TOWN OF MOUNTAIN VILLAGE TOWN COUNCIL REGULAR MEETING THURSDAY, MARCH 21, 2019, 8:30 AM

2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL 455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO

AGENDA REVISED (2)

				_	
	Time	Min	Presenter	Туре	
1.	8:30				Call to Order
2.	8:30	60	Mahoney	Legal	Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402(4)(b), for the Purpose of Negotiations Pursuant to C.R.S. 24-6-402(4)e
3.	9:30	5			Break
4.	9:35	5			Public Comment on Non-Agenda Items
5.	9:40	15	Miller	Action	Consideration of Appointments of Three Regular and Two Alternate Seats on the Design Review Board
6.	9:55	5	Johnston	Action	Consideration of Approval of the February 21, 2019 Regular Town Council Meeting Minutes
7.	10:00	10	Johnston	Action Quasi-Judicial	Liquor Licensing Authority: a. Consideration of an Application by Telluride Resort Operator, Inc. dba Madeline Hotel for a Temporary Modification of Premises on the Hotel & Restaurant Liquor License for Seasonal Use of the Ice Rink for Food & Beverage Service.From May 1, 2019 to November 15, 2019
8.	10:10	20	Mahoney Broady	Legislative Action	First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Amending Municipal Code Chapter 9.18 to Implement Certain Dismount Zones for Bicycles
9.	10:30	15	Mahoney Montgomery	Action	Consideration of a Resolution Authorizing the Town of Mountain Village to Enter into a Contract for the Purchase of Castellina Unit E
10.	10:45	5	Swain	Informational	Finance: a. Presentation of the February 28, 2019 Business & Government Activity Report (BAGAR)
11.	10:50	10	Haynes Curry	Action	Consideration of a Resolution Naming the Village Court Apartments Community Garden the Michael Ruterbories Community Garden
12.	11:00	30	Marshall Reich	Work Session	Communities that Care Youth Group Presentation Regarding Youth Center
13.	11:30	15	Mahoney	Action	Consideration of a Resolution Amending and Restating Resolutions 2018-0719-14 and Resolution 2019-0117-02 Resolutions of the Town Council of Mountain Village Approving Alternative Parking Requirements for Lots 161A-1R, 161A-2, 161A-3, 161A-4, 161D-1 and 161D-2 (Collectively the Ridge Development) to Extend the Expiration Date to May 1, 2019
14.	11:45	20	Mahoney Caton MacIntire	Action	Consideration of a Settlement Agreement Resolving Civil Action No. 2015CV30031, San Miguel County District Court, concerning the Ridge Project and Lot 161-CR (Continued from the February 21, 2019 Town Council Meeting)
	12:05	30			Lunch
15.	12:35	15	Soukup	Action	Consideration of Approval of a Recommendation to Move Forward with a Barter Trade of Services with Resort Internet for the Town's Acquisition of a /20 IPv4 Block of 4,096 IP Addresses
16.	12:50	35	Miller	Action <i>Quasi-Judicial</i>	Consideration of a Resolution to Approve a Variance to the Community Development Code Requirements for Lot GH-11 to allow the Maximum Height to increase from 40 feet to 47.25 feet and the Maximum Average

TOWN COUNCIL MEETING AGENDA FOR MARCH 21, 2019

				Public Hearing	Height to increase from 35 feet to 35.15 feet. The Address of the Property is 111 Cabins Lane	
17.	1:25	30	Miller	Work Session	Community Development Code (CDC) Residential Lighting Amendments	
18.	1:55	30	Haynes Abbott	Work Session	Efficiency Lodge and Short-Term Accommodations Discussion Regarding Potential Community Development Code Amendment to Clarify Unit Use Restrictions	
19.	2:25	5	Haynes	Informational	Incentive Program Check-In, Regarding the Wildfire Mitigation Defensible Space Rebate Program and the Cedar Shake Fire Mitigation Initiative Program for 2019	
20.	2:30	10	Loebe	Action	Consideration of Approval of a Funding Agreement with SMART to Provide Regional Transportation Services	
21.	2:40	30	Council Members & Staff	Informational	Council Boards and Commissions Updates: a. San Miguel Watershed Coalition-Starr b. Colorado Flights Alliance -Jansen c. Transportation & Parking – MacIntire/Benitez d. Budget & Finance Committee –Caton/Gilbride e. Gondola Committee – Caton/Berry f. Colorado Communities for Climate Action – Berry g. San Miguel Authority for Regional Transportation (SMART)- Benitez/Caton/Binder h. Eco Action Partners – Berry i. Telluride Historical Museum- Berry j. Telluride Conference Center –MacIntire/Gilbride k. Alliance for Inclusion – Benitez l. Green Team Committee- Berry/MacIntire m. Telluride Tourism Board-Jansen n. Mayor's Update - Benitez	
22.	3:10	30	Katz Montgomery	Informational	Staff Reports a. Mountain Munchkins Pre-School and Day Care 1. 2019 Budget Discussion b. Town Manager	
23.	3:40	10	Gilbride Montgomery Mahoney	Action Informational Action	Other Business a. Consideration of a Request to Provide a Letter of Support for the Elk's Lodge \$35,000 Grant Application for Exterior Repair on Historic Building b. State Public School Funding c. Consideration of a Letter of Support for the Colorado Outdoor Recreation and Economy Act (CORE)	
24.	3:50				Adjourn	

Please note that times are approximate and subject to change.

jk 03/15/2019

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Town Hall at 970-369-6406 or email: mvclerk@mtnvillage.org. A minimum notice of 48 hours is required so arrangements can be made to locate requested auxiliary aid(s) Public Comment Policy:

- All public commenters must sign in on the public comment sign in sheet and indicate which item(s) they intend to give public comment on
 - Speakers shall wait to be recognized by the Mayor and shall give public comment at the public comment microphone when recognized by the Mayor
- Speakers shall state their full name and affiliation with the Town of Mountain Village if any
- Speakers shall be limited to five minutes with no aggregating of time through the representation of additional people
- Speakers shall refrain from personal attacks and shall keep comments to that of a civil tone
- No presentation of materials through the AV system shall be allowed for non-agendized speakers
- Written materials must be submitted 48 hours prior to the meeting date to be included in the meeting packet and of record. Written comment submitted within 48 hours will be accepted, but shall not be included in the packet or be deemed of record



PLANNING & DEVELOPMENT SERVICE 455 Mountain Village Blvd. Ste. A Mountain Village, CO 80135 (970) 369-8250

Agenda Item No. 5

TO: Town Council

FROM: John Miller; Senior Planner, Town of Mountain Village

FOR: Town Council Public Meeting on March 21, 2019

DATE: March 12, 2019

RE: Consideration of Design Review Board Applicants

ATTACHMENTS:

• Exhibit A: Letters of Interest from all Design Review Board Applicants

• Exhibit B: 2017-2019 Design Review Board Applicants

Exhibit C: 2014-2019 Design Review Board Attendance Summary

• Exhibit D: 2019 Design Review Board Open Seat Advertisement

BACKGROUND AND SUMMARY:

§17.2.3: Design Review Board: The Design Review Board (DRB) has been established pursuant to the Town Charter and the Community Development Code (CDC), as the Town's architectural review board and as the Planning and Zoning Advisory Board. The DRB makes recommendations to Town Council regarding certain development applications for rezonings, certain PUDs, density transfers, certain subdivisions, conditional use permits, variances and annexations; and, provides approvals of certain Design Review Process development applications. The DRB is comprised of seven (7) regular members and two (2) alternate members appointed by Town Council for a term of two (2) years for up to a maximum term of twelve (12) consecutive years. Of the DRB's nine (9) members, three (3) regular DRB members and two (2) alternate DRB members have terms that are set to expire in April 2019. The DRB members' terms that are expiring include: Phil Evans (R), Greer Garner (R), David Eckman (R), Liz Caton (A) and Jean Vatter (A).

Four (4) of the five (5) board members with expiring terms have submitted their applications for reappointment with Mr. Evans deciding to not continue serving as a regular DRB member. In addition to the DRB members with expiring terms, the Planning & Development Services Department has also received letters expressing interest in serving on the DRB from prospective applicants Ellen Kramer, David Heaney, and Cath Jett (Exhibit A). It should be noted that CDC §17.2.3(C) states that the Council "shall strive to appoint at least three (3) or more members of the DRB who are lot owners or residents of Mountain Village; however, residency is not a requirement for appointment but is preferred".

As required by the CDC, the Planning Division advertised the position within the Daily Planet Newspaper and provided a notice of such vacancy by electronic means on the Town of Mountain Village website.

ANALYSIS AND DRB RECOMMENDATION:

The DRB interviewed all new applicants at the regularly scheduled March 7th DRB meeting and has provided a recommendation of appointments to the Town Council as documented within this Staff Memo.

DRB Recommendation: The Design Review Board voted unanimously (5-0) to recommend to Council that Greer Gardner and Dave Eckman retain their seats as regular members; for Liz Canton to be appointed as a regular member from her seat as an alternate member; and, for Ellen Kramer and Cath Jett to be appointed as alternate members.

Staff Note: Discussions at the DRB level largely related to topics surrounding residency, specific skill sets of individual members, and overall attendance spanning a period of 6 years. Staff has provided an analysis of DRB member attendance (Exhibit C), demonstrating annual attendance records as well as average absences over a six-year period. In addition, Staff has worked to take Council direction regarding residency ratios on the Board. Current DRB members Greer Gardner, Liz Caton, and Keith Brown are residents, and it should be noted that all three prospective DRB applicants also reside within the Town. The DRB recommendation if considered by council would raise the Board's residency to 5 of the 7 seats.

OPTIONS:

- 1. Appoint Members of the DRB based on the unanimous (5-0) recommendation by the DRB; or
- 2. Re-appoint certain members of the board (list specific name(s) in the motion); or
- 3. Do not re-appoint any of the DRB members and direct the Planning and Development Services Director to advertise the Design Review Board vacancies.

RECOMMENDATION:

Staff recommends the Town Council appoint members of the DRB based on the unanimous recommendation by the DRB.

SUGGESTED MOTION:

I move to appoint Board Members Greer Gardner, Dave Eckman, and Liz Caton to a two (2) year term as Regular Members of the DRB; and, move to appoint Ellen Kramer and Cath Jett to a two (2) year term as Alternate Members of the DRB.

This motion is based on the evidence and testimony provided at a public hearing held on March 21, 2019, with notice of such hearing as required by the Community Development Code.

/jjm

ELIZABETH CATON 226 ADAMS RANCH ROAD

P.O. Box 1889

MOUNTAIN VILLAGE CO 81435

Номе: 970-728-2947

CELL: 949-494-1303 LIZCATON@YAHOO.COM

January 9, 2019

TO:

Jane Marinoff

FROM: Liz Caton

Dear Jane:

This note is to confirm my interest in continuing as an alternate member of the Design Review Board.

A copy of my resume is attached.

Many thanks,

Liz Caton

ELIZABETH CATON

226 ADAMS RANCH ROAD P.O. BOX 1889 MOUNTAIN VILLAGE, CO 81435 HOME: 970-728-2947 CELL: 949-4944-1303

LIZ.CATON@GMAIL.COM

OVERVIEW

Member of Design Review Board since June, 2016.

Eighteen-year management of real estate partnership. Certificate in Interior Design, specializing in Kitchen and Bath design.

Eighteen years experience as retail buyer for childrens' clothing for major department and specialty childrens' stores. Eleven years experience as financial manager for interior design and general contracting firms.

EXPERIENCE

1972-1978 Bullocks Department Store, Los Angeles, CA

1978-1980 John A. Brown, Oklahoma City, OK

1980-1985 Broadway Department Stores, Los Angeles, CA

1995-1990 Abigail's Children's Boutique, Wellesley, MA

1993-2000 Ruth Soforenko Associates, Palo Alto, CA

2004-2005 Nationwide Floor & Window Coverings, West Orange, NJ

2005-2007 The Goldsmith Company, Mountain Lakes, NJ

OTHER ACTIVITIES

Volunteer for Telluride Adaptive Sports Program during ski season. Membership chair and secretary for Telluride Women's' Network.

Past volunteer for San Miguel Resource Center.

