



BOARD OF COUNTY COMMISSIONERS

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TO: Board of County Commissioners
Steve Greer
Jeff Huntley
FROM: Millicent Marter
RE: Work Session Meeting of October 18, 2022
DATE: Tuesday, October 18, 2022

Attendees:

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

Richard Cimino, Merrit Linke, and Randy George – Grand County Commissioners

Staff: Jeff Huntley, County Attorney; Andy Atencio, Interim Assistant County Manager; Steve Greer, Interim Assistant County Manager; David Reynolds, Finance Director; Kyle Snyder, Assistant Finance Director; Dave Rossi, Director of Communication; Jim Curnutte, Planning Director; Jessica Potter, Senior Planner; Brandi Timm, Planning Technician (STR); Jason Dietz, Housing Director; Caitlin Johnson, Executive Administrative Manager; and Millicent Marter, Administrative Assistant.

Guests (in person or via Zoom): Eiliana Wright, Nathan Steele, Dana Christiansen, Emma DeGrandi, Greta Shackelford, Ken Hilt, Kyle Snyder, Philip Gonshak, Suzanne Acker, Richard Mason, Samantha Nuechterlein, Carol Christiansen, Joelle Miller, Phil Lindeman, Sheena Darland, Edward Moyer and others who did not sign in.

I. Xcel Energy Update

Nathan Steele gave an update on the following topics including but not limited to:

Mr. Steele, the High Country Area Manager, presented on Building Colorado's Energy Future. Xcel Energy powers Colorado and its priorities are

- Lead the Clean Energy Transition
 - 100% carbon-free electricity by 2050
 - Reduce carbon 80% by 2030
 - Zero-carbon transportation by 2030
 - Net-zero natural gas by 2050
- Enhance the Customer Experience
 - Know our customers' needs and interests
 - Make it easy to do business with us
 - Deliver meaningful products, services and experiences
- Keep Bills Low
 - Bills below national average
 - Low-cost renewables
 - Extensive customer efficiency programs

Commissioners asked questions about past and future power issues and how to best get information out to the community. Mr. Steele recommended reaching out to him and the Director of Communications, Dave Rossi, will coordinate on communication efforts. Commissioners also introduced Mr. Steele to Summit County's new Sustainability Coordinator and recommended that they coordinate to help spread the word on sustainable energy efforts and rebates. Commissioner Pogue then asked questions on rate increases and how to best help community members that are already struggling with inflation prices. Mr. Steele reminded everyone that community members would only be paying for gas prices and not natural gases for Xcel.

Commissioners and Mr. Steele also discussed wildfire risks and overhead powerlines provided by Xcel. Mr. Steele and Mr. Greer agreed to coordinate with future prevention efforts.

II. STR Update

Jim Curnutte, Jessica Potter, Brandi Timm, and Jen Uhler gave an update on the following topics including but not limited to:

PLN22-060 & PLN22-061 STR Regulations

Outline & Goals for the Meeting

- **Revisit Anticipated Process**
 - Currently at the "continue to revise regulations with BOCC & PCs" phase
 - November 7th: CWPC work session with public input
 - Planning to have the public hearings with CWPC & BOCC for the Winter
 - Commissioner Pogue requested that the planning department schedule a meeting with community members living in Peak 7 that would have a third-party mediator present.
- **BOCC Goals & Overview of STR Housing Impact Study from Estes Park**
 - Local Workforce Housing
 - Neighborhood Character
 - Reduce Conflicts
 - Balance
 - Clear Regulations
 - Ms. Potter also presented on an impact study that was done on STRs in Estes Park.
- **Overview of Planning Commission (PC) Meetings**
 - Approximately 1 hour staff presentation: STR Trends, BOCC Goals, Open Houses, Questionnaire, Positive and Negative Impacts, Housing – what the County is doing + and link between STRs and Housing, Methods to Regulate STRs
- **Public Input**
 - Question Prompts:
 - Methods to regulate STRs; appropriate cap in their basin
 - Compliance, Exceptions to cap, Occupancy Regulations
 - Number of nights, B&Bs and code consistency
 - All meetings 3ish hours
 - Noticed to the public via public notice, agenda, and STR website
 - Input Received:
 - Legal Landscape update

