendation of CDOT. If archaeological sites/artifacts or historic resources are encountered as the project progresses, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office and RPEM.

Paleontological Resources - The level of effort required for paleontological resources is dependent on the amount of ground disturbance, including rock scaling, digging, trenching, boring, ground leveling, and similar activities.

- If the permit will involve extensive ground disturbance (generally involving more than one mile of CDOT ROW), a full review will be required by a qualified paleontologist, including map, file, and locality searches, with final recommendations provided by the CDOT paleontologist upon receipt of the report. Based on results of the review, a survey or inventory of the permit area may be necessary.
- If the permit will involve a small amount of ground disturbance (less than one mile of ROW), the applicant must request a fossil locality search through the University of Colorado Museum of Natural History (<https://www.colorado.edu/cumuseum/research-collections/paleontology/policies-procedure>) and the Denver Museum of Nature and Science (<https://www.dmns.org/science/earth-sciences/earth-sciences-collections/>). The museum collections manager will provide information about localities in the project area. If there are no known localities, the permit requirement for paleontology is complete upon submitting that information to CDOT. If there are known localities, the CDOT paleontologist will be contacted by the museum with details, and additional recommendations will be made if necessary. Note that museum staff are not required to disclose the details of fossil localities to the permit applicant, nor is detailed locality information required for the permit application to proceed.
- If the permit does not involve ground disturbance, no action is required for paleontological resources. If fossils are encountered during the permitted action, all work in the immediate area of the find should stop and the CDOT Staff Paleontologist and the Region Environmental Manager should be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office in the Permit Special Provisions. Contact Information: See the museum websites listed above. The CDOT Paleontologist is not able to conduct locality searches independently. For further information contact CDOT Paleontologist Nicole Peavey at nicole.peavey@state.co.us or (303) 757-9632.

<p>Hazardous Materials, Solid Waste - The Solid Wastes Disposal Sites and Facilities Act C.R.S. 30-20-100, et al, and Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2), prohibit solid waste disposal without an approved Certificate of Designation (a landfill permit). The Colorado Hazardous Waste Act C.R.S. 25-15-301 et al, and the Colorado Hazardous Waste Regulations (6 CCR 1007-3) prohibit the transfer, storage or disposal (TSD) of hazardous waste except at permitted TSD sites. There are no permitted landfills or TSD sites within the State Highway Right of Way. Therefore, all solid or hazardous wastes that might be generated by the activities of entities entering the State Highway Right of Way must be removed from the ROW and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster). If pre-existing solid waste or hazardous materials contamination (including oil or petroleum contaminated soil, asbestos, chemicals, mine tailings, etc.) is encountered during the performance of work, the permittee shall halt work in the affected area and immediately contact the CDOT Regional Permitting Office for direction as to how to proceed.</p> <p>Contact Information: Theresa Santangelo-Dreiling, CDOT Hazardous Materials Management Supervisor: (303) 512-5524.</p>
<p>Asbestos Containing Materials, Asbestos Contaminated Soil - All work on asbestos containing materials (ACM) must comply with the applicable requirements of the CDPHE Air Pollution Control Division's (APCD) Regulation 8. Disposal of ACM, and work done in asbestos-contaminated soil, must comply with the CDPHE Hazardous Materials and Waste Management Division's (HMWMD) Solid Waste Regulations. The application for any CDOT permit must specifically identify any ACM involved in the work for which authorization is being requested. Additional guidance or requirements may be specified in the permit special provisions.</p> <p>Contact Info: CDPHE APCD and HMWMD Regulations can be accessed via the CDPHE Environmental Permitting Website listed above. Additional information concerning clearance on CDOT projects is available from the CDOT Asbestos Project Manager (303) 949-2729, or Theresa Santangelo-Dreiling, Hazardous Materials Management Supervisor: (303) 512-5524.</p>
<p>Transportation of Hazardous Materials - No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with the United States Department of Transportation regulations at 49 CFR, Part 171. The hazardous material must be properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements, or an exemption, approval or registration has been issued. Vehicles requiring a placard, must obtain authorization and a State HAZMAT Permit from the Colorado Public Utilities Commission. Contact Information: For authorization and more info call the Federal Motor Safety Carrier Administration, US DOT for inter- and intra-state HAZMAT Registration (303) 969-6748. Colorado Public Utilities Commission: (303) 894-2868.</p>
<p>Discharge of Dredged or Fill Material – 404 Permits Administered By the U.S. Army Corps of Engineers, and Section 401 Water Quality Certifications Issued by the CDPHE WQCD - Clean Water Act section 404 permits are often required for the discharge of dredged or fill material into waters of the U.S., including wetlands. Several types of section 404 permits exist, including nationwide, regional general, and individual permits. Nationwide permits are the most commonly authorized type for activities with relatively minor impacts. If an individual 404 permit is required, section 401 water quality certification from the CDPHE WQCD is also required. Contact the appropriate Corps District Regulatory Office for information about what type of 404 permit may be required (contact information above). Contact the CDPHE Water Quality Control Division at (303) 692-3500.</p>
<p>Working on or in any stream or its bank - In order to protect and preserve the state's fish and wildlife resources from actions that may obstruct, diminish, destroy, change, modify, or vary a natural existing stream or its banks or tributaries, it may be necessary to obtain a Senate Bill 40 certification from the Colorado Department of Natural Resources. A stream is defined as 1) represented by a solid blue line on USGS 7.5' quadrangle maps; and/or 2) intermittent streams providing live water beneficial to fish and wildlife; and/or 3) segments of streams supporting 25% or more cover within 100 yards upstream or downstream of the project; and/or 4) segments of streams having wetlands present within 200 yards upstream or downstream of the project measured by valley length. The CPW application, as per guidelines agreed upon by CDOT and CPW, can be accessed at https://www.codot.gov/programs/environmental/wildlife/guidelines.</p>
<p>Erosion and Sediment Control Practices - Any activities that disturb one or more acres of land require a Stormwater Construction Permit (SCP) from the CDPHE-WQCD. Erosion & sediment control requirements will be specified in that permit. In situations where a stormwater permit is <i>not</i> required, all reasonable erosion and sediment control measures should be taken to minimize erosion and sedimentation. Control practices should be in accordance with CDOT Standard Specifications 107.25, 208, 213 and 216 (https://www.codot.gov/business/designsupport/cdot-construction-specifications). The CDOT Erosion Control and Stormwater Quality Guide (website: https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality) can also be used to design erosion/sediment controls. Contact Information: Contact the CDPHE-WQCD at (303) 692-3500. Website: https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits</p>
<p>Site Stabilization - All disturbances require a stabilization plan, native seeding or landscape design plan according to applicable CDOT Standard Specifications 212-217 and 623. The CDOT Erosion Control and Stormwater Quality Guide should also be used to plan restoration of disturbed vegetation. Website: https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality</p>
<p>Stormwater Discharge From Industrial Facilities - Discharges of stormwater runoff from certain types of industrial facilities, such as concrete batch plants - require a CDPS Stormwater Permit. Contact Information: Contact the CDPHE-WQCD at (303) 692-3500. Website: https://colorado.gov/pacific/cdphe/wq-commerce-and-industry-permits</p>
<p>Concrete Washout - Waste generated from concrete activities shall NOT be allowed to flow into the drainage ways, inlets, receiving waters, or in the CDOT ROW. Concrete waste shall be placed in a temporary concrete washout facility and must be located a minimum of 50 feet from state waters, drainageways, and inlets. Concrete washout shall be in accordance to CDOT specifications and guidelines at https://www.codot.gov/business/designsupport/cdot-construction-specifications and refer to the specifications and their revisions for sections 101, 107 and 208.</p>
<p>Construction Dewatering (Discharge or Infiltration) and Remediation Activities - Discharges of water encountered during excavation or work in wet areas may require a Construction Dewatering or Remediation Activities Discharge Permit. Contact</p>

<p>Information: Contact the CDPHE-WQCD at (303) 692-3500. For Applications and Instructions: https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits.</p>
<p>Municipal Separate Storm Sewer System (MS4) Requirements - When working in a MS4 area, discharges to the storm sewer system are subject to CDOT's or other municipalities' MS4 Permit. For activities within the boundaries of a municipality that has a MS4 permit, the owner of such activity should contact the municipality regarding stormwater related requirements. All discharges to the CDOT highway drainage system or within the Right of Way (ROW) must comply with the applicable provisions of the Colorado Water Quality Control Act, the Water Quality Control Commission (WQCC) Regulations (https://www.colorado.gov/pacific/cdphe/wqcc-regulations-and-policies-and-water-quality-statutes) and the CDOT MS4 Permit #COS-000005 (https://www.codot.gov/programs/environmental/water-quality/documents). Discharges are subject to inspection by CDOT and CDPHE. For CDOT-related MS4 programs and requirements, go to: https://www.codot.gov/programs/environmental/water-quality/stormwater-programs.</p>
<p>Post-Construction Permanent Water Quality - When working in a CDOT MS4 area and the activity disturbs one or more acres, permanent water quality control measures may be required. Information on the requirements can be found under the CDOT Permanent Water Quality MS4 Program at: https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/pwq-permanent-water-quality</p>
<p>Discharges to Storm Sewer Systems Prohibited Discharges - All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include, but are not limited to, substances such as wash water, paint, automotive fluids, solvents, oils or soaps and sediment. Allowable Discharges - The following discharges to stormwater systems are allowed without a permit from the CDPHE-WQCD: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, uncontaminated springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from firefighting activities. Contact Information: Contact the CDPHE-WQCD at (303) 692-3500. Information can also be found in the CDOT Illicit Discharge MS4 Program PDD at: https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/idde.html.</p>
<p>Spill Reporting - Spills shall be contained and cleaned up as soon as possible. Spills shall NOT be washed down into the storm drain or buried. All spills shall be reported to the CDOT Illicit Discharge Hotline at (303) 512-4426 (4H20), as well as the Regional Permitting Office and Regional Maintenance Supervisor. Spills on highways, into waterways, any spill in the highway right-of-way exceeding 25 gallons, or that may otherwise present an immediate danger to the public shall be reported by calling 911, and shall also be reported to the CDPHE at 1-877-518-5608. More information can be found at https://www.colorado.gov/pacific/cdphe/emergency-reporting-line.</p>
<p>Disposal of Drilling Fluids - Drilling fluids used in operations such as Horizontal Directional Drilling may be classified as "discharges" or "solid wastes," and in general, should be pumped or vacuumed from the construction area, removed from the State Highway Right of Way, and disposed of at permitted facilities that specifically accept such wastes. Disposal of drilling fluids into storm drains, storm sewers, roadside ditches or any other type of man-made or natural waterway is prohibited by Water Quality Control and/or Solid Waste regulations. Small quantities of drilling fluid solids (less than 1 cubic yard of solids) may be left on-site after either being separated from fluids or after infiltration of the water, provided: 1) the drilling fluid consists of only water and bentonite clay, or, if required for proper drilling properties, small quantities of polymer additives that are approved for use in drinking water well drilling; 2) the solids are fully contained in a pit, and are not likely to pose a nuisance to future work in the area, 3) the solids are covered and the area restored as required by CDOT permit requirements (Utility, Special Use, or Access Permits, etc.). Contact Information: Contact CDPHE (telephone #'s listed above).</p>
<p>Noxious Weeds and Invasive Species Management Plan - Noxious Weeds and Invasive Species guidance can be found by contacting the Colorado Department of Agriculture (https://www.colorado.gov/pacific/agconservation/noxiousweeds) and the Colorado Division of Parks and Wildlife (http://cpw.state.co.us/aboutus/Pages/RS-NoxiousWeeds.aspx). In either case, management plans involving the control of noxious weeds associated with the permitted activity and cleaning of equipment will be required.</p>



What is stormwater runoff?

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the ground. Impervious surfaces like roads and sidewalks prevent stormwater from naturally soaking into the ground

Why is stormwater runoff a problem?

Stormwater can pick up debris, chemicals, dirt and other pollutants and flow into CDOT's storm drain system or directly into a stream, river, lake, wetland or reservoir. Anything that enters CDOT's storm drain system is discharged untreated into the waterways we use for fishing, swimming, and providing drinking water.



Dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, pH, wrecked or discarded equipment, rock, sand, any industrial, municipal, or agricultural waste.

Tips for Reporting an Illicit Discharge

Call the illicit discharge hotline at (303) 512-4426

From a safe distance try to estimate the amount of the discharge.

Identify characteristics of the discharge (color, odor, algae, etc.).

Obtain information on the vehicle dumping the waste (if applicable).

Do not approach!

Call *CSP for illicit dumping.

If possible, take a photo, record a license plate.

REMEMBER:

Never get too close to the illicit discharge, it may be dangerous!!!

For more information on CDOT Utility Permits:

<https://www.codot.gov/business/permits/utilityspecialuse>

For more information on CDOT Access Permits:

<https://www.codot.gov/business/permits/accesspermits>

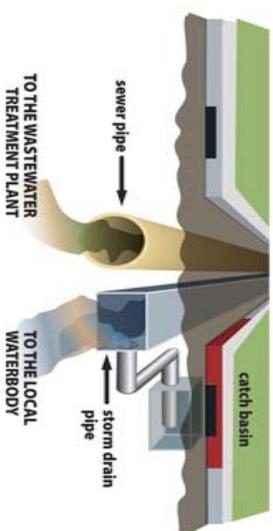
For more information on CDOT Water Quality Program:

Water Quality Program Manager
4201 E. Arkansas Ave.
Shumate Building
Denver, Colorado 80222
303-757-9343



Water Quality Program Industrial Facilities Program

CDOT has a Municipal Separate Storm Sewer System permit, otherwise known as (MS4) from the Colorado Department of Public Health and Environment. The permit states that only stormwater can be discharged from CDOT's storm drain system



As part of the permit, CDOT has several different programs to prevent pollutants from entering into the storm drain system:

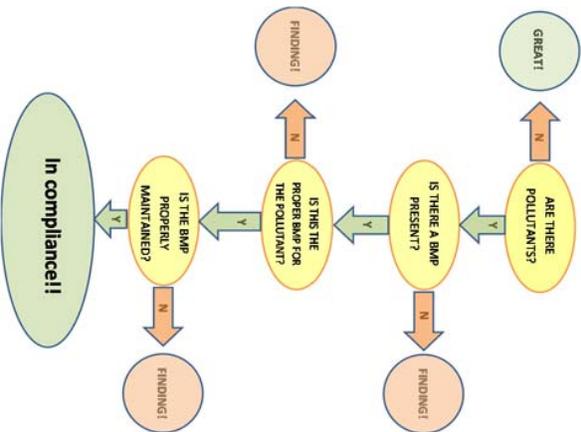
- Construction Site Program
- New Development Redevelopment Program
- Illicit Discharge Program
- Industrial Facilities Program
- Public Education and Outreach Program
- Pollution Prevention and Good Housekeeping Program
- Wet Weather Monitoring Program



Control Measures for Industrial Facilities

Industrial facilities can use control measures (CM) otherwise known as Best Management Practices (BMP) during the construction of a facility and when operating the facility. Control measures are schedules of activities, maintenance procedures, and other management practices to prevent and reduce pollution entering into CDOT's storm drain system. Control Measures also include treatment, operating procedures, and practices to control site run off which can include structural and non-structural controls.

THE GAUNTLET



CDOT defines a utility, or utility facility as any privately, publicly, or cooperatively owned line, facility, or system producing, transmitting or distributing the following:

- ✓ Communications
- ✓ Cable television
- ✓ Power
- ✓ Electricity
- ✓ Light
- ✓ Heat Gas
- ✓ Oil
- ✓ Crude Products
- ✓ Water
- ✓ Stream
- ✓ Waste
- ✓ Stormwater not connected with highway drainage
- ✓ Similar Commodity



Industrial Facilities Program Elements:

1. Educate and outreach to owners or operators that have potential to contribute substantial pollutant to water.
2. Report and include information on discharge and water quality concerns. Provide written notification within 15 days of discovery to CDPHE.
3. Submit an annual report to CDPHE containing the number of informational brochures distributed; name and title of each individual trained.

Education

There are instances when a utility company or other entity doing work in the state highway right-of-way will require some type of environmental permit or clearance for that work. CDOT has put together an Environmental Clearances Information Summary for those applying for a CDOT Utility and Special Use Permit or Access Permit to obtain all required clearances. This fact sheet is given to each permittee and is available at: <http://www.coloradodot.info/programs/environmental/resources/guidance-standards/Environmental%20Clearances%20Info%20Summary.pdf>





Google Earth

Main St
9

Blue River Bikeway

Blue River Bikeway

Blue River

Himmelstein 322156

French Ck Trl

Huron Rd

French Ck Trl

300 ft



COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT APPLICATION	Issuing authority application acceptance date:
--	--

Instructions: - Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
 - Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
 - Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
 - Submit an application for each access affected.
 - If you have any questions contact the issuing authority.
 - For additional information see CDOT's Access Management website at <http://www.dot.state.co.us/AccessPermits/index.htm>

Please print or type

1) Property owner (Permittee) RH Mining Claims, LLC,	2) Applicant or Agent for permittee (if different from property owner) Richard Himmelstein, Manager
--	---

Street address 907 Hyacinth Dr.	Mailing address 907 Hyacinth Dr.
---	--

City, state & zip Delray Beach Fl, 33483	Phone # 970-368-2010	City, state & zip Delray Beach Fl, 33483	Phone # (required) 970-368-2010
--	--------------------------------	--	---

E-mail address richard.himmelstein@gmail.com	E-mail address if available richard.himmelstein@gmail.com
--	---

3) Address of property to be served by permit (required)
10944 State HWY 9 Summit County CO 80424

4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one?

county Summit	subdivision 11	block 0	lot 11	section 30	township Summit County	range T6S R77W
-------------------------	--------------------------	-------------------	------------------	----------------------	----------------------------------	--------------------------

5) What State Highway are you requesting access from? State HWY 9 Summit County CO 80424	6) What side of the highway? <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W
--	--

7) How many feet is the proposed access from the nearest mile post? 1,750+/- feet <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W from: ref_pt:88.0	How many feet is the proposed access from the nearest cross street? 320+/- feet <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W from: County Road 450 (Heron Rd)
---	--

8) What is the approximate date you intend to begin construction?
11/1/22

9) Check here if you are requesting a:

<input checked="" type="checkbox"/> new access	<input type="checkbox"/> temporary access (duration anticipated: _____)	<input type="checkbox"/> improvement to existing access
<input type="checkbox"/> change in access use	<input type="checkbox"/> removal of access	<input type="checkbox"/> relocation of an existing access (provide detail)

10) Provide existing property use
Storage. Property has existing direct access and want to continue with same. There is no other possible access in that there is a creek behind it and a mountain on the south side.

11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest?
 no yes, if yes - what are the permit number(s) and provide copies: _____ and/or, permit date: _____

12) Does the property owner own or have any interests in any adjacent property?
 no yes, if yes - please describe: _____

13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property?
 no yes, if yes - list them on your plans and indicate the proposed and existing access points.

14) If you are requesting agricultural field access - how many acres will the access serve?
N/A

business/land use	square footage	business	square footage
Storage, personal use	900 Sq.ft		

type	number of units	type	number of units
2 workforce housing units of approximately 450 square feet each (plus loft sleeping area).			

17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.

Indicate if your counts are <input type="checkbox"/> peak hour volumes or <input checked="" type="checkbox"/> average daily volumes.	# of passenger cars and light trucks at peak hour volumes 6	# of multi unit trucks at peak hour volumes 1
# of single unit vehicles in excess of 30 ft. 1	# of farm vehicles (field equipment)	Total count of all vehicles 8

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- | | |
|--|---|
| a) Property map indicating other access, bordering roads and streets. | e) Subdivision, zoning, or development plan. |
| b) Highway and driveway plan profile. | f) Proposed access design. |
| c) Drainage plan showing impact to the highway right-of-way. | g) Parcel and ownership maps including easements. |
| d) Map and letters detailing utility locations before and after development in and along the right-of-way. | h) Traffic studies. |
| | i) Proof of ownership. |

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage <http://www.dot.state.co.us/environmental/Forms.asp>.

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <http://www.dot.state.co.us/DesignSupport/>, then click on *Design Bulletins*.

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

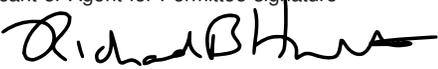
Applicant or Agent for Permittee signature 	Print name Richard Himmelstein, Manager	Date 9/30/22
If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.		
Property owner signature 	Print name Richard Himmelstein, Manager	Date 9/30/22

Exhibit 7

TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT

THIS TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT (“**Agreement**”) is dated December 17, 2021 and is between RH MINING CLAIMS, LLC, a Colorado limited liability company (“**Licensor**”), and the TOWN OF BRECKENRIDGE, a Colorado municipal corporation (“**Licensee**”). Licensor and Licensee are each a “**Party**”, and are collectively the “**Parties**.”