President Emeritus of Web of Benefit, a non-profit organization providing financial aid to survivors of domestic violence.

Past finance chair for Web of Benefit

EDUCATION

Pitzer College, Claremont, CA – B.A. Literature Cañada College, Redwood City, CA – Certificate in Interior Design

120 Alexander Overlook Telluride, CO 81435 Cell: 970-708-9336

Via: Email

Mountain Village Town Council 455 Mountain Village Blvd. Suite A Mountain Village, CO 81435

RE: DRB position intent to renew

Wednesday, January 16, 2019

Dear Council Members:

I would like to express my interest to renew my position on the Design Review Board with the Town of Mountain Village.

I would like to believe that I bring a plethora of knowledge to the board and have assisted in ensuring that the community is developed in keeping with the vision and the standards established. I find much pride and enjoyment in my commitment to this community and hope my actions have appeased your group.

With this said, please consider my future membership with this board.

Thank you for your time and attention to this matter.

Respectfully Yours,

David D Eckman

cc: File

Dr. Greer T. Garner

253 Adams Ranch Road Telluride, Colorado 81435 (970) 708-0154 cell Garnerdr64@gmail.com

January 15, 2019

Mountain Village Town Council Town of Mountain Village, Colorado

Dear Mountain Village Town Council,

I am sending this letter to express my interest in remaining on the Design Review Board. My husband and I have lived full time in Mountain Village for the past twenty years. As such I have witnessed the changes and challenges Mountain Village has experienced over the years, especially in regards to economic vitality and sustainability. How best to keep pace with other resorts yet retain our own unique identity is a constant thread that draws upon the skills of Mountain Village leaders and citizens. As a DRB member I believe it is important to insure design regulations reflect the changing times and our attractive environmental surroundings as well as the desires of homeowners, both current and new.

Having participated on the DRB both as chair and board member for many years as well as being a Comprehensive Plan Task Force Advisory Member assisting in the formulation of the Comprehensive Plan, I believe my experience and background can continue to be of help as Mountain Village grows and thrives.

Thank you for your consideration

Sincerely, Greer Garner

Greer Garner, PhD

253 Adams Ranch Road Telluride, Colorado 81435 (970) 708-0154 cell Garnerdr64@gmail.com

Education:

BA, Psychology MA, Counseling Psychology PhD, Counseling Psychology

Work History:

Co-owned and managed three wine tasting shops in Dallas, Ft. Worth Texas area

Counseling Internship at Salesmanship Club Family Counseling Center, Dallas, TX

University of Texas Southwest Medical Center/ VA Hospital post doctoral position, Dallas, TX

Counseling Practice, Telluride, CO

Volunteer History:

American Women's Club in Germany, President Telluride Women's Network, President The San Miguel Resource Center, Clinical Consultant Design Review Board, Board Member and Chair Angel Baskets, Board Member

Awards:

Domestic Violence Service Award Professional of the Year Citizen of the Year Award

Jane Marinoff

From: Jean Vatter < jean@telluridevillagerealestate.com>

Sent: Friday, January 18, 2019 2:26 PM

To: Jane Marinoff
Subject: letter of intent DRB

Dear DRB Board,

I have lost count but I think I have volunteered for the DRB as an alternate for the last four years. It has been a great pleasure to work amongst so many thoughtful and intelligent MV staff and DRB members. There is so very much to learn: from the CDC, history of DRB deliberations, looking at plans, the ongoing architecture shift in tastes and how we wade through the regulations while fairly supporting the local designers and owners with their vision. I think it takes at least a few years to understand the culture of the meetings and including but not limited to all the aforementioned elements. Although challenging at times remaining a DRB board member is something that I would like to keep volunteering for. I feel I have a solid base of understanding and would like to continue to build that and will be a benefit to both the DRB Board and the community.

I really appreciate your time in considering me for another term and I am very happy being an alternate so that I can keep up with my 16 year old son and his baseball tournaments etc.

--Best,

JEAN M. VATTER Broker, VILLAGE REAL ESTATE, LLC





Authorized agents for:

Fairmont Heritage Place Franz Klammer Lodge Experts in all Telluride regional real estate

Telluride, CO 81435 C + 970 596 6398

O + 9707282330

www.telluridevillagerealestate.com

Jane Marinoff

From: E. Kramer < erkramer14@gmail.com>
Sent: Monday, February 4, 2019 7:59 PM

To: Jane Marinoff
Cc: Ellen Kramer

Subject: Design Review Board seat submission

Attachments: Ellen Kramer DRB Letter of Intent 2419.docx; Ellen Kramer Resume 011619.pdf

Dear Ms. Marinoff:

Attached please find my letter of intent and resume to apply for a seat on the Design Review Board.

Best regards, Ellen

Ellen Kramer, Architect, LEED AP erkramer14@gmail.com 415.517.3968

Dear Ms. Marinoff,

I offer my experience to the Mountain Village Design Review Board as both a dedicated career architect who can help provide effective design solutions, as well as a local homeowner who understands the needs of Mountain Village residents. I am well versed in reading construction documents and am keenly attentive to detail. With my perspective, I feel I can positively contribute to successful planning solutions for Mountain Village.

Having moved to Mountain Village from Silicon Valley, I bring more than 30 years of experience as a LEED certified architect. I have worked on both high-end residential (\$20M+) homes, as well as diverse commercial buildings such as Apple, Inc. in Cupertino. As such, I have navigated between client goals and the complex realities of municipality design review boards. I have extensive experience presenting to review boards and resubmitting projects after incorporating DRB comments, while also remaining sensitive to client desires. I believe this will serve me well in presenting design issues and solutions as a Board member.

These are just a few of the highlights of my work, and I look forward to having a longer conversation about how my strengths can be an asset to Mountain Village as a Design Review Board member.

Sincerely, Ellen Kramer

Ellen R. Kramer, Architect

194 san Joaquin Road, Telluride CO erkramer14@gmail.com (415) 517-3968

Experience

Architect, LEED AP 2015-2018

Ellen Kramer, Architect, Atherton, CA

Working as a self-employed architect on high-end residential projects

Gallery Assistant 2016-2018

Pacific Art League, Palo Alto, CA

- Assist Gallery Director in hanging monthly shows
- Prepare online course descriptions
- Prepare PowerPoint presentation

Community Engagement Council (CEC) October 2016-June 2016

Food Allergy Research & Education (FARE)

- Work to improve the quality of life and the health of individuals with food allergies in the Bay Area.
- Pursue community understanding, trust, partnership, and support by building relationships between FARE, the CEC, parents, patients, professionals, and the public in an effort to create a culture committed to increasing awareness and understanding of food allergies and support of those affected by them.

Founder- Vice President of Design/User Experience July 2011- 2015

Aliment Health Menlo Park. CA

- Worked to design a consumer product that can accurately, quickly, and inexpensively test food for allergens.
- Evaluated user needs, user experience, and design and produced a preliminary nonworking prototype balancing the needs of the user and the technology requirements.
- NIH SBIR grant writer

Architect, LEED AP 2004 -2011

Hayes Group Architects, Redwood City, CA

- Twenty years of experience as a licensed architect for a number of innovative and well-known Silicon Valley firms
- Clients include Apple, Lunar Design, Palantir and Siebel Foundation (First Virtual Group), as well as other high-end residential clients.

Education

Rhode Island School of Design, Providence, RI

Bachelor of Architecture, 1988, Bachelor of Fine Arts, 1988

University of Michigan, Ann Arbor, MI

Bachelor of Science in Architecture, 1984

Additional

- Leadership in Energy and Environmental Design (LEED) Certified, Accredited Professional (2011-present)
- Designed 'Dreams Happen', Spy Lair, Playhouse for Rebuilding Together Peninsula Charity Auction (2009)
- Certified First Aid (2014- present)
- Designed/Initiated the first food allergy management protocols in MPCSD (2001)
- Second Place, Pacific Art League Fur, Feathers & Fins: curated exhibition, March 2017, "Discarded" – 24" x 24" color photograph, http://www.pacificartleague.org/featured-march-2017

HOME CLASSES EXHIBITIONS

SUPPORT PAL

ABOUT



A passion for art and community since 1921

FUR, FEATHERS & FINS - MARCH 2017



FIRST PLACE - Janey Fitsche | "Sea Shepards" | Oil on wood panel



SECOND PLACE - Ellen Kramer | "Discarded" | Photography





Jane Marinoff

From: David Heaney <dheaney@heaneyrosenthal.com>

Sent: Thursday, February 14, 2019 10:55 AM

To: Jane Marinoff **Subject:** DRB Vacancy

Attachments: ATT00001.txt; JDH Resume 2019.docx

Dear Ms. Marinoff,

Please accept this email as my application to fill one of the open seats on the Design Review Board. I have been a Mountain Village homeowner for nearly 20 years. My address is 140 San Sophia.

My resume is attached. I have considerable experience with community development generally and Mountain Village specifically. I am aware of the critical phase we are in as our community matures and would like to participate.

Thank you very much. Would you kindly reply to this email to comfirm receipt?

David Heaney

J. DAVID HEANEY

9 Greenway Plaza, Suite 2400 Houston, Texas 77046 (713) 341-5752 (o) (713) 724-4859 (cell) Home Address: 3260 Chevy Chase Houston, Texas 77019

EMPLOYMENT

(1994-) HEANEY ROSENTHAL INC.

Co-Founder and Chairman. Heaney Rosenthal is a private investment

company.

(1986-94) STERLING CHEMICALS, INC. – FOUNDING INVESTOR

Vice President-Finance and Chief Financial Officer (1992-94). Administrative Vice President (1986-92). Sterling Chemicals, Inc. was a NYSE

commodity chemicals producer.

(1974-86) BRACEWELL & PATTERSON (NOW BRACEWELL).

Partner. Bracewell & Patterson is a Houston, Texas-based law firm. Transaction work in Oil & Gas, Real Estate, Banking and General Corporate

Areas

EDUCATION

(1971-74) UNIVERSITY OF TEXAS LAW SCHOOL, Austin, Texas.

J.D. Degree. Executive Editor, Texas Law Review.

(1966-70) UNIVERSITY OF TEXAS, Austin, Texas.

B.B.A. with Honors in Accounting.

MILITARY

(1971-78) UNITED STATES AIRFORCE RESERVE - Attended Officer Training

School and was assigned to the 433rd Tactical Airlift Wing, Kelly Air Force Base,

Texas. Honorably discharged as First Lieutenant, USAF Reserve, 1978.

ACTIVITIES AND INTERESTS

Director, Zions Bancorporation. Director of Amegy Bank of Texas. Founding director of Southwest Bank of Texas, now Amegy Bank. Director, Lone Star Flight Museum. Former director and founding investor of Southwest Concrete Products, L.L.P., now a part of Headwaters, Inc. Chairman, Shook Mobile Technology. Past member and President of Board of Directors of River Oaks Property Owners Association. Director and officer of River Oaks Country Club. Director of Buffalo Bayou Partnership. Past member of Board of Directors Memorial Hermann Healthcare System.

Catherine Jett

319 Adams Ranch Rd #1002 Mountain Village, CO 81435 | 970.708.0830 | cathjett@gmail.com

February 19, 2019

Jane Marinoff Town of Mountain Village jmarinoff@mtnvillage.org

Dear Jane:

I am sending you this letter in response to the advertisement for Design Review Board members. I am uniquely qualified for this position for the various reasons:

- I am a resident of Mountain Village and have lived here full time since 2004
- I am a previous member of the Design Review Board and Town Council and helped to develop the Comprehensive Plan
- I am intimately familiar with several sections of the Community Development Code because I worked with staff to come up with fair and balanced processes and procedures. Specifically, the green building codes and forest health plans.
- I was a member of the Ten Mile Sub-basin planning commission in Summit County, CO while Intrawest was redeveloping Copper Mountain. This required a new master plan and PUD and was a multi-year process.
- Because of my previous planning commission and design review experience, other members of council would seek my opinion and layperson "expertise" on projects because I read and understood the code.

During my tenure on the Ten Mile commission, my mentor was an architect who took me under his wing and taught me about design aesthetics and architectural elements. He also taught me that the most important decisions that I would make would often personally affect me. He very strongly taught me that I could not make personal judgments on a project unless the code supported them. I have carried this advice with me during all my public service.

