



BOARD OF COUNTY COMMISSIONERS REGULAR MEETING

970.453.3414 ph 208 East Lincoln Ave. | PO Box 68
SummitCountyCO.gov Breckenridge, CO 80424

BOARD OF COUNTY COMMISSIONERS REGULAR MEETING 2ND AMENDED REGULAR MEETING AGENDA Tuesday, September 24, 2024 at 1:30 PM

Attend in person at:

**County Commissioners Meeting Room; Summit County Courthouse 3rd Floor
208 Lincoln Avenue, Breckenridge, Colorado**

Attend virtually by registering in advance at:

https://us02web.zoom.us/webinar/register/WN_7cQq6r11RyqZbbqP7HE9WA

After registering, you will receive a confirmation email with login information.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. CITIZEN COMMENT

V. PROCLAMATIONS & ANNOUNCEMENTS

- A. Proclamation Declaring October 2024 as "Conflict Resolution Month" in Summit County, Colorado
[Proc A - Conflict Resolution Month 2024.docx](#)
- B. Proclamation Declaring October 2024 as "National Cyber Security Awareness Month" in Summit County, Colorado
[Proc B - Cyber Security Awareness Proclamation 2024.docx](#)

VI. CONSENT

- A. Approval of 9/10/2024 Regular Meeting Minutes
[091024_BOCC_Reg_Min](#)
- B. Warrant List 09/01/24-09/15/24
[1-15.pdf](#)
- C. PLN23-093, A request for a Lot Line, Utility Easement, and Drainage Easement Vacation at lots 9 & 10, Block 1, McDill Placer Subdivision #1, Located at 86 McDill RD (CR 854), a total of .96 acres, zoned R-2.
[PLN23-093 Staff Report](#)
[Vicinity Map](#)
[Original Plat 1971](#)
[Restrictive Covenant.pdf](#)
[Draft Resolution](#)
[Exhibit A](#)
- D. Subdivision Improvements Agreement, related to PLN23-071: Ranch at Breckenridge Phase 2, Filing No.2.
[Ranch at Breck SIA - Staff Report FINAL.pdf](#)
[SIA - Ranch at Breck.pdf](#)
[Exhibit A - RAB SIA.pdf](#)

VII. PUBLIC HEARING

- A. Petition for Abatement or Refund of Taxes; Abatement #: 23AR-026 Schedule #: 6514132;
LOT 2 ESTES SUB: Owner: Sara Moore, Kevin Moore
[23AR-026 Staff Report.pdf](#)
[23AR-026 Appraiser Report.pdf](#)
[23AR-026 BOCC Petition.docx](#)
[23AR-026 Original Petition.pdf](#)
- B. Second Reading of Summit County Ordinance No. 22: an Ordinance of Short Term Rental (STR) Platform Listing regulations
[BOCC Staff Report Ordinance 22.pdf](#)
[Ordinance 22.docx](#)
[Public Comments Letter.pdf](#)
[FW_ Summit County Ordinance 22 - _STR Delete Button_\(1\).pdf](#)
[Fwd_ Summit County Ordinance 22 - _STR Delete Button_\(2\).pdf](#)
[FW_ Summit County Ordinance 22 - _STR Delete Button_\(3\).pdf](#)
[FW_ Summit County Ordinance 22 - _STR Delete Button_\(4\).pdf](#)
[FW_ Summit County Ordinance 22 - _STR Delete Button_\(5\).pdf](#)
[FW_ Summit County Ordinance 22 - _STR Delete Button_\(6\).pdf](#)
[FW_ Summit County Ordinance 22 - Short-term Rental _Delete Button_\(HB23-1287\) \(1\).pdf](#)
[FW_ Summit County Ordinance 22 - Short-term Rental _Delete Button_\(HB23-1287\) \(2\).pdf](#)
[FW_ Summit County Ordinance 22 - Short-term Rental _Delete Button_\(HB23-1287\) \(3\).pdf](#)
[FW_ YOu are hired and elected to represent ALL OF U STR's are not your total demon, nor your total savior, & not your cash cow to solve all your woes. please listen and treat all of your .pdf](#)
[Fwd_ ordinance 22 comments.pdf](#)
[FW_ Summit County Ordinance 22 - _STR Delete Button_.pdf](#)

VIII. ADJOURNMENT



*This agenda is subject to change at any time. Please contact the Manager's Office or visit our website to obtain updates at:
<http://www.summitcountyco.gov>

If you require accessible versions of meeting materials, please contact accessibility@summitcountyco.gov.

RESOLUTION NO. 2024-

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF SUMMIT
STATE OF COLORADO**

**PROCLAMATION DECLARING OCTOBER 2024 AS “CONFLICT RESOLUTION
MONTH” IN SUMMIT COUNTY, COLORADO**

WHEREAS, conflict is a normal part of the human experience, and we acknowledge that conflicts arise among family members, neighbors, friends, community members, and coworkers in our community; and

WHEREAS, resolving conflict in productive ways requires learned skills, community resources and/or trained professionals; and

WHEREAS, community conflicts continue to receive media attention across the country during the past year, giving rise to new dialogue about strategies for productive, nonviolent conflict resolution; and

WHEREAS, conflict resolution encompasses mediation, arbitration, facilitation, collaborative decision-making, restorative processes, and other responses to differences; and

WHEREAS, the conflict resolution process empowers individuals, families, communities, organizations, and businesses to foster communication and devise solutions that are acceptable to the needs and interests of all parties involved; and

WHEREAS, many organizations and individuals in Summit County have come together to offer our community tools that can help people “talk it out,” and to promote productive, proactive and nonviolent strategies by which to resolve our conflicts; and

WHEREAS, community-based programs have the potential to fairly and equitably resolve neighborhood and community conflicts, thereby strengthening local relationships; and

WHEREAS, the Summit County Conflict Resolution Coalition has helped facilitate events and activities through which to engage and educate our community about resources, tools and strategies for successful conflict resolution; and

WHEREAS, conflict resolution is taught and practiced by citizens in many school systems, universities, and graduate programs throughout Colorado and the world as a way of solving disputes; and

WHEREAS, professional associations of conflict mediators promote peaceful and creative resolutions to disputes.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT in recognition of the ongoing commitment to collaborative and constructive means of conflict resolution, now and in the future, of Summit County, this Proclamation is approved to recognize October as Conflict Resolution Month in 2024.

APPROVED ON THIS 24th DAY OF SEPTEMBER, 2024.

**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

Tamara Pogue, Chair

ATTEST:

Taryn Power, Clerk & Recorder

RESOLUTION NO. 2024-

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF SUMMIT
STATE OF COLORADO**

**PROCLAMATION DECLARING OCTOBER 2024 “CYBER SECURITY AWARENESS
MONTH” IN SUMMIT COUNTY, COLORADO**

WHEREAS, the Board of County Commissioners of Summit County recognizes that it has a vital role in identifying, protecting, and responding to cyber threats that may have significant impact to our individual and collective security and privacy; and

WHEREAS, critical infrastructure sectors are increasingly reliant on all forms of technology to support financial services, energy, telecommunications, transportation, utilities, health care, and emergency response systems; and

WHEREAS, the Stop.Think.Connect.TM Campaign (www.dhs.gov/stophinkconnect or www.stophinkconnect.org) has been designated as the global online safety awareness campaign to help all digital citizens stay safer and more secure online, implemented through a coalition of private companies, nonprofit and government organizations, as well as academic institutions working together to increase the understanding of cyber threats and empowering the digital community to be safer and more secure online; and

WHEREAS, the National Institute of Standards and Technology (NIST), National Cyber Security Alliance (NSCA), and U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) have developed free resources to help organizations (large and small, both public and private) implement the NIST Cybersecurity Framework, increase cybersecurity awareness, and improve their cyber practices through a practical approach to addressing evolving threats and challenges; and

WHEREAS, President Barack Obama signed Executive Order 13691, Promoting Private Sector Cybersecurity Information Sharing, to encourage and promote sharing of cybersecurity threat information within the private sector and between the private sector and government through the development of Information Sharing and Analysis Organizations; and

WHEREAS, maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role to play, and awareness of computer security essentials will improve the security of Summit County information infrastructure and economy; and

WHEREAS, the U.S. Department of Homeland Security (<https://www.dhs.gov/topics/cybersecurity>), the Multi-State Information Sharing and Analysis Center (www.msisac.org), the National Association of State Chief Information Officers (www.nascio.org), and the National Cyber Security Alliance (www.staysafeonline.org) have declared October as Cyber Security Awareness Month; and all citizens are encouraged to visit these sites, along with the Summit County

campaign webpage (www.summitcountyco.gov/cybersecurityawareness), and the Stop.Think.Connect. Campaign website (www.dhs.gov/stophinkconnect or www.stophinkconnect.org) to learn about cyber security; and put that knowledge into practice in their homes, schools, workplaces, and businesses; and

WHEREAS, CISA and NSCA have established the 2024 Cybersecurity Awareness Month theme for 2024 as “It’s Easy to Stay Safe Online” (<https://www.dhs.gov/be-cyber-smart/campaign>).

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT the County of Summit is officially supporting Cyber Security Awareness Month, the 2024 Awareness Month theme “It’s Easy to Stay Safe Online”, and the global public awareness campaign, Stop.Think.Connect.

APPROVED ON THIS 24th DAY OF SEPTEMBER, 2024.

**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

Tamara Pogue, Chair

ATTEST:

Taryn Power, Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS

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SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS
Tuesday, September 10, 2024 at 1:30 p.m.
SUMMARY MINUTES

*For assistance or questions regarding special accommodations, accessibility,
or available audio/visual equipment, please contact 970-453-3500 as soon as possible.*

I. CALL TO ORDER

The Regular Meeting of the Board of County Commissioners on Tuesday, September 10, 2024, was called to order by Chair, Tamara Pogue, at 1:30 p.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

II. ROLL CALL

Board Members present and answer to the roll call were:

Tamara Pogue, Chair
Eric Mamula, Commissioner
Nina Waters, Commissioner

Staff Present in person and via Zoom were as follows: David Rossi, County Manager; Jeff Huntley, County Attorney; Cameron Valentine, Assistant County Attorney; Andy Atencio, Assistant County Manager; Jenny Wood, Assistant County Manager; Steve Greer, Interim Assistant County Manager; Adrienne Isaac, Communications Director; David Reynolds, Finance Director; Sarah Wilkinson, Deputy Director Public Affairs; Jen Uhler, Planner I; Lili Girodie, Planner II; Eric Monk, Contract Administrator; Aaron Byrne, Solid Waste Director; Johanna Jacobsen, Administrative Assistant; Caitlin Johnson, Executive Administrative Manager; and Lori Dwyer, Deputy Clerk.

Additional Attendees in person and via Zoom: Chardonnay Apfelbeck, Linda Sugar, Ken Hilt, Mark Schulze, Oliver Lee, Richard Mason, Dave Miller, Weston Ernst, Stephanie Ernst, Ryan Spencer, Douglas Turner, Jim Reitsema, Peter Bakken, Joyce De La Torre, Susan Cone, Gavin Keiner, Jen Cawley, Jessie Burley, Laurie Alexander, Mike Nathan, Jen Schenk, Susie Nothnagel, and others that did not sign in.

III. APPROVAL OF AGENDA

IV. CITIZEN COMMENT

Weston Ernst requested assistance with his Trails at Berlin Placer home. He noted that due to the ongoing issues with the developer and lack of a Certificate of Occupancy, his home is at risk of damage due to winter weather. He noted that he wishes to set up a solar system so the home can be heated to prevent damage.

Dave Miller noted that his company, Sunrise Solar, is assisting the Ernst family with their solar needs, and that the only thing holding the process up is a permit. He detailed information on the solar system that is proposed to be installed.

Stephanie Ernst shared the financial issues that the family is facing, which are causing instability.

V. APPOINTMENTS

- A. Approval of a Resolution Adopting Amendments to Resolution 2024-07, Concerning the Appointments to Various Boards, Committees, and Commissions.

MOTION: A motion was made by Commissioner Mamula and seconded by Commissioner Waters to approve Resolution 2024-53, Approval of a Resolution Adopting Amendments to Resolution 2024-07, Concerning the Appointments to Various Boards, Committees, and Commissions.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VI. PROCLAMATIONS & ANNOUNCEMENTS

- A. Proclamation Declaring September 15 - October 15, 2024 as "Hispanic American Heritage Month" in Summit County, Colorado.

Joyce De La Torre thanked the Board for their recognition and shared her gratitude for the community, the support that is given, and having a place to belong.

MOTION: A motion was made by Commissioner Waters and seconded by Commissioner Mamula to approve Resolution 2024-54, Declaring September 15 - October 15, 2024 as "Hispanic American Heritage Month" in Summit County, Colorado.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VII. CONSENT AGENDA

- A. Approval of 8/24/2024 Emergency Special Meeting Minutes. **Approved as Presented; and**
- B. Approval of 8/27/2024 Regular Meeting Minutes. **Approved as Presented; and**
- C. Warrant List 08/16/24-08/31/24. **Approved as Presented by the Finance Department; and**
- D. Approval to execute an Intergovernmental Agreement (IGA) with the towns of Breckenridge and Blue River concerning Lot 586-B, Clyde Lode Subdivision. **Approved as Presented; and**
- E. Liquor License Renewal for Keystone Food & Beverage Co. dba The Keystone Ranch; Hotel & Restaurant; Charles Williams; located at 1239 Keystone Ranch Rd., Keystone, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- F. Liquor License Renewal for Keystone Food & Beverage Co. dba Mountain House Lodge; Hotel & Restaurant/Optional Premises; Alexander Wit; located at 1202 Summit County Road 8, Keystone, CO (Clerk). **The Sheriff's report indicated no record of**

negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and

- G.** Liquor License Renewal for Keystone Food & Beverage Co. dba Mountain House Lodge; Hotel & Restaurant/Optional Premises; Alexander Wit; located at 1202 Summit County Road 8, Keystone, CO (Clerk). **The Sheriff's report indicated no record of negative information on the establishment and stated no reason to disapprove the issuance of the license at this time; and**
- H.** PLN24-058: A request for a Class 6 Lot Line and Utility Easement Vacation, Valley of the Blue Sub #1, Lots 52 and 53, A total of 1.01 Acres, Located at 411 Doris DR (CR 655), Zoned R-2 **Approved Resolution 2024-55 as Presented; and**

MOTION: A motion was made by Commissioner Mamula and seconded by Commissioner Waters to approve the Consent Agenda, items A-H including Resolution 2024-55, as presented.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

VIII. NEW BUSINESS

- A.** PLN24-056: A request for Class 6 General Subdivision Exemption to establish an interior lot line on a previously approved parcel; Tract 4, A-Lift Neighborhood; 0.4297 acres, zoned Copper Mountain PUD.

Lili Girodie noted that the purpose of the application is to establish an interior lot line which would split Tract 4 into Tracts 4A and 4B. She gave a history of the parcel, shared the criteria for approval, and noted that staff recommends approval with 7 findings and 1 condition.

MOTION: A motion was made by Commissioner Mamula and seconded by Commissioner Waters to approve Resolution 2024-56, PLN24-056; A request for a Class 6 General Subdivision Exemption to establish an interior lot line on a previously approved parcel; Tract 4, A-Lift Neighborhood; 0.4297 acres, zoned Copper Mountain PU, with 7 findings and 1 condition.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

IX. PUBLIC HEARING

- A.** A Second Reading of a Resolution Regarding the Regulation of Solid Waste Disposal, Collection and Transportation in Summit County by the Summit County Disposal District Amending and Restating Disposal District Plan and Disposal District Regulations.

Andy Atencio noted that this is the second time this item has been on a Regular Meeting agenda. He addressed the issue of bears and shared that the Bear Safe Summit program provides funds to residents to purchase bear-safe trash cans, and that the details of those programs are still being finalized.

Aaron Byrne noted that SCRAP has a lifespan of 2078, which seems like a long time but is not in reality. He shared that the goal of the Pay as You Throw regulations is to extend the life of the landfill and increase the diversion rate to recycling.

Commissioner Mamula shared that there are limits on cell construction put in place by the federal

government, and that Summit County does not want to be required to transport solid waste to other landfills outside of the county.

Jen Schenk with the High Country Conservation Center (HC3) noted that the programs in Breckenridge and Frisco require trash haulers to offer bear safe bins. She also shared that when residents have excess trash, whether in the current model or going forward, haulers may charge an additional fee and after a few incidents, require people to move to a larger-sized bin.

Commissioner Pogue opened the hearing for public comment.

Laurie Alexander shared that she is an advocate for recycling that there needs to be improved education within the community in that aspect. She stated that in her subdivision, they have had great success in working with HC3 and homeowners together to spread recycling awareness.

Susan Cone spoke in support of Pay as You Throw and stated that it is a strong incentive for people to be rewarded for recycling. She shared the many programs that people can use within Summit County including Christmas tree drop off, food scrap recycling, and plastic upcycling at Breck Create.

Mike Nathan spoke in favor of Pay as You Throw as a community member and representative of Arapahoe Basin. He stated that businesses need to be on the same page as employees and visitors.

Gavin Keiner spoke in opposition to the proposed regulations. He shared concerns that if the regulations are passed his costs will rise, illegal dumping will be encouraged, and that the free market will be limited.

Susie Nothnagel spoke in support of the proposed regulations. She spoke to how important it is for more people to recycle and noted that the proposed regulations will provide that access.

Richard Mason shared his concerns and preference that the Board wait to approve the regulations while some things are worked out. His concerns include allowing trash haulers to bring solid waste to the Front Range, preferred haulers going out of business, and how the regulations fit with Ordinance 2A.

Commissioner Pogue closed the hearing for public comment.

Commissioner Waters stated that the proposed regulations make recycling more accessible and that the less you throw away and more you recycle, the less you pay. She noted that the Board is encouraging staff for work on offsetting the cost of bear safe containers.

Commissioner Mamula noted that sending trash to another community isn't a long-term solution and that the diversion rate in the county is pitiful. He shared his agreement with providing funding for bear safe containers.

Commissioner Pogue shared her initial concerns around affordability, but that Breckenridge and Frisco have shown it can be done. She noted that there is language in the Resolution about financial assistance. Low property taxes in the state of Colorado mean that the County can't afford to build a new landfill and it's not the right thing to do in the community because of our environmental values.

MOTION: A motion was made by Commissioner Waters and seconded by Commissioner Mamula to adopt on second reading Resolution 2024-48, for the purpose of establishing Solid Waste Disposal, Collection and Transportation in Summit County by the Summit County Disposal District Amending and Restating Disposal District Plan and Disposal District Regulation and order that the Resolution be published by title only.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

X. ADJOURNMENT

The meeting was adjourned at 2:26 p.m.

Respectfully submitted,

Approved by:

Lori Dwyer, Deputy Clerk

Tamara Pogue, Chair

NOTE: These minutes are a summary of the proceedings and motions of the September 10, 2024 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the County Manager, Summit County Courthouse, 3rd Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

Nbr / Name	Check Number	Check Date	Check Amt	Type	Total Chk Amt	Chk Ct
12944	COPPER MOUNTAIN RESORT ASSOC.				\$25,000.00	1
	317329	09/12/2024	25,000.00	P	Notes: #SCRAP GRANT AWARDEE THRU HC3	
13068	HILLARY M SUNDERLAND				\$40.00	1
1458	A&A PROPERTY INVEST				\$716.51	1
10027	ADAMSON POLICE PRODUCTS				\$3,024.00	1
12201	ADVOCATES FOR VICTIMS OF ASSAULT, INC.				\$3,973.85	1
13797	ALLIANT INSURANCE SERVICES, INC.				\$6,750.00	1
1128	ALPENSEE WATER DISTRICT GENL				\$889.33	1
10057	ALSCO				\$243.29	1
13382	AMANDA PHILLIPS				\$47.65	1
10101	AMERICAN PUBLIC WORKS ASSOCIATION APWA				\$1,590.00	1
13612	ASPEN WIRELESS TECHNOLOGIES INC				\$690.00	1
12705	AT&T MOBILITY LLC				\$6,205.14	1
10125	AV-TECH ELECTRONICS INC				\$7,295.90	2
11646	AXON				\$7,501.92	1
14055	BECCA LARGENT				\$33.50	1
14167	BETHANY HUGHES				\$52.66	1
1402	BETHANY NEYMAN				\$1,568.32	1
10168	BOB BARKER CO.				\$84.84	1
13482	BRADLEY EDELBERG				\$8,000.00	1
14025	BRADLEY STRONG				\$4,400.00	1
12413	BRANDON HOWES				\$60.30	1
10181	BRECKENRIDGE BUILDING CENTER				\$177.46	2
1365	BRECKENRIDGE MOUNTAIN METROPOLITAN DISTRICT				\$6,553.20	1
1129	BRECKENRIDGE MTN METRO DIST				\$41,746.23	1
	4598	09/09/2024	41,746.23	T	Notes: DIST 09-2024	
10195	BUCKEYE WELDING SUPPLY, INC.				\$15.30	1
1130	BUFFALO MOUNTAIN METRO DIST				\$6,977.47	1
10196	BUFFALO MTN ANIMAL HOSPITAL				\$355.83	1
13836	CAFE FOOD RESCUE				\$50,000.00	1
	317286	09/12/2024	50,000.00	P	Notes: #SCRAP GRANT AWARDEE THRU HC3	
13258	CAMFIL USA INC				\$2,206.29	1
10247	CENTURYLINK				\$10,959.87	1
	317248	09/05/2024	10,959.87	P	Notes: CO ESINET - ACCT 507466313 - A	
12464	CLARE CORP				\$17,164.44	1
	317243	09/05/2024	17,164.44	P	Notes: GRAVEL FOR ROADS INV#41670	
13318	CLEAR BALLOT GROUP INC				\$8,120.00	1
10298	COLORADO ANALYTICAL LAB				\$109.00	1
10307	COLORADO ASSOCIATION OF SKI TOWNS				\$95.00	1
10232	COLORADO ASSOCIATION OF TAX APPRAISERS (CATA)				\$565.00	1
10323	COLORADO DEPARTMENT OF LABOR &				\$40,494.00	1

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

	317289	09/12/2024	40,494.00	P	Notes: UNEMPLOYMENT INSURANCE Q2 2024		
1199	COLORADO DEPT OF HUMAN SERVICES					\$2,340.00	1
10329	COLORADO DEPT OF PUB HEALTH & ENV					\$473.00	1
1198	COLORADO DEPT OF PUBLIC HEALTH					\$351.00	1
1197	COLORADO DEPT OF REVENUE					\$564,746.15	1
	121000255	09/06/2024	564,746.15	M	Notes: August 2024 Collections		
10341	COLORADO INTERACTIVE					\$1,220.00	1
1131	COLORADO MOUNTAIN COLLEGE					\$86,502.93	1
	4600	09/09/2024	86,502.93	T	Notes: DIST 09-2024		
1023	COLORADO MOUNTAIN NEWS ME					\$3,730.00	1
10350	COLORADO MOUNTAIN NEWS MEDIA					\$3,127.48	2
13756	COLORADO NONPROFIT DEVELOPMENT CENTER (CNDC)					\$10,083.00	1
	5721	09/05/2024	10,083.00	T	Notes: HARM REDUCTION AUG 2024		
1132	COLORADO RIVER WATER CONS					\$14,291.80	1
	4601	09/09/2024	14,291.80	T	Notes: DIST 09-2024		
10364	COLORADO STATE UNIVERSITY - EXTENSI					\$9,643.75	1
12055	COLORADO WORKERS COMPENSATION POOL					\$46,519.55	1
	5759	09/12/2024	46,519.55	T	Notes: CWCP SELF FUNDED BILLING JULY		
1408	COLUMN SOFTWARE PBC					\$517.00	1
12607	COMCAST HOLDINGS CORPORATION					\$2,595.14	1
1133	COPPER MOUNTAIN CONS DIST					\$12,011.40	1
	4602	09/09/2024	12,011.40	T	Notes: DIST 09-2024		
1134	CORINTHIAN HILL METRO DIST					\$1,133.13	1
10395	CORUM REAL ESTATE GROUP INC.					\$12,588.00	1
	317293	09/12/2024	12,588.00	P	Notes: AUGUST RENTAL (2 UNITS) / LARK		
11655	COSTAR REALTY INFORMATION INC					\$765.42	1
12459	COVETRUS NORTH AMERICA					\$1,159.80	1
14139	CRAWFORD THOMAS LLC					\$18,029.00	1
	5758	09/12/2024	18,029.00	T	Notes: 911 DISPATCHER RECRUITMENT 202		
11644	CROWN TROPHY					\$249.07	1
10416	CUSTOM AUDIO DESIGN					\$564.25	1
12774	D2C ARCHITECTS, INC					\$3,904.50	1
10433	DELL USA LP					\$2,400.10	1
10438	DENVER POST					\$1,330.95	1
13446	DESIGN PATH STUDIO					\$5,335.00	1
13220	DICTATION SALES & SERVICE INC.					\$4,649.31	1
12667	DILLON VALLEY DISTRICT					\$1,086.00	1
10458	DON BANTAM					\$24.12	1
11992	DR ALISON MCNEILLY					\$1,090.00	1
10473	EARLY CHILDHOOD OPTIONS					\$155,473.46	1
	5724	09/05/2024	155,473.46	T	Notes: SPK0924		
1136	EAST DILLON WATER DISTRICT					\$861.83	1