Background

Licensor owns Lot 11 French Creek Center Sub Open Space within Summit County, Colorado (“**Licensor’s Property**”) as depicted in **Exhibit A** attached hereto, and incorporated herein by reference. Licensee wants to obtain a revocable license to construct and maintain a natural surface trail that traverses the Licensor’s Property. Licensor has agreed to grant Licensee a non-exclusive personal, fully revocable privilege to use Licensor’s Property in accordance with, and subject to, the terms, conditions and limitations in this Agreement.

Licensor will allow Licensee to construct and maintain a natural surface trail in the southwestern corner of Licensor’s property, as generally depicted on Exhibit A, and subject to the terms and conditions of this Agreement. Licensee also desires to formalize access across this route for non-motorized public trail use.

The Licensee owns the adjoining property with established non-motorized public trail. Trail construction and maintenance will occur upon Licensor’s Property per the following conditions: initial trail reroute of existing social trail on Licensor’s Property to the southwestern corner, outside of any fencing Licensor will erect. The non-motorized trail for public access will feature a natural surface. Equipment used by Licensee for trail construction will primarily involve hand tools, but may include mechanical wheelbarrow and machinery, or other similar pieces of equipment. Long-term maintenance of the trail by Licensee will also primarily involve hand and mechanized tools. Signage will also be erected by Licensee on sign posts to identify trail route and provide wayfinding. Upon termination of the Agreement, such signage shall be removed and Licensor’s Property restored to its natural condition prior to erection of the signage.

Agreement

The Parties agree as follows:

1. **Grant of License.** Licensor grants to the Licensee the personal privilege and permission to enter Licensor’s Property to perform trail construction and maintenance activities on Licensor’s Property, specifically in the southwestern corner as generally depicted on Exhibit “A,” subject to the terms and conditions described in this Agreement.

TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT

2. **Term.** This Agreement and the license granted to Licensee commences as of the date of this Agreement and continues from time to time until terminated in accordance with the terms of this Agreement.
3. **Licensor's Right to Review and Approve Trail Construction and Maintenance.** Trail construction and maintenance will occur upon Licensor's Property per the following conditions: initial trail reroute of existing social trail on Licensor's Property to the southwestern corner, outside of any fencing Licensor will erect. The non-motorized trail for public access will feature a natural surface. Equipment used for trail construction will primarily involve hand tools, but may include mechanical wheelbarrow and machinery, or other similar pieces of equipment. Long-term maintenance of the trail will also primarily involve hand and mechanized tools. Signage will also be erected on sign posts to identify trail route and provide wayfinding. Licensor may approve, deny, or conditionally approve trail construction maintenance and signage in its sole and absolute discretion.
4. **No Obligation to Continue Trail Construction and Maintenance.** Licensor does not hereby accept any ongoing obligation to maintain or preserve the trail on the Licensor's Property. Licensee is solely responsible for maintenance and preservation of the trail on Licensor's Property. .
5. **Cost of Trail Construction and Maintenance.** Licensee will pay all costs associated with the operations, equipment, and grooming of all sections of the trail upon Licensor's Property pursuant to this Agreement.
6. **Construction of Trail.** Licensor has the right to review and approve the means and methods to be used by Licensee to install the trail upon Licensor's Property pursuant to this Agreement.
7. **Maintenance of Trail.** The trail placed upon Licensor's Property pursuant to this Agreement will be maintained by Licensee. Licensee will pay for all required maintenance of the trails placed upon Licensor's Property pursuant to this Agreement.
8. **No Interest in Land.** This Agreement does not create an interest or estate in Licensee's favor in Licensor's Property. Licensor retains legal possession of the full boundaries of its property, and this Agreement merely grants to Licensee the personal privilege to use Licensor's Property in strict compliance with the terms of this Agreement. This Agreement does not create an assignment coupled with an interest in favor of Licensee. Any time, money, or labor expended by Licensee will be at Licensee's own risk and peril.
9. **Limited Scope of License.** The license granted to the Licensee by this Agreement is limited in scope to the trail construction and maintenance of the trail that is approved by Licensor. Licensee may not alter or change Licensee's use of Licensor's Property pursuant to this Agreement. Licensee shall take no action that limits or restricts public use or administrative access on any portion of the trail identified in this Agreement, except as provided for herein.

TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT

10. **Non-Transferability of License.** The license granted to Licensee by this Agreement is a mere personal privilege and is neither transferable nor assignable by Licensee. Any attempt by Licensee to assign or transfer the license is a nullity and of no force and effect whatsoever.
11. **Termination.** This Agreement and the license granted to Licensee by this Agreement will terminate sixty (60) days after written notification of termination is provided by the Town of Breckenridge or the Licensor. The sixty (60) day notice provision established by this Section is acknowledged by the Parties to be reasonable. Such notice may be given at any time by a Party in its sole and absolute discretion.
12. **Insurance.** The Town of Breckenridge will obtain and maintain at all times during the term of this Agreement, at their respective cost, a policy or policies of comprehensive general liability insurance with limits of coverage of not less than the limits of liability provided by the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S. (the "Act"), which limits are as of the date of this Agreement \$350,000 for injuries, damages or losses sustained by any one person in any single occurrence, and not less than \$990,000 for injuries, damages, or losses incurred by two or more persons in any single occurrence. The Licensor will be named as an additional insured on all such policies, the policies shall provide that Licensor shall receive 30 days' written notice from the insurer prior to any expiration, cancellation or diminution in coverages and will be furnished with a copy of such policy or policies at any time throughout the term of this Agreement upon request. Notwithstanding anything contained herein to the contrary, the Licensor may immediately terminate this Agreement if the Town of Breckenridge fails to procure and maintain the insurance required by this Section.
13. **Indemnification.**
- A. The Town of Breckenridge will indemnify and defend Licensor from any claim, loss, or damage to any person or property (including attorney's fees) that arises from the maintenance, preservation and use of the Licensor's Property pursuant to this Agreement and such obligation shall survive the termination of this Agreement; provided, however, the Town of Breckenridge is not required to indemnify Licensor to the extent a claim, loss, or damage is caused by the gross negligence or willful misconduct of Licensor. The indemnity obligation of this Section will survive the termination of this Agreement and be fully enforceable thereafter.
14. **Notices.** All notices required or permitted under this Agreement must be given by registered or certified mail, return receipt requested, postage prepaid, or by hand or commercial carrier delivery, or by telecopies, directed as follows:

If intended for Licensor, to:

RH Mining Claims, LLC

TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT

907 Hyacinth Drive
Delray Beach, FL 33483-4808
Attn: Richard Himmelstein
Telephone number: (970) 368-2010

With a copy in each case (which will not constitute notice) to:

Barbara H. Vonderheid
Vonderheid & Associates, P,C,
P.O. Box 9949
Breckenridge, CO 80424
Telecopier number: (303) 595-5342
Telephone number: (303) 217-7717

If intended for Licensee, to:

Town of Breckenridge
P.O. Box 168
150 Ski Hill Road
Breckenridge, Colorado 80424
Attn: Town Manager
Telecopier number: (970) 547-3104
Telephone number: (970) 453-2251

with a copy in each case (which will not constitute notice) to:

Kirsten J. Crawford
Town Attorney
Town of Breckenridge
P.O. Box 168
Breckenridge, Colorado 80424

Telecopier number: (970) 547-3104
Telephone number: (970) 547-3117

Any notice delivered by mail in accordance with this Section will be effective on the third business day after having been deposited in any post office or postal box regularly maintained by the United States Postal Service. Any notice delivered by telecopier in accordance with this Section will be effective upon receipt if concurrently with sending by telecopier receipt is confirmed orally by telephone and a copy of the notice is sent by certified mail, return receipt requested, on the same day to the intended recipient. Any notice delivered by hand or commercial carrier will be effective upon actual receipt. By notice given as provided above any Party may change the address to which future notices may be sent. E-mail is not a valid means of giving notice under this Agreement.

TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT

15. **Entire Agreement.** This Agreement constitutes the entire agreement and understanding between the Parties and supersedes any prior agreement or understanding relating to the subject matter of this Agreement.
16. **Modification.** This Agreement may be modified or amended only by a duly authorized written instrument executed by all of the Parties. Oral amendments to this Agreement are not permitted.
17. **Section Headings.** Section headings are inserted for convenience only and in no way limit or define the interpretation to be placed upon this Agreement.
18. **Governmental Immunity.** Licensor, and does not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Act, as from time to time amended, or any other limitation, right, immunity or protection otherwise available to Licensor, their officers, or their employees. Notwithstanding anything to the contrary stated in this Agreement, IN NO EVENT SHALL LICENSOR BE LIABLE FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL OR EXEMPLARY DAMAGES EVEN IF SUCH DAMAGES ARE FORESEEABLE AND WHETHER OR NOT LICENSOR HAS BEEN ADVISED OF THE POSSIBILITY, INCLUDING DAMAGES FOR PERSONAL INJURY OR DEATH OR LOSS OF PROPERTY. IN NO EVENT SHALL LICENSOR'S LIABILITY EXCEED THE \$200.00.
19. **Applicable Law.** This Agreement is to be interpreted in all respects in accordance with the laws of the State of Colorado.
20. **Waiver.** The failure of any Party to exercise any of its rights under this Agreement is not a waiver of those rights. A Party waives only those rights specified in writing and signed by the Party waiving such rights.
21. **Severability.** If any provision of this Agreement is determined to be invalid, illegal or unenforceable the validity, legality and enforceability of the remaining provisions of this Agreement will not be affected or impaired.
22. **No Adverse Construction.** All Parties had the opportunity to participate in the drafting of this Agreement. This Agreement is not to be construed against any Party based upon authorship.
23. **Authority.** The individuals executing this Agreement on behalf of each of the Parties have all requisite powers and authority to cause the Party for whom they have signed to enter into this Agreement and to bind such Party to fully perform the obligations set forth in this Agreement.
24. **No Recording.** This Agreement **MAY NOT** be recorded in the real property records of the Clerk and Recorder of Summit County, Colorado.

TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT

25. **Annual Appropriation.** Notwithstanding anything herein contained to the contrary, each Party's obligations under this Agreement are expressly subject to an annual appropriation being made by governing body of such Party in an amount sufficient to allow such Party to perform its obligations hereunder. In the event sufficient funds shall not be so appropriated this Agreement may be terminated by any Party without penalty. The Parties' obligations under this Agreement do not constitute a general obligation indebtedness or multiple year direct or indirect debt or other financial obligation whatsoever within the meaning of the Constitution or laws of the State of Colorado.

26. **No Third-Party Beneficiaries.** Licensor and Licensee agree that they shall be and remain the only parties that are intended to benefit by, and have a right to enforce and/or make a claim under, this Agreement and, further, that no other or third party is intended to a beneficiary of the terms and conditions of this Agreement.

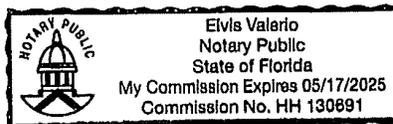
RH MINING CLAIMS, LLC

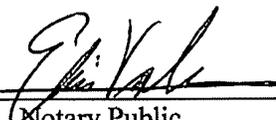
By: 
Richard Himmelstein, Sole Member

FLORIDA)
STATE OF COLORADO)
PALM BEACH)
County of ~~Summit~~)

The foregoing instrument was acknowledged before me this 10 day of January, 2022, by Richard Himmelstein, as Sole Member of RH Mining Claims, LLC.

My commission expires May 17, 2025. Witness my hand and official seal.




Notary Public

TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT

Exhibit "A"

Map of Trail Construction and Maintenance at
Lot 11 French Creek Center Sub Open Space within Summit County, Colorado

TRAIL CONSTRUCTION AND MAINTENANCE LICENSE AGREEMENT.

Exhibit 8

UPPER BLUE SANITATION DISTRICT

October 5, 2023

To Whom It May Concern,

Upper Blue Sanitation District currently has the capacity to provide sewer service too:

- **10944 State Highway 9, Breckenridge Co 80424**
- **Legal Address: Lot 11 French Creek Center Sub Open Space**

The owner has requested a single-family home with 1 bedroom/2 bathroom + an ADU unit

The service will not be provided until the Plant Investment Fees are paid.

Sincerely,

Andrew Carlberg
District Manager
970-453-2723
andyc@ubsd.org





Memo

To: Breckenridge Town Council
From: Sarah Crump, AICP, Planner III
Date: November 7, 2023 (For November 14, 2023 Meeting)
Subject: 114 South Main Street Redevelopment De Novo Hearing Decision

On October 24, 2023, Town Council held a de novo hearing for the redevelopment of commercial property located at 114 South Main Street, Lot 14 of the Bartlett and Shock Subdivision. The Council voted 7-0 to approve the project with the findings and conditions of the decision recommended by staff. This approval authorizes a development permit for demolition of the existing commercial building at 114 South Main Street and the construction of a new two-story commercial building of 5,890 sq. ft. with commercial retail, food and beverage, and exterior food and beverage uses.

The decision document is attached below to be entered into the record.

1 PROCEEDINGS OF THE TOWN COUNCIL
2 OF THE TOWN OF BRECKENRIDGE, COLORADO
3

4 Application No. PL-2023- 0077
5

6 Applicant: Allen-Guerra Architecture – Yves Mariethoz
7

8 Owner: Main Street Development Partners, LLC – Stuart Ratzon
9

10 Type of Application: Class A Development Permit
11

12 Property Description: Lot 14, Bartlett and Shock Addition; also known as: 114 South Main
13 Street, Breckenridge, Colorado 80424
14

15 **DECISION**
16
17

18
19 This matter came before the Town Council of the Town of Breckenridge, Colorado
20 (“**Town Council**”) on October 24, 2023.
21

22 Having heard and considered all of the evidence presented both in favor of and in
23 opposition to the Application, the Town Council finds and determines as follows:

- 24 1. The Applicant seeks a Class A Development Permit to demolish the existing commercial
25 building and construct a new two-story commercial building located on the above
26 described real property (“**Property**”), all as more specifically described in the
27 Application and supporting documentation.
- 28 2. The Applicant has filed a completed Application, and has paid all required Application
29 fees.
- 30 3. The Applicant is the owner of the Property.
- 31 4. The Application was originally considered by the Town of Breckenridge Planning
32 Commission (“**Planning Commission**”) in accordance with the procedures and
33 requirements of the Town of Breckenridge Development Code¹ (the “**Development**
34 **Code**”).
- 35 5. On September 5, 2023 the Planning Commission conditionally approved the Application.
- 36 6. On September 12, 2023 the Planning Commission’s decision on the Application was
37 presented to the Town Council by the Director of the Department of Community
38 Development as required by Section 9-1-18-1(E)(6) of the Development Code.

¹Chapter 1 of Title 9 of the Breckenridge Town Code.

- 1 7. On September 12, 2023 the Town Council voted to “call up” the Planning Commission’s
2 decision on the Application.
- 3 8. Pursuant to Section 9-1-5 of the Development Code, a call up is the decision of the Town
4 Council to vacate the Planning Commission’s decision on an application and to make the
5 final decision on the application itself.
- 6 9. The Town Council’s decision to call up the Application operated to vacate the Planning
7 Commission’s decision on the Application.
- 8 10. The applicable procedures for a call up hearing to be conducted by the Town Council are
9 set forth in Section 9-1-18-5 of the Development Code. When the Town Council is
10 conducting a call up hearing, it becomes the final decision maker for the Town with
11 respect to an application and, therefore, in connection with a Council call up hearing the
12 provisions of the Development Code dealing with the powers and authority of the
13 Planning Commission apply equally to the Town Council. Thus, when the Town Council
14 is conducting a call up hearing references in the Development Code to the Planning
15 Commission may properly be taken to mean and to apply to the Town Council.
- 16 11. Pursuant to Section 9-1-18-5(A)(1)(c) of the Development Code, a call up hearing on a
17 development permit application is conducted by the Town Council as a de novo hearing.
- 18 12. With the consent of the Applicant, the call up hearing on the Application was scheduled
19 for October 24, 2023.
- 20 13. The Town Council conducted its call up hearing on the Application on October 24, 2023.
- 21 14. Notice of the Town Council’s call up hearing on the Application was given in the same
22 manner as is required for final hearings on development permit applications held before
23 the Planning Commission as required by Section 9-1-18-5(A)(1)(b) of the Development
24 Code. Proof that notice of the hearing was properly given by the Town’s Department of
25 Community Development was made a part of the record of the proceedings of the
26 hearing.
- 27 15. The Town Council has jurisdiction over the Application pursuant to the Development
28 Code.
- 29 16. The Applicant was represented at the call up hearing by Suzanne Allen-Sabo.
- 30 17. At the hearing the Applicant, through its representative and other witnesses, appeared and
31 gave testimony and presented evidence in support of the Application. At the hearing other
32 interested parties were given the opportunity to give testimony concerning the
33 Application. Such testimony and evidence are contained in the record of the proceedings
34 pertaining to the Application.
- 35 18. All the members of the Town Council are familiar with the property that is the subject of
36 the Application.

- 1 19. All members of the Town Council have carefully considered all the relevant evidence
2 submitted pertaining to the Application, both oral and written, and the applicable
3 requirements of the Development Code.
- 4 20. Pursuant to Section 9-1-17-6 of the Development Code, for the Application to be granted
5 the burden is on the Applicant to demonstrate by competent evidence that the Application
6 satisfies all of the applicable requirements of the Development Code. The Applicant's
7 burden of proof is by a preponderance of the evidence.
- 8 21. The Town's land use system as reflected in the Development Code measures the impacts
9 of a proposed development against both "absolute" development policies and "relative"
10 development policies.
- 11 22. An "absolute policy" is defined in Section 9-1-5 of the Development Code as "a policy
12 which, unless irrelevant to the development, must be implemented for a (development)
13 permit to be issued. The policies are described in Section 9-1-19 of this chapter." More
14 simply stated, in order to be approved an application for a development permit must
15 comply with all relevant absolute policies set forth in the Development Code.
- 16 23. A "relative policy" is defined in Section 9-1-5 of the Development Code as "a policy
17 which need not be implemented by a development, but for which positive, negative, or
18 zero points are allocated based on the features of the proposed development." This means
19 that a development permit application need not score zero or higher on each individual
20 relative policy, so long as the total net points awarded under all relevant relative policies
21 totals zero or higher.
- 22 24. Section 9-1-17-3 of the Development Code provides as follows:

23 **9-1-17-3: ASSIGNMENT OF POINTS:**
24

25 All policies are applied to all developments: Classes A, B, C, and D, unless
26 otherwise expressly provided in a particular policy. Relative policies are assigned
27 points, and unless provided differently in a particular policy, a negative score
28 indicates that the policy is implemented but the proposed development will have a
29 negative impact on the community on the basis of that particular policy. A score
30 of zero indicates either that the particular policy is irrelevant to the proposed
31 development or that a negative impact on the basis of that particular policy is
32 completely mitigated. A positive score indicates that the proposed development
33 implements a policy in such a way that there will be a positive impact on the
34 community (i.e., the community will benefit) on the basis of that particular policy.
35

36 A point analysis shall be conducted for all policies relevant to an Application, and
37 shall be completed prior to the final hearing on the Application. However, a point
38 analysis is not required for a Class D Major or D Minor development permit
39 Application.
40

1 Unless otherwise expressly provided in a particular policy, each relative policy is
2 assigned points for the Applicant's performance, as follows:

- 3
- + 2 (or greater) - Awarded for providing a significant public benefit with no substantial public detriment, or for an excellent job of implementation. The more the public benefit without substantial public detriment, or the better the job of implementation, the more the award of positive points.
 - + 1 - Awarded for providing some public benefits, mitigating a minor public detriment, or for doing a good job of implementation.
 - 0 - Awarded if the policy is irrelevant, if there is no public benefit and no public detriment from the project, if there is a public detriment which has been fully mitigated, or for an adequate job of implementation.
 - 1 - Assessed for an inadequate job of implementation, or for producing some public detriment.
 - 2/-3 (or greater) - Assessed for substantially no effort at implementation or for an unmitigated significant public detriment. The less the effort at implementation, or the greater the degree of unmitigated significant public detriment, the greater the assessment of negative points.

4
5 Where a different range of points or standards for the award of positive points or
6 the assessment of negative points are provided in a particular policy, such range
7 of points or standards for the award or assessment of points shall apply.

8
9 25. Section 9-1-17-4 of the Development Code provides as follows:

10 **9-1-17-4: ASSIGNMENT OF MULTIPLIERS:**

11
12 Multipliers established by the Town Council are used to determine the relative
13 importance of the policy vis-à-vis the other policies. The meaning of each
14 multiplier is as follows:

- 15
- x1 - Indicates a policy of minimal importance.
 - x2 - Indicates a policy of moderate importance.
 - x3 - Indicates a policy of average importance.

x4 - Indicates a policy of relatively significant community importance.

5 - Indicates a policy of significant community importance.