Thank y	ou for y	our consid	leration	and I	look forwa	ard to	working	with v	you.

nank you for your consideration and I look forward to working with you.	
incerely,	
Cathorino Lott	

CATHERINE JETT

319 Adams Ranch Rd #1002 Mountain Village, CO 81435 970.708.0830 Cathjett@gmail.com

Objective

An appointment to the Mountain Village Design Review Board as a regular member

Relative Experience

Mountain Village Town Council

Council Member (10 years) | Mayor Pro tem (1 year) 2006 - 2016 Committees:

Town Hall Subarea Redevelopment Committee

Comprehensive Plan Committee

Colorado Communities for Climate Action (CC4CA)

San Miguel Watershed Coalition

Sneffels Energy Board

Plaza Use Committee

Worked with staff to develop procedures and protocols specific to:

Green building codes

Forest Health

Open Space and Recreation

Mountain Village Design Review Board

Regular Member | 2014 - 2016

Notable projects:

Mountain Village Comprehensive Plan

Rosewood PUD

Mountain Village Hotel PUD

Lot 161CR PUD

10 Mile Sub-basin Planning Commission

Summit County, CO |

Notable projects:

Copper Mountain / Intrawest Master Redevelopment Plan

Work Experience

CJ Sports Timing LLC

Owner of internationally recognized sports timing company. Daily responsibilities include:

Accounts Payable/Receivable

Payroll

Project Management

Software Development

Volunteer management

Event Management

Hardware troubleshooting

DRB Applications 2017 - 2019

2017	3 Regular/2 Alternate Seats

Reapplyed **Phil Evans** Reapplyed **Greer Garner** Reapplyed Dave Eckman Reapplyed Jean Vatter Reapplyed Liz Caton **New Applicant Charlie Colwell New Applicant** Christell Kee Johathan Augello **New Applicant New Applicant** Andy Montalvo

Total 9

2018 4 Regular Seats

Reapplyed Banks Brown
Reapplyed Keith Brown
Reapplyed Luke Luke Trujillo
Reapplyed David Craig
New Applicant Neil Elinoff

New Applicant

New Applicant

Susanne Connelly

Jenny Hardy

Glenn Robins

Total 8

2019 3 Regular/2 Alternate Seats

Reapplyed Greer Garner
Reapplyed Dave Eckman
Reapplyed Jean Vatter
Reapplyed Liz Caton
New Applicant Ellen Kramer
New Applicant David Heaney
New Applicant Catherine Jett

Tota 7

DRB Meeting Attendance						
Member	Term Appointment	Term Expiration	Regular/ Alternate			Absences
				2019	2018	2017
Keith Brown	11/10/2010	4/1/2020	Regular	1	2	3
Banks Brown	11/1/2010	4/1/2020	Regular	0	1	1
Liz Caton	4/1/2015	4/1/2019	Alternate	0	2	1
David Craige	4/1/2015	4/1/2020	Regular	0	2	3
David Eckman	4/1/2009	4/1/2019	Regular	1	4	4
Phil Evans	7/1/2013	4/1/2019	Regular	0	1	2
Greer Garner	4/1/2013	4/1/2019	Regular	0	3	2
Luke Trujillo	4/1/2012	4/1/2020	Regular	1	7	3
Jean Vatter	4/1/2015	4/1/2019	Alternate	2	5	5

Per Year (through 3/7/201	19)		
2016	2015	2014	Average
1	2	2	1.8
4	4	1	2.0
1	0	N/A	1.0
3	2	N/A	2.0
0	0	3	1.8
2	2	4	1.4
5	1	4	2.2
4	4	4	3.8
5	4	N/A	4.3



DESIGN REVIEW BOARD OPPORTUNITY: FOUR OPEN SEATS

Mountain Village residents receive priority in consideration for open seats, although it is not necessary to be a resident to apply.

Submit your letter of intent and resume by 5 p.m. **February 19** to jmarinoff@mtnvillage.org

DRB members enjoy the benefits of a ski pass.

The Town of Mountain Village seeks a balanced board of experienced architects and designers, contractors and construction workers, planners and community members.

This volunteer board meets the first Thursday of each month with special meetings as needed.

DESIGN REVIEW BOARD IS RESPONSIBLE FOR:

Reviewing the design of new structures, remodels, sign requests, landscaping plans and other architectural and aesthetic matters. The DRB acts as the Town's planning commission as well.



townofmountainvillage.com/design-review-board

TOWN OF MOUNTAIN VILLAGE MINUTES OF THE FEBRUARY 21, 2019 REGULAR TOWN COUNCIL MEETING DRAFT

AGENDA ITEM #6

The meeting of the Town Council was called to order by Mayor Laila Benitez at 8:35 a.m. on Thursday, February 21, 2019 in the Mountain Village Town Hall, 455 Mountain Village Boulevard, Mountain Village, Colorado.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Dan Jansen
Bruce MacIntire
Patrick Berry
Jack Gilbride
Natalie Binder

Also in attendance were:

Kim Montgomery, Town Manager Jackie Kennefick, Town Clerk Susan Johnston, Deputy Town Clerk Christina Lambert, Deputy Town Clerk

David Reed, Town Attorney

Jim Mahoney, Assistant Town Attorney Sue Kunz, Director of Human Resources

Chris Broady, Police Chief Kevin Swain, Finance Director Julie Vergari, Chief Accountant

Bill Kight, Director of Communications & Business Development

Zoe Dohnal, Community Engagement Coordinator

Kathrine Warren, Marketing & Communications Coordinator Michelle Haynes, Director of Planning and Development Services

John Miller, Senior Planner

Sam Starr, Planner

Rob Johnson, Transit Operations Manager

Finn Kjome, Director of Public Works

JD Wise, Plaza Services Manager

Jim Loebe, Director of Transit and Recreation

Anton Benitez Tim Johnson Steve Togni Michael Martelon Julia Caulfield Lexi Tuddenham John Horn Steve Hemphill Sam Barnes Charity Banker

Executive Session for the Purpose of a Personnel Matter Pursuant to C.R.S. Section 24-6-402((4)(f)(I)), and for Receiving Legal Advice Pursuant to C.R.S. 24-6-402(b), and for the Purpose of Negotiations Pursuant to C.R.S. 24-6-402(4)e (2)

On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 8:35 a.m.

Council returned to regular session at 9:45 a.m.

Council took a break from 9:45 a.m. to 9:49 a.m. (3)

Public Comment on Non-Agenda Items (4)

Public comment was received by Lexi Tuddenham.

Consideration of Approval of the January 17, 2019 Regular Town Council Meeting Minutes (5)
Deputy Town Clerk Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to approve the January 17, 2019 Regular Town Council meeting minutes as presented.

Liquor Licensing Authority:

a. Consideration of an Application by Telski Food & Beverage Services dba Tomboy Tavern for Temporary Modification of Premises on a Hotel & Restaurant with Optional Premises
Liquor License for an End of Season Celebration April 7, 2019 from 12:00 p.m. to 5:00 p.m. (6)

Patrick Berry recused himself due to his employment with Telski. Susan Johnston presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously to approve an application by Telski Food & Beverage Services dba Tomboy Tavern for a Temporary Modification of Premises on a Hotel & Restaurant with Optional Premises Liquor License for an End of Season celebration April 7, 2019 from 12:00 p.m. to 5:00 p.m. as presented.

b. Consideration of an Application by Sunshine Pharmacy, LLC dba Sunshine Pharmacy for a New Fermented Malt Beverage Liquor License at 567 Mountain Village Blvd Unit 110

Patrick Berry recused himself due to his employment with Telski who owns the property where the business will be. Susan Johnston presented. Council discussion ensued. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, Council voted unanimously to approve an application by Sunshine Pharmacy, LLC dba Sunshine Pharmacy for a new Fermented Malt Beverage liquor license at 567 Mountain Village Blvd. Unit 110 as presented.

c. <u>Consideration of an Application by Telski Food & Beverage Services dba Tomboy Tavern for a Temporary Modification of Premises on a Hotel & Restaurant with Optional Premises Liquor License for a Private Wedding Reception on April 6, 2019 at the Ridge Club</u>

Patrick Berry recused himself due to his employment with Telski. Susan Johnston presented. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted unanimously to approve an application by Telski Food & Beverage Services dba Tomboy Tavern for a Temporary Modification of Premises to extend the optional premise Allred's licensed boundary to include the Ridge Club for a private wedding reception on April 6, 2019 as presented.

Marketing Telluride, Inc. (MTI) Quarterly Report (7)

Telluride Tourism Board President and CEO Michael Martelon presented.

Consideration of a Settlement Agreement Resolving Civil Action No. 2015CV30031, San Miguel County District Court, concerning the Ridge Project and Lot 161-CR (8)

Assistant Town Attorney Jim Mahoney presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, voted unanimously to continue this item to the March 21, 2019 Town Council meeting.

Second Reading, Public Hearing, and Council Vote on an Ordinance Approving a Density Transfer and Rezone for Lots 161A-R2 and 161D-2 (9)

Senior Planner John Miller presented. The Mayor opened the public hearing. Public comment was received by John Horn. The Mayor closed the public hearing. Mr. Miller stated that there was one change to the Ordinance from the first reading which was to remove the title "Esquire" after John Horn's name as the Owner's representative. Council discussion ensued. On a **MOTION** by Dan Jansen and seconded by Dan Caton, Council voted 7-0 to adopt an Ordinance approving a density transfer and Rezone for Lots 161A-R2 and 161D-2, with the following conditions:

1. The owner of record of density in the density bank shall be responsible for all dues, fees and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.

- 2. The final location and design of any buildings, grading, landscaping, parking areas, and other site improvements shall be determined with the required Design Review Process application pursuant to the applicable requirements of the CDC.
- 3. At the time of future development of the Lots, the applicant or owner shall be required to meet all applicable parking standards and requirements for the site. In addition, the applicant shall be required as necessary to update any outstanding parking agreements to better reflect the density that has been transferred into the density bank from the Ridge Development.

Council moved to agenda item 13

<u>Discussion Regarding Use of Lot OSP-39 Also Known as the Wood Lot, for Arborist/Tree Removal Professional Use, Including Consideration of Continued Use, Discontinued Use and/or Possible Mitigating Measures (10)</u>

Director of Planning and Development Services Michelle Haynes presented. Council discussion ensued. Council directed staff to move forward with determining the cost of landscaping along the road to obscure the Wood Lot from view.

Finance: (11)

a. <u>Presentation of the January 31, 2019 Business & Government Activity Report (BAGAR)</u> Director of Finance Kevin Swain presented.

b. Consideration of the December 31, 2018 Financials

Mr. Swain presented. Council directed staff to schedule a work session at the March Council meeting to discuss the sewer expansion and funding mechanisms. On a **MOTION** by Dan Jansen and seconded by Jack Gilbride, Council voted unanimously to approve the December 31, 2018 Financials as presented.

c. Consideration and Ratification of the 2020 Budget Process

On a **MOTION** by Patrick Berry and seconded by Dan Caton, voted unanimously to approve the 2020 Budget process.

Vending Cart Committee Formation (12)

Community Engagement Coordinator Zoe Dohnal presented stating that the proposed committee would meet bi-annually prior to the summer and winter seasons to review vending applications. Council direction was to proceed with drafting bylaws for the Plaza Vending Committee allowing for flexibility to be inclusive of pop-up vending in the future.

Council took a lunch break from 12:00 p.m. to 12:27 p.m.