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

10482	ECOLAB							\$82.25	1
10485	EIDE BAILLY LLP							\$3,430.00	1
14041	EMILY ALCORN							\$164.94	1
10497	EMPLOYERS UNITY							\$4,294.00	1
10529	FEDERAL EXPRESS							\$412.13	1
10532	FERGUSON ENTERPRISES INC #109							\$33.34	1
10539	FIRST VEHICLE SERVICES							\$282,852.32	1
		5763	09/12/2024	282,852.32	T		Notes: 2021-22 FLEET MAINTENANCE SERV		
1410	FOURTH NORTH BID							\$66.70	1
1411	FOURTH NORTH MD							\$118.58	1
1265	FOURTH STREET CROSSING IMPROVEMENT DISTRICT							\$623.76	1
1264	FOURTH STREET CROSSING METRO DISTRICT							\$659.59	1
14157	FRANCISCO VAZQUEZ							\$85.96	1
10557	FRISCO BAY MARINA							\$5,408.39	1
10559	FRISCO SANITATION DISTRICT							\$134,900.00	1
		317259	09/05/2024	134,900.00	P		Notes: New Transit Ops Facility HQ ON		
12522	FRONTIER FIRE PROTECTION LLC							\$4,381.00	1
12811	GARY SOLE							\$34.84	1
10580	GEORGE T SANDERS							\$806.55	1
10587	GLAXOSMITHKLINE							\$3,622.14	2
13919	GLOBAL PAYMENTS							\$4,656.05	1
1457	GMLM 3 LLC							\$25,545.19	1
		4630	09/11/2024	25,545.19	T		Notes: TAX LIEN 2022-3744 VOIDED/DELE		
1477	GOVEASE AUCTION LLC							\$660.00	1
1202	GOVERNMENT TECHNOLOGY SYSTEMS LLC							\$460.00	1
10601	GRAINGER							\$610.49	2
14164	GRAND COLORADO ON PEAK 8 OWNERS ASSOC.							\$11,885.37	1
		5764	09/12/2024	11,885.37	T		Notes: #SCRAP GRANT AWARDEE THRU HC3		
13219	GRANITE TELECOMMUNICATIONS, LLC							\$2,624.45	1
1137	HAMILTON CREEK METRO DIST							\$2,608.70	1
1138	HEENEY WATER DISTRICT							\$74.11	1
10632	HILL'S PET NUTRITION							\$371.08	1
10655	INFINITY CERTIFIED WELDING & FABRIC							\$3,806.40	1
10660	INGRAM BOOK CO							\$4,838.06	1
12616	INNOVELA CONSULTING GROUP							\$6,300.00	1
10668	INTERMOUNTAIN LOCK & SECURITY							\$736.00	1
13748	IT'S YOUR PAY							\$3,196.50	1
10680	J & S CONTRACTORS							\$4,126.65	1
13074	JAYME ARAGON							\$164.82	1
10709	JILL VESNER							\$318.53	1
11636	JM SILVERTHORNE LLC							\$870.87	1
13562	JOHN CARROLL							\$133.18	1

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

10718	JOHN CHAMPOUX					\$24.12	1
13779	JT GAINS FITNESS, LLC					\$500.00	1
12540	KANOPY INC					\$317.00	1
12372	KATHERNIE CAMPBELL					\$669.95	1
12956	KATIE SCHMIDT					\$350.00	1
10767	KIM MUND WOLKENBREIT					\$399.32	1
1139	KREMMLING MEM HOSPITAL DIST					\$2,849.45	1
10782	KRYSTAL BROADCASTING					\$9,455.00	2
10801	LANGUAGE LINE SVCS					\$81.18	2
13472	LEILA NAYEEM-BRASHAW					\$45.56	1
12785	LEONARD RICE CONSULTING WATER ENGINEERS, INC					\$929.25	1
1141	LOWER BLUE FIRE PROT DIST					\$446.21	1
13209	LUCENT HEALTH CLAIMS					\$219,575.79	2
	5735	09/05/2024	56,153.56	T		Notes: CLAIMS 090324	
	5773	09/12/2024	163,422.23	T		Notes: CLAIMS 09/10/2024	
12476	MAMMOTH NETWORKS					\$1,659.00	1
11039	MEDICAL PRIORITY CONSULTANTS, INC.					\$5,000.00	1
10870	MEG LEROUX					\$200.00	1
10873	MESA OIL					\$255.00	1
10876	METRO MAINTENANCE, INC					\$980.00	1
13882	MICHAEL BERRY					\$41.47	1
13322	MICHAEL J YOST					\$8,000.00	1
1142	MIDDLE PARK WATER CONS DIST					\$974.38	1
13345	MIDWEST CONNECT					\$2,043.00	1
10891	MIDWEST TAPE					\$3,994.31	1
10899	MINES AND ASSOCIATES, P.C.					\$3,324.84	1
10948	NATIONSEARCH.COM LLC					\$472.25	1
12933	NICHOLAS MORAN BROWN					\$18,454.02	1
	5778	09/12/2024	18,454.02	T		Notes: PHASE 1 AUG 2024	
10967	NORTHERN SAFETY CO					\$292.04	1
11568	NORTHWEST COLORADO COUNCIL OF GOVERNMENTS					\$393.00	1
13033	OCCUPATIONAL RESEARCH & ASSESSMENT, INC					\$1,244.00	1
13739	OLIVIA WASHBURN					\$453.19	1
14080	PATRIOT PORTABLES & EVENTS LLC					\$1,665.00	1
14153	PHILLIP PATTON					\$82.00	1
13296	PINE COVE CONSULTING, LLC					\$86,240.98	1
	317310	09/12/2024	86,240.98	P		Notes: COUNTY COURTHOUSE SECURITY SER	
11043	PROFESSIONAL COMPLIANCE & TESTING					\$241.00	1
11045	PROFESSIONAL TREE & TURF EQUIPMENT					\$9,591.46	1
11957	RANGE WEST, INC.					\$880.00	1
1143	RED, WHITE & BLUE FIRE PROT DIST					\$152,426.99	1
	4615	09/09/2024	152,426.99	T		Notes: DIST 09-2024	

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

11080	REEVES COMPANY INC					\$20.20	1
13615	RIKKE NIELSEN					\$41.54	1
13487	ROCKY MOUNTAIN CLINIC, LLC					\$17,358.24	2
	5739	09/05/2024	14,062.84	T	Notes: 2024 Wellness Hub MAT Services		
	5784	09/12/2024	3,295.40	T	Notes: 2024 Wellness Hub MAT Services		
11113	ROCKY MOUNTAIN COFFEE ROASTERS					\$146.25	1
14102	ROOT POLICY RESEARCH					\$2,306.55	1
11150	SANOPI PASTEUR INC.					\$1,105.94	1
12005	SCHOFIELD EXCAVATION INC.					\$718.07	1
13351	SERVITAS LLC					\$20,000.00	1
	5742	09/05/2024	20,000.00	T	Notes: SURVEY 7-31-24/SUMMIT015		
11189	SHERWIN WILLIAMS					\$351.21	1
13939	SHG ADVISORS					\$7,873.15	1
13795	SHIRLEY SEPTIC PUMPING LLC					\$225.80	1
12749	SKAGGS COMPANIES, INC.					\$110.00	2
1144	SOUTH MARYLAND CRK RANCH METRO DIST					\$9,669.46	1
12596	SQUIRE PATTON BOGGS (US) LLP					\$14,583.00	1
	5785	09/12/2024	14,583.00	T	Notes: RETAINER		
1200	STATE OF COLORADO TREASURY					\$3,590.00	1
11247	STEPHANIE MUNCHOFF					\$751.61	1
14135	STEVEN JENNINGS					\$294.80	1
12963	STJERNHOLM BROTHERS FAMILY CHIROPRACTIC					\$815.00	1
10349	SUMMIT CLEANERS, LLC					\$141.84	1
1315	SUMMIT COUNTY GOVERNMENT					\$1,592.26	1
13372	SUMMIT ECONOMIC PARTNERSHIP					\$12,500.00	1
	5788	09/12/2024	12,500.00	T	Notes: SERVICE AGREEMENT - INV 1020		
11940	SUMMIT EMBROIDERY					\$846.88	1
1140	SUMMIT FIRE & EMS FIRE PROTECTION DISTRICT					\$171,452.43	1
	4612	09/09/2024	171,452.43	T	Notes: DIST 09-2024		
11280	SUMMIT FORD					\$84,917.66	1
	5789	09/12/2024	84,917.66	T	Notes: 2024 FORD EXPLORER VIN 1FM5K8A		
11845	SUMMIT HOMES CONSTRUCTION LLC					\$1,308,660.12	1
	5790	09/12/2024	1,308,660.12	T	Notes: NELLIE'S PROGRESS BILLING #5/1		
11287	SUMMIT ROLL-OFFS					\$27,805.00	1
	5791	09/12/2024	27,805.00	T	Notes: DETENTIONS FOOD SCRAPES		
1145	SUMMIT SCHOOL DISTRICT RE-1					\$449,646.35	1
	4617	09/09/2024	449,646.35	T	Notes: DIST 09-2024		
1146	SUMMIT SCHOOL DISTRICT RE-1					\$43,503.59	1
	4618	09/09/2024	43,503.59	T	Notes: DIST 09-2024		
11288	SUMMIT SCHOOL DISTRICT RE-1					\$49,041.79	1
	5744	09/05/2024	49,041.79	T	Notes: EARLY CHILDHOOD ADMINISTRATIVE		
90211	SUSTAINABILITY ONE TIME					\$1,818.06	5

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

1148	SWAN'S NEST METRO DIST					\$511.36	1
13475	TALION DEFENSE CORPORATION					\$2,750.00	1
13636	TARYN POWER					\$245.22	1
13675	TEAMMATES COMMERCIAL, INC					\$2,534.76	1
11989	TETRA TECH, INC.					\$1,750.00	1
13287	THE KEY PEOPLE LLC					\$650.00	1
14155	THE PLAYGARTEN LLC					\$750.00	1
13838	THE VILLAGE HOMEOWNERS ASSOCIATION OF FRISCO					\$30,000.00	1
	317325	09/12/2024	30,000.00	P		Notes: #SCRAP GRANT AWARDEE THRU HC3	
11352	TIGER NATURAL GAS, INC.					\$77.17	2
1149	TIMBER CREEK WATER DISTRICT					\$170.45	1
11355	TIMBERLINE DISPOSAL LLC					\$730.23	2
11360	TITLE COMPANY OF THE ROCKIES, INC					\$105,840.00	1
	306877330	09/06/2024	105,840.00	M		Notes: 148 SUMMIT DRIVE #A2 - HOUSING	
1150	TOWN OF BLUE RIVER					\$10,605.12	1
	4621	09/09/2024	10,605.12	T		Notes: DIST 09-2024	
1151	TOWN OF BRECKENRIDGE					\$66,697.99	1
	4622	09/09/2024	66,697.99	T		Notes: DIST 09-2024	
11367	TOWN OF BRECKENRIDGE					\$42,564.55	1
	5747	09/05/2024	42,564.55	T		Notes: PURPLE SU STAGE 07/24	
1152	TOWN OF DILLON					\$10,109.73	1
	4623	09/09/2024	10,109.73	T		Notes: DIST 09-2024	
11368	TOWN OF DILLON					\$11,704.80	1
	5795	09/12/2024	11,704.80	T		Notes: 0724 NICO TAX	
1153	TOWN OF FRISCO					\$10,210.28	1
	4624	09/09/2024	10,210.28	T		Notes: DIST 09-2024	
1154	TOWN OF MONTEZUMA					\$277.90	1
1155	TOWN OF SILVERTHORNE					\$19,513.73	1
	4626	09/09/2024	19,513.73	T		Notes: DIST 09-2024	
11371	TOWN OF SILVERTHORNE					\$94,805.82	1
	5796	09/12/2024	94,805.82	T		Notes: 0724 NICO TAX	
11674	TRANSUNION RISK AND ALTERNATIVE					\$133.80	1
90810	TREASURER ONE TIME					\$95,650.88	80
	4550	09/06/2024	473.08	P		Notes: 2023 TAX ABATEMENT REFUND 4200	
	4551	09/06/2024	940.66	P		Notes: 2023 TAX ABATEMENT REFUND 2800	
	4552	09/06/2024	749.42	P		Notes: 2023 TAX ABATEMENT REFUND 4900	
	4553	09/06/2024	779.28	P		Notes: 2023 TAX ABATEMENT REFUND 2800	
	4554	09/06/2024	1,428.30	P		Notes: 2023 TAX ABATEMENT REFUND 6501	
	4555	09/06/2024	1,251.65	P		Notes: 2023 TAX ABATEMENT REFUND 3000	
	4556	09/06/2024	240.90	P		Notes: 2023 TAX ABATEMENT REFUND 6500	
	4557	09/06/2024	585.24	P		Notes: 2023 TAX ABATEMENT REFUND 2802	
	4558	09/06/2024	1,028.41	P		Notes: 2023 TAX ABATEMENT REFUND 4400	

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

4559	09/06/2024	2,486.57 P	Notes: 2023 TAX ABATEMENT REFUND 2800
4560	09/06/2024	6,122.92 P	Notes: 2023 TAX ABATEMENT REFUND 4200
4561	09/06/2024	1,817.75 P	Notes: 2023 TAX ABATEMENT REFUND 2809
4562	09/06/2024	658.70 P	Notes: 2023 TAX ABATEMENT REFUND 6501
4563	09/06/2024	331.69 P	Notes: 2023 TAX ABATEMENT REFUND 4100
4564	09/06/2024	3,482.39 P	Notes: 2023 TAX ABATEMENT REFUND 6500
4565	09/06/2024	15.69 P	Notes: ABATEMENT 1101324
4566	09/06/2024	159.94 P	Notes: ABATEMENT 1000056
4567	09/06/2024	305.68 P	Notes: ABATEMENT 1300646
4568	09/06/2024	78.84 P	Notes: ABATEMENT 1800749
4569	09/06/2024	159.60 P	Notes: ABATEMENT 1500870
4570	09/06/2024	533.24 P	Notes: ABATEMENT 1101174
4571	09/06/2024	846.61 P	Notes: ABATEMENT 1300676
4572	09/06/2024	582.73 P	Notes: ABATEMENT 1301118
4573	09/06/2024	446.40 P	Notes: ABATEMENT 1700284
4574	09/06/2024	59.57 P	Notes: ABATEMENT 1101561
4575	09/06/2024	591.35 P	Notes: ABATEMENT 1300033
4576	09/06/2024	1,493.74 P	Notes: ABATEMENT 1300956
4577	09/06/2024	400.70 P	Notes: ABATEMENT 2800179
4578	09/06/2024	469.90 P	Notes: ABATEMENT 1000290
4579	09/06/2024	1,043.44 P	Notes: ABATEMENT 2800085
4580	09/06/2024	136.77 P	Notes: ABATEMENT 1700036
4581	09/06/2024	3,475.67 P	Notes: ABATEMENT 1101374
4582	09/06/2024	769.93 P	Notes: ABATEMENT 1400079
4583	09/06/2024	756.18 P	Notes: ABATEMENT 1400058
4584	09/06/2024	1,603.97 P	Notes: ABATEMENT 1500232
4585	09/06/2024	1,277.24 P	Notes: ABATEMENT 1300344
4586	09/06/2024	185.30 P	Notes: ABATEMENT 1100069
4587	09/06/2024	358.25 P	Notes: ABATEMENT 2800207
4588	09/06/2024	227.17 P	Notes: ABATEMENT 900724
4589	09/06/2024	1,162.41 P	Notes: ABATEMENT 1101318
4590	09/06/2024	921.88 P	Notes: ABATEMENT 1300819
4591	09/06/2024	5,677.26 P	Notes: ABATEMENT 305282
4592	09/06/2024	358.38 P	Notes: ABATEMENT 1700058
4593	09/06/2024	63.09 P	Notes: ABATEMENT 1700009
4631	09/13/2024	3,927.92 P	Notes: 2023 TAX ADJUSTMENT - ABATEMEN
4632	09/13/2024	83.94 P	Notes: 2023 TAX ADJUSTMENT-ABATEMENT-
4633	09/13/2024	1,178.66 P	Notes: 2023 TAX ADJUSTMENT-ABATEMENT-
4634	09/13/2024	196.20 P	Notes: 2023 TAX ADJUSTMENT-ABATEMENT-
4635	09/13/2024	8,014.40 P	Notes: 2023 TAX ADJUSTMENT-ABATEMENT-
4636	09/13/2024	1,399.77 P	Notes: 2023 TAX ADJUSTMENT-ABATEMENT-
4637	09/13/2024	201.71 P	Notes: 2023 TAX ADJUSTMENT - ABATEMEN

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

4638	09/13/2024	2,415.36	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4639	09/13/2024	34.78	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4640	09/13/2024	1,082.23	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4641	09/13/2024	420.93	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4642	09/13/2024	420.24	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4643	09/13/2024	2,850.24	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4644	09/13/2024	749.31	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4645	09/13/2024	499.14	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4646	09/13/2024	109.63	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4647	09/13/2024	271.71	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4648	09/13/2024	570.56	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4649	09/13/2024	144.99	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4650	09/13/2024	660.22	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4651	09/13/2024	229.13	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4652	09/13/2024	147.01	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4653	09/13/2024	244.65	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4654	09/13/2024	10,625.19	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4655	09/13/2024	830.02	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4656	09/13/2024	211.75	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4657	09/13/2024	1,063.37	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4658	09/13/2024	2,655.05	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4659	09/13/2024	826.73	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4660	09/13/2024	320.31	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4661	09/13/2024	280.10	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4662	09/13/2024	1,144.99	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4663	09/13/2024	306.14	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4664	09/13/2024	2,577.85	P	Notes:	2023 TAX ADJUSTMENT - ABATEMEN	
4665	09/13/2024	247.41	P	Notes:	2023 TAX ADJUSTMENT-ABATEMENT-	
4666	09/13/2024	2,171.35	P	Notes:	ABATEMENT 6516876	
12542	TRY INC				\$760.00	1
11419	UTILITY NOTIFICATION CENTER				\$304.44	1
13357	VITAL RECORDS HOLDING				\$75.00	1
11440	WAGNER EQUIPMENT				\$618.83	1
11445	WASTE MANAGEMENT				\$690.32	2
11452	WEAR PARTS & EQUIP CO., INC.				\$1,418.20	1
12445	WEAVER HOLDINGS LLC				\$35,654.75	1
	317333	09/12/2024	35,654.75	P	Notes:	SCRAP ENGINEERING SERVICES 331
1156	WEST GRAND SCHOOL DISTRICT				\$4,380.78	1
1157	WEST GRAND SCHOOL DISTRICT				\$837.13	1
11462	WESTERN PAPER DIST				\$51.80	1
11464	WESTERN SLOPE SUPPLIES				\$319.70	1
1158	WILLOW BROOK METRO DIST				\$12,937.68	1

Warrant List

Check Cut Range from: 9/1/2024 through 9/15/2024

	4629	09/09/2024	12,937.68	T	Notes: DIST 09-2024		
11887	WOFFORD ELECTRIC					\$750.00	1
11478	XCEL					\$237.34	2

**BOARD OF COUNTY COMMISSIONERS
SEPTEMBER 24, 2024
PLANNING CASE #PLN23-093: VACATE LOT LINE, DRAINAGE EASEMENT, AND
UTILITY EASEMENT,
LOTS 9 AND 10, BLOCK 1, MCDILL PLACER SUBDIVISION #1
CONSENT AGENDA**

PROJECT INFORMATION:

Location: Lot 9, Block 1, McDill Placer Subdivision #1, And Lot 10, Block 1, McDill Placer Subdivision #1, Located at 86 and 106 McDill Road (CR 854)
Request: Subdivision Exemption to vacate a lot line, drainage easement, and utility easement between Lots 9 and 10, Block 1, McDill Placer Subdivision #1, a total of 0.96 acres, zoned R-2.

ISSUES:

None

PLANNING COMMISSION RECOMMENDATION:

The Upper Blue Planning Commission does not review lot line vacation applications.

RESOLUTION STATUS

Draft Resolution attached

STAFF RECOMMENDATION:

Approval with 6 findings and 1 condition.

ATTACHMENTS:

1. Vicinity Map
2. McDill Placer Sub #1 Plat (Reception No. 123085)
3. Restrictive Covenant
4. Draft Resolution
5. Exhibit A to the Resolution



STAFF REPORT

TO: Board of County Commissioners

FROM: Jen Uhler, Planner I

FOR: Meeting of September 24, 2024

SUBJECT: PLN23-093; Class 6 Subdivision Exemption for a Lot Line and Easement Vacation

APPLICANT: Lee G. Elliott

OWNER: Lee G. Elliot and Robert Elliott

REQUEST: A Subdivision Exemption to vacate a lot line, 20’ drainage easement, and 20’ utility easement between Lots 9 and 10, Block 1 McDill Placer Subdivison #1, a total of 0.96 acres, zoned R-2.

APPLICATION MATERIALS:

Up until a decision is made by the final Review Authority, the Applicant’s Submittal Materials can be found at https://summitcountyco.gov/services/community_development/planning/projects_under_review.php and are hereby incorporated into the official record in their entirety. Once a final decision has been made, the Submittal Materials can be obtained and/or reviewed at the Planning Department.

PROJECT DESCRIPTION:

Location: 086 and 106 McDill Rd. (CR 854)

Legal Description: Lots 9 and 10, Block 1, McDill Placer Subdivision #1

Existing Zoning: R-2

Existing Use: Single-Family Residential and Vacant

Total site area: 0.96 acres

Adjacent land uses:

- North:** Single-Family Residential; Lots 2 and 3, Block 2, McDill Placer Sub #1, zoned R-2
- West:** Single-Family Residential; Lot 8, Block 1, McDill Placer Sub #1, zoned R-2
- South:** Open Space, Parcel a Quandary Village Sub # 1, zoned R-2
- East:** Single-Family Residential; Lot 11, Block 1, McDill Placer Sub #1, zoned R-2

DEVELOPMENT REQUIREMENTS:

	<u>Required</u>	<u>Proposed</u>
Density limit:	1 unit / 20,000 sq. ft.	No changes

BACKGROUND:

On October 29, 1971, McDill Placer Subdivision Filing No. 1 plat was approved and recorded at reception number 123085. This subdivision includes Lots 9 and 10, Block 1, as they are currently platted. According to the County Assessor's records, Lot 9 includes a single-family residence, and Lot 10 is currently vacant, and mostly wetlands. The subject site, Lots 9 and 10, is 0.96 acres in size (total). The applicant wishes to vacate the lot line, drainage easement, and utility easement between Lots 9 and 10 resulting in one larger lot, Lot 9R. The purpose of this lot line vacation is to allow the property owner more space to remodel their home on the western side of the building.