- 1 26. The Application proposes to demolish the existing non-historic commercial structure and
2 construct a new two-story building of 5,890 sq. ft., containing commercial retail and
3 restaurant uses.
4
- 5 27. Section 9-1-18-1(E)(3)(b) of the Development Code provides that prior to a final
6 hearing on a Class A development permit application the staff shall deliver to the
7 Applicant and make available at the Town Hall their conclusion on an
8 application's compliance with relevant absolute policies, allocation of points on
9 all relative polices, and recommend conditions to be attached for approval.
10 Section 9-1-18-1(E)(3)(b) applies to call up hearings conducted by the Town
11 Council.
- 12 28. Prior to the call up hearing on the Application the Town's Department of Community
13 Development ("**Department**") prepared its written report on the Application, dated
14 October 13, 2023, as required by Section 9-1-18-1(E)(3)(b) of the Development Code.
15 The staff report reflects the Department's best professional judgment of the manner and
16 degree to which the Application implements all the relevant "Relative Policies" of the
17 Development Code, as well as the Department's best professional judgment as to whether
18 the Application implements all of the relevant "Absolute Policies" of the Development
19 Code. The required staff report includes the Department's proposed "Point Analysis" for
20 an application. The Point Analysis is the Department's analysis of how points should be
21 awarded for the Application under the relevant Relative Polices of the Development
22 Code, and an analysis of whether the Application implements all relevant Absolute
23 Polices of the Development Code.
24
- 25 29. The Town Council has reviewed and carefully considered the Department's staff report
26 and proposed Point Analysis.
- 27 30. The Town Council finds and determines that the Department's conclusions as set forth in
28 the staff report and Point Analysis are correct.
- 29 31. The Point Analysis prepared by the Department has been approved and adopted by the
30 Town Council.
- 31 32. The approved Point Analysis indicates that the Application received a score of positive
32 one (+1) points with respect to all relevant Relative Policies of the Development Code,
33 and implements all relevant Absolute Polices.
- 34 33. Section 9-1-18-2(E)(5)(a) of the Development Code provides, in pertinent part, that if the
35 Town Council agrees with the Point Analysis prepared by the Department and the Point
36 Analysis indicates that the Application implements or has no effect on all relevant

1 Absolute Policies and is allocated a score of zero or net positive points on all relevant
2 Relative Policies, the Town Council shall approve the Application.

3 34. Section 9-1-18-5(E)(5) of the Development Code authorizes the Town Council to impose
4 conditions of approval on a Class A development permit application.

5 35. The conditions of approval hereinafter set forth are reasonably necessary to adequately
6 protect the public health, safety and welfare, and to ensure that particular development
7 policies will be implemented by the Applicant in the manner indicated in the Application.

8 36. After carefully considering the record in this matter, the Town Council finds and
9 determines that:

10 A. The Applicant has met its burden of proof and sufficiently demonstrated that the
11 Application satisfies the applicable requirements of the Development Code; and

12 B. The Applicant is entitled to conditional approval of the Application.

13 IT IS THEREFORE ORDERED as follows:

14 1. The Application of 114 South Main Street Redevelopment for a Class A Development
15 Permit to demolish the existing non-historic structure and construct a new two-story commercial
16 structure on the above described real property, all as more specifically described in the
17 Application and supporting documentation is hereby conditionally GRANTED, with the
18 additional Findings and subject to the Conditions set forth on the attached **Exhibit "A"**, which is
19 incorporated herein by reference. The Director of the Department of Community Development is
20 directed to issue a development permit to the Applicant that is consistent with the Application
21 and this Decision.

22 .
23 2. This Decision is the final decision of the Town Council on the Application for all
24 purposes.

25
26 3. A copy of this Decision shall be mailed by the Town Clerk to the Applicant at its
27 address as shown on the Application.

28
29 ADOPTED: November 14, 2023

30
31 TOWN OF BRECKENRIDGE, a Colorado
32 municipal corporation

33
34 By: _____
35 Eric S. Mamula, Mayor

36 ATTEST:
37 _____
38 Helen Cospolich , CMC,
39 Town Clerk

40

1 **EXHIBIT "A"**

2
3 **CONDITIONS OF APPROVAL**
4

5
6 1. The permit does not become effective, and the project may not be commenced, unless
7 and until the applicant accepts the preceding findings and following conditions in writing and
8 transmits the acceptance to the Town of Breckenridge.
9

10 2. If the terms and conditions of the approval are violated, the Town, in addition to criminal
11 and civil judicial proceedings, may, if appropriate, issue a stop order requiring the cessation of
12 work, revoke the permit, require removal of any improvements made in reliance upon the permit
13 with costs to constitute a lien on the property and/or restoration of the property.
14

15 3. The permit expires three (3) years from date of issuance, on November 15, 2026, unless a
16 building permit has been issued and substantial construction pursuant thereto has taken place. In
17 addition, if the permit is not signed and returned to the Town within 30 days from the permit
18 mailing date, the duration of the permit shall be 18 months, but without the benefit of any vested
19 property right.
20

21 4. The terms and conditions of the permit are in compliance with the statements of the staff
22 and applicant made on the evidentiary forms and policy analysis forms.
23

24 5. Nothing in the permit shall constitute an agreement by the Town of Breckenridge to issue
25 a certificate of occupancy for the project covered by the permit. The determination of whether a
26 certificate of occupancy should be issued for such project shall be made by the Town in
27 accordance with the applicable provisions of the Town Code, including, but not limited to the
28 building code.
29

30 6. All hazardous materials used in construction of the improvements authorized by the
31 permit shall be disposed of properly off site.
32

33 7. Applicant shall field locate utility service lines to avoid existing trees.
34

35 8. An improvement location certificate of the height of the building's ridges must be
36 submitted and approved by the Town during the various phases of construction. The final
37 building height shall not exceed 30' at the front cornice or 26.6' at the rear gable as measured
38 from finished grade.
39

40 9. Based on the provided floor areas for proposed commercial retail, restaurant, and exterior
41 food and beverage service areas, no employee mitigation is required for the project because of
42 credit given in the employee generation calculation for the existing commercial operations on site.
43 However, the calculated employee generation of the project under Policy 24A Social Community
44 Section C. Employee Housing Impact Mitigation is subject to change, should the floor areas be
45 revised prior to the building permit application.
46

1 10. This development permit does not authorize the placement of any signs. A separate sign
2 permit shall be required for any proposed signs which must comply with the Town’s Sign Code.

3
4 11. This development permit does not authorize any bistro lighting associated with the roof
5 deck exterior food and beverage area. A separate permit shall be required for any additional
6 lighting which must comply with the Town’s Lighting Standards.

7
8 12. This development permit does not authorize any exterior loudspeakers associated with the
9 roof deck exterior food and beverage area. A separate permit shall be required for any exterior
10 loudspeakers which must comply with the Town’s exterior loudspeaker regulations and noise
11 ordinances.

12
13 PRIOR TO ISSUANCE OF BUILDING PERMIT

14
15 13. The proposed design for the elevator and elevator landings must comply with current
16 Americans with Disabilities Act and American National Standards for Accessible and Usable
17 Buildings and Facilities.

18
19 14. Applicant shall submit proof of ownership of the project site.

20
21 15. Applicant shall submit and obtain approval from the Town Engineer of final drainage,
22 grading, utility, and erosion control plans.

23
24 16. Applicant shall provide plans stamped by a registered professional engineer licensed in
25 Colorado, to the Town Engineer for all retaining walls over four feet in height.

26
27 17. Any exposed foundation wall in excess of 12 inches shall be finished (i.e. textured or
28 painted) in accordance with the Breckenridge Development Code Section 9-1-19-5R.

29
30 18. Applicant shall contact the Town of Breckenridge and schedule a preconstruction
31 meeting between the Applicant, Applicant’s architect, Applicant’s contractor and the Town’s
32 project Manager, Chief Building Official and Town Historian to discuss the methods, process
33 and timeline for the project.

34
35 19. Applicant shall submit and obtain approval from the Town of a construction staging plan
36 indicating the location of all construction material storage, fill and excavation material storage
37 areas, portolet and dumpster locations, and employee vehicle parking areas. No staging is
38 permitted within public right of way without Town permission. Any dirt tracked upon the public
39 road shall be the applicant’s responsibility to remove. Contractor parking within the public right
40 of way is not permitted without the express permission of the Town, and cars must be moved for
41 snow removal. A project contact person is to be selected and the name provided to the Public
42 Works Department prior to issuance of the building permit.

43
44 20. Applicant shall submit and obtain approval from Town staff of a cut sheet detail for all
45 exterior lighting on the site. All exterior lighting on the site or buildings, with the exception of
46 seasonal bistro lighting, shall be fully shielded to hide the light source and shall cast light

1 downward. Exterior residential lighting shall not exceed 15' in height from finished grade, 7'
2 above upper decks. Seasonal bistro lighting is only permitted from May 1, through October 31,
3 of the same year.

4
5
6 **PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**
7

8 21. Per section 9-3-12 of the Town Code, the applicant shall pay a fee-in-lieu for 2.29 parking
9 spaces. The amount of the in-lieu fee shall be calculated for the year in which the Building Permit
10 application is received. The fee amount is adjusted annually to reflect the percentage increase, if
11 any, in the consumer price index (CPI-U) for all items for the Denver-Boulder, Colorado area
12 produced by the bureau of labor statistics, or any successor index. This fee is on record with the
13 Town.

14
15 22. Applicant shall paint all metal flashing, vents, flues, rooftop mechanical equipment,
16 meters, and utility boxes on the building a flat, dark color or to match the building color.

17
18 23. Applicant shall screen all utilities.
19

20
21 24. At all times during the course of the work on the development authorized by the permit,
22 the permittee shall refrain from depositing any dirt, mud, sand, gravel, rubbish, trash,
23 wastepaper, garbage, construction material, or any other waste material of any kind upon the
24 public street(s) adjacent to the construction site. Town shall provide oral notification to permittee
25 if Town believes that permittee has violated this condition. If permittee fails to clean up any
26 material deposited on the street(s) in violation of this condition within 24 hours of oral notice
27 from Town, permittee agrees that the Town may clean up such material without further notice
28 and permittee agrees to reimburse the Town for the costs incurred by the Town in cleaning the
29 streets. Town shall be required to give notice to permittee of a violation of this condition only
30 once during the term of the permit.

31
32 25. The development project approved by the permit must be constructed in accordance with
33 the plans and specifications, which were approved by the Town in connection with the
34 Development Permit application. Any material deviation from the approved plans and
35 specifications without Town approval as a modification may result in the Town issuing a Stop
36 Work Order and/or not issuing a Certificate of Occupancy or Compliance for the project, and/or
37 other appropriate legal action under the Town's development regulations. A Stop Work Order
38 may not be released until a modification to the permit is reviewed and approved by the Town.
39 Based upon the magnitude of the modification, another hearing before the Planning Commission
40 may be required.

41
42 26. No Certificate of Occupancy or Certificate of Compliance will be issued by the Town
43 until: (i) all work done pursuant to the permit is determined by the Town to be in compliance
44 with the approved plans and specifications for the project, and all applicable Town codes,
45 ordinances and standards, and (ii) all conditions of approval set forth in the Development Permit
46 for this project have been properly satisfied. If either of these requirements cannot be met due to

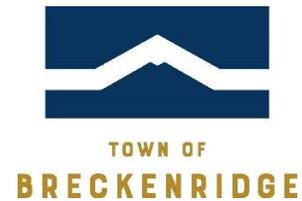
1 prevailing weather conditions, the Town may issue a Certificate of Occupancy or Certificate of
2 Compliance if the permittee enters into a Cash Deposit Agreement providing that the permittee
3 will deposit with the Town a cash bond, or other acceptable surety, equal to at least 125% of the
4 estimated cost of completing any required work or any applicable condition of approval, and
5 establishing the deadline for the completion of such work or the satisfaction of the condition of
6 approval. The form of the Cash Deposit Agreement shall be subject to approval of the Town
7 Attorney. "Prevailing weather conditions" generally means that work cannot be done due to
8 excessive snow and/or frozen ground. As a general rule, a cash bond or other acceptable surety
9 will only be accepted by the Town between November 1 and May 31 of the following year. The
10 final decision to accept a bond as a guarantee will be made by the Town of Breckenridge.

11
12 27. Applicant shall submit the written statement concerning contractors, subcontractors and
13 material suppliers required in accordance with Ordinance No. 1, Series 2004.

14
15 28. Applicant shall be held responsible for any deterioration or damages caused by
16 development or construction activities to any Town infrastructure, public rights-of-way, or
17 public property. This includes but is not limited to deterioration or damages to roadway surfaces,
18 curbs, drainage systems, sidewalks, and signage. Applicant must rectify such deterioration or
19 damages to the previous condition at their own expense. Town shall provide written notification
20 to permittee if Town believes that permittee has caused deterioration or damages which would
21 enact this condition. If permittee fails to rectify deterioration or damages in violation of this
22 condition, permittee agrees that the Town may resolve such deterioration or damages and
23 permittee agrees to reimburse the Town for the costs incurred by the Town. Town shall be
24 required to give notice to permittee of a violation of this condition only once during the term of
25 this permit. Any failure to rectify deterioration or damages or provide reimbursement without
26 Town approval may also result in the Town issuing a Stop Work Order and/or not issuing a
27 Certificate of Occupancy or Compliance for the project, and/or other appropriate legal action
28 under the Town's development regulations.

29
30 29. The development authorized by this Development Permit may be subject to the
31 development impact fee imposed by Resolution 2006-05 of the Summit County Housing
32 Authority. Such resolution implements the impact fee approved by the electors at the general
33 election held November 7, 2006. Pursuant to intergovernmental agreement among the members
34 of the Summit Combined Housing Authority, the Town of Breckenridge is authorized to
35 administer and collect any impact fee which is due in connection with development occurring
36 within the Town. For this purpose, the Town has issued administrative rules and regulations
37 which govern the Town's administration and collection of the impact fee. Applicant will pay any
38 required impact fee for the development authorized by this Development Permit prior to the
39 issuance of a Certificate of Occupancy.

40
41
42
43 _____
(Initial Here)



Memo

To: Town Council
From: Planning Staff
Date: November 8, 2023, for the meeting of November 14, 2023
Subject: BGV Peak 8/ Gold Rush Lot Development Summary Analysis

During this worksession, we will revisit unresolved items from previous worksessions related to Parcels 3, 4, 5, and 6. Staff will summarize various discussion points by parcel and outline the code-based ramifications of those proposed development concepts. Outstanding issues from Parcel 1, 2, and any other unresolved issues will be presented at the November 28th worksession.

Staff Analysis of the Proposed Development Concepts

Parcel 1 Concept (North Gondola)

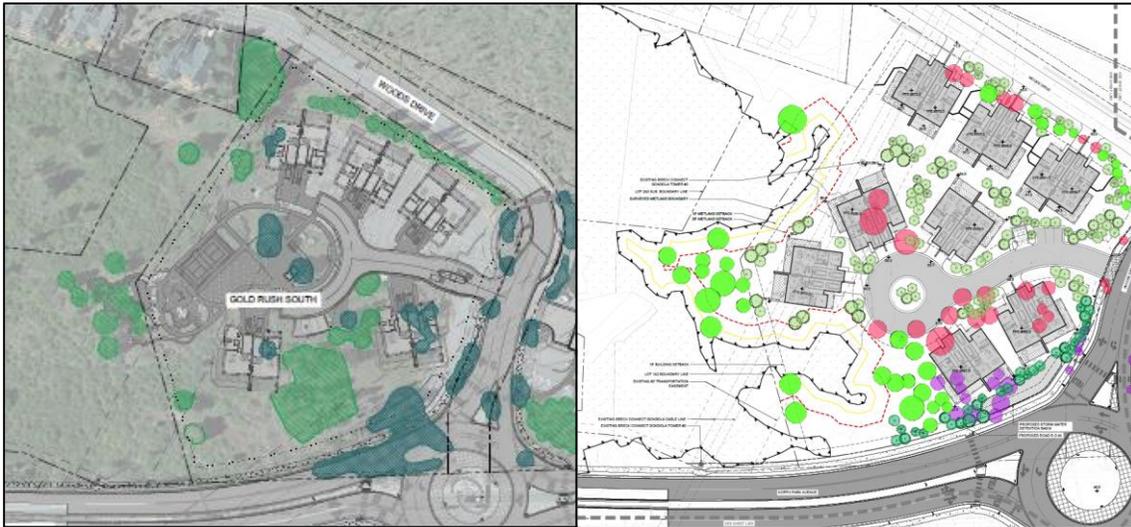
Remaining issues to be discussed at the November 28th worksession.

Parcel 2 Concept (North Goldrush Lot)

Remaining issues to be discussed at the November 28th worksession.

Parcel 3 Concept (South Gold Rush Lot)

Site Buffering: The project was redesigned to minimize permanent wetlands disturbance and provide a tree buffer along Park Avenue. The applicants have provided a conceptual tree plan for Parcel 3, displayed below, that shows 14 mature trees preserved (bright green) and 14 mature trees to be removed (purple) that currently provide site buffering from Park Avenue. To offset the loss of mature trees, 33 new trees (green) and a landscape berm are proposed to enhance site buffering and diversify forest health. Staff is open to the concept of preserving a substantial quantity of mature trees and planting an adequate amount of new trees to ensure long-term site buffering. For comparison, the “Previous Tree Plan” that was part of the Gondola Lots Master Plan site-specific development review is included below. Light green areas in the previous tree plan depict trees to be retained and dark green represents trees to be removed. With this previous tree plan, the Commission found the proposal complied with the Master Plan because most of the tree removal was required to accommodate the roundabout and pedestrian improvements. Staff finds the current tree plan to be similar to the previous tree plan with the added benefit of new plantings and a landscape berm.



Previous Tree Plan

Current Tree Plan

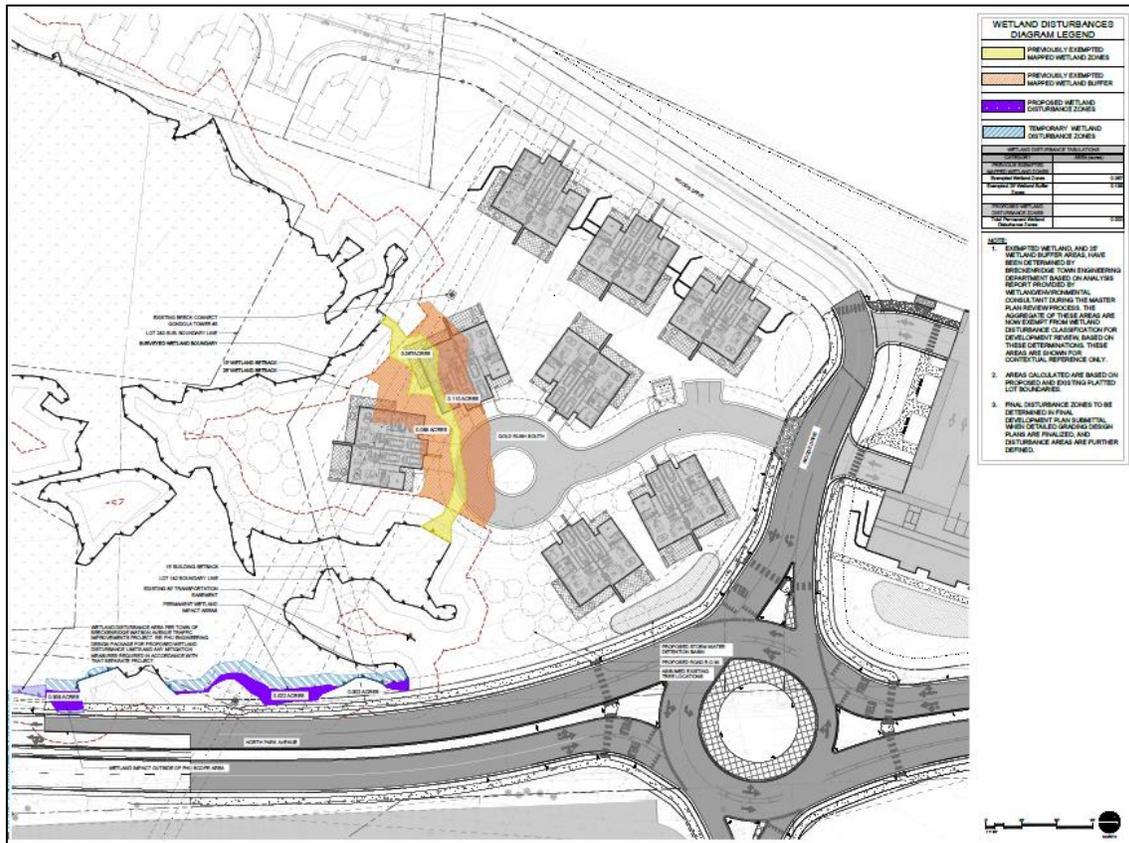
Does the Council support the proposed tree retention and replanting approach for Parcel 2?