Council Boards and Commissions Updates: (13)

- a. San Miguel Watershed Coalition-Starr
- b. Colorado Flights Alliance-Jansen
- c. Transportation & Parking-MacIntire/Benitez
- d. Budget & Finance Committee-Caton/Gilbride
- e. Gondola Committee-Caton/Berry
- f. Colorado Communities for Climate Action-Berry
- g. San Miguel Authority for Regional Transportation (SMART)-Benitez/Caton/Binder
- h. Eco Action Partners-Berry
- i. Telluride Historical Museum-Berry
- j. Telluride Conference Center-MacIntire
- k. Alliance for Inclusion-Berry/Benitez
- 1. Green Team Committee- Berry/MacIntire
- m. Telluride Tourism Board-Jansen
- n. Community Grant Committee-Benitez/Binder
- o. Mayor's Update- Benitez

Staff Reports: (14)

a. Human Resources

Director Sue Kunz presented her report. Council discussion ensued regarding re-evaluating the requirements and qualifications for the *Farm to Community* program for next year. Council requested that each department include an organizational chart along with the budget information.

b. Town Manager

Town Manager Kim Montgomery presented her report. Michelle Haynes presented on the Village Court Apartments Expansion Request for Proposal process. Council discussion ensued. The VCA sub-committee reviewed the proposals for stick frame plans and have recommended the Bauen Group for architectural services. Council directed staff to proceed with a contract with Bauen group and to obtain a cost estimate and timeline for modular construction as another option. Council authorized the Mayor to execute the final contract with Bauen. The VCA sub-committee will review the modular option information and present their recommendation to Council for the final approval and ratification at a future meeting.

Other Business: (15)

a. Notification of Design Review Board Seats Expiring with Appointments to be Made in March as per Policy

Town Clerk Jackie Kennefick presented.

b. Consideration for Approval of a Letter of Support for the Mautz Brothers' Application for a Colorado Department of Public Health and Environment Grant for a Composting Facility

Patrick Berry presented. On a **MOTION** by Jack Gilbride and seconded by Bruce MacIntire, Council unanimously approved a letter of support for the Mautz Brothers' application for a Colorado Department of Public Health and Environment Grant for a Composting Facility.

Michelle Haynes and Finn Kjome presented regarding the appearance of the Black Hills Gas ancillary utility buildings on Mountain Village Blvd. Council consensus was in favor of removing of the buildings and proceeding with a landscaping plan. In the meantime, Council requested that the site be blocked with snow until landscaping can begin.

There being no further business, on a **MOTION** by Dan Jansen and seconded by Dan Caton, Council voted unanimously to adjourn the meeting at 1:45 p.m.

Respectfully prepared, Respectfully submitted,

Susan Johnston Jackie Kennefick
Deputy Town Clerk Town Clerk

Memorandum Agenda Item #7

To: Town Council Acting as the Local Liquor Licensing Authority (LLA)

From: Deputy Clerk Susan Johnston

Date: 03/14/2019

from May 1- November 15, 2019

Re: Consideration of a Modification of Premises Application

Consideration of an Application by Telluride Resort Operator, Inc., dba Madeline Hotel and Residences Telluride for a Temporary Modification of Premises on a H&R Resort Complex Liquor License for the Addition of the Ice Rink

Complete application and appropriate fees have been received. The application has been sent to both the legal department and police department for review with no adverse findings. This is an annual application for the Hotel Madeline for seasonal use of the Ice Rink for Food & Beverage services. The License Agreement with the Town was transferred with the purchase of the hotel and is valid through November 2020.

Staff recommendation: Motion to approve an application by Telluride Resort Operator, LLC dba Madeline Hotel and Residences Telluride for a temporary modification of premises for the addition of the ice rink from May 1-November 15, 2019.

Permit Application and Report of Changes

Current License Number03-09334					
All Answers Must Be Printed in Black Ink or Type	writ	ten			
Local License Fee \$0					
1. Applicant is a				Present License Number	
★ Corporation Individual				TOOGIN ZIOGINGO TAUTIDOI	
☐ Partnership Limited Liability	Com	pany		03-09334	
2. Name of Licensee	3. Tr	ade Name	la .	6	
Telluride Resort Operator, Inc.		Madeline Hotel	and Res	dences Telluride	
4.Location Address	4!	- Vella Dhad			
City 508 Mou		n Village Blvd		710	
Mountain Village	Cou	San Miguel		ZIP 81435	
SELECT THE APPROPRIATE SECTION BELOW	V AI	ND PROCEED TO TH	E INSTR	UCTIONS ON PAGE 2	
Section A – Manager reg/change			Sectio	n C	
a License Account No.					
License Account No	-	☐ Retail Warehouse Sto	rage Perm	iit (ea)\$10	0.00
☐ Manager's Registration (Hotel & Restr.)\$75	5.00	☐ Wholesale Branch House Permit (ea)100.00			
☐ Manager's Registration (Tavem)\$75	5.00	☐ Change Corp. or Trade Name Permit (ea) 50.00			
☐ Manager's Registration (Lodging & Entertainment)\$75	5.00	☐ Change Location Permit (ea)150.00			
☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE		Change, Alter or Modify Premises \$150.00 x2 Total Fee\$300			
Section B – Duplicate License		□ Addition of Oution - LD		F. '-1'	
				Existing H/R \$100.00 x	
Liquor License No		☐ Addition of Related Fa	acility to an	Existing Resort or Campus	S
☐ Duplicate License	0.00	Liquoi Complex \$160	.00 X	Total Fee	
	۰	☐ Campus Liquor Complex Designation No Fee			
Do Not Write in This Space – I	For	Department of Reve	nue Use	Only	
		ount Number		Period	
The State may convert your check to a one time electronic banking transaction. Your bank ac may be debited as early as the same day received by the State. If converted, your check w be returned. If your check is rejected due to insufficient or uncollected funds, the Depart of Revenue may collect the payment amount directly from your bank account electronical	vill not tment	TOTAL AMOUNT DUE	\$.00

Instruction Sheet

For All Sections, Complete Questions 1-4 Located on Page 1 ☐ Section A To Register or Change Managers, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval. Section B For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature. Section C Check the appropriate box in section C and proceed below. 1) For a Retail Warehouse Storage Permit, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature. Submit to State Licensing Authority for approval. 2) For a Wholesale Branch House Permit, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature. Submit to State Licensing Authority for approval. 3) To Change Trade Name or Corporation Name, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority. 4) To modify Premise, go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority. 5) For Optional Premises go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). 6) To Change Location, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority. 7) Campus Liquor Complex Designation, go to page 4 and complete question 10. Submit the necessary information and proceed to page 4 for Oath of Applicant signature. 8) To add another Related Facility to an existing Resort or Campus Liquor Complex, go to page 4 and

complete question 11.

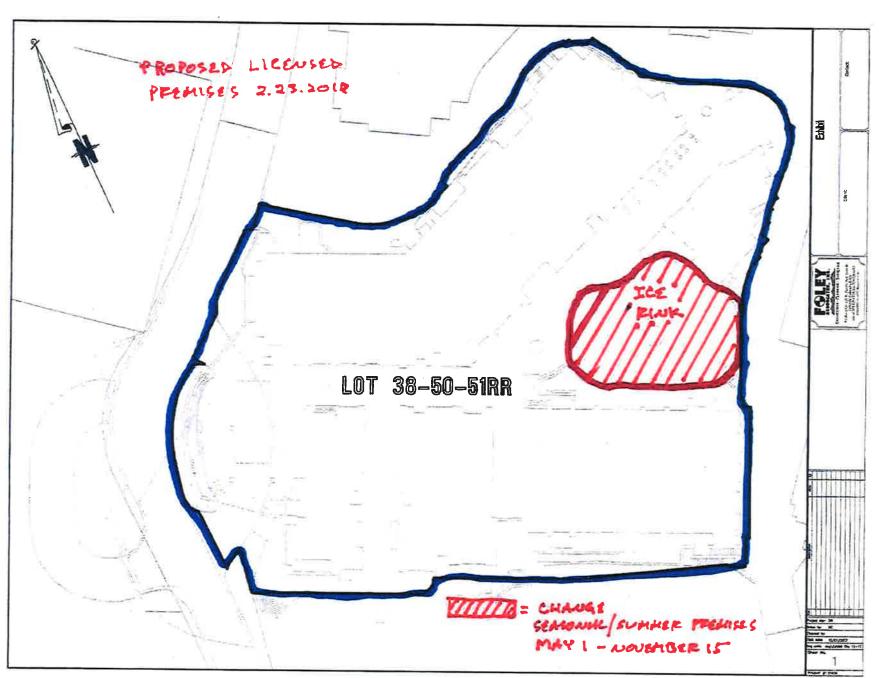
	5. Retail Warehouse Storage Permit or a Whole	salers Branch House Permit						
	☐ Retail Warehouse Permit for:							
<u>.</u>	☐ On–Premises Licensee (Taverns, Resta	urants etc.)						
Ē	☐ Off–Premises Licensee (Liquor stores)							
P B	☐ Wholesalers Branch House Permit							
Storage Permit	Address of storage premise:	×						
Stc	City, County	, Zip						
	Attach a deed/ lease or rental agreement for the Attach a detailed diagram of the storage premis							
	6. Change of Trade Name or Corporation Name							
5	☐ Change of Trade name / DBA only							
a a	g supporting documents)							
Na Na	Certificate of Amendment filed with the Se	cretary of State, or						
rade	2. Statement of Change filed with the Secretary of State, and							
ange Trade Name Corporate Name		bility Members meeting, Partnership agreement.						
Change Trade Name Corporate Name	Old Trade Name	New Trade Name						
	Old Corporate Name	New Corporate Name						
	7. Change of Location							
	NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.							
	Date filed with Local Authority	Date of Hearing						
	(a) Address of current premises							
=	CityCounty	Zip						
Location	(b) Address of proposed New Premises (Attach of premises by the licensee)	copy of the deed or lease that establishes possession of the						
je of	Address							
Change of	CityCounty	Zip						
	(c) New mailing address if applicable.							
	Address							
	CityCounty _	State Zip						
	(d) Attach detailed diagram of the premises sho possessed or consumed. Include kitchen are	wing where the alcohol beverages will be stored, served, ea(s) for hotel and restaurants.						

	8. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8).
of Manager	(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name
Mar	New manager's name
	(b) Date of Employment
Change	Has manager ever managed a liquor licensed establishment? Yes □ No □
ប់	Does manager have a financial interest in any other liquor licensed establishment? Yes □ No □
	If yes, give name and location of establishment
	9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility
	NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.
	(a) Describe change proposed See Attachment 1
onal	
or Addition of Optional r Related Facility	
of ((b) If the modification is temporary, when will the proposed change:
tion d Fa	Start5/1/2019 (mo/day/year) End11/15/2019 (mo/day/year)
ddi	NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00
ses or Addition of Op ss or Related Facility	(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?
/ Premise: Premises	(If yes, explain in detail and describe any exemptions that apply) Yes □ No ⊠
/ Pro	(d) Is the proposed change in compliance with local building and zoning laws? Yes ☒ No ☐
Modify Premises Premises o	(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? Yes □ No □
	(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.
	(g) Attach any existing lease that is revised due to the modification.
uc	10. Campus Liquor Complex Designation
or natio	An institution of higher education or a person who contracts with the institution to provide food services
Liqu ssign	(a) I wish to designate my existing Liquor License # to a Campus
pus X De	Liquor Complex Yes □ No □
Campus Liquor Complex Designation	
ိပ္ပိ	
D.	11. Additional Related Facility
Additional Related Facility	To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.
onal Re Facility	(a) Address of Related Facility
Additi	(b) Outlined diagram provided Yes □ No □