- Most, but not all, of the PCs favored some type of exception to the caps
 - Consider Type II license parameters for revision could be revised to include “hosted rental”
 - Owner, tenant, anyone could be a “host”
 - Consider parameters such as maximum 1 bedroom
- BOCC Direction on the Regulations
 - Should there be exceptions to the cap – The Board stated that there should be a cap, favored a basin specific cap. Staff were directed to flesh out possible exceptions.
 - Should staff investigate “hosted rentals” / consider revisions to the parameters of a Type I license
 - If exceptions are approved, how will those licenses be tallied
- Compliance with Caps
 - PCs were in favor of “attrition” (when a property sells)
 - Town of Breckenridge exceptions to transfer included in packets
 - Staff will continue to fine-tune at direction of BOCC
- Number of Nights Rental per Year (135)
 - Regulations approved in December 2021 set maximum of 135 night limit for rental for new licenses in the NOZ
 - Pre-existing licenses can rent in excess of 135 until September 2025
 - If caps are adopted and the nightly limit is kept, SC will have among the more complex STR regulations compared to similar communities
 - Concerns about effective enforcement
 - PC input was varied: acknowledged the impact of a high-intensity rental next door to someone but also acknowledged the significant administrative concerns, majority of the PCs OK with abandoning
 - Additional concerns about pushing all rentals to peak season
 - The Board tentatively approved doing away with 135 night maximum and caps would be imposed.
- Occupancy
 - Current Regulations
 - Original STR Regulations (current ROZ & NOZ regulations for all “pre-existing” licenses): The greater of 1 guest per 200 sq ft of floor area or 2 guest per bedroom or loft + 4
 - Regulations approved in December 2021 (applies to NOZ licenses approved since December 17, 2021): Maximum of 2 guests per bedroom or loft +2
 - Under the current structure, these will not apply to pre-existing licenses until September 2025
 - PC Input
 - Compliance should occur renewal 2023
 - Majority of PCs: no need to tweak new NOZ regulations
 - The Board agreed that occupancy requirements should go into effect at renewal 2023
- Inconsistencies in Code
 - STR & STVR
 - Confusion surrounding these terms
 - STVR = 30 days or less

- STR = 6 months or less
 - Often STR is used when the “code” definition is STVR
 - Recommended for consolidation
 - Bed & Breakfast
 - B&B requires owner occupancy and is reviewed via a Class 4 review
 - Discussion about replacing B&B with Type 1 multi-booking party STR reviewed via a Class 4 CUP
 - Most PCs felt the definition of B&B should be removed and not replaced with Type 1 MBP-STR
 - The Board directed staff to explore the multi-party booking option.
 - Water Update
 - Process:
 - SC confirms water rights for ADUs, subdivisions, CUPs, etc
 - The STR Ordinance has general language about water being sufficient in terms of quality and quantity to serve the proposed use
 - Issues:
 - There is no review during an STR license review (nor BP review) that properties on well have augmented water rights for hot tubs
 - Estimated there to be a significant number of hot tubs on well that do not have augmented water for the use
 - STR staff can develop a process to confirm water rights for all STRs well with hot tubs
 - The Board directed staff to gather additional information on options ranging from requiring a flow meter to having additional water storage on site.

III. **Manager & Commissioner Issues**

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

David Reynolds

- No updates.

Dave Rossi

- No updates.

Andy

- Bringing forward request to designate Sheriff to 911 policy board (as rep for Sheriff's Department) for next week's Regular Meeting under the consent agenda.
- Provided update on extension to employee parking spaces at the County Commons.
- The Headstart Team thanked David Reynolds and the Finance Team for helping their audit process.

Jeff

- No updates.

Steve

- Introduced the new Sustainability Coordinator, Ashley Brubaker.

Caitlin

- No updates.