Subject Site: Lots 9 & 10, Block 1 McDill Placer Sub #1



CRITERIA FOR DECISION

Per Section 8402.01.F of the County's Land Use & Development Code ("Code"), subdivision exemptions for adjustments and vacations of lot lines or easements shall comply with the following Criteria for Approval:

1. The adjustment or vacation procedure has not been used to circumvent the intent of the Subdivision Regulations.

2. The lots resulting from the adjustment or vacation are in compliance with the County's Zoning Regulations (Chapters 3-4).
3. Easements necessary for the provision of utilities are not affected or have been relocated to the satisfaction of the utility companies.
4. If the request is for a lot line adjustment, the plat illustrating the lot line adjustment is drawn in accordance with standards in these regulations and is suitable for recordation.
5. If the request is for a lot line vacation, the applicant has provided a restrictive covenant against the property that prohibits the vacated lot(s) from being resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.
6. The applicant has provided certification from the County Treasurer that all ad valorem taxes applicable to the proposed subdivision, for years prior to the year in which approval is under consideration, have been paid.
7. For lot line vacations, the resolution of approval states the new lot name as one of the previous lot designations.

Staff notes that Criterion 4 is only applicable for lot line adjustments. As such, it is not reviewed in this staff report.

Compliance with the County Subdivision Regulations

Vacating the lot line, drainage easement, and utility easement between Lots 9 and 10, Block 1 McDill Placer Subdivision #1, does not circumvent the intent of the County subdivision regulations. No additional building sites will be created through this lot line and easement vacation and no new uses are being proposed. The provision of required utilities will not be affected as the appropriate easements exist elsewhere. The combined lot will comply with all applicable County subdivision standards. Approval of this proposal will result in one, 0.96 acre, single-family residential lot.

Compliance with the County Zoning Regulations

The property is zoned R-2, which allows for one single family residence per 20,000 square feet. Vacating the lot line, drainage easement, and utility easement between Lots 9 & 10 will create a larger lot (proposed as Lot 9R) that complies with the minimum lot size requirement. The combined lot will be 0.96 acres, or 41,817.60 square feet. Future development on the subject site will have to comply with the R-2 zoning district setbacks and development standards, as well as all other development code provisions and other applicable regulations.

Easements Necessary for the Provision of Utilities Are Not Affected

Comcast, Colorado Natural Gas, and Xcel have each provided a letter of no objection to the utility easement vacation, as the remaining utility easements on both side lot lines of proposed Lot 9R allow for utility access.

The applicant has provided a stamped letter from a civil engineer confirming that vacating the drainage easement will not have any adverse effect on surrounding properties. There is a public sewer utility easement at the rear of both lots 9 and 10 that will be unaffected by this proposed change. Therefore, easements for the provision of utilities to other subdivision lots and properties will not be affected by the proposed lot line vacation.

Restrictive Covenant Provided

The owner has submitted a restrictive covenant, which prohibits the vacated lot from being resubdivided or recreated by a subdivision approval, subdivision exemption approval, or any other administrative or judicial process. When signed, the restrictive covenant (as illustrated in

Attachment A) will be recorded concurrently with the resolution of approval for this application if approved by the BOCC.

Ad Valorem Taxes Paid

The 2023 ad valorem taxes for Lots 9 & 10, Block 1 McDill Placer Subdivision #1 have been paid.

The New Lot Name is one of the Previous Lot Designations

The resolution of approval shall state the new lot name as one of the previous lot designations. This lot line vacation will result in one new larger lot, which will be known as Lot 9R.

STAFF RECOMMENDATION:

Staff recommends that the Board of County Commissioners approve PLN23-093: A Subdivision Exemption to vacate a lot line, drainage easement, and utility easement between Lots 9 & 10, Block 1, McDill Placer Subdivision #1, zoned R-2, with the following findings and conditions:

Findings:

1. The vacation procedure has not been used to circumvent the intent of the Subdivision Regulations as no new lots are being created through this application.
2. The lot resulting from the vacation is in compliance with the County's Zoning Regulations because, without limitation, the newly created lot meets the minimum lot size requirement for the R-2 zone district and density is being reduced by one unit.
3. Easements necessary for the provision of utilities are not affected by the lot line, utility easement, and drainage easement vacation.
4. The applicant has provided a restrictive covenant against the property that prohibits the vacated lot from being resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.
5. The applicant has provided certification from the County Treasurer that all ad valorem taxes applicable to the proposed subdivision, for years prior to the year in which approval is under consideration, have been paid..
6. The new lot name is one of the previous lot designations and it shall be known as Lot 9R as depicted in Exhibit A.

Condition:

1. Restrictive Covenant shall be recorded concurrently with the resolution and exhibit.



RME

Blue Lakes RD (CR-850)

ASPEN
SPRING PUD

McDill RD (CR-854)

A-1

0106 0086

Blue Lakes RD (CR-850)

CR 855

R-2

NR-2

OSZD

CR 855

NR-2

OSZD

State Hwy 9

SAWLOG
PLACER PUD

**RESTRICTIVE COVENANT FOR THE
VACATION OF LOT LINES**

THIS RESTRICTIVE COVENANT ("Covenant") is entered this 26 day of December, 2023 by and between Robert H. Elliott and Lee G. Elliott whose address is PO Box 6492 ("Grantor") and Summit County, Colorado by and through its Board of County Commissioners, whose address is Post Office Box 68, Breckenridge, Colorado, 80424 ("Grantee"), for the purpose of forever restricting the use of and on the subject property.

RECITALS

- A. Grantor warrants that it is the sole and lawful owner of property located in Summit County, Colorado, and identified as LOT 9 BLOCK 1 MCDILL PLACER SUB and LO10 BLOCK 1 MCDILL PLACER SUB recorded at Reception Number 1244726 and 1309581, (collectively referred to as the "Properties"), as shown in Exhibit A, and is authorized to enter into this agreement.
- B. The Properties are currently within the R-2 Zoning District, as defined in the Summit County Land Use and Development Code ("Code"). The R-2 zoning designation on the Properties allows for 1 unit of density on Lot 9 and 1 unit of density on Lot 10 as well as certain accessory and conditional uses on each lot as enumerated in the Code.
- C. Grantor wishes to vacate the lot lines between Lots 9 and 10, which separate said lots, for the purpose of creating one cohesive parcel of greater total surface area.
- D. Grantor desires to enter into this restrictive covenant for the purpose of vacating the lot lines between the Properties with full knowledge and understanding of the density restrictions which will be imposed upon the combined parcels as a result of the subject lot line vacation and this Covenant. The combined Lots 9 and 10 shall be referred to as the "Property."

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby covenants and agrees to restrict any future subdivision of the Property, upon and subject to the following terms and conditions:

- 1. The parties hereto acknowledge by mutual agreement that the lot lines between Lot 9 and Lot 10 are vacated upon the execution of this Covenant and agreement, thereby limiting the potential density of the Property to one single family dwelling unit and associated accessory and conditional uses related to said single family dwelling as may be permitted under the R-2 Zoning District.
- 2. The parties hereto acknowledge that the lot line vacation creates one contiguous lot on the Property, greater in overall surface area.
- 3. Grantor covenants and warrants that the Property shall not be subdivided by Grantor in the future, at any time and for any purpose, by any lawful manner; including, but not limited to, an official act under the Summit County Land Use and Development Code, by operation of law, or by

order of any court in this state as detailed in §30-28-101(10), C.R.S. Grantor further covenants that the Property shall at all times in the future consist of only one lot.

4. This Covenant shall constitute a restrictive covenant which shall run with the land in perpetuity for the benefit of Grantee. The terms and obligations of this Covenant shall be binding upon all parties hereto, and their respective heirs, successors and assigns. Other than as specified herein, this Covenant is not intended to impose any legal or other responsibility on Grantee.

5. This Covenant expressly inures to the benefit of and is enforceable by Grantee. Grantee shall have the right to prevent and correct or require correction of violations of the terms and purposes of this Covenant. Grantee shall have the right to seek an injunction with respect to such activity, and to cause the restoration at Grantor's expense of that portion the Property affected by such activity to the condition that existed prior to the undertaking of such prohibited activity. Nothing contained herein shall be construed to preclude Grantor from exhausting its legal remedies in determining whether the proposed activity to which the Grantee has objected is inconsistent with this Covenant. In the event of any litigation, the prevailing party shall recover its costs and reasonable attorney's fees. Enforcement of the terms and provisions of this Covenant shall be at the discretion of the Grantee and any failure of Grantee to discover a violation or any forbearance to exercise its rights hereunder shall not be deemed or construed to be a waiver of such terms or of any subsequent breach of the same or any other term of this Covenant or of any of the Grantee's rights hereunder or an abandonment of any duties or responsibilities hereunder.

6. Grantor waives any defenses of laches, estoppel, prescription, and any and all requirements in §38-41-119, C.R.S., that require Grantee to bring action to enforce the terms of this Covenant or to compel the removal of any building or improvement on the Property within one year from the date of the violation is or should have been discovered.

7. Grantee shall record this instrument in a timely fashion in the official records of Summit County, at the Office of the Summit County clerk and Recorder, and Grantee may re-record it at any time as may be required to preserve its rights in this Covenant.

8. The interpretation and performance of this Covenant shall be governed by the laws of the State of Colorado. Venue shall only be proper in Summit County, Colorado.

9. In the case one or more of the provisions contained in this Covenant, or any application hereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this Covenant and the application thereof shall not in any way be affected or impaired thereby.

IN WITNESS WHEREOF, the parties have executed this Covenant as of the date first above written.

GRANTOR:

Robert H. Elliott
Print Name: Robert H. Elliott

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me on December 26, 2023 by Robert H. Elliott as Grantor.

Witness my hand and official seal.
My commission expires January 22, 2025

BKB
Notary Public



GRANTOR:

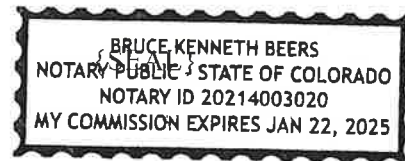
Lee G. Elliott
Print Name: Lee G. Elliott

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me on December 26, 2023 by Lee G. Elliott as Grantor.

Witness my hand and official seal.
My commission expires January 22, 2025

BKB
Notary Public



[Signatures continue on following page]

GRANTEE:
COUNTY MANAGER
OF SUMMIT COUNTY, COLORADO

David Rossi, County Manager

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me on _____,
20 __, by David Rossi as County Manager of Summit County, Colorado.

Witness my hand and official seal.

{SEAL}

Notary Public

My commission expires _____.

RESOLUTION NO. 2024-

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

A RESOLUTION APPROVING PLANNING CASE #PLN23-093, A SUBDIVISION EXEMPTION TO VACATE A LOT LINE, DRAINAGE EASEMENT, AND UTILITY EASEMENT BETWEEN LOTS 9 and 10, Block 1 McDill Placer subdivision #1, ZONED R-2

WHEREAS, Lee G. Elliott has applied to the Board of County Commissioners for a Subdivision Exemption to vacate a lot line, drainage easement, and utility easement between Lots 9 & 10, Block 1 McDill Placer subdivision #1, zoned R-2; and,

WHEREAS, the Planning Department has reviewed the application and recommended that it be approved; and,

WHEREAS, the Board of County Commissioners has reviewed the application at a public hearing held on September 24th, 2024, with public notice as required by law and considered the evidence and testimony presented at the hearing; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. The vacation procedure has not been used to circumvent the intent of the Subdivision Regulations as no new lots are being created through this application.
2. The lot resulting from the vacation is in compliance with the County's Zoning Regulations because, without limitation, the newly created lot meets the minimum lot size requirement for the R-2 zone district and density is being reduced by one unit.
3. Easements necessary for the provision of utilities are not affected by the lot line, utility easement, and drainage easement vacation.
4. The applicant has provided a restrictive covenant against the property that prohibits the vacated lot from being resubdivided or recreated by a subdivision approval, subdivision exemption approval or any other administrative or judicial process.
5. The applicant has provided certification from the County Treasurer that all ad valorem taxes applicable to the proposed subdivision, for years prior to the year in which approval is under consideration, have been paid..
6. The new lot name is one of the previous lot designations and it shall be known as Lot 9R as depicted in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT a Subdivision Exemption to vacate a lot line, drainage easement, and utility easement between Lots 9 & 10, Block 1 McDill Placer subdivision #1, zoned R-2, is approved with the following condition:

1. The executed lot line vacation restrictive covenant shall be recorded concurrently with this resolution and exhibit.

ADOPTED THIS 24TH DAY OF SEPTEMBER, 2024.

**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

Tamara Pogue, Chair of the BOCC

ATTEST:

Taryn Power, Clerk & Recorder



PLANNING DEPARTMENT

970.668.4200

www.SummitCountyCO.gov

0037 Peak One Dr. PO Box 5660
Frisco, CO 80443

BOARD OF COUNTY COMMISSIONERS
September 24, 2024
Ranch at Breckenridge, Subdivision Improvements Agreement
CONSENT AGENDA

PROJECT INFORMATION:

Location: Ranch at Breckenridge
Project/Request: Subdivision Improvements Agreement

ISSUES:

N/A

RESOLUTION STATUS

Resolution not required.

STAFF RECOMMENDATION:

Planning staff recommends approval of the Subdivision Improvements Agreement as provided by the applicant.

ATTACHMENTS:

- A. Subdivision Improvements Agreement
- B. Exhibit A

STAFF REPORT

TO: Board of County Commissioners
FROM: Lili Girodie, Planner II
FOR: September 24, 2024
SUBJECT: Ranch at Breckenridge, Subdivision Improvements Agreement
APPLICANT: Suzanne Allen-Sabo
OWNER: The Ranch at Breckenridge Phase II, LLC.
REQUEST: Approval of Subdivision Improvements Agreement

APPLICATION MATERIALS: Up until a decision is made by the final Review Authority, the Applicant’s Submittal Materials can be found at <http://summitcountyco.gov/254/Projects-Under-Review> and are hereby incorporated into the official record in their entirety. Once a final decision has been made, the Submittal Materials can be obtained and/or reviewed at the Planning Department.

PROJECT DESCRIPTION

Location: Ranch at Breckenridge
Existing Zoning: The Ranch at Breckenridge PUD
Proposed Use: Residential
Other Uses: Accessory
Adjacent land uses:
East: Undivided 50% Interest TR 6-77 Sec 33 Qtr 3 Mining Claim(s) cont 1100.0077 acre, zoned Backcountry and TR 2-81 Sec 01 Qtr 1 WHITE RIVER NATIONAL FOREST, zoned NR-2.
West: Woodmoor at Breckenridge, zoned R-4, and Miner’s View Estates, zoned RME.
North: Undivided 50% Interest TR 6-77 Sec 33 Qtr 3 Mining Claim(s) cont 1100.0077 acre, zoned A-1.
South: TR 7-77 Sec 04 Qtr 1 Mining Claim(s) cont 6.5520 acres RIDDLE PLACER PART OF MS# 3207 GOLD PAN NO 4 MS# 18129-A, zoned A-1.

BACKGROUND

Phase I for the Ranch at Breckenridge was platted and recorded in 1993 (Rec # 449466). The preliminary plat for Phase II, and subsequently the Final Plats for Phase II, and Phase II, Filing II were approved with conditions as outlined below:

PLN22-123: Phase II, Preliminary Plat. Approved at the BOCC on March 28, 2023, subject to the following conditions:

1. Prior to the issuance of any grading permits, a SIA shall be completed and a full financial guarantee provided for all required improvements within the subdivision.
2. Prior to approval of the final plat, the applicant shall provide evidence that the forest management plan/fuels reduction mitigation work has been completed as proposed.
3. In accordance with Code Section 8159, and the comments from the Colorado State Water Engineer, a water resources report shall be provided with the application for final plat meeting the requirements of the Division of Water Resources.
4. A plat note shall be added to the final plat indicating that the expansion area shown adjacent to Phase I Homestead Lots 10 – 12, belongs to the Phase II HOA, unless otherwise conveyed, and there is no associated density or uses for this area.

PLN23-038: Final Plat for Phase II. Approved at the BOCC meeting on July 25, 2023, subject to the following conditions:

1. A Preservation of Association Maintenance Responsibilities Agreement will be required to be recorded concurrently with the plat and declarations for this development.
2. Prior to recordation of the plat, the applicant will work with Summit County to finalize the Trail Easement Agreement and conveyance deed for the open space parcels, to the satisfaction of County Attorney's Office. The Owner agrees to dedicate to the public the trails as generally depicted on Exhibit A to this resolution. Final trail alignment will be memorialized and dedicated as set forth in the Trail Easement Agreement.
3. Prior to conveyance of the Bellevue Mill Site open space, all items shall be removed from within and around the cabins, including cooking devices, to the satisfaction of the Summit County Open Space and Trails Department; and the associated pit toilets will be abandoned per environmental health regulations.
4. Prior to issuance of grading permit for Cumberland Drive, the applicant will show the grading for extension of the Spiral Staircase Trail to the south of Cumberland Drive, to the satisfaction of the Open Space and Trails Department.
5. Prior to issuance of any building or grading permits, a Subdivision Improvements Agreement shall be recorded, and a full financial guarantee provided for all required site improvements.
6. Prior to the recordation of the plat, the right-of-way-for Sallie Barber shall be shown as 30' from the center-line, up to the property line where applicable.

PLN23-071: Final Plat for Phase II, Filing 2. Approved at the BOCC meeting held on November 14, 2023, subject to the following conditions:

1. Prior to issuance of grading permit for Cumberland Drive, the applicant will show the grading for extension of the Spiral Staircase Trail to the south of Cumberland Drive, to the satisfaction of the Open Space and Trails Department.
2. Prior to issuance of any building or grading permits, a Subdivision Improvements Agreement shall be recorded, and a full financial guarantee provided for all required site improvements.

The proposed SIA was reviewed by the BOCC in draft form, as an attachment to the final plat approvals for Phase II and Phase II, Filing 2. It comes before the BOCC today for formal approval

pursuant to section 8109.03.B of the Code which requires BOCC approval via the consent agenda.

STAFF RECOMMENDATION

County staff has reviewed and approved the proposed SIA. Planning staff recommends approval of the Subdivision Improvements Agreement.

SUBDIVISION IMPROVEMENTS AGREEMENT

PLN 23-071

This Agreement is made as of this 9th day of July, 2024, between Ranch at Breckenridge Phase II, LLC (Owner/Developer), whose address is PO Box 5540, Frisco, CO 80443, Colorado _____, and the BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY (County), whose address is P.O. Box 68, Breckenridge, Colorado 80424, Attention: County Engineer

I. GENERAL

1.1 Purpose. The purpose of this Agreement is to provide for the completion of the Subdivision Improvements as hereinafter defined, for the Subdivision, as hereinafter defined.

1.2 Recitals.

(a) Owner/Developer is the owner and subdivider of the Subdivision and has presented a final plat of the Subdivision to the County for approval.

(b) The subdivision statutes of the State of Colorado, Section 30-28-137, C.R.S., and the Subdivision Resolution of the County authorize the execution of a subdivision improvements agreement between the County and Owner/Developer whereby Owner/Developer agrees to construct any required public improvements for the Subdivision and to provide security for completion of the Subdivision Improvements.

(c) This Agreement will provide for the completion of the Subdivision Improvements within the Subdivision and will protect the County from the cost of completing the Subdivision Improvements.

(d) This Agreement is not executed for the benefit of third parties such as, but not limited to, materialmen, laborers or others providing work, services or material for the Subdivision Improvements or lot or home buyers in the Subdivision.

1.3 Subdivision. The "Subdivision" shall mean Ranch at Breckenridge Phase 2, Filing 2, Summit County, Colorado, the final plat for which has been presented to the County and is expected to be approved by the County at the time of, and in connection with, approval of this Agreement by the County.

1.4 Subdivision Improvements. The "Subdivision Improvements" shall mean the street, drainage and other improvements listed on attached Exhibit A, and improvements described in the Plans, as hereinafter defined. Exhibit A shall include estimated costs and completion dates for the Subdivision Improvements.

1.5 Plans. The "Plans" shall mean the Subdivision Improvement Plans approved by the County Engineer and the Board of County Commissioners, which Plans shall include grading, drainage, erosion control, revegetation, road improvement and composite utility plans.

II. CONSTRUCTION OF SUBDIVISION IMPROVEMENTS.

2.1 Agreement to Construct. Subject to and in accordance with the terms and provisions of this Agreement, Owner/Developer agrees to cause the Subdivision Improvements to be constructed and completed at its expense, in accordance with the Plans.

2.2 Final Plat Approval as Condition of Construction. Owner/Developer shall not commence

construction and installation of the Subdivision Improvements until the county has given its approval to the final plat of the Subdivision.

2.3. Recordation of Final Plat. This Agreement must be entered into prior to recordation of the final plat in Summit County. The final plat shall not be recorded until either the Subdivision Improvements have been satisfactorily completed or until the receipt by the County of security in a form acceptable to the County for 115% of the estimated construction costs of said Subdivision Improvements as identified on Exhibit A of this Agreement.

2.4. Completion Date. Subdivision Improvements shall be completed within the time limits set forth on the attached Exhibit A ("Completion Date"). The Completion Date may only be extended for good cause, as determined by and approved by the County Planning Department in writing.

2.5. Construction Standards. The Subdivision Improvements, including water and sanitary sewer, shall be constructed in accordance with the Plans approved by the County Engineer and/or applicable District and, to the extent not otherwise provided in the Plans, in accordance with the County's ordinances, resolutions, and regulations.

2.6. Warranties of Owner/Developer. Owner/Developer warrants that the Subdivision Improvements will be installed in a good and workmanlike manner and in substantial compliance with the Plans and requirements of this Agreement and shall be substantially free of defects in materials and workmanship. These warranties of Owner/Developer shall remain in force and effect as to any completed Subdivision Improvements until the lapse of two years after Preliminary Acceptance of the Subdivision Improvements as hereinafter provided in this Agreement.

2.7. Title of Subdivision Improvements. All Subdivision Improvements shall be constructed within streets or easements or as otherwise shown on Plans dedicated to the County in the final plat of the Subdivision or conveyed by other recorded instruments at the time the final plat is recorded. Subdivision Improvements for roads shall be in accordance with the Summit County Road and Bridge Design and Construction Standards. Title to the property shown on the final plat shall be vested, at the time the final plat is presented to the County for approval, in Owner/Developer and any other parties executing the final plat and shall be certified by a title company's or attorney's certificate shown on the final plat.

III. SECURITY FOR COMPLETION.

3.1. Deposit of Security for Owner/Developer Obligations. To secure the performance of the obligations of Owner/Developer under this Agreement to complete the Subdivision Improvements for the Subdivision, Owner/Developer shall deposit with the County an irrevocable letter of credit with provisions as hereinafter set forth, or a cash deposit or other financial guarantee deemed adequate by the County ("Security"). The Security shall be deposited after approval of the final plat for the Subdivision and shall be 115% of the estimated cost to construct the Subdivision Improvements which the Owner/Developer desires to construct. No conveyance or transfer of title to any lot(s), tract(s) of land within the Subdivision with uncompleted Subdivision Improvements shall be made, nor any building permit issued, unless the approved Security has been deposited with the County or unless all public improvements have been completed and Security in the amount of 15% of the estimated cost of said improvements has been deposited with the County as provided in Section 4.2 below. The Security shall be retained by the County until satisfaction of Owner/Developer's obligations under this Agreement or earlier release by the County.

3.2. Provisions for Letter of Credit. If an irrevocable letter of credit is provided as Security, such letter for credit shall be in an amount equal to 115% of the estimated cost to construct the Subdivision Improvements. The letter of credit shall be issued from First Bank, or such other bank as shall be approved by the County; shall have an expiration date no earlier than two years after its date of issue; and shall provide that it may be drawn upon from time to time by the County in such amount or amounts as the County may designate as justified, such amounts not to exceed, in the aggregate, the amount of the letter of credit. Draws under any such letter of credit shall be by a certificate signed by the Chairman or Acting Chairman of the Board of County Commissioners of Summit County stating that the County is entitled to draw the specified amount under the terms of this Agreement. The right of the County to draw on any letter of credit shall be as provided in, and subject to, the provisions of Sections 5.1 through 5.6 of this Agreement.