Wetlands: Engineering staff has reviewed the draft Wetland Technical Report from Alpine Ecological Resources, LLC dated October 26, 2023 for the Gold Rush Lots redevelopment. The report presents background information on the hydrology and ecology of the existing wetlands, as well as the proposed impacts and mitigation. The findings of the report indicate that approximately 0.1 acres of wetlands, located in the lowest functioning areas of the system on the north and east, will be impacted by the development (as currently proposed) and mitigated at a 2:1 ratio with credits purchased from the Colorado Western Slope In-Lieu Fee Program’s Blue-Eagle Service Area which includes the Town of Breckenridge. Staff supports this request for the minor wetlands disturbance and request for the in-lieu fee credit program for the project mitigation.

As described in the report, the Gold Rush Lot wetland is a 5.7 acre palustrine emergent and palustrine scrub-shrub wetland dominated by grasses, shrubs, and trees less than 20 feet in height. The wetland is rated as “Functioning” to “Functioning Impaired” which correlates to a “C” to “D” letter grade. The highest functioning part of the wetland is the west side where the hydrology is supported by surface flows entering the wetland. The lowest functioning areas of the wetland are on the north and east sides and are negatively impacted by the adjacent land uses.

The currently proposed development of the south Gold Rush Lot/Parcel 3 will construct residential duplex units and permanently impact approximately 0.067 acres of wetlands on the north side of the wetland complex. The impacted wetlands are established in what appears to be a man-made drainage ditch of undetermined origin or function. An additional 0.022 acres of wetlands will be impacted on the east side for the improvements to Park Ave/SH9 necessitated by the project.

As required by code prior to issuance of a variance for disturbance of an Environmentally Sensitive Area (ESA), the proposed project has been redesigned to minimize the impact to the existing wetland. Staff supports the proposed project with a 0.1-acre permanent wetland impact, temporary encroachment into the 25-foot ESA setback for site grading and water quality swales, and the proposed 2:1 credit purchase from the Colorado Western Slope In-Lieu Fee Program’s Blue-Eagle Service Area for the wetland mitigation.



Proposed Wetland Disturbance

Is the Council comfortable with the conceptual site plan and proposed wetland mitigation prescription?

Circulation: Due to the revised layout away from the wetlands and Park Avenue, the applicants request relief from the Engineering Process and Regulations, Off-Street Parking Regulations, and the corresponding Development Code Policies 16/Internal Circulations, 17/External Circulation, related driveway cross-slope, and allowance to have more than four residences served by a private driveway. The private driveway serving the proposed 10 interior residences will be constructed and maintained by the developer. The Town Engineer has reviewed the conceptual layout is comfortable with this request.

Is the Council supportive of providing waivers from Engineering and Development Code to accommodate the proposed conceptual layout?

Parcel 4 Concept (East Peak 8 Hotel Site)

Renewable Energy Mitigation (REMP) and Policy 33R

REMP

Based on discussions at the October 6 Council special meeting, BGV now proposes the following regarding compliance with the provisions of REMP for Parcel 4:

- A three-step approach in the following order
 1. Provide solar on-site.
 2. Provide solar on BGV controlled properties within the Town.
 3. Payment of a fee in lieu if the required REMP offset is not accomplished prior to Certificate of Occupancy (CO).

Staff is generally pleased with this approach, which no longer includes the previously suggested purchase of renewable energy outside of the County. We are supportive of the three-step approach.

BGV has also requested a building height waiver should the placement of solar panels on BGV controlled rooftops exceed building height maximums in the Development Code. Staff is not comfortable with this proposal, as we have no renderings of what that might look like and this request seems unnecessary. We do know that with the reduced amount of outdoor heated space that needs to be offset (see below), that the need for new solar on rooftops should not be nearly as great as originally proposed. It would seem the solar panel placement could be accomplished without having to exceed building height requirements.

Policy 33R

BGV has continued to fine-tune the amount of outdoor heated spaces on Parcel 4 and has reduced the amount enough that they are no longer requesting a waiver of negative points under Policy 33R. This plan revision indicates that REMP and Policy 33R are positively impacting the design of new developments to limit energy use.

BGV is requesting that the Development Agreement include a provision that allows BGV the ability to earn positive points during the Master Plan amendment process (or at the site specific development permit) for EV chargers and "Other Design Features". Policy 33R currently allows for positive points to be earned for EV chargers. Policy 33R also allows for positive points to be given for "Other Design Features", which include innovative types of technology (e.g., ground source heat pumps, solar thermal heating). BGV would be allowed at the time of application for a Master Plan amendment or a development permit to propose positive points under these categories. However, BGV would like to memorialize that eligibility for points now in the Development Agreement to avoid a situation where Policy 33R was amended by the Council at some point in the future and they potentially lose their eligibility for positive points at the time of application.

Staff has some initial concerns regarding the proposal to memorialize the potential for positive points for future applications. As an example, our Policy 33R provisions allowing positive points for installation of EV charging is something that has been a priority in the last several years since the points were added to the Code. However, we anticipate that within several more years that EV charging may become standard practice with new development and at that point the Town may decide to no longer award positive points for EV charging. We have a history of changing the Code over time to address technology changes, etc. Thus, we would not be supportive of locking in positive points for a development permit for a new hotel building, that may not be received until five years or longer from now. If the Council desires to provide some flexibility to BGV on this positive point issue, staff would suggest setting a window of time within which BGV could qualify for positive points on applications for Master Plan amendments or development permits. Staff suggests a two-year window after the development agreement is finalized.

Questions for Council on REMP and Policy 33R

1. Is Council supportive of the proposed three-step approach to complying with REMP?
2. Does the Council agree with staff recommendation that solar panels be kept below building height maximums?
3. Is the Council amenable to memorializing the potential for earning positive points under the sections of Policy 33R indicated above and if so does Council agree with the suggested two-year window?

Parking: The proposed parking totals 203 spaces, 130 fewer spaces than the previously approved 333 spaces for the East Peak 8 Hotel. Of the total parking, 162 parking spaces are required for the proposed programming as shown below.

Proposed Use	Code Requirement	Parking Spaces
78 Condominium Units	1.0 per dwelling unit	78 Parking Spaces
69 Lock-Off Units	0.5 per divisible room	35 Parking Spaces
36 Hotel Rooms	1.0 per room	36 Parking Spaces
Commercial	0	Covered by 200 common spaces in master plan area
Spa	1.0 per 400 sq. ft.	13 Parking Spaces
Total Required Parking		162 Parking Spaces
Additional Requested Parking		
Vail Resorts Employees	0	35 Parking Spaces
BOEC	0	6 Oversized Parking Spaces
Total Parking		203 Parking Spaces

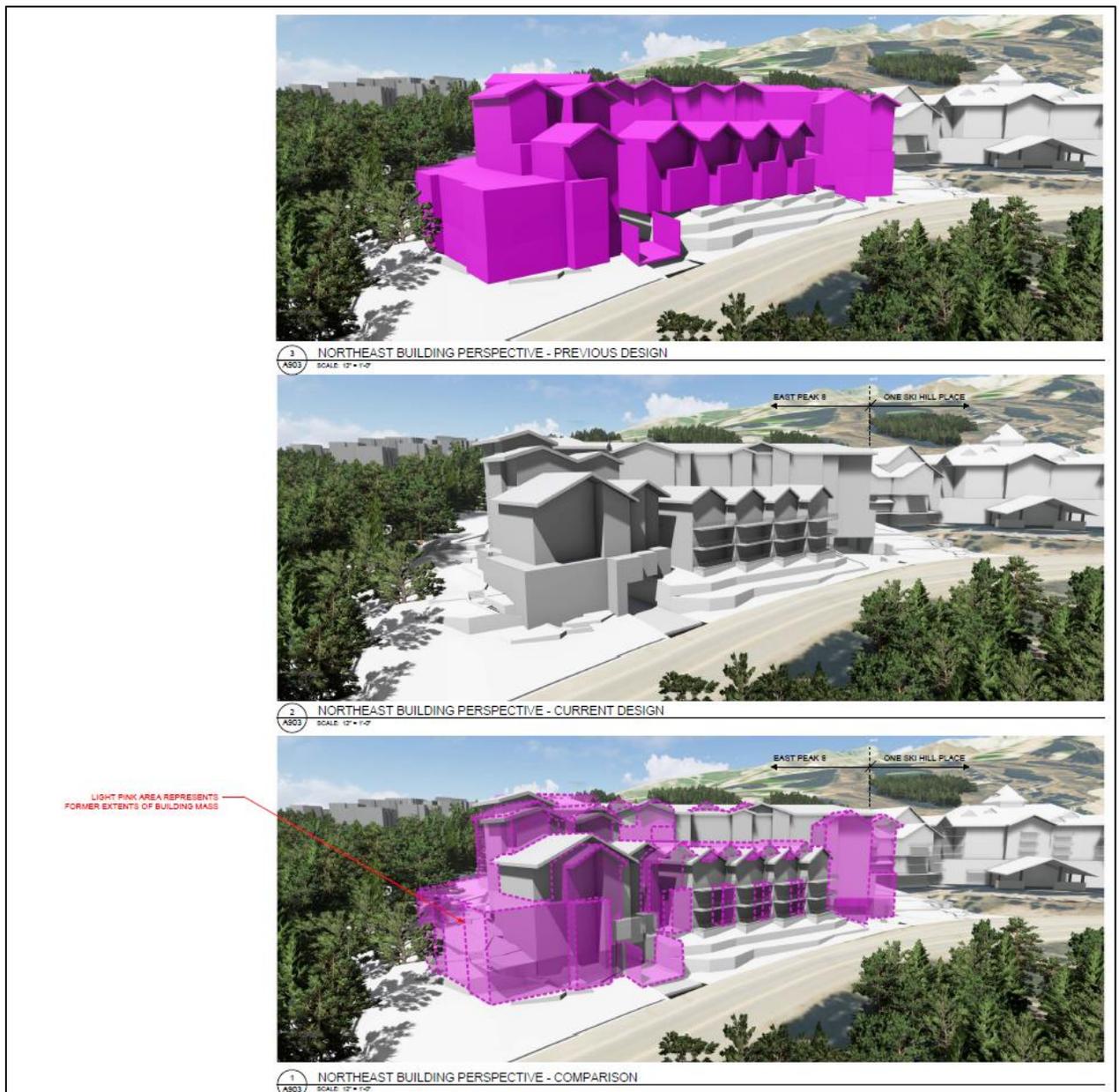
Beyond the required parking for the proposal, the applicant is requesting that 35 additional parking spaces for exclusive use of Vail Resorts employees and 6 oversized spaces for exclusive use of the Breckenridge Outdoor Educational Center (BOEC) be allowed onsite. This is a 40-space reduction from the 75 spaces that were previously requested for Vail Resorts at the October 6th worksession. Staff finds the revised 41 additional parking spaces for the two aforementioned entities to be a reasonable amount and recommends the Council support this request.

[Does the Council support allowing an additional 35 spaces for the exclusive use of Vail Resorts employees and 6 additional oversized parking spaces for the exclusive use of the BOEC?](#)

Stepping Down of Building: As noted at the October 6th worksession, the proposed building footprint is reduced and the building setbacks have increased with this redesign. However, the reduction in building footprint has come at the expense of the building not stepping down towards the Four O'clock subdivision to the east. The previously approved East Peak 8 Hotel's eastern façade was designed at 2.5 stories before stepping up in height towards the center of the building.

The Peak 7 and 8 Master Plan notes, *"Toward the ends of the Peak 8 Base area the buildings will be lesser in height and density as compared to the center or core of the Peak 8 Base."*

Since the October 6th worksession, the applicants have prepared building massing models, shown below, that compare the appearance of the previously approved building that stepped down along eastern façade (but was sited closer to the property line) to the proposed design that does not step down in height but features greater setbacks.



Massing Comparison

Staff seeks feedback regarding Council's preference on this design element.

Parcel 5 Concept (Four O'clock SFH Sites)

The Council did not express any substantial concerns with the two homesites (7,500 square feet of density each) but did emphasize a desire for the applicant to work with the adjacent neighbors in the Four O'clock subdivision and retain site buffering and formalize trail access. The Council also supported utilizing a private driveway for access to the two homesites and relief from the subdivision code related to lot dimensions. A Master Plan amendment is required to allow single-family homes in the Peak 8 Base Area of the Peak 7 and 8 Master Plan.

Parcel 6 Concept (Area Southwest of Timber Trail)

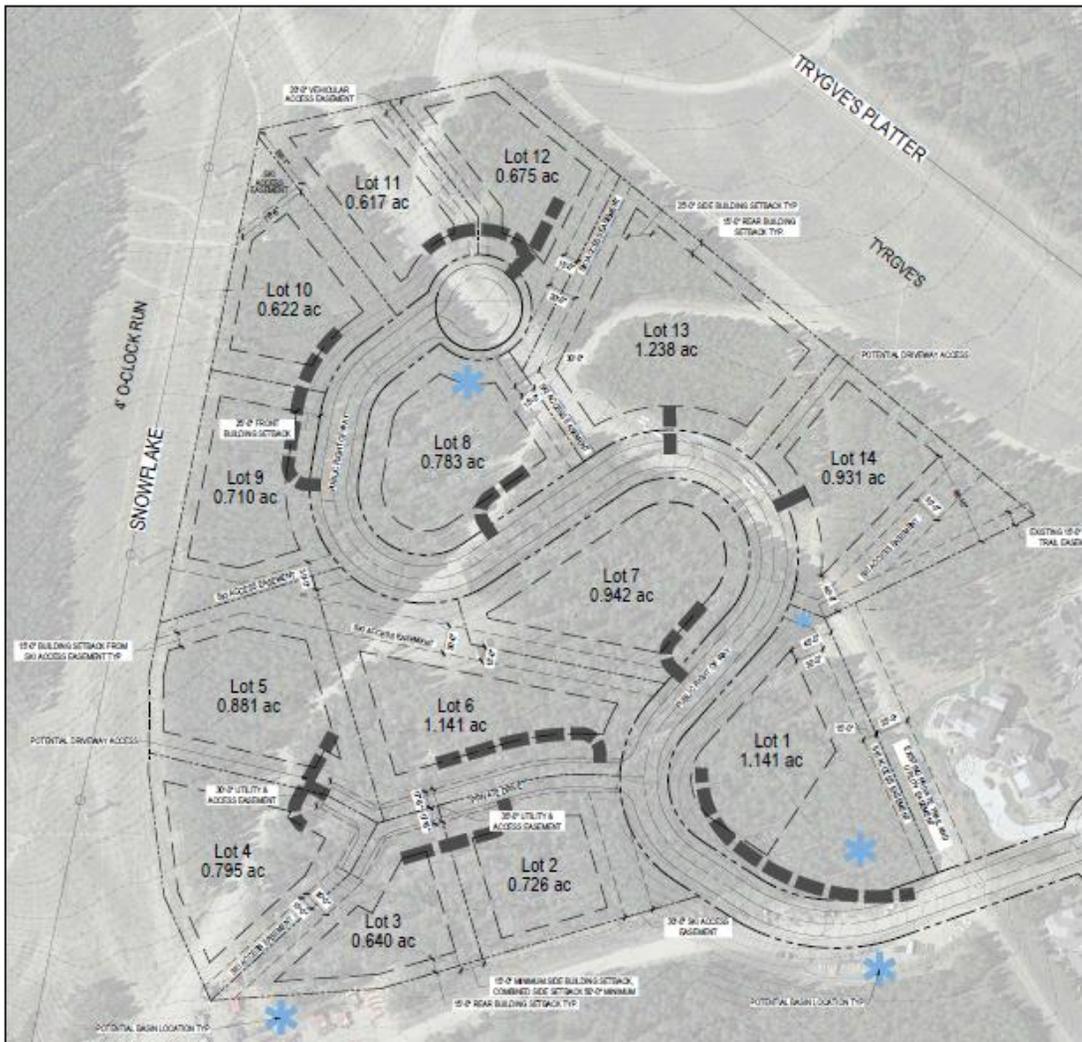
Home and Lot Size: The conceptual lots have been reduced from 20 to 14 total lots with increased lot sizes ranging from 0.617 to 1.238 acres. The conceptual lot sizes are notably larger than the 22 lots in

the neighboring Timber Trail Fillings 1 and 2 which range in size from 0.34 to 1.06 acres. At an earlier worksession, some Council members expressed concern whether the previously proposed 0.3 acre lots were large enough to accommodate a 7,500 sq. ft. home. With the increased conceptual lot size, the smallest lot developed with a maximum home size of 7,500 sq. ft. results in a Floor Area Ratio (FAR) of 1:3.58. Overall, the average FAR for the Timber Trail neighborhood is 1:3.46. Staff believes with the decreased number of lots and corresponding increase in lot sizes, a maximum home size of 7,500 sq. ft. is realistic.

Staff notes that lots 2-6 are shown to be accessed by a private driveway. Based on this design the applicant requests an allowance to have more than four residences served by a private driveway.

Does the Council support the revised number of total lots, increased lot size and maximum home size of 7,500 sq. ft.?

Does the Council support a waiver for more than 4 homes to be accessed from a private driveway?



Revised Parcel 6 Single-Family Lots

Water Service: All water service for the Peak 8 area is serviced by the water storage tank that is located adjacent to Four O'clock Run. Public Works staff believes that this storage facility has enough capacity to service the proposed Parcels 4, 5 and 6 but notes that additional pump capacity is needed to augment the water tank. The added pumps will increase the Town's operations and maintenance

costs associated with providing electricity to pump water uphill and maintain the pumps. Due to this estimated cost, the Town's Public Works department requests the developer agree to pay 1.25 times the in-town water plant investment fee (PIF) rate specified in section 12-4-3 of the Town Code prior to the issuance of a building permit on each of the individual lots for Parcels 5 and 6. The applicant does not oppose this request.

Does the Council support instituting a PIF rate that is 1.25 times the listed in-Town rate for the properties within Parcels 5 and 6?

All Parcels

Positive Points for Public Benefit Commitments in the Development Agreement: Under section 9-9-12: Mandatory Development Agreement Provisions, of the Town Code:

"J. In connection with an application for a development permit to develop the real property that is the subject of a development agreement the application shall not receive an award of positive points under the Development Code for any commitment offered to the town by the applicant pursuant to Section 9-9-4, or any other obligation or requirement of the applicant under the development agreement."

"9-9-4 Commitments:

Applicants for development agreements are encouraged to make commitments to the town which enable the town to obtain supplemental facilities or benefits which cannot lawfully be obtained by the town through existing regulations, standards or policies. The town council may consider commitments which may include, but shall not be limited to, the following:

- A. The provision of open space, trails and environmentally sensitive lands through dedication or other means.*
- B. The establishment and implementation of site design or other standards above and beyond established town requirements or existing development entitlements.*
- C. The provision of employee housing.*
- D. The reduction of density. (Ord. 3, Series 1999)"*

The applicants are considering proposing the following items as public benefits that were previously awarded positive points at various master plan amendments and site-specific reviews. The applicants desire to maintain their ability to receive positive points at a future Master Plan or development permit review even if they are offered as community benefit commitments.

- Roundabout construction and pedestrian improvements at the North Park Avenue and French Street intersection.
- Dedication of South Gold Rush wetlands as Open Space
- Providing space for the BOEC

Since the Mandatory Provisions for Development Agreements explicitly state that commitments offered under Section 9-9-4 are not eligible for positive points under the Development Code, staff does not believe it can be written into a Development Agreement that positive points can be awarded even if desired by the Town Council for those commitments.

Ski Hill Road/ Park Avenue Single Lane Roundabout Feasibility: A single-lane roundabout design overlay for the intersection of Ski Hill Road and Park Avenue is provided. Staff has reviewed the overlay and agrees with the applicant's assertion that constructing a roundabout at this location is not feasible due to existing building programming, land ownership issues and steep grades from west to east.

Summary Table:

Staff has also included a summary table of outstanding questions for the Council and anticipated requests for Code relief from the applicant. Staff will be happy to receive any additional feedback or answer any questions.