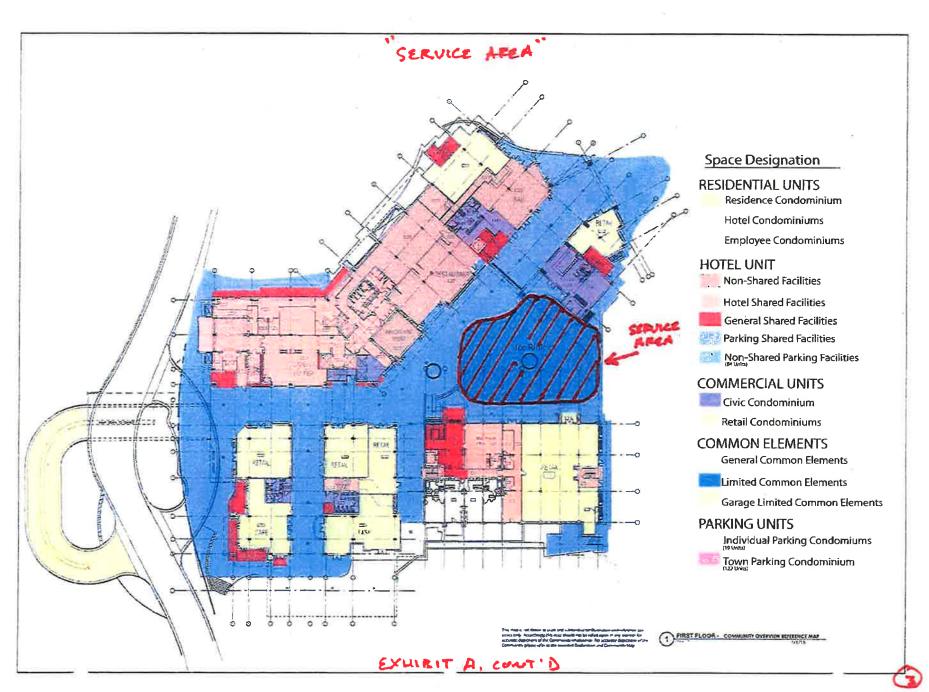
Oath of Applicant						
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments						
thereto, and that all information therein is tru	e, correct, and complete to the best of r	my knowledge				
Signature	Title	Date				
[] Capourt	GENERAL MANAGER	2/20/19				
Report and Approval of LOCA	L Licensing Authority (CITY / COUNT	Υ)				
The foregoing application has been examined and the	premises, business conducted and cha	aracter of the applicant is				
satisfactory, and we do report that such permit, if g	ranted, will comply with the applicable p	provisions of Title 44,				
Articles 4 and 3, C.R.S., as amende	d. Therefore, This Application is App	roved.				
Local Licensing Authority (City or County)	Date filed with	h Local Authority				
Signature	Title	IDete				
Signature	Title	Date				
Report of STA	TE Licensing Authority	<				
The foregoing has been examined and complies with the	•	3, C.R.S., as amended.				
Signature	Title	Date				
1 -						
l .						

ATTACHMENT 1

Addition of seasonal premises as shown on Exhibit A attached hereto, for uses associated with guests and food and beverage operations. The premises are an ice rink in winter. Ice is removed and replaced with a turf surface for spring/summer/fall. The premises are owned by the Town of Mountain Village. The agreement authorizing use of the premises, and the assignment of such agreement to Applicant, is attached hereto as Exhibit B.



EXCURIT A, CONT'D



Item 8

Memo

To: Mayor and Council Members

From: James Mahoney
Date: March 14, 2019

Re: Dismount Ordinance

As bicycle use has increased over the years there have been more concerns and a few incidents concerning bicycle and pedestrian interaction in the Village Center which will likely only increase due to the expansion of the bike park and use of lift 4 for bike park access.

In examining ways to address this issue we have seen other communities such as Fort Collins, CSU and Durango implement dismount zones in high traffic areas.

Therefore, we are proposing to implement a dismount zone in the Village Center on all public sidewalks and plaza areas as set forth in the attached ordinance which adds a section the municipal code regarding regulating bicycle and skate board use.

If approved on first and second reading we do suggest a very heavy outreach program on this new provision and issuance of warnings rather than full penalty citations during the first few months.

ORDINANCE NO. 2019 -	
----------------------	--

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE AMENDING MOUNTAIN VILLAGE MUNICIPAL CODE CHAPTER 9.18 TO IMPLEMENT CERTAIN DISMOUNT ZONES FOR BICYCLES

RECITALS:

- **A.** The Town of Mountain Village (the "**Town**"), in the County of San Miguel and State of Colorado, is a home rule municipality duly organized and existing under the laws of the State of Colorado and its Town Charter.
- **B.** The Town Council hereby finds that it has the authority to adopt this ordinance pursuant to (i) Section 31-15-103, C.R.S and Section 31-14-401 both concerning municipal police powers; (ii) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (iii) the powers contained in the Town of Mountain Village Charter.
- **C.** The Council has determined that it is in the best interests of the Town to adopt regulations imposing certain dismount zones within certain areas of the Town boundaries to prevent interactions with heavy pedestrian traffic areas.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO AS FOLLOWS:

Section 1. Legislative Findings.

The recitals to this Ordinance are adopted as findings of the Town Council in support of the enactment of this Ordinance.

Section 2. Chapter 9.18 of the Town Municipal Code is hereby amended to provide for a dismount zone as set forth on Exhibit A attached hereto.

Section 3. Severability.

a

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 4. Ordinance Effect.

Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, provided however, that the repeal of any ordinance or parts of ordinances of the Town shall not revive any other section of any ordinance

or ordinances hereto before repealed or superseded and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

Section 5. Safety Clause.

The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare of the citizens of the Town.

Section 6. Effective Date.	
This Ordinance shall take effect on	, 2019.
Section 7. PUBLIC HEARING.	
	d on the day of, 2019, in Village Boulevard, Mountain Village, Colorado.
	D to public hearing before the Town Council of n the, 2019.
	TOWN OF MOUNTAIN VILLAGE, COLORADO, A HOME-RULE MUNICIPALITY
ATTEST:	By: Laila Benitez, Mayor
Jackie Kennefick, Town Clerk	
HEARD AND FINALLY ADOPTED by Village, Colorado, this day of _	the Town Council of the Town of Mountain, 2019.
	TOWN OF MOUNTAIN VILLAGE, COLORADO, A HOME-RULE MUNICIPALITY
ATTEST:	By:Laila Benitez, Mayor
Jackie Kennefick, Town Clerk	
Approved As To Form:	

James Mahoney, Assistant Town Attorney						
I, Jackie Kennefick, the duly qualified and acting Colorado ("Town"), do hereby certify that:	g Town C	Clerk of th	ne Town of	Mountain Village,		
1. The attached copy of Ordinance No complete copy thereof.		("Ordina	nce") is a	true, correct and		
2. The Ordinance was introduced, read by amendments and referred to public hearing by t regular meeting held at Town Hall, 455 Mountain, 2018 by the affirmative vote of a	he Town n Village	Council Blvd., M	of the Tow Tountain Vil	rn ("Council") at a llage, Colorado, on		
Council Member Name	"Yes"	"No"	Absent	Abstain		
Laila Benitez, Mayor						
Dan Caton						
Bruce McIntire						
Dan Jansen						
Patrick Berry						
Jack Gilbride						
Natalie Binder						
 3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance, was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on						
Council Member Name	"Yes"	"No"	Absent	Abstain		
Laila Benitez, Mayor						
Dan Caton						
Bruce McIntire						
Dan Jansen						
Patrick Berry						
Jack Gilbride						
Natalie Binder						

5. The Ordinance has been signed by the Mayor, sea Town Clerk, and duly numbered and recorded in the ordinance has been signed by the Mayor, sea Town Clerk, and duly numbered and recorded in the ordinance has been signed by the Mayor, sea Town Clerk, and duly numbered and recorded in the ordinance has been signed by the Mayor, sea Town Clerk, and duly numbered and recorded in the ordinance has been signed by the Mayor, sea Town Clerk, and duly numbered and recorded in the ordinance has been signed by the Mayor, sea Town Clerk, and duly numbered and recorded in the ordinance has been signed by the Mayor, sea Town Clerk, and duly numbered and recorded in the ordinance has been signed by the Mayor.	,
IN WITNESS WHEREOF, I have hereunto set my day of, 2019.	hand and affixed the seal of the Town this
$\overline{\mathbf{J}}$	ackie Kennefick, Town Clerk
(SEAL)	

EXHIBIT A

CHAPTER 9.18

REGULATE RIDING BICYCLES AND SKATEBOARDS

Section 9.18.020 UNLAWFUL ACTS is hereby amended to add Section F as follows:

It shall be unlawful for any person to ride or use a bicycle, roller skate, skateboard or other similar device, whether or not motorized, upon public sidewalks, public plazas or other public property of the city within the Village Center as defined by the Town's Community Development Codes. This prohibition shall not include the use of rolling devices by disabled persons upon public sidewalks, public plazas or on other publicly owned property. (Ord. No. O-2019-____)

To: Town Council

From: Kim Montgomery

Date: 3/14/2019

Re: Castellina Unit E

AGENDA ITEM 9

The Town was recently informed that the owner of Castellina Unit E would available for sale in May 2019. Castellina Unit E is a standalone one bedroom unit, with below grade storage and an unenclosed parking space. As Town staff has been examining options for securing housing for its work force, the Town staff believes that purchasing a unit such as this could have great benefits for the Town. As you remember, the Town has previously purchased one Cassidy Ridge Unit and is preparing to purchase another. Both of those units were targeted for sale to a Town of Mountain Village employee. In order to provide for a wider range of purchasers, and understanding our community demand for housing, it is contemplated that an employee of any business located in the Mountain Village would be eligible to apply for the lottery for the purchase of this unit. The lottery system would weigh number of years working in the R-1 school district, first responders assigned to Station II (Town of Mountain Village) and give priority to those employees who derive their income 100% from working for a Mountain Village employer. This spreads the availability of a price capped unit to other long term employees who may be looking for a home ownership opportunity since there are a limited number of these units in the Mountain Village inventory. We would still retain first right of refusal when the unit comes back on the market and stipulate that if employment to a Mountain Village based business terminates, the unit would be resold to the Town.

This unit is one bedroom/one bath, surface parking, adjacent storage and it is attractive for the Town to own and control a variety of housing unit types to meet workforce demands. The sales price is approximately \$245,000 and closing on the Town's purchase would be scheduled to occur in May.

Therefore, the Town staff is requesting two things from the Town Council as follows:

1. Authorize the waiver of the lottery sales system in order to allow the Town to purchase the unit.

Due to this unit having the 2006 Employee Housing Deed Restriction on the unit, sales to third parties are to be through a lottery system. However, the Town has in the past waived the lottery

system for the Town's purchase of a unit or for other good cause shown. This authorization as the jurisdiction which oversees and enforces the deed restriction would be needed in order to allow the Town to purchase this unit. A resolution to this effect is included in your packet. Subsequently, SMRHA will run a lottery based on the criteria above for the unit's resale to a qualified employee.

Proposed Motion: I move to approve the resolution waiving the lottery requirement for the Town's purchase of Castellina Unit E.

2. Authorize the Town Manager to negotiate and purchase the unit pursuant to the deed restriction sales price.

The Town Council is required to authorize the purchase of any real property by the Town. Therefore, the Town Council would need to authorize the Town Manager to negotiate and close on the purchase of the unit by approving the attached resolution

Proposed Motion: I move to approve the resolution approving the Town' purchase of Castellina Unit E.

Both actions result in the Town working with the San Miguel Regional Housing Authority to then structure a lottery for employees who work within the Town of Mountain Village for purchase of the Castellina Unit with the weighted priority as stated above.

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO, AUTHORIZING THE TOWN TO PURCHASE CASTERLLINA UNIT E

RESOLUTION NO. 201	8 -

RECITALS:

- **A.** The Town of Mountain Village (the "Town") has a need to acquire housing of varying varieties for the use and occupancy of its employees.
- **B.** The owners of Castellina Unit E (the "Unit") desire to sell the Unit.
- C. The Unit is a deed restricted unit subject to the Town's 2006 Deed Restriction; therefore, the purchase price is capped pursuant to such deed restriction.
- **D.** The Town Council desires to authorize the Town Manager to negotiate and purchase the Unit on behalf of the Town pursuant to the price calculated pursuant to the deed restriction and other customary and reasonable sale and purchase terms.

NOW, THEREFORE, BE IT RESOLVED, the Town Council hereby authorizes the Town Manager to negotiate and purchase the Unit on behalf of the Town pursuant to the price calculated pursuant to the deed restriction and other customary and reasonable sale and purchase terms.

ADOPTED AND APPROVED by the Town Council of the Town of Mountain Village, Colorado, at a regular meeting held on the 21st day of March 2019.