3.3 Recording of Agreement. After approval of the final plat of the Subdivision by the County, this Agreement may, at the option and expense of the County, be recorded in the office of the Clerk and Recorder of Summit County. Upon Final Acceptance of all of the Subdivision Improvements by the County, the County shall deliver to Owner/Developer a recordable executed document which shall release all property within the Subdivision from any further effect of this Agreement.

IV. ACCEPTANCE OF IMPROVEMENTS.

4.1 Preliminary/Partial Acceptance. Upon the satisfactory completion of any of the specific Subdivision Improvements listed in Exhibit A, Owner/Developer shall be entitled to obtain preliminary acceptance thereof by the County ("Preliminary Acceptance") in accordance with the following provisions.

a) Upon such partial completion, Owner/Developer shall give written notice to the County Engineer requesting an inspection of the completed Subdivision Improvements ("Preliminary Inspection Notice"). The County shall inspect the completed Subdivision Improvements within fourteen days after receipt by the County Engineer of the Preliminary Inspection Notice and, if the County Engineer finds that the specified improvements have been completed substantially in accordance with the Plans and the other requirements of this Agreement, the County Engineer shall issue a letter evidencing Preliminary Acceptance within fourteen days after the inspection. The County's duty to inspect within fourteen days shall be extended, if necessary, due to weather or winter conditions causing inspection to be impractical or impossible.

b) If, upon inspection of the completed Subdivision Improvements, the County Engineer finds that the specified improvements have not been completed substantially in accordance with the Plans and the other requirements of this Agreement, the County Engineer shall issue a written notice of noncompliance within fourteen days after the inspection specifying the respects in which the completed Subdivision Improvements have not been completed substantially in accordance with the Plans and the other requirements of this Agreement. Owner/Developer shall thereupon take such action as is necessary to cure any noncompliance and, upon curing the same, shall give a new Preliminary Inspection Notice to the County Engineer. Upon the giving of such a new Preliminary Inspection Notice, the foregoing provisions of this Section 4.1 shall apply.

c) Length of Guarantee Period: In order to insure that successful, stable plant establishment is achieved, all landscape planting shall be subject to a guarantee period of two years from the date installation is completed except, where planting, seeding, or revegetation is done on 3.33:1 or greater slopes, the initial guarantee period shall be three years. If the subject property is located within the boundaries of the Copper Mountain PUD, the guarantee period shall be five years, per the PUD requirements.

4.2 Partial Release of Security. At the time of Preliminary Acceptance of any specific completed work items listed in Exhibit A, the County shall issue a written release of the Security and the plat restriction provided in Section 3.1. The amount to be released for the completed Subdivision Improvements shall be the total amount of the Security for each completed work item, provided sufficient amounts exist on deposit for completion of the remaining incomplete Subdivision Improvements. A Warranty Security in the amount of 15% of the total cost of such work items shall remain on deposit with the County until final acceptance of the completed subdivision improvements.

a) Prior to the release of any financial guarantee for landscape improvements, the County must determine that revegetation of the site is essentially free from weeds as identified by the County as invasive, noxious or otherwise nuisance weed species."

4.3 Maintenance Prior to Final Acceptance. Until Final Acceptance by the County of the Subdivision Improvements, Owner/Developer shall, at Owner/Developer's expense, make all needed repairs or replacements to the Subdivision Improvements required on account of defects in materials or workmanship and shall be responsible for ordinary repairs and maintenance thereof including street sanding, snow removal, cleaning and sewer drainage.

4.4 Final Acceptance. Upon final completion of the Subdivision Improvements, Owner/Developer shall

be entitled to obtain final acceptance thereof by the County ("Final Acceptance") in accordance with the following provisions.

a) No later than 60 days prior to the expiration of the warranty period for any phase of the Subdivision Improvements, Owner/Developer shall give written notice to the County Engineer requesting a final inspection of such phase of the Subdivision Improvements ("Final Inspection Notice"). The County shall inspect such phase of the Subdivision Improvements within fourteen days after receipt by the County Engineer of the Final Inspection Notice and, if the County Engineer finds that the phase of the Subdivision Improvements is substantially free of defects in materials and workmanship and has been repaired and maintained as and to the extent required in this Agreement, the County Engineer shall issue a letter evidencing Final Acceptance of the phase of the Subdivision Improvements. Again, the County may extend the inspection period due to weather and seasonal snow conditions.

b) If, upon final inspection of a phase of the Subdivision Improvements, the County Engineer finds that the phase of the Subdivision Improvements is not substantially free of defects in materials and workmanship or has not been repaired and maintained as required under this Agreement, the County Engineer shall issue a written notice of noncompliance within fourteen days after the final inspection specifying the respects in which the Subdivision Improvements are not substantially free of defects in materials and workmanship or have not been repaired and maintained as required under this Agreement. Owner/Developer shall thereupon take such action as is necessary to cure any noncompliance and, upon curing the same, shall give a new Final Inspection Notice to the County Engineer. Upon the giving of such new Final Inspection Notice, the foregoing provisions of this Section 4.4 shall apply.

c) At the time of Final Acceptance of the Subdivision Improvements, Owner/Developer shall be entitled to a release of the Warranty Security for that phase. The release shall be in writing, signed by the County Engineer.

d) Upon Final Acceptance of the Subdivision Improvements, the County may, at its sole discretion, assume full responsibility for repairs and maintenance of the Subdivision Improvements as would normally be the responsibility of the County by law.

e) Prior to Final Acceptance of all of the Subdivision Improvements, "as constructed" engineering drawings shall be submitted to the County in accordance with County policy.

V. DEFAULTS AND REMEDIES

5.1 **Default by Owner/Developer.** A default by Owner/Developer shall exist after notice and an opportunity to cure as hereinafter provided if (a) Owner/Developer fails to construct the Subdivision Improvements in substantial compliance with the Plans and the other requirements of this Agreement; (b) Owner/Developer fails to complete construction of the Subdivision Improvements by the Completion Date provided herein; (c) Owner/Developer fails to cure any noncompliance specified in any written notice of noncompliance within a reasonable time after receipt of the notice of noncompliance; (d) Owner/Developer otherwise breaches or fails to comply with any obligation of Owner/Developer under this Agreement; (e) Owner/Developer becomes insolvent, files a voluntary petition in bankruptcy, is adjudicated a bankrupt pursuant to an involuntary petition in bankruptcy, or a receiver is appointed for Owner/Developer; (f) Owner/Developer fails to maintain in full force and effect the Security in the amounts specified in this Agreement. Notice of default as to the Subdivision Improvements must be given prior to expiration of the warranty period for such Subdivision Improvements as hereinafter provided.

5.2 **Notice of Default.** In the event a default by Owner/Developer is believed to exist, the County shall give written notice thereof to Owner/Developer, specifying the default and specifying a reasonable time within which Owner/Developer shall be required to cure the default.

5.3 **Remedies of County.** If Owner/Developer fails to cure such default within the time specified by the County, the County shall be entitled to (a) make a draw on the Security for the amount reasonably determined by the County to be necessary to cure the default in a manner consistent with the approved Plans up to the amount of the Security; and (b) sue the Owner/Developer for recovery of any amount necessary to cure the default over and above the amount available under the Security, including court costs, witness fees and reasonable attorneys' fees; and (c) any

other remedy at law or equity.

5.4 County Right to Complete Subdivision Improvements. The right of the County to complete or cause completion of the Subdivision Improvements as herein above provided shall include the following rights. The County shall have the right to complete the Subdivision Improvements, in substantial accordance with the Plans, the estimated construction costs, and other requirements of this Agreement, either itself or by contract with a third party or by assignment of its rights to a successor Owner/Developer who has acquired the Subdivision by purchase, foreclosure, or otherwise. The County, any contractor under the County, or any such successor Owner/Developer, their agents, subcontractors and employees shall have the non-exclusive right to enter upon the streets and easements shown on the final plat of the Subdivision and upon any part of the Subdivision owned by Owner/Developer for the purpose of completing the Subdivision Improvements.

5.5 Use of Funds by County. Any funds obtained by County as Security, or recovered by the County from Owner/Developer by suit or otherwise, shall be used by the County to pay the costs of completion of the Subdivision Improvements substantially in accordance with the Plans and the other requirements of this Agreement and to pay the reasonable costs and expenses of the County in connection with the default by Owner/Developer, including costs, witness fees and reasonable attorneys' fees, with the surplus, if any, to be returned to Owner/Developer. Provided, however, that any funds or rights to such funds obtained may at the County's option be assigned or otherwise directed to the account of any third party for the purpose of completing the Subdivision Improvements.

VI. MISCELLANEOUS.

6.1 Indemnification. Owner/Developer shall indemnify and save harmless the County from (a) any and all suits, actions, claims, judgements, obligations, or liabilities of every nature and description which arise from an event or occurrence prior to the date of Final Acceptance of the Subdivision Improvements and which are caused by, arise from, or on account of Owner/Developer's obligations under this Agreement; and (b) any and all suits, actions, claims, or judgments which arise from an event or occurrence prior to the date of the Final Acceptance and which are asserted by or on behalf of contractors or subcontractors working in the Subdivision, lot owners in the Subdivision, or third parties claiming injuries resulting from defective improvements constructed by Owner/Developer. This indemnification shall not apply to claims arising from the negligent acts or omissions of County. Owner/Developer shall pay any and all judgements rendered against the County on account of any such suit, action, or claim, together with all reasonable expenses and attorneys' fees incurred by the County in defending such suit, action, or claim. The County shall, within fifteen days after being served with any such claim, suit, or action, provide Owner/Developer with a copy of the complaint. The Owner/Developer may provide proper legal representation for the County in said action, in which case the Owner/Developer shall not be responsible for any additional legal fees incurred by the County. The County agrees that the Owner/Developer may also, on its own behalf, become a party to any such action and the County agrees to execute any documents as may be necessary to allow the Owner/Developer to be a party.

6.2 Insurance. Owner/Developer shall require that all contractors engage in the construction of the Subdivision Improvements maintain Worker's Compensation insurance. Before proceeding with the construction of improvements, Owner/Developer shall provide the County Engineer with written evidence of property damage insurance and bodily injury insurance in an amount of not less than Nine Hundred and Ninety Thousand Dollars (\$990,000) each, or such other maximum amount of liability as may be specified in the Colorado Governmental Immunity Act, and protecting the County against any and all claims for damages to persons or property resulting from construction and/or installation of any Subdivision Improvements pursuant to this Agreement. The policy shall provide that the County shall be notified at least thirty days in advance of any reduction in coverage, termination, or cancellation of the policy. Such notice shall be sent by certified mail to the County Engineer, return receipt requested. Owner/Developer agrees that any contractors engaged by or for Owner/Developer to construct the Improvements shall maintain public liability coverage in limits not less than those described above.

6.3 No Third Party Beneficiaries. No person or entity, other than a party to this Agreement, shall have any right of action under this Agreement including, but not limited to, lenders, lot or home buyers and material, laborers or others providing work, services, or materials for the Subdivision Improvements.

6.4 Assignability. Subject to the provisions of Section 3.1 above, Owner/Developer may convey or transfer title or interests in the Subdivision without the consent of the County and a grantee or transferee of Owner/Developer shall not be obligated to fulfill any of the obligations of Owner/Developer under this Agreement unless such grantee or transferee is the successor or assignee of Owner/Developer in its capacity as Owner/Developer of the Subdivision. Owner/Developer may assign its rights and obligations under this Agreement to a party who is the successor or assignee of Owner/Developer in its capacity as Owner/Developer of the Subdivision without the consent of the County; provided, however, that (a) Owner/Developer notifies the County of the assignment and of the name and address of the successor Owner/Developer; and (b) the successor Owner/Developer assumes the obligations of Owner/Developer under this Agreement. Unless otherwise agreed to in writing by County, Owner/Developer shall remain liable for performance of the obligations of Owner/Developer under this Agreement. The County shall release Security furnished by Owner/Developer if the County accepts new security from any successor Owner/Developer of the Subdivision.

6.5 No Automatic Further Approvals. Execution of this Agreement by the County shall not be construed as a representation or warranty that Owner/Developer is entitled to any other approvals required from the County, if any, before Owner/Developer is entitled to commence development of the Subdivision or to transfer ownership of property in the Subdivision.

6.6 Notices. All notices, consents or other instruments or communications provided for under this Agreement shall be in writing, signed by the party giving the same, and shall be deemed properly given and received (a) when actually delivered and received personally, by messenger service, or by fax or telecopy delivery; (b) on the next business day after deposit for delivery in an overnight courier service such as Federal Express; or (c) three business days after deposit in the United States mail, by registered or certified mail with return receipt requested. All such notices or other instruments shall be transmitted with delivery or postage charges prepaid, addressed to the party at the address below for that party or to such other address as such party may designate by written notice to the other party:

If to Owner/Developer: Ranch at Breckenridge Phase II, LLC
(Name)
Suzanne Allen Sabo, Managing Member
PO Box 5540, Frisco, CO 80443
(address)

If to County: Summit County Government
Attn: County Engineer
Post Office Box 68
Breckenridge, Colorado 80424

6.7 Further Assurances. At any time, and from time to time, upon request of either party, the other party agrees to make, execute and deliver or cause to be made, executed and delivered to the requesting party any and all further instruments, certificates and documents consistent with the provisions of this Agreement as may, in the reasonable opinion of the requesting party, be necessary or desirable in order to effectuate, complete or perfect the right of the parties under this Agreement.

6.8 Binding Effect. Subject to Section 6.4 above, this Agreement shall run with the land and binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

6.9 Headings for Convenience. All headings and captions used herein are for convenience only and are of no meaning in the interpretation or effect of this Agreement.

6.10 No Implied Waivers. The failure by a party to enforce any provision of this Agreement or the waiver of any specific requirement of this Agreement shall not be construed as a general waiver of this Agreement or any provision herein nor shall such action act to stop the party from subsequently enforcing this Agreement according to its

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

BY: _____
Taryn Power, Clerk and Recorder

BY: _____
, Chair of the BOCC



**SUMMIT COUNTY
PLANNING DEPARTMENT
IMPROVEMENTS AGREEMENT, EXHIBIT A**

Project Name: Ranch at Breckenridge, Phase II

Location: Final Plat, Ranch at Breckenridge Phase II; TR 7-77, Sec 04, Qtr 1: Mining Claim(s) cont 199.2660 acres Bellevue Mill Site MS# 18129-B, Croesus No. 1-6 MS# 9913 & 15281, Ranch at Breck Expansion Property, zoned Ranch at Breck PUD.

In accordance with the Improvements Agreement between the Summit County Board of County Commissioners ("County") and Ranch at Breckenridge Phase II LLC ("Developer") dated 07/09/24, the Developer hereby agrees to provide the improvements noted below and depicted on the approved plans for this project.

	IMPROVEMENT	ESTIMATED COST	REQUIRED COMPLETION DATE
	Drainage Improvements		
	Dumpster Enclosures		
	Fire Hydrants		
	Fire Mitigation (Defensible Space, Fuels Modification, Forest Management Plans)		
	Miscellaneous (Construction Surveying, Geotechnical Testing, Clearing/Grubbing, Revegetation)	34,000.00	November 1, 2024
	On-Site Sewage Facilities		
	On-Site Water Supply		
	Parking Area Grading		
	Parking Area Paving/Surfacing		
	Project Lighting (Parking, Street, Building)		
	Boulder Walls	5,000.00	November 1, 2024
	Retaining Walls - gravity block along Cumberland	60,750.00	November 1, 2024
	Road Base	165,000.00	November 1, 2024
	Road Grading		
	Road Paving	440,400.00	November 1, 2024
	Subgrade Preparation – Roads	34,800.00	November 1, 2024
	Sediment Control (Tracking Pad)	2,500.00	November 1, 2024
	Guardrails	29,250.00	November 1, 2024
	Storm Sewer/Facilities		
	Street Monuments		
	Street Name Signs		
	Survey Monument Boxes		
	Topsoil Remove and Stockpile	3,750.00	November 1, 2024
	Topsoil Replace	40,000.00	November 1, 2024
	Excavation - Earthworks	43,020.00	November 1, 2024
	Embankment – Earthworks	49,800.00	November 1, 2024
	Utilities – Water Cisterns (x4)	60,000.00	November 1, 2024
	SUBTOTAL	968,270.00	
	TOTAL AMOUNT TO BOND (115% OF SUBTOTAL)	\$1,113,510.50	



OFFICE OF THE COUNTY ASSESSOR

970.453.3480 ph | 970.453.3481 f
www.SummitCountyCO.gov

208 East Lincoln Ave. | PO Box 276
Breckenridge, CO 80424

STAFF REPORT

TO: Board of County Commissioners

FROM: Lisa Eurich, County Assessor
Cathy Maybury, Senior Data Analyst

FOR: September 24, 2024 BOCC Regular Meeting

SUBJECT: Petition for Abatement or Refund of Taxes for 2021 and 2022; Abatement #: 23AR-026
Schedule #: 6514132; Property Description: LOT 2 ESTES SUB; Owner(s): Sara Moore,
Kevin Moore

Description of the Subject Property

The subject property is a 20.0689-acre lot that was classified as Residential Vacant Land from 2016 to 2022. The classification was changed from agricultural to vacant land starting in 2016 after the owner indicated there was an interruption in agricultural use and an inspection on October 9, 2015 confirmed such.

Background:

The Petitioner purchased the parcel in December of 2018 for \$375,000. An appraiser was onsite July 2, 2020 to confirm the land site amenities for the sale and did not note observing agricultural activity at that time.

The Assessor's Office was not contacted prior to 2023 to observe agricultural use on the property. In May of 2023 the Petitioners filed an appeal of the classification. The appeal was granted upon the Petitioner supplying documentation of grazing leases in 2021-2023 and copies of check payments from the livestock owner. This is not standard practice since landowners pursuing agricultural status are advised to contact the assessor's office prior to the third or qualifying year. This allows assessor staff to view the land and activity during the three-year period.

"Agricultural land" is defined as a parcel of land, whether located in an incorporated or unincorporated area and regardless of the uses for which such land is zoned, that was used the previous two years and presently is used as a farm or ranch.

Petitioner's Reason for Requesting Abatement

The Petitioner filed an abatement for tax years 2021 and 2022, requesting their property be classified as agricultural land. The Petitioners state the property has been grazed or hayed since their purchase in December 2018. They provided copies of leases and cash receipts dated from 2019 through 2024 with the abatement petition. Copies of checks from lessees dated 2023 and 2024 and photos were also submitted to illustrate agricultural use.

Assessor's Review

The property record, appeals archive, aerial pictometry (images dated 6/25/2019), and agricultural questionnaires from the prior landowner and surrounding landowners on Elk View Road and Longs Rd. were all reviewed for the time period in question. There were no indications of agricultural activity on this property from prior to purchase through 2020 when an appraiser was onsite. Furthermore, no appeals were made to the

classification of the property in 2021 or 2022.

Conclusion/Request

Contacting the assessor's office in the first year of agricultural use allows assessor staff the opportunity to observe the activity throughout the three-year period and alleviates the burden of proof placed upon the prospective farmer or rancher.

The Assessor's Office requests the Board of County Commissioners to uphold the 2021 and 2022 Residential Vacant Land classification and value of \$451,000

Attachments: Appraisal Report
 BOCC Petition
 Original Petition



2021-2022 ABATEMENT REPORT

TO: Summit County Board of Commissioners

RE: Schedule #: 6514132
Legal Description: LOT 2 ESTES SUB
Owner: MOORE, SARA
MOORE, KEVIN

FROM: Cathy Maybury, Data Analyst
Summit County Assessor's Office

In accordance with Colorado Revised Statutes and the Uniform Standards of Professional Appraisal Practice, the subject property as stated above was appraised for the purpose of estimating actual market value of the property for ad valorem tax purposes for tax years 2021 and 2022 for this County Board of Equalization hearing.

It is the opinion of the Assessor's office that the actual value and classification of the subject property as of the effective date of appraisal of June 30, 2020 is:

VACANT LAND

Total: \$ 451,900

Petitioner's Request

AGRICULTURAL LAND

(the petition is regarding classification only)

A handwritten signature in blue ink, appearing to be "Cathy Maybury", written over a horizontal line.

Cathy Maybury
Senior Data Analyst

9-4-2024

PETITIONER CONCERNS and ASSESSOR RESPONSES

Petitioner Concerns:

- *Petitioners state the property has been grazed or hayed since their purchase in December 2018.*
- *Petitioners have provided copies of leases and receipts dated from 2019 through 2024, and copies of checks from lessees dated 2023 and 2024.*
- *Petitioners have also submitted photos intended to illustrate agricultural use.*

Assessor Responses:

- *The property was not under agricultural use at the time of the petitioners' purchase and had not been for at least three years prior.*
- *The first contact made to our office by petitioners was with their 2023 appeal submitted June 7, 2023. No appeal or request for information to qualify for agricultural classification was received in the first 4-1/2 years they owned this property. Notices of Valuation, indicating the vacant land classification and value, were sent in May of 2019, January of 2020, and May of 2021 and 2022 during this time period. See Addendum A for images.*
- *The historic leases, receipts, and photographs are not convincing enough on their own merits to substantiate the existence of agricultural operations during 2019 through 2022. Indeed the 2023 receipt shows a lease year of 2019, which creates the suspicion that these documents were created concurrently.*
- *In response to my request for independent documents, such as canceled checks from their bank for these prior lease payments, the petitioners sent a 2024 lease, receipt, and copy of check payment from their new lessee, additional photographs, and the same lease and receipt documents previously submitted multiple times – except this version of the 2023 receipt has been corrected to have the lease year of 2023 instead of 2019 as on prior versions. The 2024 receipt has lease year 2019, however. No bank statements or canceled checks, nor income tax forms (Schedule F is required by the IRS for farming income), have been provided to substantiate the agricultural operation. See Addendum B, for 2023/ 2024 discrepancies.*
- *Although the dates ascribed to photographs are easily changeable, so photos provided years after the reported dates are not conclusive, I did review the new photos to see if I could definitively confirm that they are of the subject property, based on distant visible structures compared to our internal photos of the structures on adjacent parcels. We do not have photos of these structures that have the same appearance. I also noted the absence of any photos purporting to be from 2021. See Addendum C.*
- *The special agricultural land classification provides a significant property tax reduction to farmers and ranchers in Colorado and should not be granted without conclusive evidence. New agricultural property owners typically contact the Assessor when they begin their operations, which allows our office to inspect the new farm or ranch that will qualify for this classification in the third year of continuous agricultural use. It is standard policy to disallow abatement for agricultural classification due to the inability to personally verify the existence of these operations in the past. Appraisers who visited the parcel in June of 2024 did not observe evidence of recent or current grazing or haying.*
- *Colorado case law states that the taxpayer must prove by the preponderance of evidence that the property was used agriculturally for the primary purpose of obtaining a monetary profit. (Arapahoe Partnership v. Arapahoe County Board of Commissioners, 813 P.2d 766 (Colo. App. 1990).) I believe this burden has not been met by these petitioners.*

2021/2022 SUBJECT CHARACTERISTICS and PHOTOGRAPH

LOCATION: 0211 Elk View RD County, CO 80498

LAND AREA: 20.0689 Acres / 874,202 Square Feet

LAND SITE AMENITIES:	SEWER	None
	WATER	None
	UTILITIES	Electric & Natural Gas
	ACCESS	Gravel Private
	TOPOGRAPHY	Sloping
	VIEW	Excellent
	TREE COVER	Minimal
	HYDRO	None
	MISC	None



aerial photo of subject parcel, summer 2019

CALCULATION LADDER

The following calculation ladder demonstrates the market derived components of value that make up this subject property value.