Summary of Considerations

Parcel Name	Questions for Council	Requested Code Relief	Deal Points
Parcel 1 (North Gondola)	<ul style="list-style-type: none"> • Determine appropriate Drainage, Lighting and Landscaping commitments. • Determine guidelines regarding hours and days that a parking attendant would be working on Parcel 1. 	<ul style="list-style-type: none"> • Relief from the off-street parking standards. 	<ul style="list-style-type: none"> • Designated use shall remain as day-skier/visitor parking. • Parking counts will be based on historical parking counts not code compliant parking spaces. • Onsite drainage and detention improvements must be provided. • Waiver from interior landscaping and snow stacking is acceptable. • Perimeter landscaping shall be enhanced. • Lighting should be improved and meet dark sky requirements.
Parcel 2 (North Gold Rush)	<ul style="list-style-type: none"> • Determine the appropriate amount of workforce housing units. • Determine appropriate pedestrian crossing design. • Determine if relief from Policy 7/R is appropriate from associated disturbance to the hillside from the design of the parking structure. • Determine appropriate monthly rents and annual rent increases for workforce housing units. 	<ul style="list-style-type: none"> • Additional density for the purpose of building more workforce housing than required by Code. (Existing density must be utilized for all required employee mitigation.) • Possible relief from Policy 7/R for cutting into the hillside. • Lower required parking for one-bedroom units from 1.5 to 1.0 spaces per unit. 	<ul style="list-style-type: none"> • Provide roundabout and other pedestrian crossing improvements at French and Park Avenue intersection. • Provide a to-be-determined amount of workforce that is beyond what Policy 24A requires. • Provide relief from 7/R related to site disturbance and retaining walls for cutting into the hillside if tree buffer along Park Avenue is maintained. • Allow a reduction in required parking from 1.5 to 1.0 spaces per unit.
Parcel 3 (South Gold Rush)	<ul style="list-style-type: none"> • Determine the appropriate amount of site programming 	<ul style="list-style-type: none"> • Allow revegetation of trees lost on Park Avenue due to roundabout and 	

	<p>(density and site disturbance).</p> <ul style="list-style-type: none"> • Determine the appropriate amount of tree preservation. • Determine the amount of acceptable, if any, wetland disturbance. • Determine if relief from the Engineering Standards related to driveways and circulation is acceptable. 	<p>sidewalk construction.</p> <ul style="list-style-type: none"> • Allow relief from the Engineering Standards related to driveways and circulation. 	
<p>Parcel 4 (East Peak 8 Hotel)</p>	<ul style="list-style-type: none"> • Should the building be designed to step down along the eastern façade or have increased setbacks without stepping? • Shall the applicant be responsible for any permit identified geometric roadway improvements, including but not limited to: turn lane extensions, curb & gutter realignment, and associated drainage infrastructure? • Does the Council have additional comments on traffic or roadway improvements? 	<ul style="list-style-type: none"> • A request for 220 SFEs of density to allocated to the site. • Waiver of on-site mitigation requirements of REMP and allowance to offset outdoor energy by installation of solar on other BGV buildings in Town, subscription to solar/wind gardens outside of the County, and if necessary payment in lieu. 	<ul style="list-style-type: none"> • Allocate 220 SFEs of density, including 13.75 commercial SFEs, 7.2 SFEs support. 87.8 SFEs are currently within the Peak 8 Base Area. An additional 132.2 SFEs will need to be transferred to the site from the Gondola Lots Master Plan area. • Allow up to 203 vehicles to be parked underground onsite, with 35 of those spaces to be used exclusively by Vail Resorts employees and 6 oversized spaces to be used exclusively by the BOEC. • Underground garage square footage shall be exempted from Policy 3A: Density. • Provide a waiver of on-site mitigation requirements of REMP and allowance to offset outdoor energy by installation of solar on other BGV buildings in Town, subscription to solar/wind gardens outside of the County, and, if necessary, payment in lieu.

			<ul style="list-style-type: none"> • Provide a waiver for the second curb cut off of Ski Hill Road. • Eliminate access to site from Sawmill Run Road upon reception of a certificate of occupancy. • Retain the environmental improvement fund commitment from the previous Lionheart Development Agreement in the new Development Agreement and make the term of the agreement the life of the building. • Provide annual trip reports to the Town for the first 5 years after obtaining a certificate of occupancy.
Parcel 5	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Request for relief to exceed recommended slope for driveways. • Request for relief from the subdivision standards related lot dimensions. 	<ul style="list-style-type: none"> • Relief to exceed recommended slope for driveways if similar to developed conditions for Timber Trail was found to be acceptable. • Relief from the subdivision standards related lot dimensions.
Parcel 6	<ul style="list-style-type: none"> • Determine the appropriate home size limitation or FAR. • Determine the appropriate number of single-family lots. • Is the Council supportive of instituting a PIF rate that is 1.25 times the listed in-Town rate for the properties within Parcels 5 and 6? 	<ul style="list-style-type: none"> • Master plan amendment to add density for single-family homesites. • Relief to exceed recommended slope and length for a dead-end roadway. • Relief to exceed recommended slope for a driveway. • May wish to proceed with 	<ul style="list-style-type: none"> • Conceptual lot shape and dimensions were found to be acceptable. • Master Plan amendment is favored over an amendment to the LUGs to allow density transfer for creation of new single-family lots. • Relief to exceed recommended slope and length for a dead-end roadway if similar to developed conditions for Timber Trail was found to be acceptable.

		development without having a Hydrology Analysis performed.	<ul style="list-style-type: none"> • Provide access to site by extending Timber Trail Drive through Tract A. • Open space fee in-lieu dedication shall be based on an appraisal completed at the time of subdivision. • Institute a PIF rate that is 1.25 times the listed in-Town rate for the properties within Parcels 5 and 6. • Provide a hydraulic study prior to subdividing Parcel 5 or 6 into Single-family homesites.
All Parcels	<ul style="list-style-type: none"> • We need to understand exact densities to assign to each parcel. 	<ul style="list-style-type: none"> • Request for extended vesting for the amended Peak 7 & 8 Master Plan and Gondola Lots Master Plan. 	<ul style="list-style-type: none"> • 8 years extended vesting for the amended Peak 7 & 8 Master Plan. • 5 years extended vesting for the amended Gondola Lots Master Plan.

NOT FOR CONSTRUCTION

DRAWN BY: ZE/TJ
CHECKED BY: DTJ
PROJECT NO.: 2019026
ISSUE DATE: 10/20/2023
REVISIONS:

SHEET TITLE:
GOLD RUSH SOUTH
WETLAND DISTURBANCE

SHEET NUMBER:

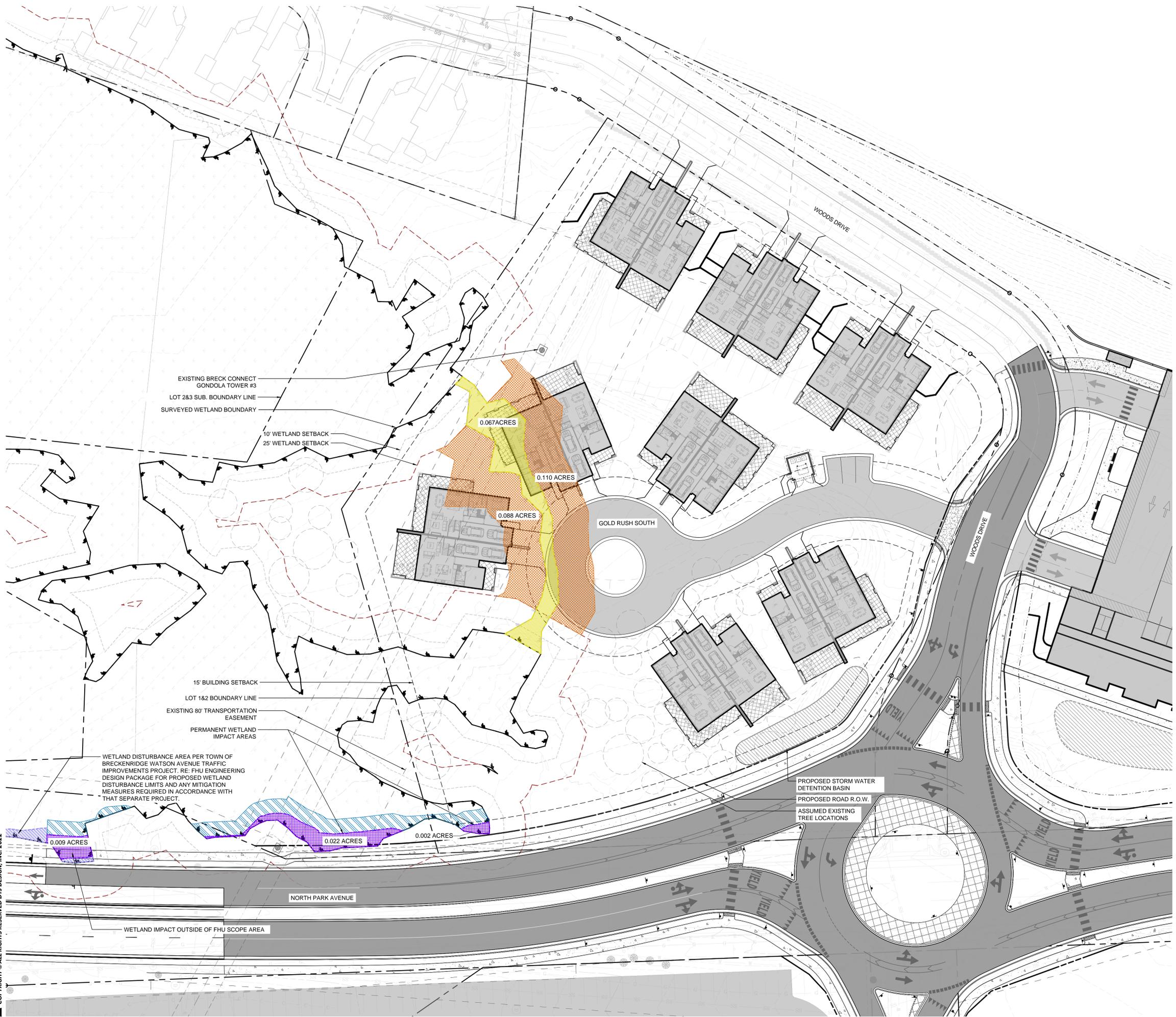
WETLAND DISTURBANCES DIAGRAM LEGEND

- PREVIOUSLY EXEMPTED MAPPED WETLAND ZONES
- PREVIOUSLY EXEMPTED MAPPED WETLAND BUFFER
- PROPOSED WETLAND DISTURBANCE ZONES
- TEMPORARY WETLAND DISTURBANCE ZONES

WETLAND DISTURBANCE TABULATIONS	
CATEGORY	AREA (acres)
PREVIOUSLY EXEMPTED MAPPED WETLAND ZONES	
Exempted Wetland Zones	0.067
Exempted 25' Wetland Buffer Zones	0.198
PROPOSED WETLAND DISTURBANCE ZONES	
Total Permanent Wetland Disturbance Zones	0.033

NOTE:

1. EXEMPTED WETLAND, AND 25' WETLAND BUFFER AREAS, HAVE BEEN DETERMINED BY BRECKENRIDGE TOWN ENGINEERING DEPARTMENT BASED ON ANALYSIS REPORT PROVIDED BY WETLAND/ENVIRONMENTAL CONSULTANT DURING THE MASTER PLAN REVIEW PROCESS. THE AGGREGATE OF THESE AREAS ARE NOW EXEMPT FROM WETLAND DISTURBANCE CLASSIFICATION FOR DEVELOPMENT REVIEW, BASED ON THESE DETERMINATIONS. THESE AREAS ARE SHOWN FOR CONTEXTUAL REFERENCE ONLY.
2. AREAS CALCULATED ARE BASED ON PROPOSED AND EXISTING PLATTED LOT BOUNDARIES.
3. FINAL DISTURBANCE ZONES TO BE DETERMINED IN FINAL DEVELOPMENT PLAN SUBMITTAL WHEN DETAILED GRADING DESIGN PLANS ARE FINALIZED, AND DISTURBANCE AREAS ARE FURTHER DEFINED.



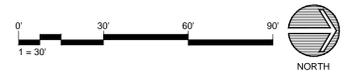
EXISTING BRECK CONNECT GONDOLA TOWER #3
LOT 2&3 SUB. BOUNDARY LINE
SURVEYED WETLAND BOUNDARY
10' WETLAND SETBACK
25' WETLAND SETBACK

15' BUILDING SETBACK
LOT 1&2 BOUNDARY LINE
EXISTING 80' TRANSPORTATION EASEMENT
PERMANENT WETLAND IMPACT AREAS

WETLAND DISTURBANCE AREA PER TOWN OF BRECKENRIDGE WATSON AVENUE TRAFFIC IMPROVEMENTS PROJECT. RE: FHU ENGINEERING DESIGN PACKAGE FOR PROPOSED WETLAND DISTURBANCE LIMITS AND ANY MITIGATION MEASURES REQUIRED IN ACCORDANCE WITH THAT SEPARATE PROJECT.

PROPOSED STORM WATER DETENTION BASIN
PROPOSED ROAD R.O.W.
ASSUMED EXISTING TREE LOCATIONS

Drawing: IA-2019026-Breckenridge-Gondola Lot Dev05-CAD Sheets00-Exhibits-Coordination06 GRS_SiteDiagrams-Wetland-Dist.dwg
 Last Saved: October 25, 2023 10:57:50 AM by Zeanhart
 Last Plotted: 10/25/2023 11:00:33 AM
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DRAWN BY: DTJ
CHECKED BY: DTJ
PROJECT NO: 2023024.40
ISSUE DATE: 11/06/2023
REVISIONS:

SHEET TITLE:

BUILDING
PERSPECTIVES

SHEET NUMBER:

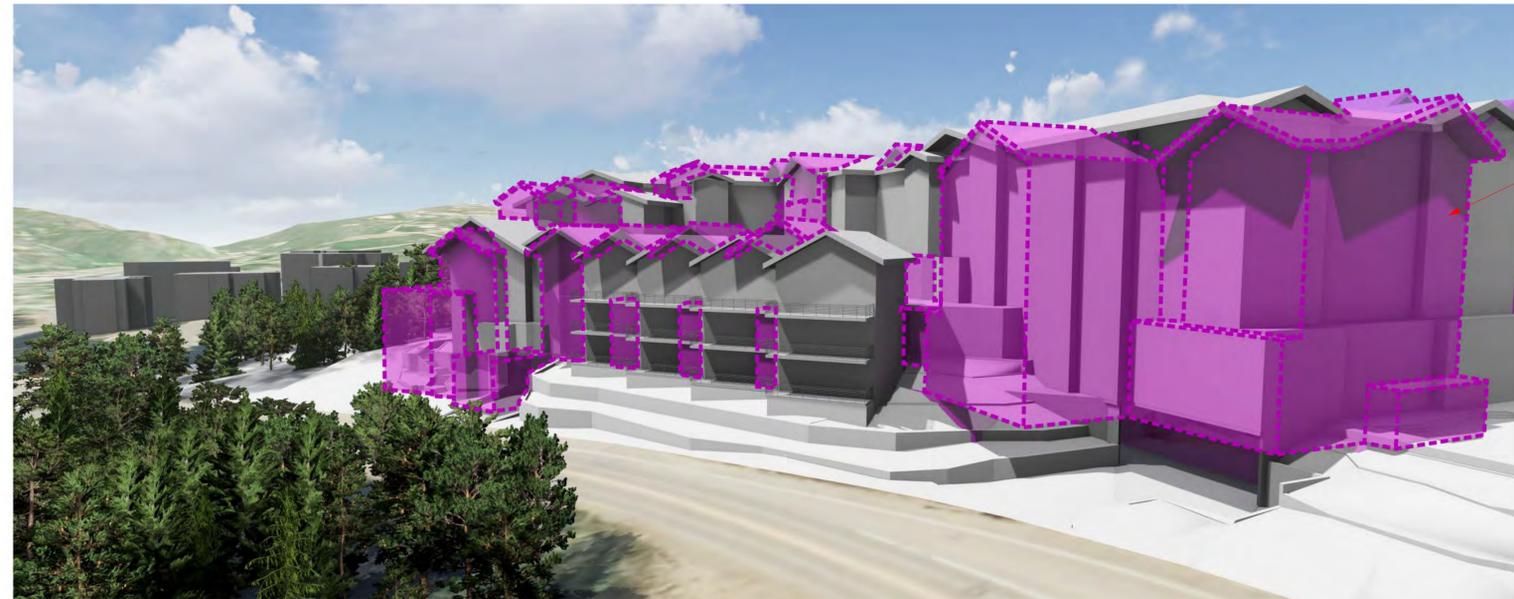
A902



3
A902
SOUTHWEST BUILDING PERSPECTIVE
SCALE: 12" = 1'-0"



2
A902
NORTHWEST BUILDING PERSPECTIVE
SCALE: 12" = 1'-0"



1
A902
NORTHWEST BUILDING PERSPECTIVE
SCALE: 12" = 1'-0"

LIGHT PINK AREA REPRESENTS
FORMER EXTENTS OF BUILDING MASS

LIGHT PINK AREA REPRESENTS
FORMER EXTENTS OF BUILDING MASS

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DRAWN BY: DTJ
CHECKED BY: DTJ
PROJECT NO: 2023024.40
ISSUE DATE: 11/06/2023
REVISIONS:

SHEET TITLE:
BUILDING
PERSPECTIVES

SHEET NUMBER:

A903



3
A903
NORTHEAST BUILDING PERSPECTIVE - PREVIOUS DESIGN
SCALE: 1/2" = 1'-0"

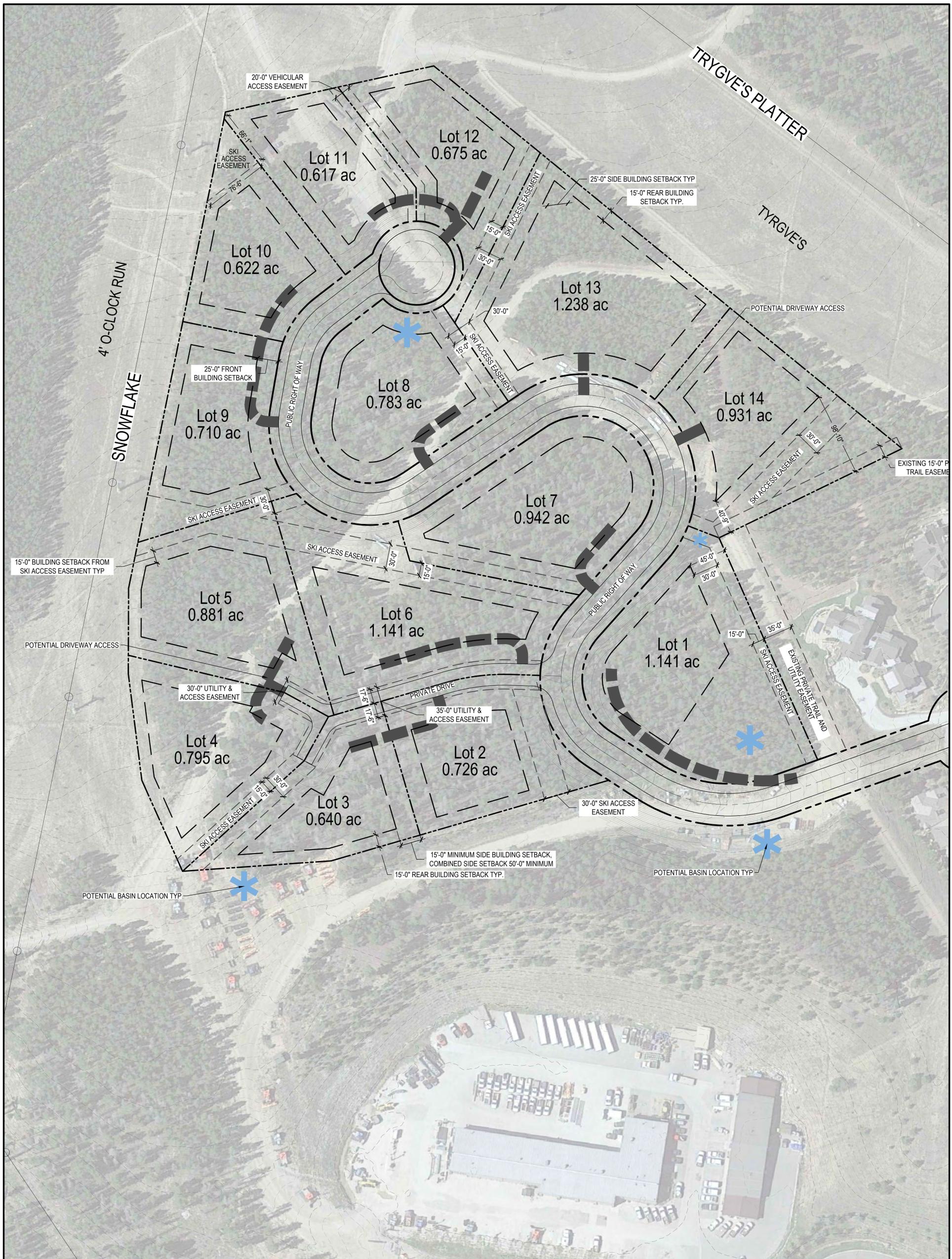


2
A903
NORTHEAST BUILDING PERSPECTIVE - CURRENT DESIGN
SCALE: 1/2" = 1'-0"



LIGHT PINK AREA REPRESENTS
FORMER EXTENTS OF BUILDING MASS

1
A903
NORTHEAST BUILDING PERSPECTIVE - COMPARISON
SCALE: 1/2" = 1'-0"



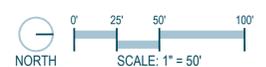
SETBACKS

Front Yard:	25'
Rear Yard:	15'
Side Yard:	15' (with combined side yard setbacks on each lot equaling a min of 50')

Base information and topography shown was sourced from USGS. A survey of existing conditions and utilities is needed to verify design concept.