Elisabeth

- Passed the Headstart review and expressed gratitude to the Finance Team.
- Will meet with HC3 with the new Sustainability Coordinator this week.
- Requested for the attorney team to attend the CCI virtual policy meeting.

Tamara

- Provided an update on Housing Funding Legislation and requested a meeting with Steve Greer and the housing department to discuss further.
- Letter of Support for Mountain Dreamers.

Josh

- Received donation request for river watershed group regarding the Colorado River to help with upcoming studies. They will also be submitting a grant and will need a BOCC Letter of Support.

IV. 2023 Budget Discussion: Capital Fund, New Positions

David Reynolds gave an update on the following topics including but not limited to:

Capital Expenditures Fund for the 2023 Budget Summary that included Revenues from Taxes, Penalty Interests, Contributions & Transfers from various foundations and funds, and Sales. From these Revenues, Mr. Reynolds presented the numbers amounts starting from Summit County Government's (SCG) 2021 Actual Budget to their 2023 Requested Budget. Mr. Reynolds then presented on the Expenditures section that listed projects such as Capital Outlay, Library Expansions, Justice Center, Fleet Vehicle Replacements, and County Employee Housing among others.

Mr. Reynolds also presented on New Position Requests from various departments within SCG and how that would affect the 2023 Proposed Budget. Craig Phillips from the Assessor's Office presented on the reasons why the Assessor's Office is asking for specific new positions. Mr. Greer and Mr. Atencio then presented with Mr. Reynolds to help explain certain staff position requests within their managing departments.

V. Grand County Commissioners

Merrit Linke, Sheena Darland, Edward Moyer, Randy George, and Richard Cimino gave an update on the following topics including but not limited to:

Discussions began with presenting on Grand County's BSO and including further funds into SCG's 2023 Budget. The Boards then requested to discuss the housing issues that continue to affect Summit and Grand County and expressed hope to begin coordinating efforts on jointly purchasing land for housing purchases. Commissioners for Summit and Grand County requested that Jason Dietz and Grand County's Housing Director, Sheena Darland, work together on possible future projects. Mr.

Dietz and Ms. Darland then provided updates on various housing projects that are happening in their respective counties.

Commissioner Lawrence then presented hopes to eventually offer Summit Stage Transportation services to Kremmling but explained that Summit County's Transportation department is currently still very understaffed.

Commissioner Pogue then requested to discuss STRs and the Lodging Tax. Grand County currently has a Lodging Tax but stated that they're planning on putting this on the 2023 Ballot to change the tax rate. Summit County is planning on putting a changed tax rate on their current Ballot for their unincorporated areas. Summit County Commissioners then presented updates on their STR process and Grand County Commissioners posed questions on how Summit County is zoning and regulating their STRs so far. Grand County also presented their current STR process and the two County Commissioners discussed current feedback and issues that they've received from their community members.

Staff recessed from Work Session to go into a Special Meeting at 2:00 p.m. but returned to the Work Session meeting once that was finished.

Jeff Huntley requested an Executive Session to discuss legal issues in regards to CRS 24-6-402 Subsection (4) (a)(b)(e)(f) on noise ordinance discussions and real estate transaction matters subject to negotiations litigation and personnel matters regarding supervising issues for Human Resources.

A motion was made by Commissioner Blanchard and seconded by Commissioner Lawrence to go into Executive Session to discuss legal issues on noise ordinance discussions and real estate transaction matters subject to negotiations litigation and personnel matters regarding supervising issues for Human Resources. The BOCC voted 3 to 0 to go into Executive Session per CRS 24-6-402 Subsection (4) (a)(b)(e)(f). The motion was approved.

Staff will return to the Work Session on Tuesday, October 25, 2022. Commissioners thanked the team for their work.

Meeting Adjourned.

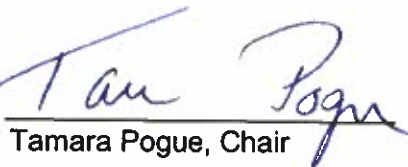
Respectfully submitted:

Approved by:



Millicent Marter, Deputy Clerk





Tamara Pogue, Chair