Adjustment Calculation Ladder				
Parcel ID #	6514132-00-0100			
Estimation Model	2022_Res_Vacant_Land			
Predicted Value	\$451,907	Override Value	N/A	
Group Name	PROPERTY CHARACTERISTICS	ADJUSTMENT (Factor)	BASE RATE	VALUE (dollars)
Land Size	874202.00	0.0000	13.59	11,880,917.32
Size Adjustment	(15000)	0.0556	0.76	660,372.01
Prop Type	01.00	1.0000	0.76	660,372.01
Possible Units	01.00	1.0000	0.76	660,372.01
Zoning	CA-1	1.0000	0.76	660,372.01
Access	Gravel Private	0.8133	0.61	537,079.40
Topo	Sloping	1.0000	0.61	537,079.40
Scenic View	Excellent	1.2843	0.79	689,760.98
Hydro	None	1.0000	0.79	689,760.98
Utils	Electric & Natural Gas	1.0000	0.79	689,760.98
Misc	None	1.0000	0.79	689,760.98
Picnic Shelter	00.00	1.0000	0.79	689,760.98
Shed	00.00	1.0000	0.79	689,760.98
Water	None	1.0000	0.79	689,760.98
Sewer	None	1.0000	0.79	689,760.98
Nbhd	24800.00	0.6552	0.52	451,907.30
Subdiv	ESTES SUB	1.0000	0.52	451,907.30

LAND SALES GRID

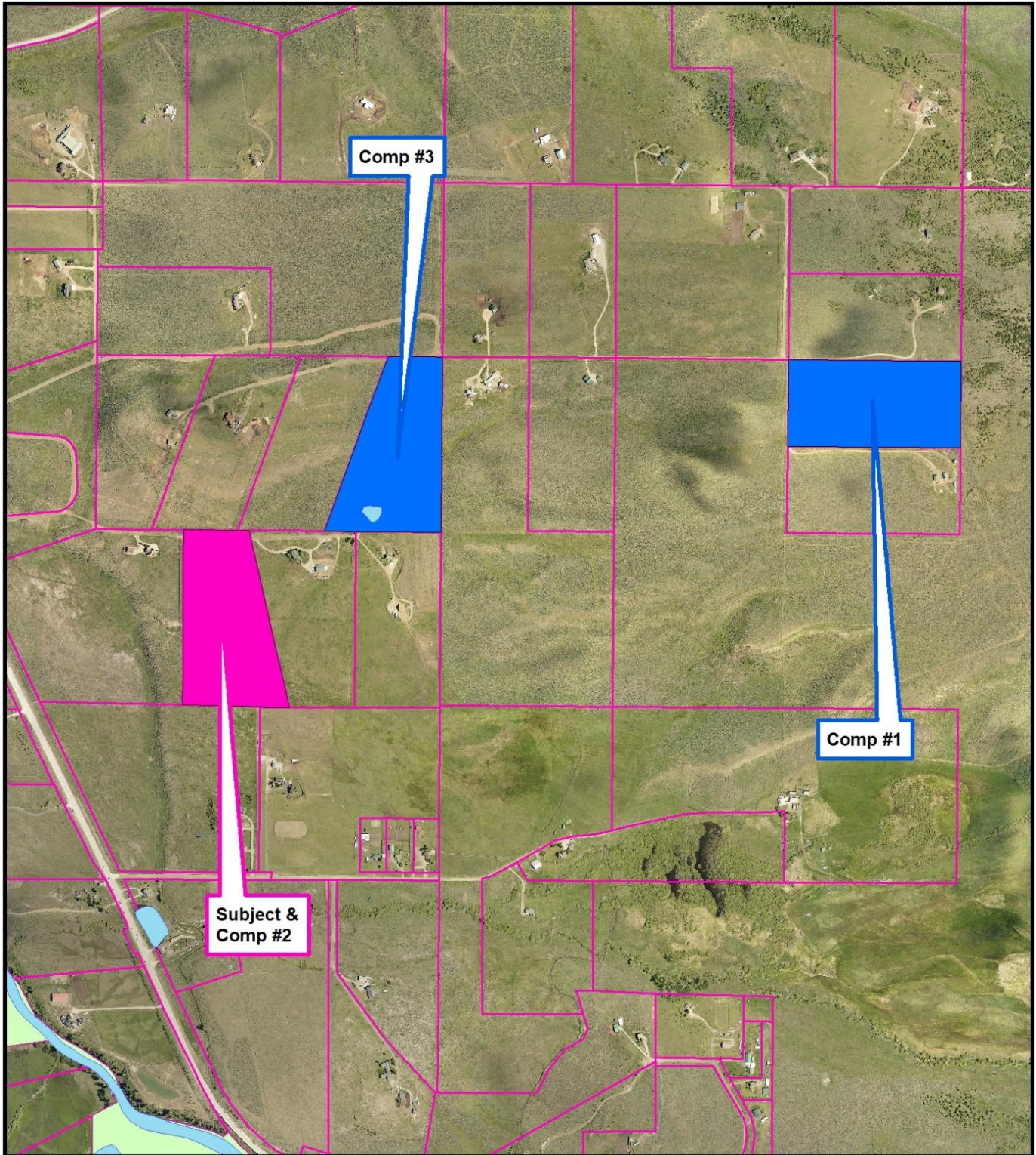
Property Description	Subject	COMPARABLE #1	COMPARABLE #2	COMPARABLE #3	COMPARABLE #4	COMPARABLE #5	COMPARABLE #6				
Schedule	6514132	1406109	6514132	6510664							
Physical Address	0211 Elk View RD County, CO 80498	1704 Elk Run RD County, CO 80498	0211 Elk View RD County, CO 80498	0057 Ute Peak CT County, CO 80498							
Legal Description	LOT 2 ESTES SUB	PARCEL 2 ELK RUN SUB	LOT 2 ESTES SUB	LOT 2 UTE PEAK RIDGE SUB							
Distance from Subject		0.97 miles	same location	0.36 miles							
Reception Number		1190113	1186499	1156588							
Sale Date		January 1, 2019	December 1, 2018	November 1, 2017							
Adjusted Sale Price		\$385,000	\$375,000	\$460,000							
Time Adjustment		\$28,502	\$29,458	\$63,985							
Time Adjusted Sale Price		\$413,502	\$404,458	\$523,985							
Characteristics	Description	Description	% Adj	Description	% Adj	Description	% Adj	Description	% Adj	Description	% Adj
Land Acres Square Feet	20.07 874,202	20.03 872,506	0.06%	20.07 874,202	0.00%	20.05 873,378	0.03%				
Neighborhood	24800	24800	0.00%	24800	0.00%	24800	0.00%				
Subdivision	ESTES SUB	ELK RUN SUB	0.00%	ESTES SUB	0.00%	UTE PEAK RIDGE SUB	0.00%				
Land Use	1	1	0.00%	1	0.00%	1	0.00%				
Zoning	CA-1	CA-1	0.00%	CA-1	0.00%	CA-1	0.00%				
Access	Gravel Private	Gravel Private	0.00%	Gravel Private	0.00%	Gravel Private	0.00%				
Topo	Sloping	Gentle	0.00%	Sloping	0.00%	Gentle	0.00%				
Scenic View	Excellent	Excellent	0.00%	Excellent	0.00%	Excellent	0.00%				
Hydro	None	None	0.00%	None	0.00%	Creek/Pond	0.00%				
Misc	None	Hi Power Line	0.00%	None	0.00%	None	0.00%				
Water	None	None	0.00%	None	0.00%	Well	-12.90%				
Sewer	None	None	0.00%	None	0.00%	None	0.00%				
Utilities	Electric & Natural Gas	Electric Only	0.00%	Electric & Natural Gas	0.00%	Electric & Natural Gas	0.00%				
Possible Buildout	1	1	0.00%	1	0.00%	1	0.00%				
Picnic Shelter (TR)	0	0	0.00%	0	0.00%	0	0.00%				
Total Adjustments of 3 Sales Comparables											
Net % Adjustment		0.06%		0.00%		-12.87%					
Net \$ Adjustment		\$232		\$0		-\$67,446					
Sale Adjusted Value		\$413,734		\$404,458		\$456,539					
\$ Adj Sale Price/SF	\$1	\$0.47		\$0.46		\$0.52					
Gross \$ Adjustment		\$232		\$0		\$67,732					

The sales presented are most similar in terms of location, use, access, topography and other characteristics similar to the Subject Property.

Subject Property Value \$451,900

SUBJECT PROPERTY AND COMPARABLES LOCATION MAP

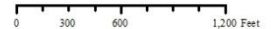
Subject: Lot 2 Estes Subdivision



This map is for display purposes only. Do not use for legal conveyance. Not necessarily accurate by surveying standards, and does not comply with National Mapping Accuracy Standards.
© 2006 Summit County Government
Map created by Assessor 2024.



1:11,924
1 Inch = 993.7 Feet



Addendum A, Notices of Valuation 2019-2022

2019 REAL PROPERTY NOTICE OF VALUATION

This is a condensed version of your Notice of Valuation. See your entire Notice of Valuation which may include a listing of property characteristics relevant to value or comparable sales, further details on the appeal process, valuation cycle and an online protest filing application at: www.SummitCountyCo.gov/assessor. The assessment rate for residential property is projected to be 7.20%. Generally all other property is assessed at 29%. Your property was valued as it existed on January 1, 2019 using appraisal data from the period ending June 30, 2018.

Security Key: EBER8236 This will be required if you wish to e-file.

Account No: 6514132 **Property Address/Description:** LOT 2 ESTES SUB

Classification	Prior	Current	Difference
VACANT LAND	366,877	324,342	-42,535
Total	366,877	324,342	-42,535

The Assessor has estimated your 2019 taxes based on the total actual value above at \$4835. This amount does not include voter-approved debt or tax rates approved at any general or special district election in 2019.

If you are unable to view your Notice of Valuation online, please call us at 970-453-3480.

4-11-19, 19
YOUR RIGHT TO APPEAL THE PROPERTY VALUATION AND/OR CLASSIFICATION TO THE ASSESSOR EXPIRES JUNE 1, 2019.

If, after filing an appeal with the Assessor you do not agree with the Notice of Determination (NOD), or you do not receive a NOD, you may file a written appeal with the County Board of Equalization on or before July 15, 2019.



OFFICE OF THE COUNTY ASSESSOR

970-453-3480 phone
assessor@summitcountyco.gov
www.summitcountyco.gov

PO Box 276
208 Lincoln Ave
Breckenridge, CO 80424

2020 REAL PROPERTY NOTICE OF VALUATION

January 1, 2020

SCHEDULE NUMBER	SECURITY KEY	TAX YEAR	TAX AREA
6514132	GVND5652	2019	14
PROPERTY OWNER		PROPERTY TYPE	
SARA MOORE KEVIN MOORE 130 HEAVEN LN MARS PA 16046-3118		VACANT LAND	
LEGAL DESCRIPTION/PROPERTY ADDRESS	ACTUAL VALUE		
	2019	2020	
LOT 2 ESTES SUB	324,342	324,342	

If the Senior Citizen or Disabled Veteran Property Tax Exemption has been applied to your residential property, it is not reflected in the current year actual value shown above. It is reflected in the actual value listed on your 2019 Property Tax Notice.

You have the right to protest the classification and/or valuation of your property. Please refer to the reverse side of this notice for additional information.

Security Key: EBER8236

This will be required if you wish to e-file

Account No: **2021 REAL PROPERTY NOTICE OF VALUATION**

This is a condensed version of your Notice of Valuation. See your entire Notice of Valuation which may include a listing of property characteristics relevant to value or comparable sales, further details on the appeal process, valuation cycle and an online protest filing application at: www.SummitCountyCo.gov/assessor. The assessment rate for residential property is 7.15%. Generally all other property is assessed at 29%. Your property was valued as it existed on January 1, 2021 using appraisal data from the period ending June 30, 2020.

Security Key: ABYM8675

This will be required if you wish to e-file.

Schedule No: 6514132
Property Address/Description: LOT 2 ESTES SUB

Classification	Prior	Current	Difference
VACANT LAND	324,342	451,900	127,558
Total	324,342	451,900	127,558

YOUR RIGHT TO APPEAL THE PROPERTY VALUATION AND/OR CLASSIFICATION TO THE ASSESSOR EXPIRES JUNE 1, 2019.

If, after filing an appeal with the Assessor you do not agree with the Notice of Determination (NOD), or you do not receive an NOD, you may file a written appeal with the County Board of Equalization on or before July 15, 2019.

The Assessor has estimated your 2021 taxes based on the total actual value above at \$ 6,604. This amount does not include voter-approved debt or tax rates approved at any general or special district election in 2021.

If you are unable to view your Notice of Valuation online, please call us at 970-453-3480.

3-15-21_v1

YOUR RIGHT TO APPEAL THE PROPERTY VALUATION AND/OR CLASSIFICATION TO THE ASSESSOR EXPIRES JUNE 1, 2021.

If, after filing an appeal with the Assessor you do not agree with the Notice of Determination (NOD), or you do not receive an NOD, you may file a written appeal with the County Board of Equalization on or before July 15, 2021.

Please fold on perforation BEFORE tearing

2022 REAL PROPERTY NOTICE OF VALUATION

Property Owner: MOORE, SARA

Schedule Number: 6514132

Property Address/Description
LOT 2 ESTES SUB

Security Key: EAYP5977

Classification	Assessment Rate	Prior	Current	Difference
VACANT LAND	29.00%	451,900	451,900	0
Total		451,900	451,900	0

The Assessor has estimated your 2022 taxes based on the total actual value above at \$ 6,549. This amount does not include voter-approved debt or tax rates approved at any general or special district election in 2022.

You have a right to protest your property's value. In order to preserve your appeal rights, your protest must be postmarked or received by the assessor no later than June 1. If, after filing an appeal with the Assessor, you do not agree with the Notice of Determination (NOD), or you do not receive an NOD, you may file a written appeal with the County Board of Equalization on or before July 15, 2022. After such date, your right to protest is lost. Please contact us online or at the address or phone number listed below for more information. A change in the assessment rate is not grounds for a protest or abatement of taxes.

Summit County Assessor's Office

Phone: 970-453-3480 Fax: 970-453-3481

Email: assessor@summitcountyco.gov Website: www.summitcountyco.gov/assessor

4-20-22_v4

Addendum B, Receipts

2023 original version

CHECK RECEIPT

Kevin + Sara Moore

211 Elk View, Silverthorne, CO 80498

412-320-5994

6/7/23

RECEIVED FROM CUSTOMER DETAIL FOR

Leonard R. Causland, President & Owner
High Country Highlands

Pasture Lease 2019

P.O. Box 2653, Silverthorne, CO 80498

970-333-0451

Details

AMOUNT

Pasture Lease with option to run cattle or harvest hay

\$100.00

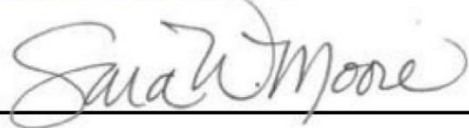
SUBTOTAL \$100.00

TAX RATE 0.00%

OTHER \$0.00

TOTAL \$100.00

Paid By Check to Sara Moore



June 7, 2023

Signature

Date

CHECK RECEIPT

Kevin + Sara Moore

211 Elk View, Silverthorne, CO 80498

412-320-5994

6/7/23

RECEIVED FROM CUSTOMER DETAIL FOR

Leonard R. Causland, President & Owner
High Country Highlands

Pasture Lease 2023

P.O. Box 2653, Silverthorne, CO 80498

970-333-0451

Details

AMOUNT

Pasture Lease with option to run cattle or harvest hay \$100.00

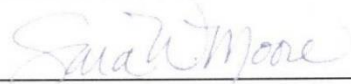
SUBTOTAL \$ 100.00

TAX RATE 0.00%

OTHER \$0.00

TOTAL \$100.00

Paid By Check to Sara Moore



June 7, 2023

Signature

Date

2024 receipt, with 2019 lease year

CHECK RECEIPT

Kevin + Sara Moore

211 Elk View, Silverthorne, CO 80498

412-320-5994

7/22/24

RECEIVED FROM CUSTOMER DETAIL FOR

B & R Cattle Co. and High Country Highlands, Inc.

Pasture Lease 2019

970-333-0451

Details

AMOUNT

Pasture Lease with option to run cattle or harvest hay \$500.00

SUBTOTAL \$500.00

TAX RATE 0.00%

OTHER \$0.00

TOTAL \$500.00

Paid By Check to Kevin Moore



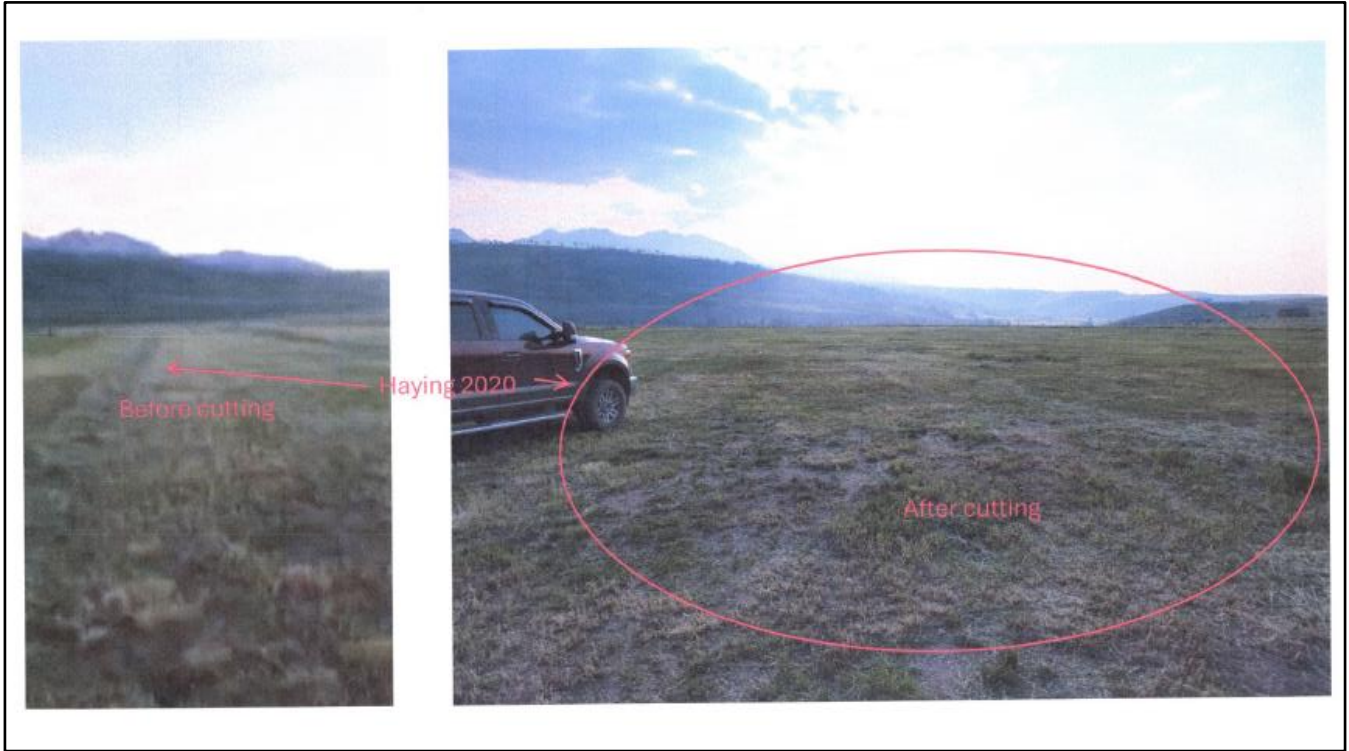
7/24/24

Signature

Date

Addendum C, Petitioner Photos





FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY
(Section III or Section IV must be completed)

Section III:

Written Mutual Agreement of Assessor and Petitioner

The commissioners of Summit County authorize the assessor by Resolution #2023-03 to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of ten thousand dollars or less per tract, parcel, or lot of land or per schedule of personal property. 39-1-113 (1.5) C.R.S.

The assessor and petitioner mutually agree the values and tax abatement/refund of:

No agreement reached; petition sent to Board of County Commissioners for public hearing.

PLEASE NOTE: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the County Treasurer for full payment information.

Section IV:

Decision of the County Commissioners
(Must be completed if Section III does not apply)

WHEREAS, The County Commissioners of Summit County, State of Colorado, at a duly and lawfully called regular meeting held on ___ / ___ / ___ at which meeting there were present the following members: Tamara Pogue, Chair; Christina Waters, Commissioner; Eric Mamula, Commissioner with notice of such meeting and an opportunity to be present having been given to the taxpayer and the Assessor of said County and said Assessor Lisa Eurich or his representative (**being present/not present**) and taxpayer Sara Moore (**being present/not present**); and WHEREAS, The said County Commissioners have carefully considered the within application, and are fully advised in relation thereto, NOW BE IT RESOLVED, That the Board (**agrees/does not agree**) with the recommendation of the assessor and the petition be (**approved/approved in part/denied**) with an abatement/refund as follows:

	<u>Tax Year 2021</u>			<u>Tax Year 2022</u>		
	Actual	Assessed	Tax	Actual	Assessed	Tax
Original	\$451,900	\$131,051	\$6,548.63	\$451,900	\$131,051	\$6,599.33
Correction	\$451,900	\$131,051	\$6,548.63	\$451,900	\$131,051	\$6,599.33
Abate/Refund	\$ 0	\$ 0	\$ 0.00	\$ 0	\$ 0	\$ 0.00

Chairperson of Board of County Commissioners

I, _____, Deputy Clerk and Ex-officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County
this _____ day of _____, _____.

By: _____
County Clerk's or Deputy County Clerk's Signature

Note: Abatements greater than \$10,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

Section V:

Action of the Property Tax Administrator
(For all abatements greater than \$10,000)

The action of the Board of County Commissioners, relative to the within petition, is hereby:

Approved Approved in part \$ _____ Denied for the following reason(s) _____

Secretary's Signature

Property Tax Administrator's Signature

Date

PETITION FOR ABATEMENT OR REFUND OF TAXES

Summit County, Colorado

Public Hearing
 Consent
 Treasurer
 # _____

Section I: Petitioners complete Section I only.

June 13, 2023
 Month, Day, Year

Petitioner's Name: Kevin and Sara Moore

Mailing Address: 130 Heaven Lane, Mars, PA 1646

<p>SCHEDULE NUMBER 6514132</p>	<p>DESCRIPTION OF PROPERTY AS LISTED ON TAX ROLL LOT 2 ESTES SUB 0211 ELK VIEW RD (CR 2490) 20.0689 ACRES</p>
---	--

Petitioner states that the taxes assessed against the above property for property tax year(s) 2021 and 2022 are incorrect for the following reasons: (Briefly describe the circumstances surrounding the incorrect value or tax. **The petitioner's estimate of actual value must be included.**) Attach additional sheets if necessary.


Since the purchase of the land, 12/3/2018, we have had a grazing lease. The land has been grazed and hayed under a pasture agreement with Leonard Causland, High Country Highlands. Please see attached leases. The house construction started in late 2022 and occupancy is planned for October 2023.

We are petitioning for a change to agricultral status for the years 2021 and 2022 as being valued by the County Assessment for those years.

Petitioner's estimate of actual value: \$ $\frac{\text{County Assessment changed to Agricultural status (2021)}{\text{value year}}$ and \$ $\frac{\text{County Assessment changed to Agricultural status (2022)}{\text{value year}}$

Petitioner requests an abatement or refund of the appropriate taxes associated with a reduction in value.

I declare, under penalty of perjury in the second degree that this petition, together with any accompanying exhibits or statements, has been examined by me and to the best of my knowledge, information and belief is true, correct and complete.