EAST PEAK 8 | CONCEPT PLAN 1

OCTOBER 2023



NORRIS DESIGN
PEOPLE + PLACEMAKING

Alpine Ecological Resources, LLC

Gold Rush Lots Wetland Technical Report

Breckenridge, Colorado

*Prepared for: Breckenridge Grand Vacations
October 26, 2023*



Andy Herb, Ecologist/Owner
andy@alpine-eco.com
www.alpine-eco.com

Gold Rush Lots

Wetland Technical Report

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Gold Rush Lots

Wetland Technical Report

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Appendices

Appendix A – Wetland Determination Data Forms

Appendix B – Site Photographs

Appendix C - Site Plan and Wetland Disturbance

Abbreviations and Acronyms

FAC	Facultative
FACW	Facultative Wetland
FACWet	Functional Assessment of Colorado Wetlands
FACU	Facultative Upland
FGDC	Federal Geographic Data Committee
HGM	Hydrogeomorphic Method
HUC	Hydrologic Unit Code
ILF	In-Lieu Fee
NFF	National Forest Foundation
NRCS	Natural Resources Conservation Service
NWPL	National Wetland Plant List
OBL	Obligate
PEM	Palustrine Emergent
PSS	Palustrine Scrub/Shrub
UPL	Upland
USACE	US Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
WGS	World Geodetic System

Gold Rush Lots

Wetland Technical Report

1.0 Introduction

1.1 Purpose of This Report

This report formally documents the wetlands and other water features present in the study area. The primary reason for this documentation is to assist with project planning and design, which is intended to maximize avoidance of these features wherever practicable. The wetland and other water features described in this report include all those present, regardless of their jurisdiction under Section 404 of the Clean Water Act.

This report also documents the proposed impacts to wetlands and other water features, and any proposed compensatory mitigation measures.

1.2 Project Description

The project involves the construction of residential duplex/townhomes and the supporting roadway and other infrastructure components.

Gold Rush Lots

Wetland Technical Report

2.0 Site Description

The 16.1-acre study area is in Summit County, in the Town of Breckenridge, Colorado (**Figure 1**) and is immediately west of Park Avenue under the Breck Connect Gondola. The site can be found on the United States Geological Survey 7.5-minute series *Breckenridge, Colorado* quadrangle and includes land in both Township 6S, Range 77W, Section 31 and Township 6S, Range 78W, Section 36. The study area centroid has the following approximate coordinates (datum is WGS84):

- Universal Transversal Mercator: 409729E, 4371267N
- Latitude/Longitude: 39.486276°N, -106.049696°W

The study area is approximately 9,575 feet above mean sea level and is flanked by commercial development to the north and east, and residential development to the west and south. The northern portion of the site is mostly developed and consists of large parking lots. The southern portion is mostly comprised of natural habitats, including a mix of willow (*Salix* spp.)-dominated wetlands, associated riparian habitat, and some mixed conifer and Quaking Aspen (*Populus tremuloides*) wooded areas.

The site is in the Sedimentary Subalpine Forests Ecoregion, which is characterized by glaciated mountains with steep slopes and high-gradient perennial streams between 8,500 and 10,000 feet above mean sea level (Chapman, et al. 2006). Vegetation in the ecoregion is generally Engelmann's Spruce/Fir (*Picea engelmannii*/*Abies lasiocarpa*) forest interspersed with Quaking Aspen groves and meadows. Land uses include timber harvest, mining, hunting and other recreation, and some seasonal grazing.

The site is also in the Southern Rocky Mountain Forest and Range Land Resource Region (NRCS 2006). This Land Resource Region is characterized by rugged mountains with some broad valleys and remnants of high plateaus. Precipitation ranges from 7 to 63 inches per year, and the primary soil resource concerns are erosion by wind and water and maintaining the productivity of the soils. The majority of land in this region is federally owned.

The hydrologic unit code (HUC) is 14010002 (Blue).

Gold Rush Lots

Wetland Technical Report

3.0 Methods

3.1 Literature Review

Prior to conducting the field survey, numerous sources of data were reviewed to gain a general understanding of the ecology of the study area. These sources included aerial photographs and topographic maps, *Wetlands Mapper* website (USFWS 2023), *Web Soil Survey* (NRCS 2023a), *National Wetland Plant List (NWPL)* (USACE 2020), other state and federal agency websites, and other relevant data.

3.2 Field Data Collection

Andy Herb (senior ecologist) originally identified wetlands and other water features in a portion of the study area in August 2016 and returned in July 2020 to update those boundaries and examine the rest of the study area. All features were delineated within the defined study area using procedures outlined in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region* (USACE 2010), which involved a detailed examination of plants, soils, and hydrologic indicators present.

Generally, the detailed examination of each wetland involves the collection of vegetation, soil, and hydrology data at paired data points. These paired points include one point within the suspected wetland and one point in the adjacent upland. However, if numerous wetlands are in close proximity and surrounded by the same or similar upland plant community, then upland data points of nearby sites are often utilized, rather than creating a new upland data point for each wetland area.

During field examinations, all plants considered dominant in wetlands or otherwise commonly observed were identified. A list of dominant plants was documented for each potential wetland area and was compared to the NWPL to determine the “wetland indicator status” of each species. Generally, if at least 50 percent of those species had an indicator status of facultative (FAC) or wetter, the potential wetland area would satisfy the US Army Corps of Engineers (USACE) criterion for wetland vegetation. The botanical nomenclature presented in this report follows the NWPL and is followed by the NWPL indicator status for the Western Mountains, Valleys, and Coast Region. If a species is not listed in the NWPL, then the nomenclature follows the *PLANTS Database* (NRCS 2023b).

Soils were examined at various locations throughout the study area to identify the presence of hydric soil indicators. If indicators were found, multiple pits may have been dug along the gradient to identify the extent of hydric soils.

While recording plant species and identifying soil characteristics, potential wetlands within the study area were assessed for evidence and potential sources of wetland hydrology. This evidence included primary indicators such as the presence of surface water and saturation, and secondary indicators like drainage patterns and geomorphic position.

Most surrounding uplands were not formally sampled or recorded on data forms, and were generally examined while attempting to identify wetland areas. Those uplands examined in more detail or recorded on data forms typically exhibited evidence of at least one wetland indicator (hydrophytic vegetation, hydric soils, or wetland hydrology). Data collected for all areas investigated and deemed non-wetland are not necessarily included in this report.

Gold Rush Lots

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3.3 Mapping

After determining the approximate extent of the wetlands based on the presence of hydric soils, hydrophytic vegetation, and wetland hydrology, the wetland boundary was flagged and surveyed using a global positioning system device. This equipment provides accuracy of less than one meter.

3.4 Wetland Classification

Wetlands in the study area were classified in accordance with the *Hydrogeomorphic Method* (HGM) (Brinson 1993) and the Federal Geographic Data Committee (FGDC) *Classification of Wetlands and Deepwater Habitats of the United States* (FDGC 2013).

The “slope” wetland classification is the only HGM type applicable to wetlands in the study area. Slope wetlands are those that are generally not on floodplains and that have groundwater as their primary water source.

The FGDC classification scheme includes two wetland types that apply to wetlands in the study area: palustrine emergent (PEM) and palustrine scrub-shrub (PSS). PEM wetlands are those dominated by herbaceous vegetation (grasses, grass-like, and forbs). PSS wetlands are those dominated by shrubs or trees less than 20 feet tall.

3.5 Wetland Functional Assessment

Wetland functions were generally assessed using the concepts presented in the *Functional Assessment of Colorado Wetlands* (FACWet) Method (Johnson, et al. 2013), although a complete assessment was not conducted. FACWet is a rapid assessment method that provides a reliable and consistent approach to rating the condition of wetlands relative to their natural potential by focusing on the presence of stressors. Stressors are human-caused changes to a wetland or adjacent lands that alter a wetland’s ability to perform ecological functions and processes.

Gold Rush Lots

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4.0 Wetlands

The 16.1-acre study area contains 5.7 acres of mostly PSS slope wetlands that include small pockets of PEM wetlands in the wettest areas. They are shown on **Figure 2** and briefly described in the following sections. *Wetland Determination Data Forms* are in **Appendix A** and photos are in **Appendix B**.

4.1 Vegetation

Most of the wetland area is dominated by willows (**Photo 1 in Appendix B**), with an understory comprised mostly of Bluejoint (*Calamagrostis canadensis*-FACW) and Tall Fringe Bluebells (*Mertensia ciliata*-FACW) in drier wetlands, and Northwest Territory Sedge (*Carex utriculata*-OBL) and Leafy Tussock Sedge (*Carex aquatilis*-OBL) in wetter areas. The most common willows present are Drummond's Willow (*Salix drummondiana*-FACW), Geyer's Willow (*S. geyreriana*-FACW), and Park Willow (*S. monticola*-OBL).

The vegetation along the wetland boundary is generally characterized by a subtle transition away from the hydrophytes mentioned above, to an increasing density of dead and/or dying willow with an understory of more mesic grasses and forbs like Fringed Brome (*Bromus ciliatus*-FAC), Common Yarrow (*Achillea millefolium*-FACU), Meadow Thistle (*Cirsium scariosum*-FAC), and Virginia Strawberry (*Fragaria virginiana*-FACU) (**Photos 2 and 3 in Appendix B**). These areas also often contain scattered mesic and upland trees and shrubs, including Quaking Aspen (FACU), Lodgepole Pine (*Pinus contorta*-FAC), Common Juniper (*Juniperus communis*-UPL), Golden-Hardhack (*Dasiphora fruticosa*-FAC), and Four-Line Honeysuckle (*Lonicera involucrata*-FAC).

4.2 Hydrology

The wetlands are mainly supported by seasonally high groundwater associated with snowmelt. The southwest and west portions of the wetlands are wettest and wetland hydrology in these areas are supplemented by perennial surface water inputs from the adjacent developed areas (see *Section 5.0 Other Water Features*). The remainder of the wetlands (especially the east and north sides) appear to be drier than they were historically, as evidenced by the extensive dead and dying willow, relatively low cover of herbaceous hydrophytes, and limited evidence of recent standing or flowing water. This drying seems to be a result of development up-gradient of the wetland (outside the study area) interrupting surface and/or groundwater flows, as well as the presence of a ditch at the north end that directs surface flows (and some groundwater) out of the wetland area, which then quickly infiltrates into the upland area to the north.

Much of the wetland area (especially the western half) was saturated to the surface during fieldwork and some areas had surface water present (up to 6 inches deep). The wetland hydrology indicators observed in the study area include Surface Water (A1), Saturation (A3), Drainage Patterns (B10), Geomorphic Position (D2), and FAC-Neutral Test (D5).

4.3 Soils

According to the *Web Soil Survey* (NRCS 2023a), the soil in the study area is Grenadier gravelly loam, 0 to 6 percent slopes. This soil is not considered hydric but it is known to have both cumulic cryaquolls and hystic cryaquolls as minor components (20%) in swales, both of

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which are listed as hydric. The Grenadier gravelly loam is found on fans and at mountain bases, and is derived from glacial drift. It is generally well drained and has a normal depth to water table of more than 80 inches. The typical profile is gravelly loam from 0 to 3 inches and gravelly sandy clay loam from 3 to 16 inches. A total of five soil pits were excavated in and near the wetlands (**Figure 2**), and they generally confirmed the presence of this soil type. Soil observed in the various pits were variable, with sand, silty and sandy loams, and gravel observed within 16 inches of the surface (see data forms in **Appendix A**). The only hydric soil indicator observed in the soil pits was Depleted Matrix (F3).

4.4 Wetland Functional Condition

Based on the concepts presented in the *FACWet Method* (Johnson, et al. 2013), the general condition of the wetlands in study area is Functioning to Functioning Impaired (letter grade of "C" to "D"). This is a result of the great loss of historical wetlands in and adjacent to the study area, and the presence of several major ecological stressors. The most severe stressors include: 1) altered water source and distribution caused by upgradient developments (outside the study area), as well as on-site morphological modifications to the wetland itself (ditching and old railroad bed); and 2) modifications to the contributing area, namely the extensive development in the immediate watershed.

The highest functioning part of the wetland is the west side where there appears to be more appropriate wetland hydrology. This part of the wetland is supplemented by surface flows from the two tributaries entering from the west (see *Section 5.0 Other Water Features*) and generally contains the expected vegetation zones. The lower functioning wetlands on the east and north are partially dewatered by adjacent land uses and ditching, which has had a profound impact on the vegetation complexity and overall functional condition.

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5.0 Other Water Features

While there are no other water features in the study area (no channels with a defined bed and bank), surface water flows certainly enter the site and influence the wetlands present. **Figure 2** shows the surface water inputs to the site and the direction of flow, which is typically observable during snowmelt as shallow groundwater flow and/or sheet flow. There are three main surface water inputs:

- **Tributary 1** enters the study area from the south through a small culvert (approximately 18 inches in diameter) and appears to be drainage from the residential development to the south – perhaps from foundation drains or other sources of water more reliable than stormwater since it has been observed flowing during site visits in spring, summer, and fall (**Photo 4 in Appendix B**). The flow path of this tributary is mostly covered with wetland vegetation.
- **Tributary 2** is an unnamed topographic swale that enters the study area from the southwest through a large culvert (approximately 36-inch) under the walking path at the end of Woods Drive (**Photo 5 in Appendix B**). It appears to carry snowmelt and other stormwater flows into the site and has been observed dry during the summer and fall. While some large flows enter through this tributary, as evidenced by recent sediment and rafted debris, it does not contain a defined channel within the study area. Water entering the site sheet flows into the larger wetland area.
- **Tributary 3** appears to be drainage from the residential development to the west, along Woods Drive. Water drains from a retaining wall into a small pond (out of the study area) and sheet flows into the site below the pond (**Photo 6 in Appendix B**). Similar to Tributary 1, this tributary has been observed flowing during site visits in spring, summer, and fall, so it may also originate from foundation drains.

While much of the wetland stays relatively wet throughout the growing season, no surface flows appear to leave the property. During snowmelt, when surface flows are typically at their peak, water can flow out of the large wetland area into a narrow part of the wetland that is an excavated ditch with a vegetated bottom (no channel). This ditch was historically excavated in an apparent attempt to drain the larger wetland and directs water northeast where it can leave the wetland via sheet flow and into a topographic swale. If it makes it that far, it continues north through the swale into a culvert under Woods Drive and into a small upland stormwater pond. There is no channel between the wetland and this pond (**Photo 7 in Appendix B**). The pond is strictly a topographic depression in uplands and does not contain wetlands or a channel. The pond outlets to an elevated wooden box with an opening to an underground stormwater pipe that appears to run east along the north side of French Street approximately 600 feet to the Blue River. The entrance to this pipe is perched above the ground surface and shows no signs of recent or regular flow (**Photos 8 and 9 in Appendix B**). Other than this outlet, there are no other culverts or surface water connections to off-site habitats.

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6.0 Proposed Impacts

The proposed project would result in the permanent loss of 0.10 acre of wetlands for the construction of the residential development and the widening of North Park Avenue (**Table 1**). The drawings in **Appendix C** show the overall site plan and the impacted wetlands.

Table 1: Permanent Wetland Impacts

Project Feature	Permanent Impacts (acres)	Notes
Residential Development	0.067	Includes grading for buildings and associated features; 0.198 acre of adjacent wetland setback area also permanently lost
North Park Avenue	0.033	Includes grading for road widening and associated features; wetland setback impacts temporary
Total	0.100	-

The wetlands impacted for residential development are those associated with the historically excavated ditch at the north end and are the lowest quality wetlands in the study area. The wetlands impacted for the widening of North Park Avenue are on the extreme eastern edge of the wetland where substantial evidence of drying was observed. These wetlands are also some of the lowest functioning wetlands in the study area.

Permanent impacts to the wetland setback (25-foot buffer around the wetlands) include 0.198 acre associated with the wetlands impacted by the residential development. The setback where the wetlands would be impacted by the widening of North Park Avenue are expected to be temporarily impacted during construction but will not be permanently lost.

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Wetland Technical Report

7.0 Proposed Mitigation

7.1 Wetland Mitigation

The proposed project would permanently fill 0.10 acre of existing wetlands as a result of the construction of the residential duplex/townhomes and supporting roadway and other infrastructure components. The wetlands were determined to be non-jurisdictional under the Clean Water Act on August 31, 2021 by the USACE. Regardless, the project proponent has worked diligently to avoid and minimize impacts to wetlands to the maximum extent practicable by redesigning the project multiple times to keep the project footprint as small as possible and orienting the proposed improvements to maximize the use of upland areas. Since wetlands encompass a large portion of the property (5.7 of the 16.1 acres), there is no feasible alternative to disturbing some wetlands and still meet the project purpose of providing residential housing within the density set forth by the Town of Breckenridge (Town) approved masterplan, meeting local fire code access requirements to the residential units, while simultaneously preserving mature existing trees and vegetation on site as required for Town approval of the project.

The 0.10 acre of wetlands lost have been compensated for by purchasing 0.2 credits (2:1 ratio) from the recently approved Colorado Western Slope In-Lieu Fee (ILF) Program, which is sponsored by the National Forest Foundation (NFF) and approved for use in Summit County by the USACE. The ILF was formally approved in 2020 and began releasing credits for projects seeking compensatory wetland mitigation credits in Summit County in 2022.

Additional information about the program can be found on the Corps' Regulatory In-Lieu Fee and Bank Tracking Information System website:

https://ribits.ops.usace.army.mil/ords/f?p=107:378::NO::P378_PROGRAM_ID:2808.

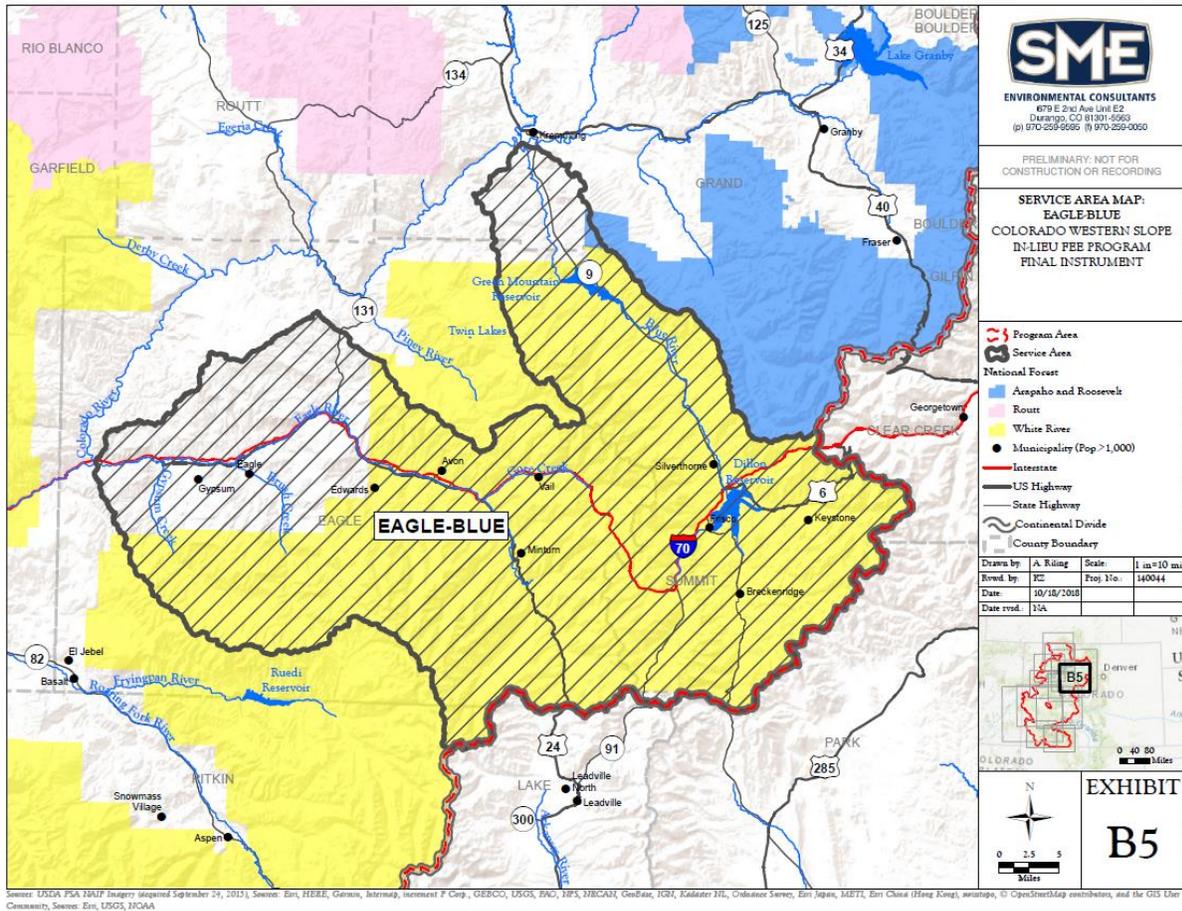
The mitigation credits will be debited from the Program's Blue-Eagle Service Area, which encompasses hydrologic unit code 1401000201 and includes the Town of Breckenridge (see **Figure B5** from the program instrument below). As such, a formal wetland mitigation plan will not be prepared for the project. Details of the wetlands to be used for the ILF Program are available from the NFF by contacting Mr. Marcus Selig (NFF Chief Conservation Officer) at 720.437.0290 or mseelig@nationalforests.org.