TOWN OF MOUNTAIN VILLAGE,
COLORADO, a home rule municipality

By:
Laila Benitez, Mayor

ATTEST:

By:
Jackie Kennefick, Town Clerk

APPROVED AS TO FORM:

James Mahoney, Town Attorney

1111	Dusiness	ana Goveri	ment Activity	y Keport			
			ling: Februar				
)19		18	Vari	iance
Activity		MONTH	YTD	MONTH	YTD	Variance	Variance %
Cable/Internet		In November 2	018, bulk intern	et subscribers in	creased 8%		
# Residential & Bulk Basic Cable		849	1,716	882	1,763	(47)	-3.7%
# Premium Channel Residential & Bulk Su	bscribers	428	859	491	989	(130)	-12.8%
# Digital Subscribers		220	438	230	460	(22)	-4.3%
# Internet Subscribers		1,981	3,970	1,757	3,531	439	12.7%
Average # Phone Subscribers		101	202	98	199	3	3.1%
Village Court Apartments							
Occupancy Rate	%	99.09%	99.09%	97.74%	98.42%	0.67%	0.7%
# Vacated Units		1	1	0	0	1	#DIV/0!
# Work Orders Completed		20	41	29	67	(26)	-38.8%
# on Waiting List		156		100		56	56.0%
Public Works	1		1	I		1	1
Service Calls		249	500	208	518	(18)	-3.5%
Snow Fall	Inches	68	141	64	108	33	30.6%
Snow Removal - Streets & Prkg Lots	Hours	1,020	2,082	555	998	1,084	108.6%
Roadway Maintenance	Hours	29	60	46	279	(219)	-78.5%
Water Billed Consumption Sewage Treatment	Gal. Gal.	9,155,000 9,073,000	81,377,000	26,779,000 7,466,000	90,849,000	(9,472,000)	-10.4% 37.7%
Child Development Fund	Gai.	9,073,000	18,829,000	7,400,000	13,678,000	5,151,000	37.7%
•		20.80	40.49	21.34	42.64	(2.16)	5 104
# Infants & Toddlers Actual Occupancy # Preschoolers Actual Occupancy		15.40	40.48 32.72	15.06	30.02	(2.16)	-5.1% 9.0%
Fransportation and Parking		13.40	32.12	13.00	30.02	2.70	9.070
GPG (noon snapshot)		9,739	19,813	8,296	16,492	3,321	20.1%
GPG Parking Utilization (% of total # of sp	aces occupied)	75.6%	73.0%	60.1%	59.8%	13.2%	22.1%
HPG (noon snapshot)	saces occupied)	2,112	4,329	1,921	3,615	714	19.8%
HPG Parking Utilization (% of total # of sp	paces occupied)	71.2%	69.2%	60.4%	56.8%	12.4%	21.8%
Total Parking (noon snapshot)	saces secupica,	16,163	33,199	14,865	29,846	3,353	11.2%
Parking Utilization (% of total # of spaces	occupied)	71.4%	69.6%	61.2%	61.5%	8.1%	13.2%
Paid Parking Revenues	277.122.127	\$38,295	\$75,623	\$32,504	\$62,421	\$13,202	21.1%
Bus Routes	# of Passengers	8	8	0	0	8	#DIV/0!
Employee Shuttle	# of Passengers	1,486	3,141	1,223	2,749	392	14.3%
Employee Shuttle Utilization Rate	%	55.0%	57.4%	50.0%	50.9%	6.50%	12.8%
Inbound (Vehicle) Traffic (Entrance)	# of Cars	65,258	133,561	63,939	130,754	2,807	2.1%
			e, town council, 11 cl				
Human Resources			a ops, 1 gondola mech ving; 1 no call/no sho		SON FOR TERMS	: 2 drug policy non-c	ompliance; 1
FT Year Round Head Count		83		80		3	3.8%
Seasonal Head Count (FT & PT)		1	<u></u>	2		(1)	-50.0%
PT Year Round Head Count		19	1	20		(1)	-5.0%
Gondola FT YR, Seasonal, PT YR Head C	ount	62	1	61		1	1.6%
Total Employees		165	1	163		2	1.2%
Gondola Overtime Paid	Hours	136	367	150	574	(207)	-36.0%
Other Employee Overtime Paid		93	215	69	116	99	85.5%
# New Hires Total New Hires		1	8	3	9	(1)	-11.1%
# Terminations		5	9	0	2	7	350.0%
# Workmen Comp Claims		3	4	0	2	2	100.0%
Workmen Comp Claims Costs		\$706	\$1,711	\$504	\$1,008	\$703	69.7%
Marketing & Business Development							
Town Hosted Meetings		5	9	5	9	0	0.0%
Email Correspondence Sent		9	20	7	11	9	81.8%
E-mail List	#	6,201	<u> </u>	4,688	11	0	32.3%
News Articles	7	12	na	na	#VALUE!	#VALUE	
Press Releases Sent		2	2	1	1	1	100.0%
Gondola and RETA		Current RETA	revenues are un	audited			
Gondola	# of Passengers	356,888	712,669	306,118	626,086	86,583	13.8%
Chondola	# of Passengers	29,376	63,245	29,547	61,950	1,295	2.1%
RETA fees collected by TMVOA		653,210	1,131,308	652,215	1,070,070	\$61,238	5.7%

				20	019	2	018	Vari	ance	
Activity	MONTH YTD MONTH						YTD	Variance Variance %		
Police		·								
Calls for Servic	e		#	336	706	409	739	(33)	-4.5%	
Investigations			#	18	41	25	49	(8)	-16.3%	
Alarms			#	38	75	21	37	38	102.7%	
Arrests			#	7	19	3	3	16	533.3%	
Traffic Contacts	3		#	5	7	30	41	(34)	-82.9%	
Traffic Tickets	Written		#	3	3	10	11	(8)	-72.7%	
Parking Tickets	Written		#	435	876	341	718	158	22.0%	
Administrative 1	Dismissals		#	4	15	4	12	3	25.0%	
Building/Planning	ţ									
Community Dev	velopment Rever	nues		\$21,579	\$39,407	\$27,775	\$49,695	(\$10,288)	-20.7%	
# Permits Issued	1			16	29	21	46	(17)	-37.0%	
	n Village Remo			\$325,290	\$350,290	\$571,773	\$650,084	(\$299,794)	-46.1%	
	Village Electric/I		r Permits	\$117,409	\$152,209	\$2,500	\$90,438	\$61,771	68.3%	
	ride Electric/Plu	mbing Permits		\$65,375	\$351,000	\$476,717	\$641,167	(\$290,167)	-45.3%	
# Inspections C				163	305	241	432	(127)	-29.4%	
	w/Zoning Agend	a Items		9	18	12	17	1	5.9%	
# Staff Review	Approvals			6	12	33	47	(35)	-74.5%	
Recreation	Anintaina d			147	20.4	r	nber 1 - April 30	0.00	0.00/	
Mile of Trails M				14.7	29.4	14.7	29.4	0.00	0.0%	
Platform Tennis				40 522	85	30	70	15 48	21.4%	
Ice Rink Skater Snow Cat Hour				522 129	2285 238	1152 20	2237		2.1%	
Snow Cat Hour Plaza Services	5			129	238	20	32	206	638.5%	
	Dlago		Полис	696	1447	381	669	780	116.7%	
Snow Removal Plaza Maintena			Hours Hours	686 286	602	374	668 931	(329)	-35.4%	
Lawn Care	iice		Hours	0	0	0	0	0	+DIV/0!	
Plant Care			Hours	15	23	30	38	(15)	-39.7%	
Irrigation			Hours	0	0	0	0	0	#DIV/0!	
TMV Trash Co	llection		Hours	97	191	116	245	(54)	-22.0%	
Christmas Deco			Hours	90	222	220	481	(259)	-53.8%	
Residential Tras			Pound	21,600	47,700	24,000	43,950	3,750	8.5%	
Residential Rec			Pound	43,746	73,992	41,000	68,246	5,746	8.4%	
Diversion Rate	/		%	66.95%	60.80%	63.08%	60.83%	-0.02%	0.0%	
Vehicle Maintena	nce							II.		
# Preventive Ma	aintenance Perfo	rmed		19	46	14	31	15	48.4%	
# Repairs Comp	oleted			26	44	25	71	(27)	-38.0%	
Special Projects	3			0	9	0	1	8	800.0%	
# Roadside Ass	ists			0	1	0	0	1	#DIV/0!	
Finance										
# Other Busines	s Licenses Issue	d		58	769	37	687	82	11.9%	
# Privately Lice	nsed Rentals			5	67	2	70	(3)	-4.3%	
# Property Man	agement License	ed Rentals		3	404	3	398	6	1.5%	
# Unique Prope	rty Advertisemen	nts Listings for	MV	378		399		(21)	-5.3%	
# Paperless Bill	ing Accts (YTD	is total paperle	ess customers)	1	906	12	836	70	8.4%	
# of TMV AR I	Bills Processed			2,130	4,266	2,164	4,331	(65)	-1.5%	
	•	Acc	counts Receival	ble	1					
	TMV Operation	-		roadband and		lage Court	G 1F	1 17 4	4 4 4 4	
	(includes Gon		+	r/Sewer	-	ments	1	und Investme	•	
Current	\$248,524	97.7%	\$462,935	89.8%	\$2,040	41.1%	Change in Value	(Month)	\$251,203	
30+ Days	4,027	1.6%	45,323	8.8%	263	5.3%	Ending Balance	(M4)	\$9,463,294	
60+ Days	103	0.0%	5,540	1.1%	1,785	36.0% 17.6%	Investment Incom	ne (wontn)	\$16,767 2.25%	
90+ Days	103		880	0.2%	873	17.6%	Portfolio Yield	(onth)		
over 120 days Total	1,758 \$ 254,454	0.7% 100.0%	\$ 515,364	0.1% 100.0%	\$ 4,961	0.0% 100.0%	Yield Change (M	ionin)	+.06	
Total	5 254,454 Other Billin		φ 313,304	100.0%	S 4,961 Change Since		 			
	Construction		Total	All AR	Increase (De		Other Statis	tics		
Current	\$26,832	81.9%	\$ 740,332	91.7%	\$ (588,663)	99.8%	Population (estin	nated)	1,408	
30+ Days	1,454	4.4%	51,066	6.3%	244	0.0%	(Active) Register		883	
60+ Days	714	2.2%	8,081	1.0%	3,176	-0.5%	Property Valuation		290,861,460	
90+ Days	-	0.0%	1,857	0.2%	(4,758)	0.8%]			
over 120 days	3,766	11.5%	6,209	0.8%	-	0.0%				
Total	\$ 32,766	100.0%	\$ 807,545	100.0%	\$ (590,000)	100.0%				
	•				•		•	-	_	