Kevin Moore  6/13/2023
 Petitioner Date

Petitioner's/Agent's daytime phone 412-320-5994

E-Mail littleheavenfarm@gmail.com

By _____
 Agent* Date

Address _____

***Letter of agency must be attached when petition is submitted.**

If the Board of County Commissioners, pursuant to section 39-10-114(1), or the Property Tax Administrator, pursuant to section 39-2-116, denies the petition for refund or abatement of taxes in whole or in part, the petitioner may appeal to the Board of Assessment Appeals pursuant to the provisions of section 39-2-125 within thirty days of the entry of any such decision. 39-10-114.5(1) C.R.S.

Section II:

Assessor's Recommendation
 (For Assessor's Use Only)

	Tax Year _____		Tax Year _____	
Actual	Assessed	Tax	Actual	Assessed
				Tax

Original
 Correction
 Abate/Refund

Assessor recommends approval as outlined above.
 No protest filed for the year(s): _____ or _____. (If a protest was filed please attach copy of NOD.)

Assessor recommends denial for the following reason(s): _____

 Assessor's or Deputy Assessor's Signature

FOR ASSESSORS AND COUNTY COMMISSIONERS USE ONLY
(Section III or Section IV must be completed)

Section III:

Written Mutual Agreement of Assessor and Petitioner

The commissioners of Summit County authorize the assessor by Resolution #2015-04 to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of ten thousand dollars or less per tract, parcel, or lot of land or per schedule of personal property. 39-1-113 (1.5) C.R.S.

The assessor and petitioner mutually agree the values and tax abatement/refund of:

	Tax Year _____			Tax Year _____		
	Actual	Assessed	Tax	Actual	Assessed	Tax
Original						
Correction						
Abate/Refund						

PLEASE NOTE: The total tax amount does not include accrued interest, penalties, and fees associated with late and/or delinquent tax payments, if applicable. Please contact the County Treasurer for full payment information.

Petitioner's Signature Date Assessor's Signature Date

Section IV:

Decision of the County Commissioners
(Must be completed if Section III does not apply)

WHEREAS, The County Commissioners of Summit County, State of Colorado, at a duly and lawfully called regular meeting held on ___ / ___ / ___ at which meeting there were present the following members: _____

_____ with notice of such meeting and an opportunity to be present having been given to the taxpayer and the Assessor of said County and said Assessor _____ (being present/not present) and taxpayer _____ (being present/not present); and WHEREAS, The said County Commissioners have carefully considered the within application, and are fully advised in relation thereto, NOW BE IT RESOLVED, That the Board (agrees/does not agree) with the recommendation of the assessor and the petition be (approved/approved in part/denied) with an abatement/refund as follows:

	Tax Year _____			Tax Year _____		
	Actual	Assessed	Tax	Actual	Assessed	Tax
Original						
Correction						
Abate/Refund						

I _____, County Clerk and Ex-officio Clerk of the Board of County Commissioners in and for the aforementioned county, do hereby certify that the above and foregoing order is truly copied from the record of the proceedings of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County this _____ day of _____, _____.

By: _____
County Clerk's or Deputy County Clerk's Signature

Note: Abatements greater than \$1,000 per schedule, per year, must be submitted in duplicate to the Property Tax Administrator for review.

Section V:

Action of the Property Tax Administrator
(For all abatements greater than \$10,000)

The action of the Board of County Commissioners, relative to the within petition, is hereby:

Approved Approved in part \$ _____ Denied for the following reason(s) _____

Secretary's Signature Property Tax Administrator's Signature Date



PLANNING DEPARTMENT

970.668.4200
www.SummitCountyCO.gov

0037 Peak One Dr. | PO Box 5660
Frisco, CO 80443

To: Board of County Commissioners

From: Brandi Timm, STR Program Coordinator; Susan Lee, Planning Director; Taj Grier, Planning Technician

Date: September 24, 2024; Public Hearing

Subject: Second Reading of Summit County Ordinance No. 22: An Ordinance for Short Term Rental (STR) Platform Listing Regulations

SUMMARY AND PURPOSE:

The Colorado General Assembly approved House Bill 23-1287 on June 5, 2023, which provided authority for counties to regulate a vacation rental service, in addition to the authority previously granted in HB 20-1093, which allowed counties to regulate short-term rental unit owners and owners' agents by ordinance. HB 20-1093 specifically prohibited counties from regulating the services by which short-term rental unit owners advertise and manage bookings, i.e. Airbnb, VRBO, FlipKey, etc.

HB 23-1287 modified and clarified the previously statutory authority to specifically allow a county limited ability to regulate a Vacation Rental Service, defined as "a person that operates a website or any other digital platform that provides a means through which an owner or owner's agent may offer a lodging unit, or portion thereof, for short-term rentals, and from which the person financially benefits." §30-15-401(s.5)(IV), C.R.S. The authority granted allows a county to do the following:

- Require the Vacation Rental Service to require a rental license number in any listing for a lodging unit on the Vacation Rental Service's website or other digital platform; and
- Require the Vacation Rental Service to remove a listing from the service's website or other digital platform, upon notice from the County that the owner of the listed lodging unit has had a local short-term rental license suspended or revoked, or has been issued a notice of violation or similar legal process for not possessing a valid STR license, or that the county has a prohibition on short-term rentals that applies to the lodging unit.

Staff has drafted Ordinance No. 22 to adopt the regulatory provisions authorized under House Bill 23-1287. It is important to note that nothing in proposed Ordinance No. 22 will affect the regulations set forth in Ordinance 20-C and the obligations of short-term rental

owners and owners' agents contained therein. Rather, as set forth in further detail below, the proposed new ordinance imposes separate and distinct requirements on Vacation Rental Services.

BACKGROUND:

In December 2018, Summit County approved short-term rental (STR) regulations which in the Land Use and Development Code Section 3821.04.A state that "All short-term vacation rental properties shall receive a permit prior to advertising or operation". These STR Regulations were revised in July 2021 to utilize the new authority provided in HB20-1093 as set forth above and were further revised in December 2021 and in February 2023. In the current STR Ordinance 20-C, Section 2.2 states, "No person or entity may advertise or operate an STR without a valid license".

Enforcing this Section of the Ordinance currently requires County staff to locate the STR property owner to get the property into compliance by either removing all advertising or applying for an STR license, if applicable. There are difficulties in this process including having current and correct contact information for the property owner or manager and trying to ensure compliance. Vacation Rental Services such as Airbnb and Expedia have previously indicated their willingness to both require license numbers and remove listings in the limited circumstances identified in the new statutory language, provided the County enacted an ordinance setting forth those requirements. Now that the authority to enact such an ordinance has been provided for in state statute, the County can move forward with enacting said ordinance. County staff believes that Vacation Rental Services have a more reliable and accurate ability to assist in removing invalid advertising, subject to all applicable due process requirements required under the law, and in requiring that all listings submit a valid STR license number.

When a property is found to be short term renting without a license, staff contacts the property owner via a written letter of non-compliance. The property owner is notified that they must either apply for a short-term rental license or cease all rental activities and remove all listings advertising the property as a short-term rental. If, after 3 written notices, the property remains in non-compliance with the STR Regulations a citation is issued to the property owner, as stated in Section 12 of Ordinance 20-C. With the approval of Ordinance 22, staff will be able to also contact the listing site(s) via written or digital communication to notify the Vacation Rental Service to remove the non-compliant property's listing(s) and will include a reasonable explanation of the circumstances of the violation.

In addition, for properties that are in danger of having their licenses revoked, Ordinance 20-C provides a robust process for revocation, including a mandatory hearing and an opportunity to appeal the outcome of that hearing. This process meets or exceeds the legal due process requirements that exist to protect the interest of the property owner in their STR license. When a license is revoked and the relevant appeal avenues have been

foregone or exhausted, Staff will also be able to use the new authority in Ordinance 22 to notify the Vacation Rental Services in order to remove the listings.

SAVRM MEETING:

County staff met with Summit Alliance of Vacation Rental Managers (SAVRM) after the First Reading of Ordinance 22 to answer any questions surrounding the proposed Ordinance. Concerns that listings could be removed hastily were addressed with reassurance that Ordinance 22 is the last step in the enforcement process and will only be used when absolutely necessary. Should a listing be reinstated, for whatever reason, all previous reservations and reviews will remain intact. It was also discussed that major platforms have ancillary sites that need to be included when enforcing Ordinance 22.

OTHER JURISDICTIONS:

Boulder County and Douglas County have both updated their STR Ordinances to implement the authority granted by House Bill 23-1287. Boulder County staff has removed one listing and have had no issues working with listing sites. Douglas County staff has removed approximately 10-20 listings so far and have had no issues working with listing sites. They have also created a standard form which is submitted to the Vacation Rental Services for ease of processing.

Clear Creek County and Larimer County are currently revising their STR Ordinances to include the authority granted under House Bill 23-1287.

RECOMMENDATION:

Summit County Planning Department recommends that the Board of County Commissioners (BOCC) approve Ordinance No. 22: An Ordinance For Short-Term Vacation Rental Service Listing Regulations.

ATTACHMENTS:

Ordinance No. 22

Public Comment

ORDINANCE NO. 22

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

**AN ORDINANCE FOR SHORT-TERM VACATION RENTAL SERVICE LISTING
REGULATIONS**

WHEREAS, Counties have been struggling to address community concerns associated with short-term vacation rentals, which concerns include but are not limited to a) excess noise, parking and trash from short-term vacation rentals, b) the loss of long-term rentals due to the conversion of long-term rentals to short-term rentals, c) the increase in housing prices due to the revenue that can be made off of short-term rentals, and d) the impacts of short-term rentals on the livability and affordability of local neighborhoods; and

WHEREAS, to address these community concerns associated with short-term vacation rentals, the Board of County Commissioners has, in accordance with state law, adopted an ordinance to regulate the licensing and operation of short-term vacation rentals (Ordinance 20-C) as well as an amendment to the Summit County Land Use and Development Code (“Development Code”), which together set forth numerous regulations applicable to short-term vacation rentals (together, the “Regulations”); and

WHEREAS, House Bill 23-1287, which was passed by the Colorado General Assembly and signed into law by Governor Polis on June 5, 2023, gave Counties the authority to regulate Short-Term Vacation Rental Services, as defined by the statute, in a limited manner in order to compel a) the Short Term Vacation Rental Service to require a license number for every short-term rental listing advertised through the Short Term Vacation Rental Service and b) the Short Term Vacation Rental Service to remove the online listings of properties operating without a valid short-term rental license; and

WHEREAS, Short-Term Vacation Rental Services that contract with Short-Term Vacation Rental owners to list properties for short-term rent are a necessary component of short-term renting; and

WHEREAS, without a mechanism to require Short-Term Vacation Rental Services to require a license number for all listings advertised as well as take down listings when the short-term rental properties contained therein are operating without a license, the ability of Summit County staff to enforce the Regulations is severely limited; and

WHEREAS, limitations on the County’s ability to enforce the Regulations will limit the ability of the Regulations to address the community problems set forth above; and

WHEREAS, the Board of County Commissioners finds that requiring Short-Term Vacation Rental Services to require license numbers and remove listings under the circumstances

as set forth in the statute and below is reasonable and necessary to protect the public health, safety, and welfare for both residents of and visitors to Summit County, in that the new rules will enable Summit County staff to appropriately and fairly enforce the County's short-term rental rules and regulations.

NOW THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, that Ordinance 22, "Short-Term Vacation Rental Service Regulations" is hereby adopted setting forth rules and regulations that shall apply to Short Term Vacation Rental Services:

SUMMIT COUNTY SHORT-TERM VACATION RENTAL SERVICE REGULATIONS

SECTION 1. GENERAL

1.1 Definitions.

- a. "Vacation Rental Service" means a person that operates a website or any other digital platform that provides a means through which an owner or owner's agent may offer a lodging unit, or portion thereof, for short-term rentals, and from which the person financially benefits.
- b. "Short-term vacation rental property" is defined as a residential dwelling unit, or any room therein, available for lease or exchange for a term of less than thirty (30) consecutive days.

1.2 Purpose. The purpose of this Ordinance is to ensure that Vacation Rental Services are requiring rental license numbers for short term vacation rental listings on their digital platform as well as removing short term vacation rental listings when such listings have either had their license revoked or suspended or didn't obtain a license in the first place.

1.3 Requirements

- a. A Vacation Rental Service shall require the rental license number in any listing for a short-term rental (STR) unit located in unincorporated Summit County on a Vacation Rental Service website or other digital platform.
- b. A Vacation Rental Service shall remove any listing for a short-term rental from its platform(s) after notification by Summit County that the license number associated with the short-term rental is invalid, expired, or has been revoked, or that the County has a prohibition on short-term rentals that applies to the listing(s). The vacation rental service shall remove the listing(s) within 7 days of receiving the notification from the County.
- c. Notifications from the County must be submitted to the contact(s) designated by the Vacation Rental Service through digital or written communication and must include the listing URL and any other identifying information and include the reason for removal. If the Vacation Rental Services fails to provide a contact for this purpose, notification through any publicly available contact information for the Vacation Rental Service shall suffice.

SECTION 2. ENFORCEMENT AND PENALTIES

- 2.1 Enforcement. Enforcement of this Ordinance shall be by the Sheriff’s Office, as deemed necessary and appropriate.
- 2.2 Violations. Violations of this Ordinance shall be a civil infraction and punishable by the procedure established in 30-15-402, C.R.S., as amended from time to time.
- 2.3 Graduated Fine Schedule. A graduated fine schedule is hereby adopted:
 - a. 1st: \$250
 - b. 2nd: \$750
 - c. 3rd or more: \$1,000
- 2.4 Costs of Enforcement, Revocation, and Appeal. In the event it is necessary for the County to take action for enforcement of the Ordinance, there shall be added to any fees due hereunder all reasonable costs and fees incurred by the County, including reasonable attorney fees. If any action is brought in a court of law by or against the County relating to the enforcement, interpretation or construction of this Ordinance, or of any document provided for herein, or of any proceeding hereunder, the prevailing party in such action shall be entitled to reasonable attorney fees as well as all costs incurred in the prosecution or defense of such action.
- 2.5 Additional Remedies. In addition to the remedies set forth, the County reserves the right to employ all other remedies that may exist at law and in equity to enforce Ordinance 22.

SECTION 3. EFFECTIVE DATE

- 3.1. This ordinance shall take effect and be in force for Vacation Rental Services 90 days after enactment.

INTRODUCED, READ, ORDERED PUBLISHED IN FULL ON FIRST READING ON THIS 27TH DAY OF AUGUST, 2024.

**BOARD OF COUNTY COMMISSIONERS OF
SUMMIT COUNTY, COLORADO**

Tamara Pogue, Chair

**READ, PASSED AND ADOPTED AFTER PUBLIC HEARING AND ORDERED
PUBLISHED IN FULL THIS 24TH DAY OF SEPTEMBER, 2024.**

**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

Tamara Pogue, Chair

ATTEST:

Taryn Power, Clerk & Recorder

Dear Commissioners,

I am writing as a responsible short-term rental (STR) property owner in Summit County, with a sincere desire to work cooperatively with the County on the development and implementation of Ordinance No. 22. I fully recognize and support the County's goals of ensuring that STRs operate in compliance with local regulations and contribute positively to our community.

While I appreciate the regulatory framework outlined in the proposed ordinance, I would like to offer feedback and suggestions that may help strike a balance between regulatory enforcement and the practical realities faced by STR owners. My hope is that, through collaboration, the ordinance adopted will lead to fair and effective policies that allow STR operators to contribute to the local economy while maintaining compliance with County regulations.

1. Clarity and Simplicity in Licensing Requirements

First and foremost, it is essential that the process for obtaining and maintaining STR licenses is clear and accessible. I respectfully request that the County ensure the licensing process is straightforward, with all necessary information clearly communicated.

To facilitate this, I suggest the online portal provide repeated automated reminders for renewals, ensuring that owners stay compliant without unnecessary administrative burdens. Such an approach would reduce confusion and encourage timely compliance.

2. Grace Period for Minor Violations

I understand and appreciate the importance of strict enforcement of STR regulations. However, I would like to express concerns over the immediate removal of listings for minor infractions, such as a missing or expired license number. Immediate removal can be punitive and disproportionately affect business operations, especially for owners who are unaware of the oversight.

I propose a tiered enforcement system that provides property owners with a reasonable grace period, such as 30 days, to rectify licensing or compliance issues before listings are removed from platforms. This approach would encourage compliance while minimizing the potential economic harm caused by listing removals for minor violations.

3. Consistency and Fairness Across Platforms

Another important consideration is the consistency with which enforcement is applied across different STR platforms such as Airbnb, VRBO, and others. Inconsistent handling of enforcement actions across platforms could lead to confusion and uneven consequences for property owners.

I encourage the County to adopt clear, standardized procedures for notifying owners and removing listings across all platforms. This would promote fairness and transparency in the enforcement process, helping owners understand the steps they need to take to remain compliant.

4. Collaboration on Policy Development

STR owners are important stakeholders in the local economy, contributing to tourism and providing significant revenue to the County. As such, it is imperative that STR owners be actively involved in policy decisions that directly impact their operations.

I respectfully suggest the formation of an advisory council or the establishment of regular stakeholder meetings where STR owners can provide feedback, voice concerns, and contribute to the development of future ordinances.

5. Mitigating Economic Impact

The economic impact of quick listing removals on property owners can be substantial. For many STR owners, these rentals represent a primary or supplemental source of income. Abrupt interruptions due to listing removals can have ripple effects, not only on individual owners but also on local tourism and businesses that rely on visitor traffic.

I propose that the ordinance include provisions and a mechanism for temporary reinstatement of listings while compliance issues are being addressed. This would prevent loss of income during the period in which owners are making necessary corrections.

6. Address Concerns about Disproportionate Punishment

The penalties for non-compliance, particularly listing removal, may be overly harsh for minor administrative issues such as a missing license number. These types of violations, though important, do not necessarily warrant the immediate removal of listings.

I suggest that the ordinance provide for lighter penalties, such as warnings or fines, for first-time or minor violations. Listing removal should be reserved for more serious or repeated infractions, allowing property owners to correct minor issues without suffering severe immediate consequences.

7. Education and Outreach

Finally, I would like to request that the County invest in education and outreach efforts to help STR owners better understand their obligations under the new ordinance. Many owners, particularly those new to STR operations, may not be fully aware of the requirements or how to comply effectively.

To this end, I propose that the County offer workshops, develop guides, and establish a dedicated helpline for STR owners. These resources would support compliance and help prevent unintentional violations of the ordinance.

In closing, I want to emphasize that, as an STR owner, I am committed to being a responsible participant in Summit County's economy and community. I believe that by working together, we can develop regulations that achieve the County's goals while ensuring that property owners have the resources and opportunities to comply without undue hardship.

Thank you for your consideration of my feedback.

Sincerely,
Tonya Thompson

Questions from the SAVRM Board:

1. If a listing is removed but then gets reinstated, will the booking platform be able to restore the previous bookings? Or are they gone forever?
2. What will the steps for reinstatement be, if any? If somebody comes into compliance after a listing is removed, how do they get back online?
3. Timing of the three notices, how they will be delivered.
4. Spin-offs from major platforms: are Expedia and AirBnB taking responsibility for their ancillary sites, or how do we ensure that the smaller spin-off sites are in compliance with the license inclusion requirement?
5. Craigslist and Facebook and other similar "social media listings" - does the County have the ability to scan these yet? Do we know how soon they'll be able to do so? We think this is where most of the fraudulent listings are.
6. Sharing the appeals process in the next meeting/second reading would be super helpful so homeowners can hear the steps that will be taken. It would also be great to share how the "take down" process works in terms of the notification timing. Just some general clarification on the administrative side of how this will all work would really put minds at ease among the homeowner crowd. I think you will find that most of the public comment will probably be about this part of the process - folks are just scared that their listings could get taken down "on accident" and don't necessarily know the depth of conversations and behind-the-scenes work that will be taking place before listings are removed.

Opinion | Tony Jones: Thoughts on Summit's new short-term rental law

Opinion [OPINION](#) | Sep 11, 2024



Tony Jones

eimsummit@gmail.com

My wife and I are second-home owners in Dillon who occasionally rent our condo out when we're not using it. We've faced our fair share of headwinds in doing so, including escalating costs from lodging taxes and registration fees that have cut into the modest income we earn from this endeavor. But we'll continue with it as long as it makes financial sense to do so, and we're able to enjoy use of the property as desired. We will also continue to adhere to the regulations imposed upon our effort by regulatory bodies, including ensuring we're licensed and displaying that license number in our listing description.

The saturation of short-term rental properties in Summit County has assuredly had an effect on our rental income as competition is fierce for overnight-stay dollars. Under such circumstances, it's reasonable to look for strategic advantages where they can be found. So, when I read the piece in the Summit Daily News about the [possibility of jurisdictions working with short-term rental services to weed out unlicensed operations](#), I felt like I was finally seeing regulatory efforts that should benefit us rather than pushing us closer to calling it quits.

To other hosts out there, I would argue that such regulatory efforts are a boon for those of us who follow the rules, as eliminating noncompliant actors will lessen competition. This is especially relevant given reports that [mountain resort towns are seeing reductions in the number of overnight visits](#). Ensuring that everyone is playing by the same rules will help level the playing field when there are fewer tourist dollars in the local economy and the fight for them grows more intense.

From: [Tamara Pogue](#)
To: [Brandi Timm](#); [Caitlin Johnson](#)
Subject: FW: Summit County Ordinance 22 - "STR Delete Button"
Date: Monday, September 23, 2024 6:45:28 AM

For the record

From: David Friedenson <dfriedenson@gmail.com>
Sent: Sunday, September 22, 2024 9:18 PM
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>; Nina Waters <Nina.Waters@summitcountyco.gov>; Eric Mamula <Eric.Mamula@summitcountyco.gov>; Dave Rossi <Dave.Rossi@summitcountyco.gov>; senrobertsoffice@gmail.com; STR <STR@summitcountyco.gov>; dylan.roberts.senate@coleg.gov; Susan Lee <Susan.Lee@summitcountyco.gov>
Subject: Summit County Ordinance 22 - "STR Delete Button"

Subject: Summit County Ordinance 22 - "STR Delete Button"

Summit County Commissioners;

I wanted to write and express my concerns on the Ordinance 22 second reading scheduled to be heard at Tuesday's Regular BOCC meeting.

Commissioners, my primary concern with the ordinance centers on "due process". Within the ordinance, there is no mention of a "legal process" or notification requirement to the property owner. Seemingly, a request can be made to remove a listing, and the owner of that listing would not know until they logged in looking for it. HB23-1287, which enables Ordinance 22, specifically mentions a "legal process". Why is this missing from Ordinance 22?

Errors and mistakes can happen. A Canadian Broadcasting Company (CBC) report about a recent situation in Toronto ([Hundreds of hosts booted from Airbnb after Toronto city audit, some for minor clerical errors](#)) provides evidence. In Denver last year, a request was made to remove a listing which fraudulently lifted another Hosts license number. Airbnb deleted the fraudulent listing... AND accidentally removed the legitimate listing. It is a HUGE amount of work to build bookings several months out, and as indicated in the CBC article, when a listing is taken down... those bookings go away. Not only do we lose the revenue from these bookings, the visitor loses their vacation, the resorts and county and town lose the revenue from this visitor and major reservation sites charge up to a 10% fee resulting in duplicate losses to the homeowner.

In addition to fixing any "due process" issues with Ordinance 22, I'd like to see language added which would reimburse the Host for lost bookings if a listing is accidentally removed. I work very hard but will own-up when mistakes happen. I would only expect that my regulator does the same.

Lastly, the first "WHEREAS" in Ordinance 22 contains many erroneous statements and should be removed. Those incorrect statements include the following:

- **Noise, parking, trash**
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- No comparison number is provided for non-STR related complaints.

- ***Loss of long-term rentals due to the conversion of long-term rentals to short-term rentals***

- Colorado State Demographer [data](#) shows that “occupied” homes in Summit County increased from 31% in 1990 to 41.2% in 2020 directly countering the County’s statement above.