7.2 Wetland Setback Mitigation

The project would permanently impact 0.198 acre of wetland setback. The compensation for this setback area includes the purchase of surplus credits from the ILF (0.2 credits instead of the required 0.1 credit), as well as the revegetation of areas around the new residential facilities, including the proposed stormwater detention basin.

The project would also temporarily impact a portion of the wetland setback adjacent to the wetlands impacted by the widening of North Park Avenue. This setback area will be revegetated with a native seed mix after construction.

Gold Rush Lots Wetland Technical Report



Gold Rush Lots

Wetland Technical Report

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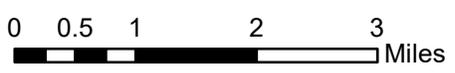
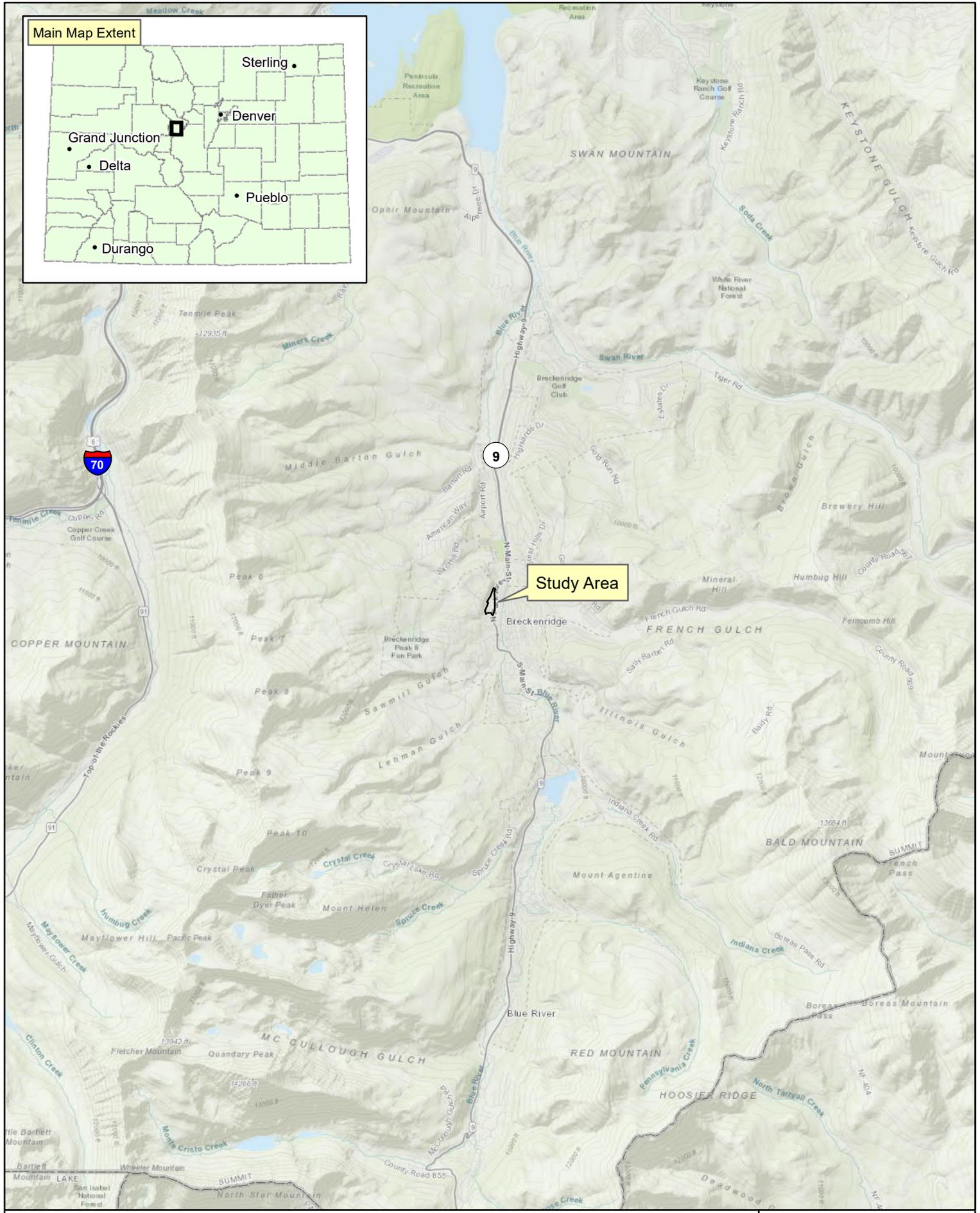
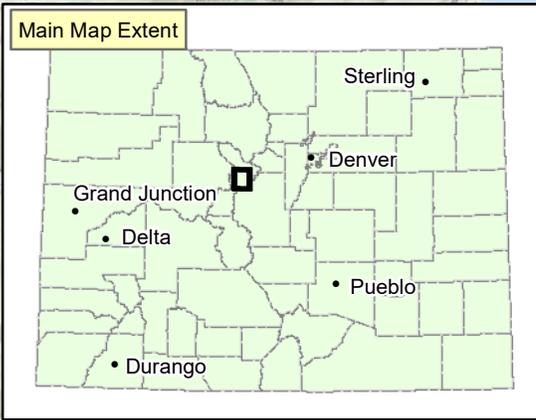
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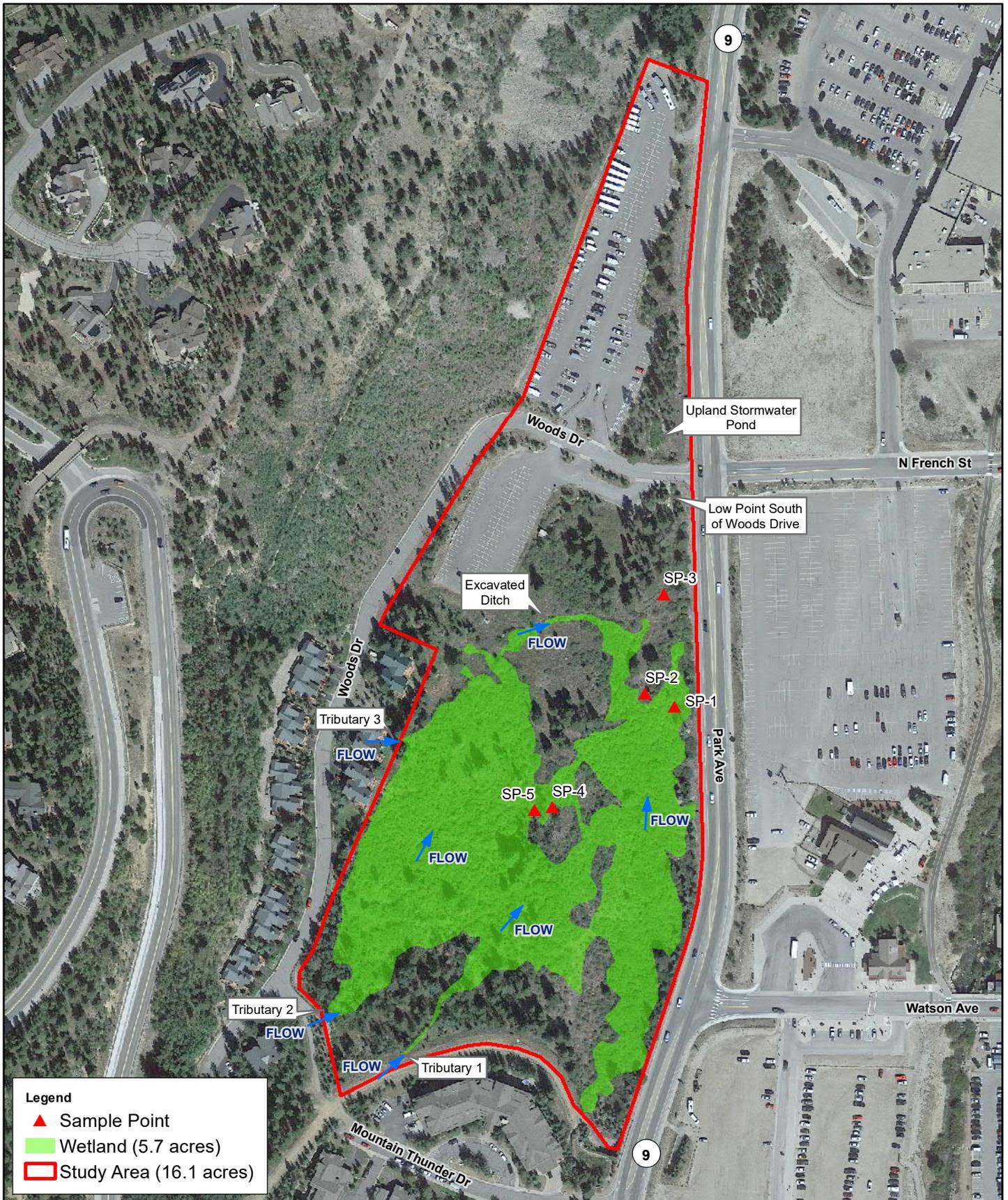
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Gold Rush Parking Lot

Figure 1
Site Location Map 309

07/19/2021



Legend

- ▲ Sample Point
- Wetland (5.7 acres)
- Study Area (16.1 acres)



08/13/2020

Gold Rush Parking Lot

Figure 2
Wetlands and Other
Water Features

Appendix A
Wetland Determination Data Forms

Project/Site: Gold Rush Lots City/County: Breckenridge/Summit Sampling Date: 8/17/16
 Applicant/Owner: Breckenridge Grand Vacations State: CO Sampling Point: SP1
 Investigator(s): Andy Herb Section, Township, Range: S31, T7S, R77W
 Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): concave Slope (%): 1 to 2
 Subregion (LRR): LRR E, MLRA 48A Lat: 39.485950 Long: -106.048847 Datum: WGS84
 Soil Map Unit Name: Grenadier gravelly loam, 0 to 6 percent slopes NWI classification: PSS
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u> Hydric Soil Present? Yes <u>X</u> No <u> </u> Wetland Hydrology Present? Yes <u>X</u> No <u> </u>	Is the Sampled Area within a Wetland? Yes <u>X</u> No <u> </u>
---	--

Remarks:
 Dense willow area with mesic understory; appears to be drier than historically but still meets the wetland criteria; possibly part of a relict beaver pond complex; original data collected in August 2016 but verified in July 2020

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30-ft radius</u>)	Absolute % Cover	Dominant Species?	Indicator Status																																	
1. _____	_____	_____	_____	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>6</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)																																
2. _____	_____	_____	_____																																	
3. _____	_____	_____	_____																																	
4. _____	_____	_____	_____																																	
_____ =Total Cover	_____	_____	_____																																	
Sapling/Shrub Stratum (Plot size: <u>15-ft radius</u>)				Prevalence Index worksheet: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"></td> <td style="width: 20%;">Total % Cover of:</td> <td style="width: 20%;">Multiply by:</td> <td style="width: 30%;"></td> </tr> <tr> <td>OBL species</td> <td><u>10</u></td> <td>x 1 =</td> <td><u>10</u></td> </tr> <tr> <td>FACW species</td> <td><u>30</u></td> <td>x 2 =</td> <td><u>60</u></td> </tr> <tr> <td>FAC species</td> <td><u>45</u></td> <td>x 3 =</td> <td><u>135</u></td> </tr> <tr> <td>FACU species</td> <td><u>5</u></td> <td>x 4 =</td> <td><u>20</u></td> </tr> <tr> <td>UPL species</td> <td><u>0</u></td> <td>x 5 =</td> <td><u>0</u></td> </tr> <tr> <td>Column Totals:</td> <td><u>90</u> (A)</td> <td></td> <td><u>225</u> (B)</td> </tr> <tr> <td colspan="4">Prevalence Index = B/A = <u>2.50</u></td> </tr> </table>		Total % Cover of:	Multiply by:		OBL species	<u>10</u>	x 1 =	<u>10</u>	FACW species	<u>30</u>	x 2 =	<u>60</u>	FAC species	<u>45</u>	x 3 =	<u>135</u>	FACU species	<u>5</u>	x 4 =	<u>20</u>	UPL species	<u>0</u>	x 5 =	<u>0</u>	Column Totals:	<u>90</u> (A)		<u>225</u> (B)	Prevalence Index = B/A = <u>2.50</u>			
	Total % Cover of:	Multiply by:																																		
OBL species	<u>10</u>	x 1 =	<u>10</u>																																	
FACW species	<u>30</u>	x 2 =	<u>60</u>																																	
FAC species	<u>45</u>	x 3 =	<u>135</u>																																	
FACU species	<u>5</u>	x 4 =	<u>20</u>																																	
UPL species	<u>0</u>	x 5 =	<u>0</u>																																	
Column Totals:	<u>90</u> (A)		<u>225</u> (B)																																	
Prevalence Index = B/A = <u>2.50</u>																																				
1. <u>Salix drummondiana</u>	<u>10</u>	<u>Yes</u>	<u>FACW</u>																																	
2. <u>Salix monticola</u>	<u>10</u>	<u>Yes</u>	<u>OBL</u>																																	
3. _____	_____	_____	_____																																	
4. _____	_____	_____	_____																																	
5. _____	_____	_____	_____																																	
_____ =Total Cover	<u>20</u>	_____	_____																																	
Herb Stratum (Plot size: <u>1x3 meter</u>)				Hydrophytic Vegetation Indicators: <u> </u> 1 - Rapid Test for Hydrophytic Vegetation <u>X</u> 2 - Dominance Test is >50% <u>X</u> 3 - Prevalence Index is ≤3.0 ¹ <u> </u> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> 5 - Wetland Non-Vascular Plants ¹ <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																																
1. <u>Mertensia ciliata</u>	<u>20</u>	<u>Yes</u>	<u>FACW</u>																																	
2. <u>Agrostis gigantea</u>	<u>15</u>	<u>Yes</u>	<u>FAC</u>																																	
3. <u>Poa pratensis</u>	<u>15</u>	<u>Yes</u>	<u>FAC</u>																																	
4. <u>Elymus trachycaulus</u>	<u>15</u>	<u>Yes</u>	<u>FAC</u>																																	
5. <u>Taraxacum officinale</u>	<u>5</u>	<u>No</u>	<u>FACU</u>																																	
6. _____	_____	_____	_____																																	
7. _____	_____	_____	_____																																	
8. _____	_____	_____	_____																																	
9. _____	_____	_____	_____																																	
10. _____	_____	_____	_____																																	
11. _____	_____	_____	_____																																	
_____ =Total Cover	<u>70</u>	_____	_____																																	
Woody Vine Stratum (Plot size: <u>1x3 meter</u>)																																				
1. _____	_____	_____	_____																																	
2. _____	_____	_____	_____																																	
_____ =Total Cover	_____	_____	_____																																	
% Bare Ground in Herb Stratum <u>25</u>																																				

Remarks:
 Lots of partially dead or dying willow; overall dense willow with relatively mesic understory

SOIL

Sampling Point: SP1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-2	10YR 2/2	100					Loamy/Clayey	silty clay loam
2-6	10YR 4/2	85	10YR 4/6	15	C	M	Loamy/Clayey	sandy loam
6-16	10YR 4/4	100					Sandy	sand and gravel

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)			Indicators for Problematic Hydric Soils ³ :		
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> 2 cm Muck (A10) (LRR A, E)			
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Iron-Manganese Masses (F12) (LRR D)			
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (F21)			
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (F22)			
<input type="checkbox"/> 1 cm Muck (A9) (LRR D, G)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)			
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input checked="" type="checkbox"/> Depleted Matrix (F3)				
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)				
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)				
<input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G)	<input type="checkbox"/> Redox Depressions (F8)				

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____
---	--

Remarks:
All layers dry

HYDROLOGY

Wetland Hydrology Indicators:		
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (2 or more required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input checked="" type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input checked="" type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

Field Observations: Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____
---	--

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Small channels present throughout the area; appears to be relict beaver pond area; currently dry and generally seems to be drier than historically; main source of hydrology is seasonally high groundwater associated with snowmelt

Project/Site: Gold Rush Lots City/County: Breckenridge/Summit Sampling Date: 8/17/16
 Applicant/Owner: Breckenridge Grand Vacations State: CO Sampling Point: SP2
 Investigator(s): Andy Herb Section, Township, Range: S31, T7S, R77W
 Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): concave Slope (%): 1 to 2
 Subregion (LRR): LRR E, MLRA 48A Lat: 39.486027 Long: -106.049056 Datum: WGS84
 Soil Map Unit Name: Grenadier gravelly loam, 0 to 6 percent slopes NWI classification: PSS
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u> Hydric Soil Present? Yes <u> </u> No <u>X</u> Wetland Hydrology Present? Yes <u> </u> No <u>X</u>	Is the Sampled Area within a Wetland? Yes <u> </u> No <u>X</u>
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Remarks:
Open shrubby area dominated by mesic vegetation; meets vegetation criterion but no evidence of hydrology or hydric soils

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30-ft radius</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1. _____	_____	_____	_____	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>83.3%</u> (A/B)																
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
_____	_____	_____	_____																	
=Total Cover																				
Sapling/Shrub Stratum (Plot size: <u>15-ft radius</u>)				Prevalence Index worksheet: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Total % Cover of:</td> <td style="width: 50%;">Multiply by:</td> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>15</u></td> <td>x 2 = <u>30</u></td> </tr> <tr> <td>FAC species <u>75</u></td> <td>x 3 = <u>225</u></td> </tr> <tr> <td>FACU species <u>27</u></td> <td>x 4 = <u>108</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>117</u> (A)</td> <td><u>363</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>3.10</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>15</u>	x 2 = <u>30</u>	FAC species <u>75</u>	x 3 = <u>225</u>	FACU species <u>27</u>	x 4 = <u>108</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>117</u> (A)	<u>363</u> (B)	Prevalence Index = B/A = <u>3.10</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>15</u>	x 2 = <u>30</u>																			
FAC species <u>75</u>	x 3 = <u>225</u>																			
FACU species <u>27</u>	x 4 = <u>108</u>																			
UPL species <u>0</u>	x 5 = <u>0</u>																			
Column Totals: <u>117</u> (A)	<u>363</u> (B)																			
Prevalence Index = B/A = <u>3.10</u>																				
1. <u>Dasiphora fruticosa</u>	<u>10</u>	<u>Yes</u>	<u>FAC</u>																	
2. <u>Salix drummondiana</u>	<u>5</u>	<u>Yes</u>	<u>FACW</u>																	
3. <u>Lonicera involucrata</u>	<u>5</u>	<u>Yes</u>	<u>FAC</u>																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
=Total Cover																				
Herb Stratum (Plot size: <u>1x3 meter</u>)				Hydrophytic Vegetation Indicators: <u> </u> 1 - Rapid Test for Hydrophytic Vegetation <u>X</u> 2 - Dominance Test is >50% <u> </u> 3 - Prevalence Index is ≤3.0 ¹ <u> </u> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> 5 - Wetland Non-Vascular Plants ¹ <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
1. <u>Agrostis scabra</u>	<u>25</u>	<u>Yes</u>	<u>FAC</u>																	
2. <u>Achillea millefolium</u>	<u>20</u>	<u>Yes</u>	<u>FACU</u>																	
3. <u>Cirsium scariosum</u>	<u>10</u>	<u>No</u>	<u>FAC</u>																	
4. <u>Carex praegracilis</u>	<u>10</u>	<u>No</u>	<u>FACW</u>																	
5. <u>Taraxacum officinale</u>	<u>5</u>	<u>No</u>	<u>FACU</u>																	
6. <u>Penstemon procerus</u>	<u>20</u>	<u>Yes</u>	<u>FAC</u>																	
7. <u>Potentilla gracilis</u>	<u>5</u>	<u>No</u>	<u>FAC</u>																	
8. <u>Taraxacum officinale</u>	<u>2</u>	<u>No</u>	<u>FACU</u>																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
11. _____	_____	_____	_____																	
=Total Cover																				
Woody Vine Stratum (Plot size: <u>1x3 meter</u>)				Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u>																
1. _____	_____	_____	_____																	
2. _____	_____	_____	_____																	
=Total Cover																				
% Bare Ground in Herb Stratum <u>0</u>																				

Remarks:
Relatively open area with mesic shrub cover; scattered Pinus contorta nearby