Town of Mountain Village Broadband Subscriber Statistics

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
2019 EBU Subscribers												
Basic - Residential	657	639	0	0	0	0	0	0	0	0	0	0
Increase (Decrease) - Prior Year	-1.20%	-4.05%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%
Basic - Bulk	210	210	0	0	0	0	0	0	0	0	0	0
Increase (Decrease) - Prior Year	-2.78%	-2.78%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%
Premium - Residential	252	249	0	0	0	0	0	0	0	0	0	0
Increase (Decrease) - Prior Year	-11.27% 179	-10.11% 179	-100.00% 0	-100.00% 0	-100.00% 0	-100.00%	-100.00%	-100.00%	-100.00% 0	-100.00% 0	-100.00% 0	-100.00%
Premium - Bulk						-		0				
Increase (Decrease) - Prior Year	-16.36% 218	-16.36% 220	-100.00% 0	-100.00% 0	-100.00% 0	-100.00% 0	-100.00% 0	-100.00% 0	-100.00% 0	-100.00% 0	-100.00% 0	-100.00% 0
Digital Increase (Decrease) - Prior Year	-5.22%	-4.35%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%
Internet	1,989	1,981	0	0	0	0	0	0	0	0	0	0
Increase (Decrease) - Prior Year	12.12%	12.75%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%		-100.00%
Phone	101	101	0	0	0	0	0	0	0	0	0	0
Increase (Decrease) - Prior Year	0.00%	3.06%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%	-100.00%
	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
2018 EBU Subscribers	<u> </u>											
Basic - Residential	665	666	656	600	590	618	647	646	629	586	573	587
Increase (Decrease) - Prior Year	2.47%	1.99%	1.08%	0.67%	3.33%	2.83%	0.62%	0.94%	1.29%	0.00%	-0.69%	-3.77%
Basic - Bulk	216	216	219	220	220	220	220	220	220	220	220	220
Increase (Decrease) - Prior Year	-17.24%	-8.86%	-7.59%	-7.17%	-7.56%	-7.95%	-7.95%	-7.95%	0.00%	-0.90%	-0.90%	-1.35%
Premium - Residential	284	277	274	257	255	262	270	262	252	238	235	235
Increase (Decrease) - Prior Year	-16.22%	-18.29%	-18.45%	-14.62%	-11.76%	-10.88%	-10.60%	-12.67%	-13.40%	-13.14%	-12.64%	-15.77%
Premium - Bulk	214	214	214	214	214	214	214	214	205	214	214	214
Increase (Decrease) - Prior Year	4.39%	3.88%	3.88%	3.88%	3.38%	3.38%	3.38%	2.88%	15.82%	10.88%	10.31%	10.31%
Digital	230	230	225	207	206	214	228	224	216	204	200	207
Increase (Decrease) - Prior Year Internet	-13.53% 1,774	-13.86% 1,757	-15.41% 1,767	-14.46% 1,731	-13.08% 1,714	-12.30% 1,747	-12.98% 1,779	-15.15% 1,772	-2.70% 1,764	-3.32% 1,730	-1.48% 1,862	-4.61% 1,878
Increase (Decrease) - Prior Year	0.17%	-0.73%	0.06%	3.96%	2.57%	2.04%	2.30%	0.11%	1,704 1.38%	2.61%	9.92%	7.62%
Phone	101	98	101	101	103	102	102	102	101	101	99	99
Increase (Decrease) - Prior Year	-9.01%	-10.09%	2.02%	-7.34%	4.04%	2.00%	2.00%	0.00%	-1.94%	-1.94%	-2.94%	-2.94%
2017 EBU Subscribers												
Basic - Residential	649	653	649	596	571	601	643	640	621	586	577	610
Increase (Decrease) - Prior Year	-5.12%	14.76%	-1.82%	6.81%	-7.75%	-0.66%	-0.16%	2.56%	0.49%	-0.34%	0.17%	-1.77%
Basic - Bulk	261	237	237	237	238	239	239	239	220	222	222	223
Increase (Decrease) - Prior Year	-19.94%	-27.30%	<i>-23.55%</i>	-23.55%	-23.23%	-22.40%	-22.40%	-22.40%	-28.34%	-27.69%	-27.92%	-27.60%
Premium - Residential	339	339	336	301	289	294	302	300	291	274	269	279
Increase (Decrease) - Prior Year	20.21%	20.21%	18.73%	4.88%	-32.16%	-7.26%	-10.65%	-5.66%	-10.74%	-9.57%	-12.38%	-12.81%
Premium - Bulk	205	206	206	206	207	207	207	208	177	193	194	194
Increase (Decrease) - Prior Year	-14.23%	-13.81%	-3.29%	-3.29%	-2.82%	-2.82%	-2.82%	-2.35%	-16.90%	-9.39%	-8.92%	-8.92%
Digital	266	267	266	242	237	244	262	264	222	211	203	217
Increase (Decrease) - Prior Year	2.31%	-8.87%	-10.44%	-13.88%	-11.24%	-6.15%	-3.68%	0.00%	-15.59%	-13.88%	-15.42%	-14.90%
Internet	1,771	1,770	1,766	1,665	1,671	1,712	1,739	1,770	1,740	1,686	1,694	1,745
Increase (Decrease) - Prior Year	8.05%	5.86%	6.45%	4.98%	2.08%	3.82%	2.72%	5.48%	3.94%	11.07%	-3.53%	1.28%
Phone (Pagrages) Brian Voor	111 18.09 %	109 15.96%	99 3.13%	109 11.22%	99 0.00%	100 6.38%	100 -3.85%	102 -1. 92 %	103 -6.36%	103 -3.74%	102 -1.92%	102 - 4.67%
Increase (Decrease) - Prior Year	10.09%	15.90%	3.13%	11.2270	0.00%	0.30%	-3.05%	-1.92%	-0.30%	-3.74%	-1.92%	-4.07%
2016 EBU Subscribers												
Basic - Residential	684	569	661	558	619	605	644	624	618	588	576	621
Increase (Decrease) - Prior Year	00-1	303	001	330	013	000	044	024	010	300	310	021
Basic - Bulk	326	326	310	310	310	308	308	308	307	307	308	308
Increase (Decrease) - Prior Year	020	020	010	010	010	000	000	000	001	001	000	000
Premium - Residential	282	282	283	287	426	317	338	318	326	303	307	320
Increase (Decrease) - Prior Year	202	202	200	20.	.20	0	000	0.0	020	000	00.	020
Premium - Bulk	239	239	213	213	213	213	213	213	213	213	213	213
Increase (Decrease) - Prior Year			= : 5	=:0		= : 0					= : 5	
Digital	260	293	297	281	267	260	272	264	263	245	240	255
Increase (Decrease) - Prior Year			==-								= : 0	
Internet	1,639	1,672	1,659	1,586	1,637	1,649	1,693	1,678	1,674	1,518	1,756	1,723
Increase (Decrease) - Prior Year												
Phone	94	94	96	98	99	94	104	104	110	107	104	107
Increase (Decrease) - Prior Year	94	94	96	98	99	94	104	104	110	107	104	107

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO, NAMING THE VILLAGE COURT COMMUNITY GARDEN THE MICHAEL RUTERBORIES MEMORIAL COMMUNITY GARDEN

RESOLUTION NO. 2019 -					
RECITALS:					

- A. Michael Ruterbories ("Michael"), a long time Village Court resident and Gondola employee who had a love of gardening and nature passed away on February 20, 2019.
- B. Michael was active in the Village Court community and played a large role in the community garden.
- C. Michael's family friends and neighbors wish for the Town of Mountain Village to honor and memorialize Michael's spirit by formally naming the Village Court Community Garden as the "Michael Ruterbories Memorial Community Garden"

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Mountain Village hereby dedicates and names the Village Court Community Garden as the "**MICHAEL RUTERBORIES MEMORIAL COMMUNITY GARDEN**".

	TED by the Town Council of the Town of Mountain ng held on the day of March, 2019.
	TOWN OF MOUNTAIN VILLAGE, COLORADO, a home rule municipality
ATTEST:	By:
By:	
APPROVED AS TO FORM:	
By:	

The Hangout

Telluride High School CTC Youth Group



Our End Goal

A permanent, safe place for the youth of Telluride to spend their time

1

WHAT WE'VE ACCOMPLISHED

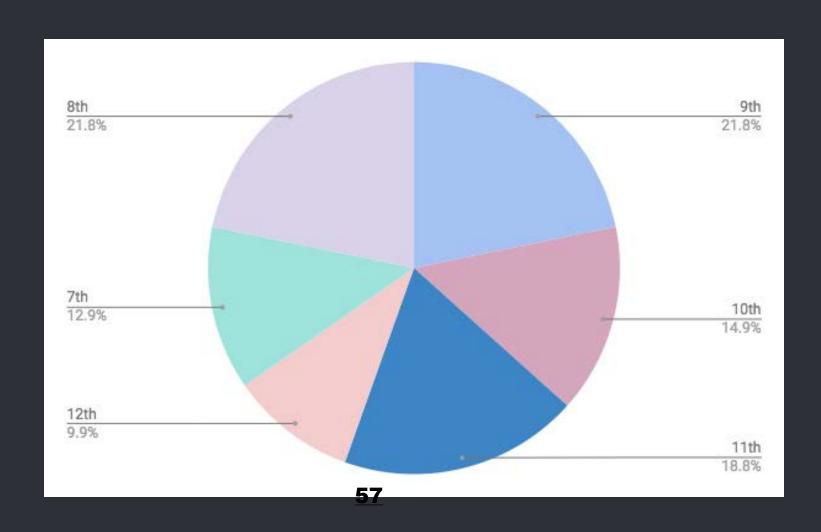
SO FAR:

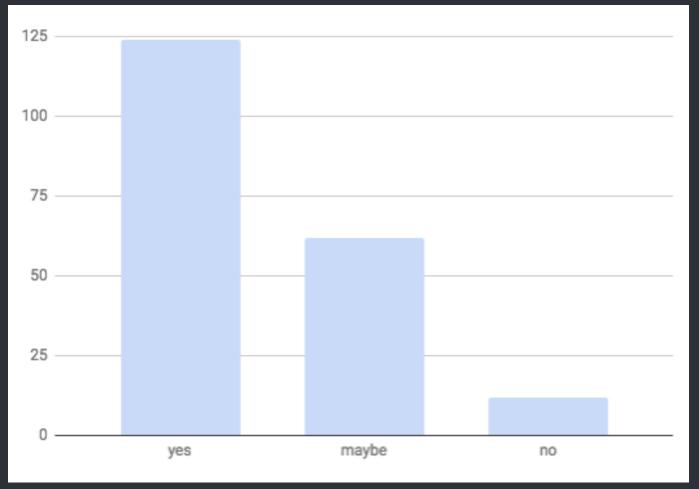
- Youth Center Student Survey
- Healthy Kids Survey
- Telluride Gives Day
- TSSC Space

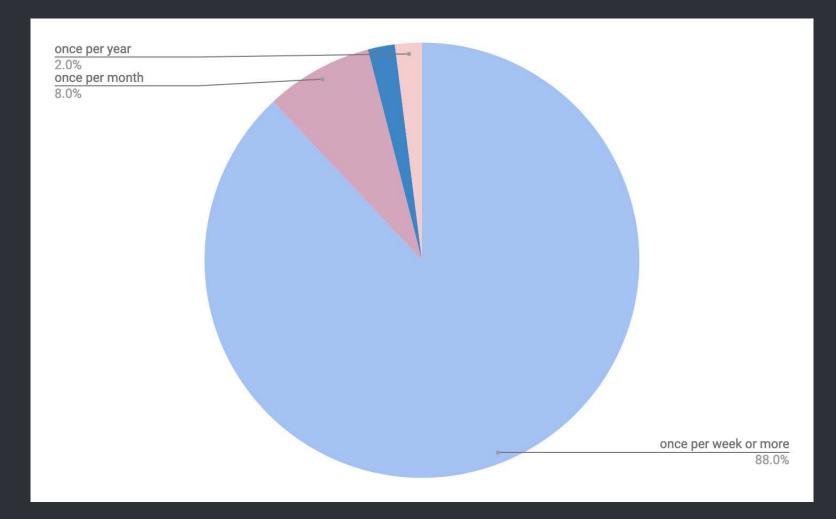


OUR SURVEY

198 out of 292







Requested Amenities







Vifi

Ping Pong

Quiet Homework Area



Stereo System



Pop-Up Events



Snack Bar





Job Opportunities for Students



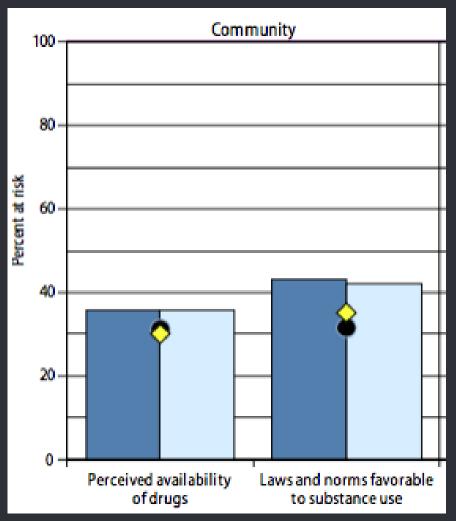
Pool Table

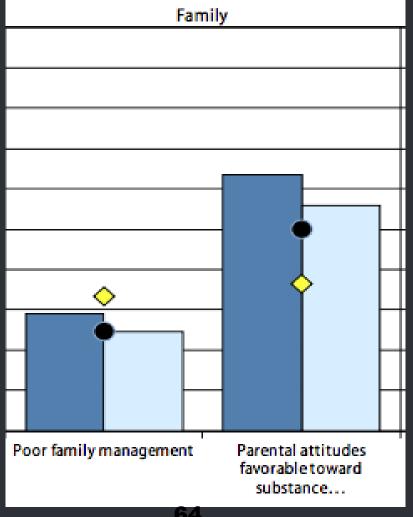


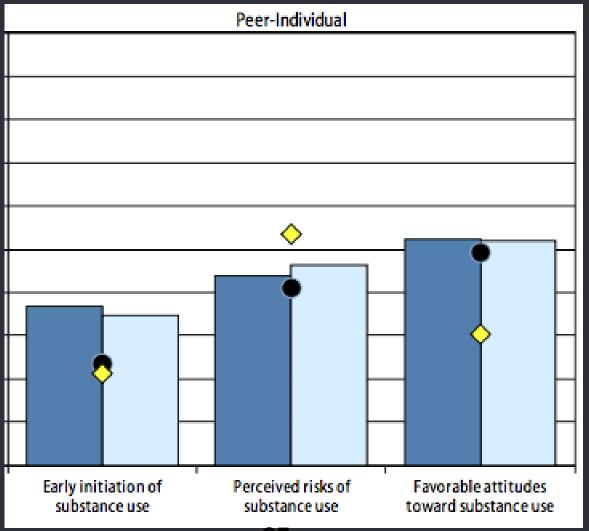
HEALTHY KIDS SURVEY

Risk Factors

- Community Laws and Norms favoring substance use
- Parentalattitudes towards
 substance use
- Favorable individual attitudes towards substance use







Protective Factors

- Opportunities for prosocial involvement in school and community
- Rewards for prosocial involvement in school and community



FUNDING

Finances

Telluride Gives

Raised \$5,000 from community members, matched by partners at Tri -County Health Network

Total: \$10,000

What Would Additional Funds Go Towards?