- ***Increase in housing prices due to the revenue that can be made off of short-term rentals & Impacts of short-term rentals on the livability and affordability of local neighborhoods***

- A recently completed analysis (February 2024) by RRC Associates showed that, “STRs were unlikely to be a major cause of the run-up in Summit County housing prices in 2018-2022.” ([page-47](#))

- While not related to the analysis above, it’s important to note that Summit County recently paid RRC Associates \$17,000 for data and analysis related to your **“Vacation Rental Housing Fee Study”**.

I apologize for not being able to attend the meeting but will be undergoing cancer treatments during the meeting time.

Thank you for your time in reviewing my concerns.

-

David Friedenson

From: [Tamara Pogue](#)
To: [Caitlin Johnson](#); [Brandi Timm](#)
Subject: Fwd: Summit County Ordinance 22 - "STR Delete Button"
Date: Monday, September 23, 2024 7:54:29 AM

For the file
Tamara Pogue
Summit County Commissioner

Begin forwarded message:

From: Jonnye Phifer <jonnye.phifer@gmail.com>
Date: September 23, 2024 at 7:35:23 AM MDT
To: Nina Waters <Nina.Waters@summitcountyco.gov>, Eric Mamula <Eric.Mamula@summitcountyco.gov>, Tamara Pogue <Tamara.Pogue@summitcountyco.gov>
Cc: Dave Rossi <Dave.Rossi@summitcountyco.gov>, senrobertsoffice@gmail.com, Julie.Mccluskie.house@coleg.gov, dylan.roberts.senate@coleg.gov, Susan Lee <Susan.Lee@summitcountyco.gov>, STR <STR@summitcountyco.gov>
Subject: Summit County Ordinance 22 - "STR Delete Button"

Summit County Commissioners;

I wanted to write and express my concerns on the Ordinance 22 second reading scheduled to be heard at Tuesday's Regular BOCC meeting.

My primary concern with the ordinance centers on "due process". Within the ordinance, there is no mention of a "legal process" or notification requirement to the property owner. Seemingly, a request can be made to remove a listing, and the owner of that listing would not know until they logged in looking for it. HB23-1287, which enables Ordinance 22, specifically mentions a "legal process". Why is this missing from Ordinance 22?

Errors and mistakes can happen. In Denver last year, a request was made to remove a listing which fraudulently lifted another Host's license number. Airbnb deleted the fraudulent listing... AND accidentally removed the legitimate listing. It is a HUGE amount of work to build bookings several months out, and as indicated in the CBC article, when a listing is taken down... those bookings go away. Not only do the property owners lose out on those bookings, but the guests are hugely inconvenienced.

In addition to fixing any "due process" issues with Ordinance 22, I would request that language be added which would reimburse the Host for lost bookings if a listing is accidentally removed through no fault of their own.

Lastly, the first "WHEREAS" in Ordinance 22 contains many erroneous statements and should be removed. Those incorrect statements include the following:

- **Noise, parking, trash**
 - Between November 2021 and April 2022 (one of the busiest ski seasons on record), the County reported only 123 total complaints stemming from STRs. This is less than a fraction of a percent of the tens of thousands of guest bookings across that same period.
 - No comparison number is provided for non-STR related complaints.

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 - Colorado State Demographer [data](#) shows that “occupied” homes in Summit County increased from 31% in 1990 to 41.2% in 2020 directly countering the County’s statement above.
- **Increase in housing prices due to the revenue that can be made off of short-term rentals & Impacts of short-term rentals on the livability and affordability of local neighborhoods**
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 - While not related to the analysis above, it’s important to note that Summit County recently paid RRC Associates \$17,000 for data and analysis related to your **“Vacation Rental Housing Fee Study”**.

Thank you for your time in reviewing my concerns.

Jonnye Phifer

From: [Tamara Pogue](#)
To: [Caitlin Johnson](#); [Brandi Timm](#)
Subject: FW: Summit County Ordinance 22 - "STR Delete Button"
Date: Monday, September 23, 2024 6:44:54 AM

For the record

From: KEDMUN SITTERLEY <kedmun@aol.com>
Sent: Monday, September 23, 2024 5:50 AM
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>; Nina Waters <Nina.Waters@summitcountyco.gov>; Eric Mamula <Eric.Mamula@summitcountyco.gov>
Cc: Dave Rossi <Dave.Rossi@summitcountyco.gov>; senrobertsoffice@gmail.com; Julie.Mccluskie.house@coleg.gov; dylan.roberts.senate@coleg.gov; Susan Lee <Susan.Lee@summitcountyco.gov>; STR <STR@summitcountyco.gov>
Subject: Summit County Ordinance 22 - "STR Delete Button"

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I wanted to write and express my concerns on the Ordinance 22 second reading scheduled to be heard at Tuesday's Regular BOCC meeting.

Commissioners, my primary concern with the ordinance centers on "due process". Within the ordinance, there is no mention of a "legal process" or notification requirement to the property owner. Seemingly, a request can be made to remove a listing, and the owner of that listing would not know until they logged in looking for it. HB23-1287, which enables Ordinance 22, specifically mentions a "legal process". Why is this missing from Ordinance 22?

Errors and mistakes can happen. A Canadian Broadcasting Company (CBC) report about a recent situation in Toronto ([Hundreds of hosts booted from Airbnb after Toronto city audit, some for minor clerical errors](#)) provides evidence. In Denver last year, a request was made to remove a listing which fraudulently lifted another Hosts license number. Airbnb deleted the fraudulent listing... AND accidentally removed the legitimate listing. It is a HUGE amount of work to build bookings several months out, and as indicated in the CBC article, when a listing is taken down... those bookings go away.

In addition to fixing any "due process" issues with Ordinance 22, I'd like to see language added which would reimburse the Host for lost bookings if a listing is accidentally removed. I work very hard but will own-up when mistakes happen. I would only expect that my regulator does the same.

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rentals

o Colorado State Demographer [data](#) shows that “occupied” homes in Summit County increased from 31% in 1990 to 41.2% in 2020 directly countering the County’s statement above.

• ***Increase in housing prices due to the revenue that can be made off of short-term rentals & Impacts of short-term rentals on the livability and affordability of local neighborhoods***

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▪ While not related to the analysis above, it’s important to note that Summit County recently paid RRC Associates \$17,000 for data and analysis related to your **“Vacation Rental Housing Fee Study”**.

Thank you for your time in reviewing my concerns.

Kedmun & Carol Sitterley
Property Owner, Summit County

From: [Tamara Pogue](#)
To: [Caitlin Johnson](#); [Brandi Timm](#)
Subject: FW: Summit County Ordinance 22 - "STR Delete Button"
Date: Monday, September 23, 2024 10:27:59 AM

From: Jay Johnson <jay@skylightresearch.com>
Sent: Monday, September 23, 2024 10:26 AM
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>; Nina Waters <Nina.Waters@summitcountyco.gov>; Eric Mamula <Eric.Mamula@summitcountyco.gov>
Cc: Dave Rossi <Dave.Rossi@summitcountyco.gov>; senrobertsoffice@gmail.com; Julie.Mccluskie.house@coleg.gov; dylan.roberts.senate@coleg.gov; Susan Lee <Susan.Lee@summitcountyco.gov>; STR <STR@summitcountyco.gov>
Subject: Summit County Ordinance 22 - "STR Delete Button"

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Thank you for your time in reviewing my concerns.

Kind Regards,
Jay

From: [Tamara Pogue](#)
To: [Caitlin Johnson](#); [Brandi Timm](#)
Subject: FW: Summit County Ordinance 22 - "STR Delete Button"
Date: Monday, September 23, 2024 10:27:54 AM

From: Emmy Johnson <emmy@skylightresearch.com>
Sent: Monday, September 23, 2024 10:27 AM
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>; Nina Waters <Nina.Waters@summitcountyco.gov>; Eric Mamula <Eric.Mamula@summitcountyco.gov>
Cc: Dave Rossi <Dave.Rossi@summitcountyco.gov>; senrobertsoffice@gmail.com; Julie.Mccluskie.house@coleg.gov; dylan.roberts.senate@coleg.gov; Susan Lee <Susan.Lee@summitcountyco.gov>; STR <STR@summitcountyco.gov>
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Thank you for your time in reviewing my concerns.

Kind Regards,
Emmy

Emmy Johnson

From: [Caitlin Johnson](#)
To: [Millicent Marter](#)
Subject: FW: Summit County Ordinance 22 - "STR Delete Button"
Date: Monday, September 23, 2024 4:25:25 PM

Caitlin Johnson

Executive Administrative Manager
Attorney/BOCC/Manager's Office

From: STR <STR@summitcountyco.gov>
Sent: Monday, September 23, 2024 1:12 PM
To: Caitlin Johnson <Caitlin.Johnson@summitcountyco.gov>
Cc: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>
Subject: FW: Summit County Ordinance 22 - "STR Delete Button"

Here's another one, Caitlin.

Brandi Timm

STR Program Coordinator

(970) 668-4185

(970) 406-8557

[STR Website](#)



From: Bob Springer <snowfox4@comcast.net>
Sent: Monday, September 23, 2024 12:37 PM
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>; Nina Waters <Nina.Waters@summitcountyco.gov>; Eric Mamula <Eric.Mamula@summitcountyco.gov>
Cc: Dave Rossi <Dave.Rossi@summitcountyco.gov>; senrobertsoffice@gmail.com; Julie.Mccluskie.house@coleg.gov; dylan.roberts.senate@coleg.gov; Susan Lee <Susan.Lee@summitcountyco.gov>; STR <STR@summitcountyco.gov>
Subject: Summit County Ordinance 22 - "STR Delete Button"

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Summit County Commissioners;

I wanted to express my concerns on the Ordinance 22 second reading scheduled to be heard at Tuesday's Regular BOCC meeting.

Commissioners, my primary concern with the ordinance centers on "due process". Within the ordinance, there is no mention of a "legal process" or notification requirement to the property owner. Seemingly, a request can be made to remove a listing, and the owner of that listing would not know until they logged in looking for it. HB23-1287, which enables Ordinance 22, specifically mentions a "legal process". **Why is this missing from Ordinance 22?**

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- No comparison number is provided for non-STR related complaints. WHY? Transparency should be the focus of any ELECTED official, HONESTY should be the basis of all ELECTED Officials service.

- **Loss of long-term rentals due to the conversion of long-term rentals to short-term rentals**

- Colorado State Demographer [data](#) shows that "occupied" homes in Summit County increased from 31% in 1990 to 41.2% in 2020 **directly countering the County's statement above.**

- **Increase in housing prices due to the revenue that can be made off of short-term rentals & Impacts of short-term rentals on the livability and affordability of local neighborhoods**

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Thank you for your time in reviewing my concerns.

From: [Richard Mason](#)
To: [Tamara Poque](#); [Nina Waters](#); [Eric Mamula](#); dylan.roberts.senate@coleg.gov
Cc: [Dave Rossi](#); [Jeffrey Huntley](#); [Annie Nelson](#); Julie.Mccluskie.house@coleg.gov; [Susan Lee](#); [STR](#)
Subject: Re: Summit County Ordinance 22 - Short-term Rental "Delete Button" (HB23-1287)
Date: Sunday, September 22, 2024 6:18:42 PM

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Good evening County Commissioners, Mr. Rossi, and Ms. Lee;

I was just reviewing the materials for Tuesday's second reading of "Ordinance 22". In the [Public Comments Attachment.pdf](#) document, I did not see my email below included as public comment. This is very **concerning** and **disappointing**. As you know, I spend very significant amounts of time researching and writing about proposals which can and will do harm to others... and it saddens me when that effort is ignored or dismissed. Do we know why my email below is not part of the public record?

Second point... from September 10th's hearing on PAYT, why is public comment being limited to 2-minutes? What happened to 3-minutes or more? For a costly bill like PAYT, that will increase rates for most residents \$500 to \$1000 a year for their trash services... and drive local businesses under... 2-minutes is not enough time. Especially, when you consider that the entire regular meeting was wrapped up in 1-hour. As elected public servants who make TWICE what my wife does as a 50-hour a week public school teacher... and nearly as much as I do as a 30-year career business process analyst... we expect more from you.

Thank you for reviewing this and my original email below.

Rich Mason
104 Lodgepole Cir
Peak Seven

On Tue, Aug 27, 2024 at 12:15 AM Richard Mason <colorado.mason@gmail.com> wrote:
Good Evening Commissioners and Senator Roberts,

I wanted to write and express my concerns on the Ordinance 22 topic in Tuesday's Regular BOCC meeting. For those copied on this message, links to the staff memo and ordinance are below (copied from the County meeting agenda):

- BOCC Staff Report Ordinance 22 Final: https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2809720/BOCC_Staff_Report_Ordinance_22_Final_.pdf
- Ordinance 22: https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2809063/Ordinance_22.pdf

Senator Roberts, as a Senate sponsor of HB23-1287, you may remember my testimony against the bill during the **Local Government & Housing Senate Committee** on May 2, 2023. I also wrote a detailed letter about those concerns which is linked here: [Vacation Rental Owner Input - Colorado House Bill HB23-1287 - Senator Roberts](#). Unfortunately those worries appear to be coming to fruition.

Commissioners, my primary concern with the bill still centers on the "due process" issue. The highlighted phrase on page 3 below appears to indicate that a vacation rental listing can be removed based on the **issuance** of a violation and **not** the completion of a legal process. I have absolutely no legal training, so I whole-heartedly accepted the testimony of Ms. Ambrose and Senator Roberts (both attorneys present at the hearing on that evening in 2023)... but in layman's terms the wording does not seem to fit the description of the process.

11 VACATION RENTAL SERVICE'S WEBSITE OR OTHER DIGITAL PLATFORM; AND
 12 (B) REQUIRING A VACATION RENTAL SERVICE TO REMOVE A
 13 LISTING FOR A SHORT-TERM RENTAL FROM THE VACATION RENTAL
 14 SERVICE'S WEBSITE OR OTHER DIGITAL PLATFORM AFTER NOTIFICATION BY
 15 THE COUNTY THAT THE OWNER OF THE LISTED LODGING UNIT HAS HAD THE
 16 OWNER'S LOCAL SHORT-TERM RENTAL LICENSE OR PERMIT **SUSPENDED OR**
 17 **REVOKED OR HAS BEEN ISSUED A NOTICE OF VIOLATION OR SIMILAR LEGAL**
 18 **PROCESS** FOR NOT POSSESSING A VALID LOCAL SHORT-TERM RENTAL
 19 LICENSE OR PERMIT OR THAT THE COUNTY HAS A PROHIBITION ON
 20 SHORT-TERM RENTALS THAT APPLIES TO THE LODGING UNIT. THE
 21 NOTIFICATION MUST IDENTIFY THE LISTING'S UNIFORM RESOURCE LOCATOR
 22 (URL) OR OTHER SPECIFIED DIGITAL LOCATION TO BE REMOVED AND
 23 STATE THE REASON FOR THE REMOVAL. THE VACATION RENTAL SERVICE
 24 SHALL REMOVE THE LISTING FROM THE WEBSITE OR OTHER DIGITAL
 25 PLATFORM WITHIN SEVEN DAYS OF RECEIVING THE NOTIFICATION FROM
 26 THE COUNTY.
 27 (IV) IF A VACATION RENTAL SERVICE PROVIDES ADDITIONAL

-3- 1287

Upon reading Ordinance 22... my "due process" fears are even more heightened. There is no mention of a "legal process" at all. HB23-1287 specifically mentions a "legal process".

consecutive days.

1.2 Purpose. The purpose of this Ordinance is to ensure that Vacation Rental Services are requiring rental license numbers for short term vacation rental listings on their digital platform as well as removing short term vacation rental listings when such listings have either had their license revoked or suspended or didn't obtain a license in the first place.

1.3 Requirements

a. A Vacation Rental Service shall require the rental license number in any listing for a short-term rental (STR) unit located in unincorporated Summit County on a Vacation Rental Service website or other digital platform.

b. A Vacation Rental Service shall remove any listing for a short-term rental from its platform(s) after notification by Summit County that the license number associated with the short-term rental is invalid, expired, or has been revoked, or that the County has a prohibition on short-term rentals that applies to the listing(s). The vacation rental service shall remove the listing(s) within 7 days of receiving the notification from the County.

c. Notifications from the County must be submitted to the contact(s) designated by the Vacation Rental Service through digital or written communication and must include the listing URL and any other identifying information and include the reason for removal. If the Vacation Rental Services fails to provide a contact for this purpose, notification through any publicly available contact information for the Vacation Rental Service shall suffice.

What could happen? Based on a *Canadian Broadcasting Company* (CBC) report about a recent fiasco in Toronto ([Hundreds of hosts booted from Airbnb after Toronto city audit, some for minor clerical errors](#)), I remain concerned that mistakes can happen. I'm not overly worried about issues in Summit County as the STR staff is VERY competent, but issues can happen within the OTA (online travel agency - Airbnb, Vrbo). In Denver last year, a request was made to remove a listing which fraudulently lifted another Hosts license number. Airbnb deleted the fraudulent listing... **AND** accidentally removed the legitimate listing. It is a **HUGE** amount of work to build bookings several months out, and as indicated in the CBC article, when a listing is taken down... those bookings go away.

Lastly, in addition to fixing any "due process" issues with Ordinance 22... I'd like to see language added which would reimburse the Host for lost bookings if a listing is accidentally removed. I work **VERY HARD** to maintain my Airbnb and its "Top 1%" worldwide status ([My Listing](#))... and my reputation as the "best neighbor ever" on our street... but

mistakes can happen. When they do, I step up and make things right... and THEN SOME. I would only expect that my regulator does the same.

Rich Mason
104 Lodgepole Cir
Peak Seven Neighborhood
Summit County
Phone: 303-881-2412

From: [Tamara Pogue](#)
To: [Caitlin Johnson](#); [Brandi Timm](#)
Subject: FW: Summit County Ordinance 22 - Short-term Rental "Delete Button" (HB23-1287)
Date: Monday, September 23, 2024 6:45:15 AM

For the record

From: Richard Mason <colorado.mason@gmail.com>
Sent: Sunday, September 22, 2024 11:30 PM
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>; Nina Waters <Nina.Waters@summitcountyco.gov>; Eric Mamula <Eric.Mamula@summitcountyco.gov>; dylan.roberts.senate@coleg.gov
Cc: Dave Rossi <Dave.Rossi@summitcountyco.gov>; Jeffrey Huntley <Jeffrey.Huntley@summitcountyco.gov>; Annie Nelson <senrobertsoffice@gmail.com>; Julie.Mccluskie.house@coleg.gov; Susan Lee <Susan.Lee@summitcountyco.gov>; STR <STR@summitcountyco.gov>
Subject: Re: Summit County Ordinance 22 - Short-term Rental "Delete Button" (HB23-1287)

BOCC members... just one last observation of Ordinance 22 as I gave it a final read-through tonight... please see below:

The first "WHEREAS" in Ordinance 22 contains many erroneous statements and should be removed. Those incorrect statements include the following:

- **Noise, parking, trash**
 - Between November 2021 and April 2022 (one of the busiest ski seasons on record), the County reported only 123 total complaints stemming from STRs. This is less than a fraction of a percent of the tens of thousands of guest bookings across that same period.
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 - While not related to the analysis above, it's important to note that Summit County recently paid RRC Associates \$17,000 for data and analysis related to your **"Vacation Rental Housing Fee Study"**.

Thank you for your time in reviewing my concerns.

Rich Mason
104 Lodgepole Cir
Peak Seven

On Sun, Sep 22, 2024 at 6:18 PM Richard Mason <colorado.mason@gmail.com> wrote:

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104 Lodgepole Cir
Peak Seven

On Tue, Aug 27, 2024 at 12:15 AM Richard Mason <colorado.mason@gmail.com> wrote:

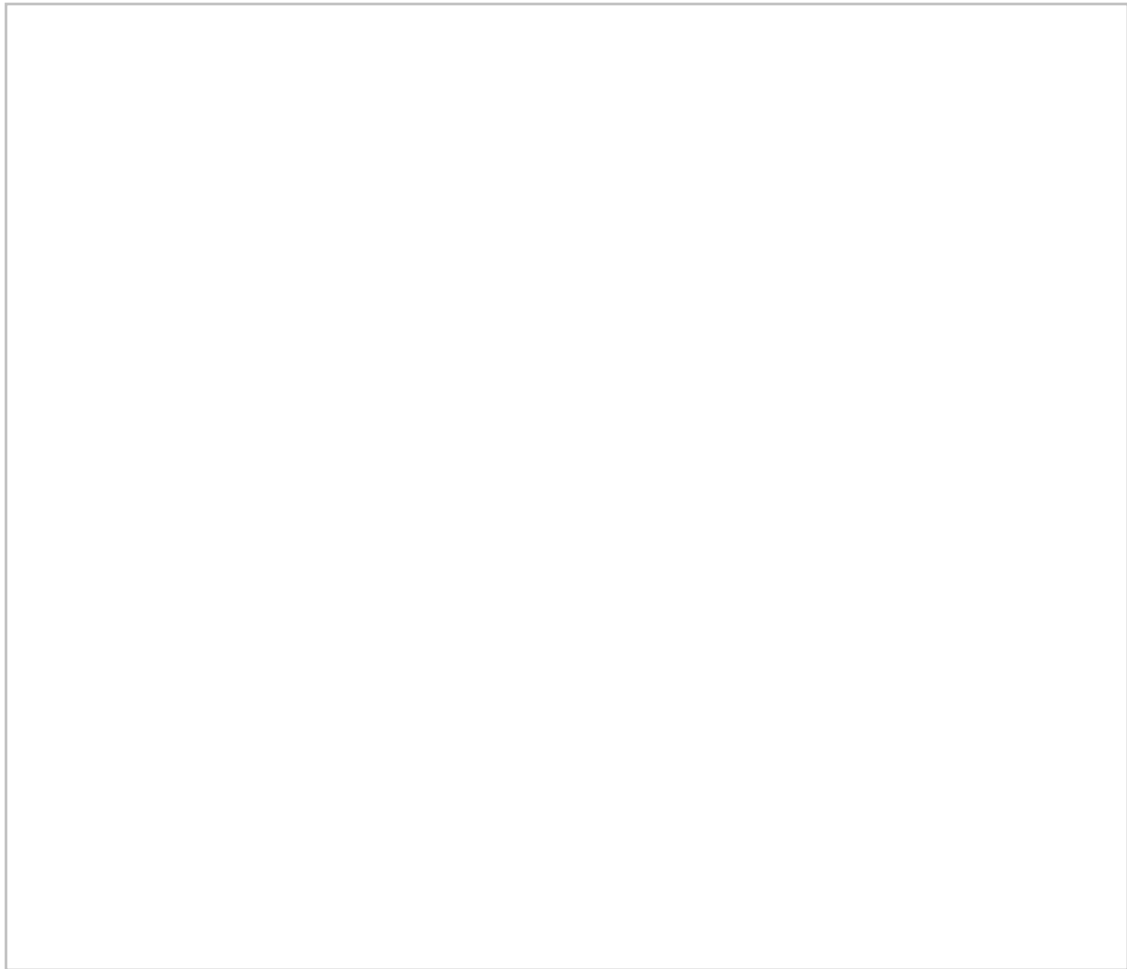
Good Evening Commissioners and Senator Roberts,

I wanted to write and express my concerns on the Ordinance 22 topic in Tuesday's Regular BOCC meeting. For those copied on this message, links to the staff memo and ordinance are below (copied from the County meeting agenda):

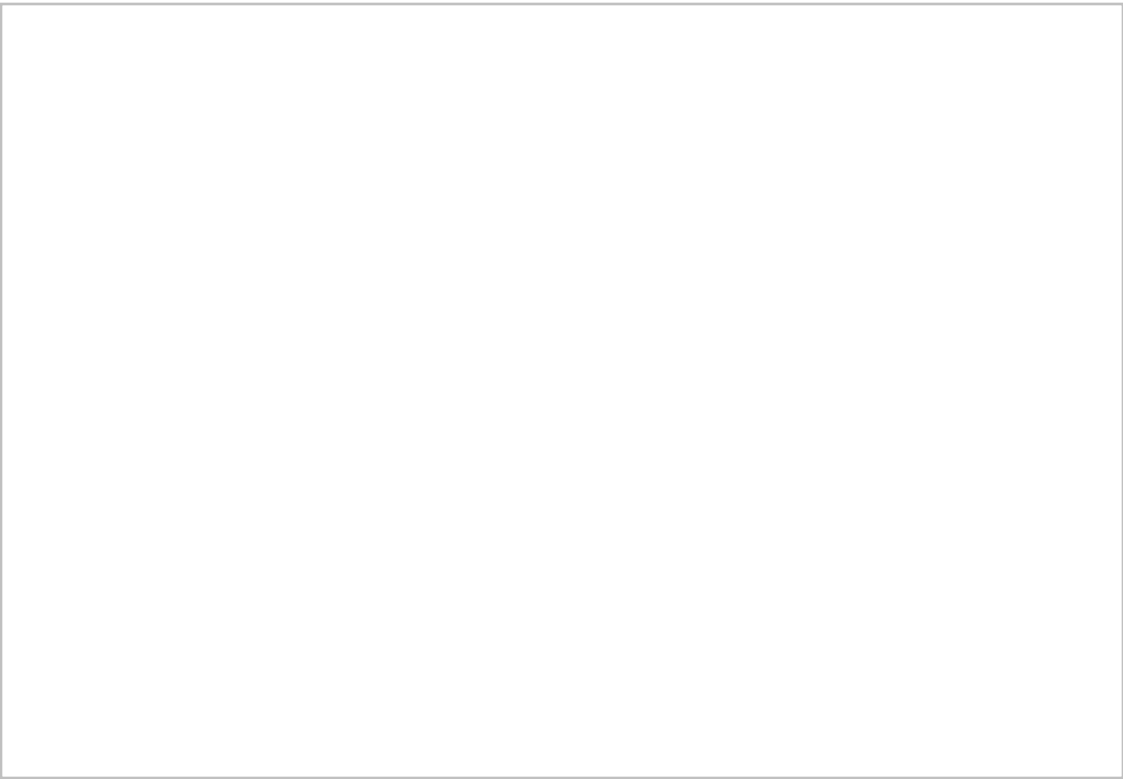
- BOCC Staff Report Ordinance 22 Final: https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2809720/BOCC_Staff_Report_Ordinance_22_Final_.pdf
- Ordinance 22: https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/2809063/Ordinance_22.pdf

Senator Roberts, as a Senate sponsor of HB23-1287, you may remember my testimony against the bill during the **Local Government & Housing Senate Committee** on May 2, 2023. I also wrote a detailed letter about those concerns which is linked here: [Vacation Rental Owner Input - Colorado House Bill HB23-1287 - Senator Roberts](#). Unfortunately those worries appear to be coming to fruition.