SOIL

Sampling Point: SP2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-3	10YR 2/2	100					Loamy/Clayey	sandy loam; lots of roots
3-16	10YR 4/4	100					Sandy	sand with gravel

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)			Indicators for Problematic Hydric Soils ³ :		
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> 2 cm Muck (A10) (LRR A, E)			
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Iron-Manganese Masses (F12) (LRR D)			
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (F21)			
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (F22)			
<input type="checkbox"/> 1 cm Muck (A9) (LRR D, G)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)			
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)				
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)				
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)				
<input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G)	<input type="checkbox"/> Redox Depressions (F8)				

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes _____ No <u>X</u>
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Remarks:
All layers dry

HYDROLOGY

Wetland Hydrology Indicators:		
Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (2 or more required)	
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
No evidence of hydrology; sample point approximately 20 feet from SP1 and about the same elevation

Project/Site: Gold Rush Lots City/County: Breckenridge/Summit Sampling Date: 8/17/16
 Applicant/Owner: Breckenridge Grand Vacations State: CO Sampling Point: SP3
 Investigator(s): Andy Herb Section, Township, Range: S31, T7S, R77W
 Landform (hillside, terrace, etc.): Slope Local relief (concave, convex, none): concave Slope (%): 1 to 2
 Subregion (LRR): LRR E, MLRA 48A Lat: 39.486486 Long: -106.048944 Datum: WGS84
 Soil Map Unit Name: Grenadier gravelly loam, 0 to 6 percent slopes NWI classification: PSS
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes X No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u> Hydric Soil Present? Yes <u> </u> No <u>X</u> Wetland Hydrology Present? Yes <u> </u> No <u>X</u>	Is the Sampled Area within a Wetland? Yes <u> </u> No <u>X</u>
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Remarks:
 Swale down-gradient of main wetland area; small pocket of hydrophytes where water must be present during snowmelt/runoff; meets hydrophytic vegetation criterion but no evidence of hydric soils or wetland hydrology.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30-ft radius</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:																
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)																
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
=Total Cover																				
Sapling/Shrub Stratum (Plot size: <u>15-ft radius</u>)				Prevalence Index worksheet: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Total % Cover of:</td> <td style="text-align: center;">Multiply by:</td> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>80</u></td> <td>x 2 = <u>160</u></td> </tr> <tr> <td>FAC species <u>10</u></td> <td>x 3 = <u>30</u></td> </tr> <tr> <td>FACU species <u>10</u></td> <td>x 4 = <u>40</u></td> </tr> <tr> <td>UPL species <u>5</u></td> <td>x 5 = <u>25</u></td> </tr> <tr> <td>Column Totals: <u>105</u> (A)</td> <td><u>255</u> (B)</td> </tr> <tr> <td colspan="2" style="text-align: center;">Prevalence Index = B/A = <u>2.43</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>80</u>	x 2 = <u>160</u>	FAC species <u>10</u>	x 3 = <u>30</u>	FACU species <u>10</u>	x 4 = <u>40</u>	UPL species <u>5</u>	x 5 = <u>25</u>	Column Totals: <u>105</u> (A)	<u>255</u> (B)	Prevalence Index = B/A = <u>2.43</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>80</u>	x 2 = <u>160</u>																			
FAC species <u>10</u>	x 3 = <u>30</u>																			
FACU species <u>10</u>	x 4 = <u>40</u>																			
UPL species <u>5</u>	x 5 = <u>25</u>																			
Column Totals: <u>105</u> (A)	<u>255</u> (B)																			
Prevalence Index = B/A = <u>2.43</u>																				
1. <u>Salix drummondiana</u>	<u>10</u>	Yes	FACW																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
=Total Cover																				
Herb Stratum (Plot size: <u>1x3 meter</u>)				Hydrophytic Vegetation Indicators: <u> </u> 1 - Rapid Test for Hydrophytic Vegetation <u>X</u> 2 - Dominance Test is >50% <u> </u> 3 - Prevalence Index is ≤3.0 ¹ <u> </u> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> 5 - Wetland Non-Vascular Plants ¹ <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
1. <u>Calamagrostis canadensis</u>	<u>40</u>	Yes	FACW																	
2. <u>Mertensia ciliata</u>	<u>30</u>	Yes	FACW																	
3. <u>Achillea millefolium</u>	<u>10</u>	No	FACU																	
4. <u>Potentilla gracilis</u>	<u>5</u>	No	FAC																	
5. <u>Chamerion angustifolia</u>	<u>5</u>	No	UPL																	
6. <u>Cirsium arvense</u>	<u>5</u>	No	FAC																	
7. _____	_____	_____	_____																	
8. _____	_____	_____	_____																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
11. _____	_____	_____	_____																	
=Total Cover																				
Woody Vine Stratum (Plot size: <u>1x3 meter</u>)				Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u>																
1. _____	_____	_____	_____																	
2. _____	_____	_____	_____																	
=Total Cover																				
% Bare Ground in Herb Stratum <u>5</u>																				

Remarks:
 Small pocket of hydrophytes (approx. 100 square feet) on edge of broad swale below main wetland

SOIL

Sampling Point: SP3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6	10YR 2/2	100					Loamy/Clayey	silty clay loam
6-7	10YR 4/2	90	10YR 4/6	10	C	M	Loamy/Clayey	silty clay loam
7-16	10YR 4/4	100	10YR 4/4				Sandy	sand with gravel

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)			Indicators for Problematic Hydric Soils ³ :		
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> 2 cm Muck (A10) (LRR A, E)			
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Iron-Manganese Masses (F12) (LRR D)			
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (F21)			
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (F22)			
<input type="checkbox"/> 1 cm Muck (A9) (LRR D, G)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)			
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)				
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)				
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)				
<input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G)	<input type="checkbox"/> Redox Depressions (F8)				

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes _____ No <u>X</u>
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Remarks:
All layers dry

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (2 or more required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Iron Deposits (B5)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)

Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
No evidence of hydrology; sample point in lowest part of swale where it would be wettest; likely receives occasional snowmelt/runoff

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: Gold Rush Lots City/County: Breckenridge/Summit Sampling Date: 7/22/20
 Applicant/Owner: Breckenridge Grand Vacations State: CO Sampling Point: SP4
 Investigator(s): Andy Herb Section, Township, Range: S31, T7S, R77W
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): None Slope (%): 1 to 2
 Subregion (LRR): Southern Rocky Mountain Forest and Range Land Lat.: 39.485524 -106 Datum: WGS84
 Soil Map Unit Name: Grenadier gravelly loam, 0 to 6 percent slopes NWI Classification: PSS

Are climatic/hydrologic conditions of the site typical for this time of the year Y (If no, explain in remarks)
 Are vegetation , soil , or hydrology significantly disturbed? Are "normal circumstances" present? Y
 Are vegetation , soil , or hydrology naturally problematic? (If needed, explain any answers in remarks)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic vegetation present? <u>Y</u>	Is the sampled area within a wetland? <u> N </u>
Hydric soil present? <u> N </u>	
Indicators of wetland hydrology present <u> N </u>	

If yes, optional wetland site ID: _____

Remarks: (Explain alternative procedures here or in a separate report.)

Edge of vegetatively diverse mesic meadow; appears to be relic wetland area from when the site was wetter; presence of willows meets the hydrophytic vegetation criterion but no indicators of hydrology or hydric soils

VEGETATION - Use scientific names of plants

Tree Stratum	Plot Size (30' radius)	Absolute % Cover	Dominant Species	Indicator Status
1	<u>Populus tremuloides</u>	<u>20</u>	<u>Y</u>	<u>FACU</u>
2	_____	_____	_____	_____
3	_____	_____	_____	_____
4	_____	_____	_____	_____
		<u>20</u> = Total Cover		
Sapling/Shrub Stratum	Plot Size (15' radius)	Absolute % Cover	Dominant Species	Indicator Status
1	<u>Salix geyeriana</u>	<u>15</u>	<u>Y</u>	<u>FACW</u>
2	<u>Dasiphora fruticosa</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>
3	<u>Salix monticola</u>	<u>5</u>	<u>N</u>	<u>OBL</u>
4	_____	_____	_____	_____
5	_____	_____	_____	_____
		<u>30</u> = Total Cover		
Herb Stratum	Plot Size (5' radius)	Absolute % Cover	Dominant Species	Indicator Status
1	<u>Fragaria virginiana</u>	<u>25</u>	<u>Y</u>	<u>FACU</u>
2	<u>Achillea millefolium</u>	<u>20</u>	<u>Y</u>	<u>FACU</u>
3	<u>Phleum pratense</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>
4	<u>Poa pratensis</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>
5	<u>Bromus ciliatus</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>
6	<u>Lupinus</u>	<u>10</u>	<u>Y</u>	_____
7	<u>Festuca</u>	<u>5</u>	<u>N</u>	_____
8	<u>Carex praegracilis</u>	<u>5</u>	<u>N</u>	<u>FACW</u>
9	<u>Gallium boreale</u>	<u>2</u>	<u>N</u>	<u>FACU</u>
10	_____	_____	_____	_____
11	_____	_____	_____	_____
		<u>97</u> = Total Cover		
Woody Vine Stratum	Plot Size (N/A)	Absolute % Cover	Dominant Species	Indicator Status
1	<u>N/A</u>	_____	_____	_____
2	_____	_____	_____	_____
		<u>0</u> = Total Cover		

% Bare Ground in Herb Stratum: <u> 3 </u>

50/20 Thresholds	20%	50%
Tree Stratum	4	10
Sapling/Shrub Stratum	6	15
Herb Stratum	19	49
Woody Vine Stratum	0	0

Dominance Test Worksheet		
Number of Dominant Species that are OBL, FACW, or FAC:	<u> 5 </u>	(A)
Total Number of Dominant Species Across all Strata:	<u> 9 </u>	(B)
Percent of Dominant Species that are OBL, FACW, or FAC:	<u>55.56%</u>	(A/B)

Prevalence Index Worksheet		
Total % Cover of:		<input type="checkbox"/>
OBL species	<u> 5 </u> x 1 =	<u> 5 </u>
FACW species	<u> 20 </u> x 2 =	<u> 40 </u>
FAC species	<u> 40 </u> x 3 =	<u> 120 </u>
FACU species	<u> 67 </u> x 4 =	<u> 268 </u>
UPL species	<u> 0 </u> x 5 =	<u> 0 </u>
Column totals	<u> 132 </u> (A)	<u> 433 </u> (B)
Prevalence Index = B/A =	<u> 3.28 </u>	

Hydrophytic Vegetation Indicators:	
_____	Rapid test for hydrophytic vegetation
<u> X </u>	Dominance test is >50%
_____	Prevalence index is ≤3.0*
_____	Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
_____	Problematic hydrophytic vegetation* (explain)
*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic	

Hydrophytic vegetation present? <u> Y </u>

Remarks:

Edge of open meadow area; possibly relic wetland area

Project Site: Gold Rush Lots

SOIL

Sampling Point:

SP4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-16	10YR3/3	100	N/A				Sandy loam	some small gravel throughout

*Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains **Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:		Indicators for Problematic Hydric Soils:	
<input type="checkbox"/> Histisol (A1)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 2 cm Muck (A10) (LRR K, L, MLRA 149B)	
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (LRR K, L)	<input type="checkbox"/> Red Parent Material (TF2)	
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)	
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input checked="" type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Other (Explain in Remarks)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Redox Dark Surface (F6)		
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F7)		
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Redox Depressions (F8)		
<input type="checkbox"/> Sandy Gleyed Matrix (S4)			
<input type="checkbox"/> Sandy Redox (S5)			

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric soil present? <u>Y</u>
Remarks: Recent gopher activity, soil dry	

HYDROLOGY

Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1,2,4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Raised Ant Mounds (D6)(LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) (B8)	<input type="checkbox"/> Other (Explain in Remarks)

Field Observations:	Indicators of wetland hydrology present? <u>N</u>
Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____	
Water table present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____	
Saturation present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:
None

Remarks: Sample point approx. 2.5'(V) above wetland area; likely seasonally wet from snowmelt but no hydrologic indicators obs.

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: Gold Rush Lots City/County: Breckenridge/Summit Sampling Date: 7/22/20
 Applicant/Owner: Breckenridge Grand Vacations State: CO Sampling Point: SP5
 Investigator(s): Andy Herb Section, Township, Range: S31, T7S, R77W
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): None Slope (%): 1 to 2
 Subregion (LRR): Southern Rocky Mountain Forest and Range Land Lat.: 39.485559 -106 Datum: WGS84
 Soil Map Unit Name: Grenadier gravelly loam, 0 to 6 percent slopes NWI Classification: PSS

Are climatic/hydrologic conditions of the site typical for this time of the year Y (If no, explain in remarks)
 Are vegetation , soil , or hydrology significantly disturbed? Are "normal circumstances" present? Y
 Are vegetation , soil , or hydrology naturally problematic? (If needed, explain any answers in remarks)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic vegetation present? <u>Y</u>	Is the sampled area within a wetland? <u>Y</u>
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present <u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

PSS wetland in swale along edge of mesic meadow; includes smaller pockets of PEM wetland. A current flow path for seasonal high water (snowmelt).

VEGETATION - Use scientific names of plants

Tree Stratum	Plot Size (30' radius)	Absolute % Cover	Dominant Species	Indicator Status
1				
2				
3				
4				
		0 =	Total Cover	
Sapling/Shrub Stratum	Plot Size (15' radius)	Absolute % Cover	Dominant Species	Indicator Status
1	<u>Salix geyeriana</u>	40	Y	FACW
2				
3				
4				
5				
		30 =	Total Cover	
Herb Stratum	Plot Size (5' radius)	Absolute % Cover	Dominant Species	Indicator Status
1	<u>Carex aquatilis</u>	65	Y	OBL
2	<u>Geum macrophyllum</u>	15	N	FAC
3	<u>Equisetum arvense</u>	10	N	FAC
4	<u>Poa palustris</u>	5	N	FAC
5	<u>Phleum pratense</u>	2	N	FAC
6				
7				
8				
9				
10				
11				
		97 =	Total Cover	
Woody Vine Stratum	Plot Size (N/A)	Absolute % Cover	Dominant Species	Indicator Status
1	<u>N/A</u>			
2				
		0 =	Total Cover	

50/20 Thresholds	20%	50%
Tree Stratum	0	0
Sapling/Shrub Stratum	6	15
Herb Stratum	19	49
Woody Vine Stratum	0	0

Dominance Test Worksheet		
Number of Dominant Species that are OBL, FACW, or FAC:	<u>2</u>	(A)
Total Number of Dominant Species Across all Strata:	<u>2</u>	(B)
Percent of Dominant Species that are OBL, FACW, or FAC:	100.00%	(A/B)

Prevalence Index Worksheet		
Total % Cover of:		<input type="checkbox"/>
OBL species	65 x 1 =	65
FACW species	40 x 2 =	80
FAC species	32 x 3 =	96
FACU species	0 x 4 =	0
UPL species	0 x 5 =	0
Column totals	<u>137</u> (A)	<u>241</u> (B)
Prevalence Index = B/A =	1.76	

Hydrophytic Vegetation Indicators:
 Rapid test for hydrophytic vegetation
 Dominance test is >50%
 Prevalence index is ≤3.0*
 Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
 Problematic hydrophytic vegetation* (explain)
 *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

Hydrophytic vegetation present? Y

Remarks:

Willow-dominated area in shallow swale on edge of mesic meadow

Project Site: Gold Rush Lots

SOIL

Sampling Point:

SP5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-2	10YR2/1	100	N/A				Silty clay	
2-9	10YR4/2	98	10YR4/6	2	C	M	Silty clay	
9+	-	100					Gravel/cobble.	

*Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains **Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

- Histisol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (LRR K, L)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- 2 cm Muck (A10) (LRR K, L, MLRA 149B)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric soil present? Y

Remarks: All layers saturated

HYDROLOGY

Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1,2,4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1,2,4A, and 4B)
<input checked="" type="checkbox"/> Saturation (A3)	<input checked="" type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Drift Deposits (B3)	<input checked="" type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Iron Deposits (B5)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Raised Ant Mounds (D6)(LRR A)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> (B8)	<input type="checkbox"/> Other (Explain in Remarks)

Field Observations:

Surface water present? Yes No Depth (inches): _____
 Water table present? Yes No Depth (inches): _____
 Saturation present? Yes No Depth (inches): 0
 (includes capillary fringe)

Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Main source of hydrology is high groundwater, especially during snowmelt

Remarks:

Appendix B

Site Photographs



Photo 1 – Typical PSS wetland (July 22, 2020)



Photo 2 – Typical wetland boundary, notice dead and dying willows (July 22, 2020)



Photo 3 – Dead and dying willow along the wetland boundary (July 22, 2020)



Photo 4 – Tributary 1, looking north where it enters the site (July 13, 2020)



Photo 5 – Tributary 2, looking northeast where it enters the site (July 19, 2021)



Photo 6 – Tributary 3, looking southwest where it enters the site from a small pond, which is off the property (July 13, 2020)



Photo 7 - Looking north at the vegetated (non-wetland) entrance to the culvert under Woods Drive (July 19, 2021)



Photo 8 - Looking south at the culvert (black plastic) outlet under Woods Drive, with wooden outlet box to the stormwater system (July 19, 2021)



Photo 9 - Close up view of the outlet box showing no signs of flow, looking south (July 20, 2021)

Appendix C
Site Plan and Wetland Disturbance



Drawing: IA\2019026\Breckenridge-Gondola Lot Dev\05 CAD\X-Res\01-GOLD-RUSH-SOUTH\HARDGRADE-GOLD-RUSH-SOUTH_1_8DUPLEX.dwg
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DRAWN BY:	ZE/TJ
CHECKED BY:	DTJ
PROJECT NO.:	2019026
ISSUE DATE:	10/20/2023
REVISIONS:	

SHEET TITLE:
GOLD RUSH SOUTH SITE PLAN

SHEET NUMBER:

L201

WETLAND DISTURBANCES DIAGRAM LEGEND

-  PREVIOUSLY EXEMPTED MAPPED WETLAND ZONES
-  PREVIOUSLY EXEMPTED MAPPED WETLAND BUFFER
-  PROPOSED WETLAND DISTURBANCE ZONES
-  TEMPORARY WETLAND DISTURBANCE ZONES

WETLAND DISTURBANCE TABULATIONS	
CATEGORY	AREA (acres)
PREVIOUS EXEMPTED MAPPED WETLAND ZONES	
Exempted Wetland Zones	0.067
Exempted 25' Wetland Buffer Zones	0.198
PROPOSED WETLAND DISTURBANCE ZONES	
Total Permanent Wetland Disturbance Zones	0.033

- NOTE:**
- EXEMPTED WETLAND, AND 25' WETLAND BUFFER AREAS, HAVE BEEN DETERMINED BY BRECKENRIDGE TOWN ENGINEERING DEPARTMENT BASED ON ANALYSIS REPORT PROVIDED BY WETLAND/ENVIRONMENTAL CONSULTANT DURING THE MASTER PLAN REVIEW PROCESS. THE AGGREGATE OF THESE AREAS ARE NOW EXEMPT FROM WETLAND DISTURBANCE CLASSIFICATION FOR DEVELOPMENT REVIEW. BASED ON THESE DETERMINATIONS, THESE AREAS ARE SHOWN FOR CONTEXTUAL REFERENCE ONLY.
 - AREAS CALCULATED ARE BASED ON PROPOSED AND EXISTING PLATTED LOT BOUNDARIES.
 - FINAL DISTURBANCE ZONES TO BE DETERMINED IN FINAL DEVELOPMENT PLAN SUBMITTAL WHEN DETAILED GRADING DESIGN PLANS ARE FINALIZED, AND DISTURBANCE AREAS ARE FURTHER DEFINED.



EXISTING BRECK CONNECT GONDOLA TOWER #3
LOT 2&3 SUB. BOUNDARY LINE
SURVEYED WETLAND BOUNDARY
10' WETLAND SETBACK
25' WETLAND SETBACK

15' BUILDING SETBACK
LOT 1&2 BOUNDARY LINE
EXISTING 80' TRANSPORTATION EASEMENT
PERMANENT WETLAND IMPACT AREAS

WETLAND DISTURBANCE AREA PER TOWN OF BRECKENRIDGE WATSON AVENUE TRAFFIC IMPROVEMENTS PROJECT. RE: FHU ENGINEERING DESIGN PACKAGE FOR PROPOSED WETLAND DISTURBANCE LIMITS AND ANY MITIGATION MEASURES REQUIRED IN ACCORDANCE WITH THAT SEPARATE PROJECT.

PROPOSED STORM WATER DETENTION BASIN
PROPOSED ROAD R.O.W.
ASSUMED EXISTING TREE LOCATIONS

WETLAND IMPACT OUTSIDE OF FHU SCOPE AREA

Drawing: IA-2019026-Breckenridge-Gondola Lot Dev05-CAD/Sheets00-Exhibits-Coordination/06_GRS_SiteDiagrams-Wetland-Dist.dwg
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