Commissioners, my primary concern with the bill still centers on the "due process" issue. The highlighted phrase on page 3 below appears to indicate that a vacation rental listing can be removed based on the **issuance** of a violation and **not** the completion of a legal process. I have absolutely no legal training, so I wholeheartedly accepted the testimony of Ms. Ambrose and Senator Roberts (both attorneys present at the hearing on that evening in 2023)... but in layman's terms the wording does not seem to fit the description of the process.



Upon reading Ordinance 22... my "due process" fears are even more heightened. There is no mention of a "legal process" at all. HB23-1287 specifically mentions a "legal process".



What could happen? Based on a **Canadian Broadcasting Company** (CBC) report about a recent fiasco in Toronto ([Hundreds of hosts booted from Airbnb after Toronto city audit, some for minor clerical errors](#)), I remain concerned that mistakes can happen. I'm not overly worried about issues in Summit County as the STR staff is VERY competent, but issues can happen within the OTA (online travel agency - Airbnb, Vrbo). In Denver last year, a request was made to remove a listing which fraudulently lifted another Hosts license number. Airbnb deleted the fraudulent listing... **AND** accidentally removed the legitimate listing. It is a **HUGE** amount of work to build bookings several months out, and as indicated in the CBC article, when a listing is taken down... those bookings go away.

Lastly, in addition to fixing any "due process" issues with Ordinance 22... I'd like to see language added which would reimburse the Host for lost bookings if a listing is accidentally removed. I work **VERY HARD** to maintain my Airbnb and its "Top 1%" worldwide status ([My Listing](#))... and my reputation as the "best neighbor ever" on our street... but mistakes can happen. When they do, I step up and make things right... and THEN SOME. I would only expect that my regulator does the same.

Rich Mason
104 Lodgepole Cir
Peak Seven Neighborhood

Summit County

Phone: 303-881-2412

From: [Tamara Pogue](#)
To: [Caitlin Johnson](#); [Brandi Timm](#)
Subject: FW: Summit County Ordinance 22 - Short-term Rental "Delete Button" (HB23-1287)
Date: Monday, September 23, 2024 6:45:15 AM

For the record

From: Richard Mason <colorado.mason@gmail.com>
Sent: Sunday, September 22, 2024 11:30 PM
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>; Nina Waters <Nina.Waters@summitcountyco.gov>; Eric Mamula <Eric.Mamula@summitcountyco.gov>; dylan.roberts.senate@coleg.gov
Cc: Dave Rossi <Dave.Rossi@summitcountyco.gov>; Jeffrey Huntley <Jeffrey.Huntley@summitcountyco.gov>; Annie Nelson <senrobertsoffice@gmail.com>; Julie.Mccluskie.house@coleg.gov; Susan Lee <Susan.Lee@summitcountyco.gov>; STR <STR@summitcountyco.gov>
Subject: Re: Summit County Ordinance 22 - Short-term Rental "Delete Button" (HB23-1287)

BOCC members... just one last observation of Ordinance 22 as I gave it a final read-through tonight... please see below:

The first "WHEREAS" in Ordinance 22 contains many erroneous statements and should be removed. Those incorrect statements include the following:

- **Noise, parking, trash**
 - Between November 2021 and April 2022 (one of the busiest ski seasons on record), the County reported only 123 total complaints stemming from STRs. This is less than a fraction of a percent of the tens of thousands of guest bookings across that same period.
 - No comparison number is provided for non-STR related complaints.
- **Loss of long-term rentals due to the conversion of long-term rentals to short-term rentals**
 - Colorado State Demographer [data](#) shows that "occupied" homes in Summit County increased from 31% in 1990 to 41.2% in 2020 directly countering the County's statement above.
- **Increase in housing prices due to the revenue that can be made off of short-term rentals & Impacts of short-term rentals on the livability and affordability of local neighborhoods**
 - A recently completed analysis (February 2024) by RRC Associates showed that, "STRs were unlikely to be a major cause of the run-up in Summit County housing prices in 2018-2022." ([page-47](#))
 - While not related to the analysis above, it's important to note that Summit County recently paid RRC Associates \$17,000 for data and analysis related to your **"Vacation Rental Housing Fee Study"**.

Thank you for your time in reviewing my concerns.

Rich Mason
104 Lodgepole Cir
Peak Seven

On Sun, Sep 22, 2024 at 6:18 PM Richard Mason <colorado.mason@gmail.com> wrote:

Good evening County Commissioners, Mr. Rossi, and Ms. Lee;

I was just reviewing the materials for Tuesday's second reading of "Ordinance 22". In the [Public Comments Attachment.pdf](#) document, I did not see my email below included as public comment. This is very concerning and disappointing. As you know, I spend very significant amounts of time researching and writing about proposals which can and will do harm to others... and it saddens me when that effort is ignored or dismissed. Do we know why my email below is not part of the public record?

Second point... from September 10th's hearing on PAYT, why is public comment being limited to 2-minutes? What happened to 3-minutes or more? For a costly bill like PAYT, that will increase rates for most residents \$500 to \$1000 a year for their trash services... and drive local businesses under... 2-minutes is not enough time. Especially, when you consider that the entire regular meeting was wrapped up in 1-hour. As elected public servants who make TWICE what my wife does as a 50-hour a week public school teacher... and nearly as much as I do as a 30-year career business process analyst... we expect more from you.

Thank you for reviewing this and my original email below.

Rich Mason
104 Lodgepole Cir
Peak Seven

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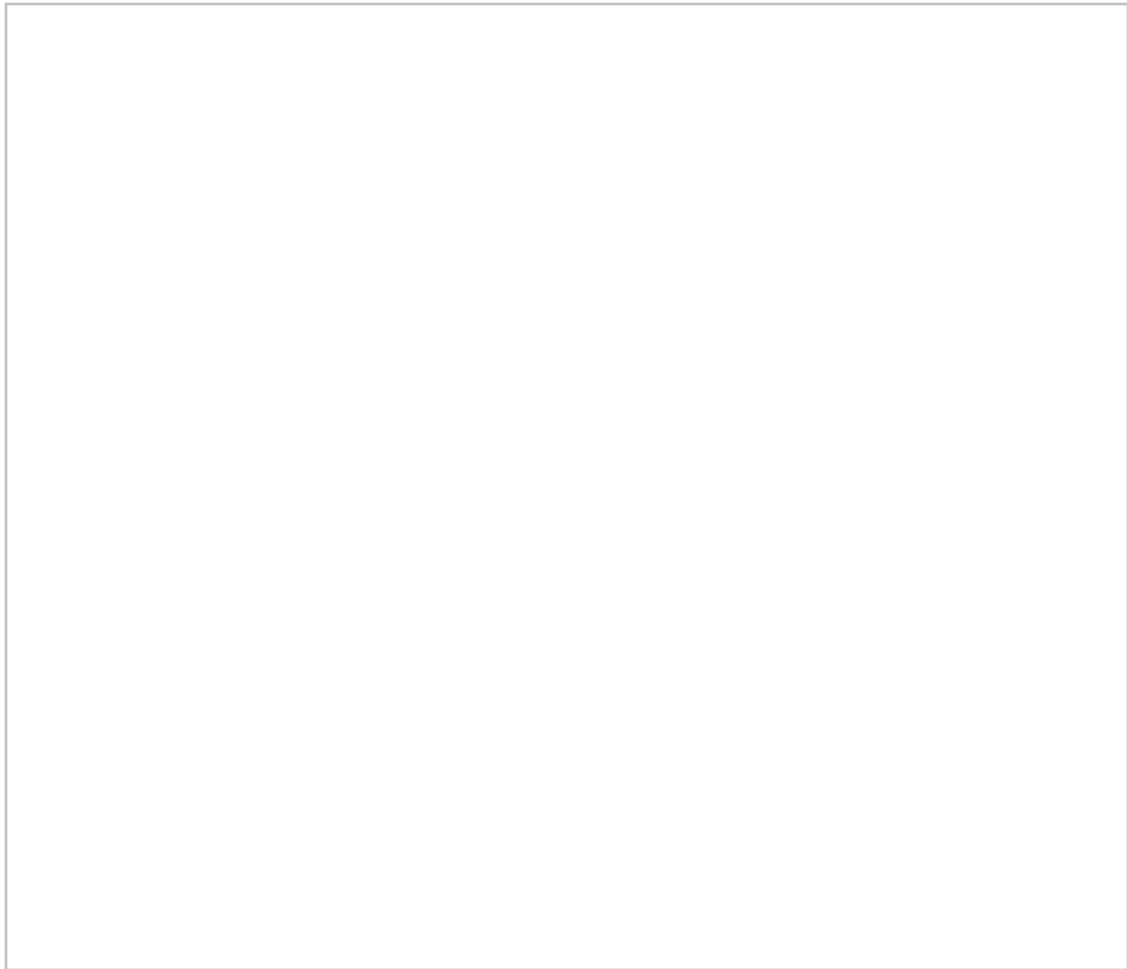
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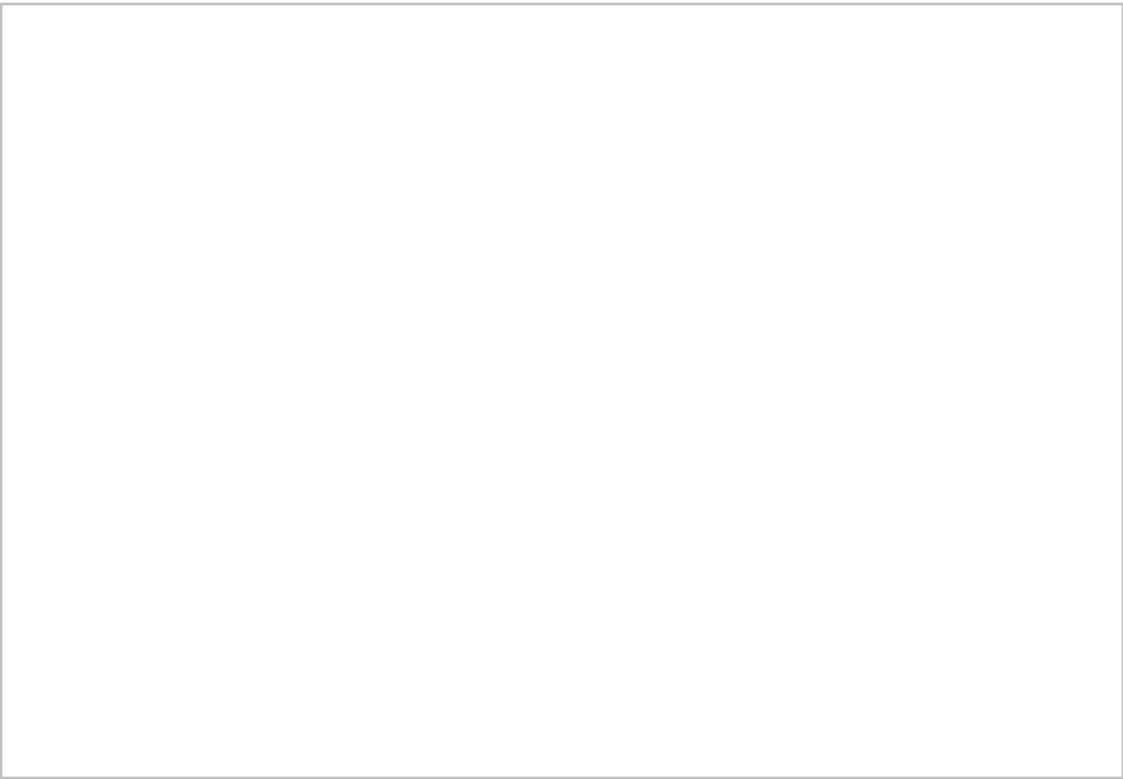
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Rich Mason
104 Lodgepole Cir
Peak Seven Neighborhood

Summit County

Phone: 303-881-2412

From: [Tamara Pogue](#)
To: [Brandi Timm](#); [Caitlin Johnson](#)
Subject: FW: YOur are hired and elected to represent ALL OF U STR's are not your total demon, nor your total savior, & not your cash cow to solve all your woes. please listen and treat all of your community fairly -- Summit County Ordin. 22 - "STR Delete bu
Date: Monday, September 23, 2024 6:45:20 AM

For the record

From: davidagran@gmail.com <davidagran@gmail.com>
Sent: Sunday, September 22, 2024 10:09 PM
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>; Nina Waters <Nina.Waters@summitcountyco.gov>; Eric Mamula <Eric.Mamula@summitcountyco.gov>; Dave Rossi <Dave.Rossi@summitcountyco.gov>; senrobertsoffice@gmail.com; Julie.Mccluskie.house@coleg.gov; dylan.roberts.senate@coleg.gov; Susan Lee <Susan.Lee@summitcountyco.gov>; STR <STR@summitcountyco.gov>
Cc: davidagran@gmail.com
Subject: YOur are hired and elected to represent ALL OF U STR's are not your total demon, nor your total savior, & not your cash cow to solve all your woes. please listen and treat all of your community fairly -- Summit County Ordin. 22 - "STR Delete button

Subject: Summit County Ordinance 22 - "STR Delete Button"

Summit County Commissioners;

You all have seen and been part of Richard Mason's dogged efforts to inform, educate, as you to be open minded and fair and ask that you represent all of us fairly.

It saves a whole bunch of effort, drama and time... if you would take the time to address a very important stakeholder group.. which the feeling is you largely ignore, and just want to foist fees, taxes, licenses, restrictions and regulations..... It is not an example of best practice governance in a democracy

So, I am writing and forwarding and expressing s my concerns on the Ordinance 22 second reading scheduled to be heard at Tuesday's Regular BOCC meeting.

Commissioners, our primary concern with the ordinance centers on "due process". Within the ordinance, there is no mention of a "legal process" or notification requirement to the property owner. Seemingly, a request can be made to remove a listing, and the owner of that listing would not know until they logged in looking for it. HB23-1287, which enables Ordinance 22, specifically mentions a "legal process". Why is this missing from Ordinance 22? (and as a SIDE NOTE: the BOARD actively stated and agreed that after the Feb 2023, STR rules were enacted that an annual assessment and review would be conducted Spring of 2024... Tamara, in March I asked on the status of that assessment to actively review the results of all the STR regulations the County foisted upon the county. At the time you responded to staff with me on the distribution and expressed the same

concern and desire to get the report... at the time it was stated that it would be on an agenda item within a few months... It is Mid September over a year and a half since the initial regulations were imposed... Good governance requires that we review what's been input and see if the desired results are being met... The board and the community deserve this information.....!!!! Especially before you add more regulation like a delete button.... We do not even have the data to determine whether this is even an issue within the county or not... Transparency is important.... Please let's get that report....

Back to Ordinance 22

Errors and mistakes can happen. A Canadian Broadcasting Company (CBC) report about a recent situation in Toronto (Hundreds of hosts booted from Airbnb after Toronto city audit, some for minor clerical errors) provides evidence. In Denver last year, a request was made to remove a listing which fraudulently lifted another Hosts license number. Airbnb deleted the fraudulent listing... AND accidentally removed the legitimate listing. It is a HUGE amount of work to build bookings several months out, and as indicated in the CBC article, when a listing is taken down... those bookings go away.

In addition to fixing any "due process" issues with Ordinance 22, we would like to see language added which would reimburse the Host for lost bookings if a listing is accidentally removed. We work very hard but will own-up when mistakes happen. We would only expect that our regulator does the same. True accountability drives accuracy and attention to detail.

Lastly, the first "WHEREAS" in Ordinance 22 contains many erroneous statements and should be removed. Those incorrect statements include the following:

- Noise, parking, trash
 - o Between November 2021 and April 2022 (one of the busiest ski seasons on record), the County reported only 123 total complaints stemming from STRs. This is less than a fraction of a percent of the tens of thousands of guest bookings across that same period. IT would be really nice to see that promised report that is 6 months late to see if your regulations has helped in that area or not....
 - o No comparison number is provided for non-STR related complaints. There is a lot of scuttlebutt about how absolutely NO regulation or eye on Longterm rentals is evident, where they can stuff 12 people into a house with fire code, septic code, water useage, septic useage, trash, parking issues are just ignored.... Also no regulation on timeshares.... Given how strong their lobby is... it just has the perception of stink....
 - Loss of long-term rentals due to the conversion of long-term rentals to short-term rentals
 - o Colorado State Demographer data shows that "occupied" homes in Summit County increased from 31% in 1990 to 41.2% in 2020 directly countering the County's statement above.
 - Increase in housing prices due to the revenue that can be made off of short-term rentals & Impacts of short-term rentals on the livability and affordability of local neighborhoods
 - o A recently completed analysis (February 2024) by RRC Associates showed that, "STRs were unlikely to be a major cause of the run-up in Summit County housing prices in 2018-2022." (page-47)
- While not related to the analysis above, it's important to note that Summit County recently paid RRC Associates \$17,000 for data and analysis related to your "Vacation Rental Housing Fee Study".

Every where in the USA housing prices have risen drastically, and for preferred places to live, rentals and lower income housing is low in supply... I read recently that we have a housing shortage of millions of units that are needed to accommodate all those that need all levels of housing... this is a nation wide issue... blaming str's and expecting str's to fix it is unfair and one sided.. where are all the businesses that depend on local labor being held account, where isvail resorts and all those ginormous lodges being held account for helping solve these nationwide local and affordable housing problems.

Please be equitable and fair and TRANSPARENT AND TRUTHFUL, to step up and ask all stakeholders help solve this problem... STRs are not the boogeyman... (as easy as it is to blame us for all the countys woes). You were elected and hire to represent all of us! Please.

Respectfully submitted and Thank you for your time in reviewing our concerns.

David Agran,

Peak 7 (an active 2nd home owner who is in Breck over 100 days a year and aspires to retire here shortly...

From: [Joelle Miller](#)
To: [BOCC](#); [Millicent Marter](#)
Subject: Fwd: ordinance 22 comments
Date: Tuesday, September 24, 2024 1:04:30 PM

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Hello,

My email below is not included in the packet published for today's second reading of ordinance 22. Why was it omitted?

Please consider the points I brought up in my original email along with the ones listed below to make your decision today.

IMPORTANT POINTS TO CONSIDER:

« What is the purpose of this ordinance?

- 1) listings are not all made by the property owner or manager. There are aggregate sites who scrape listings. They don't display license numbers.
- 2) scammers lift listings and pictures all the time and publish listings, even on OTAs. They don't use STR license numbers either.
- 3) any illegitimate (non licensed) property can "borrow" a legitimate STR license number and use it in its advertisement.

Is the purpose to penalize a legitimate owner or catch someone who legally can't rent short/term? This ordinance does the former, not the latter.

EMAIL SENT ON 08/27 AND NOT INCLUDED IN THE AGENDA PACKET.

Begin forwarded message:

From: Joelle Miller <summitcountyholidays@gmail.com>
Date: August 27, 2024 at 9:32:27 AM MDT
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>, nina.waters@summitcountyco.gov, Eric.Mamula@summitcountyco.gov
Subject: ordinance 22 comments

Dear County Commissioners,

I would like to send a few comments about the proposed ordinance 22 before the first reading taking place this afternoon.

- 1) The currently written ordinance should include a clause for compensation for a property owner whose property advertisement is being removed unjustly. It can

take weeks for an OTA to reinstate a listing that has been mistakenly removed. When a listing is removed from a platform such as airbnb, all future bookings are also canceled. Removing a listing unjustly or by mistake can result in a great financial loss. In 2019, airbnb unjustly removed my listing which resulted in a loss of thousands of dollars in future bookings. I sued the guest who caused my listing to be removed and won. How will you address the issue when your contracted host compliance company makes a mistake and causes financial harm to a legal owner?

2) Ordinance 22 defines a short-term vacation rental property as "“Short-term vacation rental property” is defined as a residential dwelling unit, or any room therein, available for lease or exchange for a term of less than thirty (30) consecutive days. If this ordinance passes, "Vacation Rental Services are requiring rental license numbers for short term vacation rental listings on their digital platform". Your proposed ordinance as currently written is flawed. Ordinance 20-C has created a group of vacation rentals that can legally operate in unincorporated Summit County and do not need to obtain a STR license and therefore do not currently have a license number. As such, how will you ensure that these owners can continue to advertise their property without a license number and will not be removed by vacation rental services?

Thank you for your time.
Joelle Miller

Sent from my iPhone

From: [Johanna Jacobsen](#)
To: [Johanna Jacobsen](#)
Subject: FW: Summit County Ordinance 22 - "STR Delete Button"
Date: Tuesday, September 24, 2024 1:32:43 PM

From: bnleuenberger@aol.com
Date: September 24, 2024 at 1:22:05 PM MDT
To: Tamara Pogue <Tamara.Pogue@summitcountyco.gov>, Nina Waters <Nina.Waters@summitcountyco.gov>, Eric Mamula <Eric.Mamula@summitcountyco.gov>
Cc: Dave Rossi <Dave.Rossi@summitcountyco.gov>, senrobertsoffice@gmail.com, Julie.Mccluskie.house@coleg.gov, dylan.roberts.senate@coleg.gov, Susan Lee <Susan.Lee@summitcountyco.gov>, STR <STR@summitcountyco.gov>
Subject: Summit County Ordinance 22 - "STR Delete Button"

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Thank you for your time in reviewing my concerns.

Boyd Leuenberger
Ski Run 108
Keystone, Colorado