Furnishings for Temporary Space

- Bean bags
- XBox/Wii
- Stereo system
- \circ Wifi

Pop-Up Events

- Cooking events
- Sporting events
- Movie nights
- Art competitions
- Game nights



TSSC SPACE

TSSC Pros and Cons

Pros

- Hosts potential for pop-up events
- Starting place
- Easyaccessibility

• WHAT'S NEXT

WHAT WE NEED

Permanent Location

Funding

Support

Our Supporters

- Telluride Foundation
- San Miguel Resource Center
- Telluride Ski and Snowboard Club
- Telluride School District
- True North
- Rise Above Colorado
- Communities that Care Coalition

A Special Thanks To:

Tri-County Health Network

THE HANGOUT





IT AND BROADBAND SERVICES DEPARTMENT

411 Mountain Village Blvd. Mountain Village, CO 81435 (970) 728-1392

Item No. 15

TO: Town Council

FROM: Jim Soukup, Chief Technology Officer

DATE: March 21, 2019

RE: Consideration of Approval of a Recommendation to Move Forward with a Barter

Trade of Services with Resort Internet for the Town's Acquisition of a /20 IPv4

Block of 4,096 IP Addresses

Attachments: None

INTRODUCTION

TMV should barter services with Resort Internet in return for a /20 IPv4 block.

RECOMMENDATION

TMV should proceed with bartering services for the following reasons:

- 1. The barter exchange is a good deal. If TMV chose not to pursue the barter exchange, Mammoth Technologies will charge approximately \$1,310 (.32x4096) per month for a /20 IPv4 block. TMV currently bills out \$4,493.05 per month to Resort Internet which translates to approximately a 12 month service trade. Currently, TMV is negotiating a trade cost at this time. In addition, the last two /20 ARIN auctions sold for \$83,000 and \$81,900 respectively.
- 2. TMV is running out of public IP IPv4 addresses.
- 3. TMV owning 4,096 IPv4 public IP addresses secures its public IP infrastructure well into the future.
- 4. Customers will not have to change their IPv4 addresses because TMV owns a sufficient amount of IPv4 addresses now and into the foreseeable future.
- 5. TMV will be able to meet the potential public IP address requests from businesses and hotels.
- 6. Having this /20 block will enable TMV to do BGP (Border Gateway Protocol) without being beholden to a provider. BGP enables internet redundancy because TMV will have multiple connection paths. Moreover, if TMV should ever change providers, end-users will not need to change their IPs on their end.
- 7. Potentially, the resale value of this /20 will exist if TMV should ever decide to sell some, or all, of the IP addresses.
- 8. The /20 block is contiguous.
- 9. Uptown Consulting services also recommends TMV acquire this /20 block.

Regarding IPv6, once DAS and or 5G planning commences, then TMV will begin looking into an IPv6 solution perhaps using a F5 NAT/DNS 64 solution or some type of device along those lines. These kind of devices handles IPv4 and IPv6 traffic seamlessly resulting in a positive customer experience.

/jrs



AGENDA ITEM 16 PLANNING & DEVELOPMENT SERVICE PLANNING DIVISON

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 728-1392

TO: Mountain Village Town Council

FROM: John Miller, Senior Planner

FOR: Town Council Pubic Hearing; March 21, 2019

DATE: March 11, 2019

RE: Consideration of a Resolution to Approve a Variance to the Community

Development Code Requirements for Lot GH-11 to allow the Maximum Height to increase from 40 feet to 47.4" and the Maximum Average Height

to increase from 35 feet to 35.15 feet.

APPLICATION OVERVIEW:

PROJECT GEOGRAPHY

Legal Description: Lot GH-11, The Cabins at Gold Hill, An Amendment to the Final Plat

of Lots 166B, 166C, 166D, 166E, and 166F, Telluride Mountain Village, Filing 31, Town of Mountain Village, According to the Plat Recorded April 16, 1997 in Plat Book 1 at Page 2228, County of

San Miguel, State of Colorado.

Address: 111 Cabins Lane

Applicant/Agent: Eric Cummings; E. Cummings Architect

Owner: Jason and Natalie Horwath Zoning: Single-Family Zone District

Existing Use: Vacant Lot
Proposed Use: Single-Family
Lot Size: 0.23 acres

Adjacent Land Uses:

North: Single-Family
 South: Single-Family
 East: Open Space
 West: Single-Family

<u>ATTACHMENTS</u>

Exhibit A: NarrativeExhibit B: Plan Set

Exhibit C: Staff and Public

Comments



Case Summary:

Eric Cummings of E. Cummings Architect, acting on behalf of Jason and Natalie Horwath is requesting Town Council approval of a variance for the maximum height and average maximum height of a new single-family home located at 111 Cabins Lane. Section 17.4.16 of the Community Development Code (CDC) provides the procedures to follow for the granting of a variance when the strict application of the CDC requirements would cause exceptional and undue hardship on the development. A variance is different from a design variation which is granted by the Design Review Board (DRB) in that it does not grant simple relief from a design regulation, but instead allows changes to the requirements of the code for specific standards such as the height of a building or building coverage.

Although the property owners did receive DRB approval of an alternate design, as well Town Council approval of a Height Variance, approval of Class 3 and 4 applications lapse after 18 months unless the activity or use described in the development application has substantially commenced. It should be noted that the property owner did request and receive approval for a renewal to extend the aforementioned project, but this extension also lapsed and is no longer valid. Development applications that have lapsed shall be required to submit a new development application governed by the requirements of the CDC in effect at the time of the new submittal. The applicant did submit and receive Final Architectural and Site Review approval from the DRB along with a recommendation for approval to Town Council for the Resolution allowing the height variance. All design review approvals are subject to the Town Council approving the variance to the height requirement. If denied, the applicant will at that point be required to resubmit for design review approval by the DRB.

The topography of the lot has largely influenced the design and massing of this proposal as well as previous iterations for the site. Due to steep slopes and limited developable lot area, the applicant is requesting a height variance which would allow for the building to be constructed over the allowed 40 feet (detailed below). During the Initial Architecture and Site Review (IASR), the DRB requested additional comparative modelling of the adjacent houses along the cul-de-sac of Cabins Lane in order to better understand how the mass of the proposed house fits within the surrounding homes. Upon review of the submitted modelling as provided within the architectural plans, staff believes that this house will not be out of scale with the existing homes in the neighborhood, nor impact other property within Mountain Village negatively. This is largely based on the reserved no build area, the large buffer area of mature trees and existing open space adjacent to the area of the proposed height variance.

Applicable CDC Requirement Analysis: The applicable requirements cited may not be exhaustive or all inclusive. The applicant is required to follow all requirements even if an applicable section of the CDC is not cited. **Please note that Staff comments will be indicated by Blue Italicized Text**.

Chapter 17.4: DEVELOPMENT REVIEW PROCEDURES 17.5.16: Variance Procedure:

Staff has evaluated the following standards (1-8) as the criteria that must be met for Town Council to approve the variance:

1. The strict development application of the CDC regulations would result in exceptional and undue hardship upon the property owner in the development of property lot

because of special circumstances applicable to the lot such as size, shape, topography or other extraordinary or exceptional physical conditions;

Staff: Lot GH-11 is burdened by a number of constraints including size, shape, and steepness of the site. The lot is relatively small at 0.23 acres and the majority of the site is either steeply sloped in excess of 30% or located within a restricted "no build zone". In addition to the size and steepness, the lot is an irregular polygon shaped similarly to a triangle. All of these factors drive the request for a height variance in order to reduce the overall impact of the development on such a constrained lot while maintaining a general conformity to the existing development pattern that has occurred along Cabins Lane. The design of the proposed residence reflects these physical and regulatory restrictions in that the majority of the building's square footage must extend downhill in order to accommodate setbacks, height restrictions, and slopes. The stepped nature of the structure, particularly along the frontage of Cabins Lane has allowed for a reduced mass that visually breaks up the larger downhill portion of the structure. Additionally, the existing vegetation on the site allows the house to be somewhat visually subordinate to the surrounding landscape.

2. The variance can be granted without substantial detriment to the public health, safety and welfare;

Staff: The variance will not be a detriment to the public health, safety and welfare. The application has been reviewed by the Mountain Village Police Department, Public Works Department and the Telluride Fire District. They have not raised concerns with the proposed variance.

3. The variance can be granted without substantial impairment of the intent of the CDC;

Staff: Staff finds that the combination of the lot configuration and the topography of the site has created a unique circumstance that makes the maximum height restriction and average height restriction difficult to meet. The increased height will not affect the views of adjoining properties or make the home out of scale with others in the neighborhood.

4. Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners in the same zoning district, such as without limitation, allowing for a larger home size or building height than those found in the same zone district;

Staff: As stated above, this home is burdened by topography and lot configuration. The surrounding single-family properties all have a maximum allowable height of 40 feet due to their roof forms (35 feet plus 5 feet for gable roofs) and the adjacent multifamily lot (150R) has a maximum allowable height of 48 feet.

 Reasonable use of the property is not otherwise available without granting of a variance, and the variance being granted is the minimum necessary to allow for reasonable use;

Staff: Staff believes this to be true as the lot's steepness and configuration limit what can be built on the site. The proposed house does not appear to be out of scale with the surrounding houses within the neighborhood based on 3-D modelling, and the HOA of the neighborhood and signed off on the proposed plans. It should be noted

that the HOA restricts the square footage of the houses within the neighborhood in addition to the restrictions placed on lot coverage within the CDC.

6. The lot for which the variance is being granted was not created in violation of Town regulations or Colorado State Statutes in effect at the time the lot was created;

Staff: The lot is within a legally created subdivision.

7. The variance is not solely based on economic hardship alone; and

Staff: The variance is being requested by the applicant due to topographical and geographical constraints of Lot GH-11.

8. The proposed variance meets all applicable Town regulations and standards unless a variance is sought for such regulations or standards.

Staff: The applicant has presented the reasoning as to why the maximum and average building height variance is required based on the unique site-specific constraints of the lot. Staff believes that this request meets all other applicable Town Regulations and Standards.

Staff Recommendation: Staff recommends the DRB approve the Final Architectural and Site Review for Lot GH-11, 111 Cabins Lane. If the DRB deems this application to be appropriate for approval, Staff requests said approval condition the items listed below in the suggested motion.

Design Review Board Recommendation:

The DRB held a regular meeting on March 7, 2019 to consider the requested variance for a recommendation to Town Council along with the review the development plans for the proposed home. The Board unanimously recommended variance approval to Town Council by a vote of 5 to 0.

PROPOSED MOTION

Staff Note: It should be noted that reasons for approval or rejection should be stated in the findings of fact and motion.

"I move to approve the resolution approving the variance to increase the maximum building height to approximately 47 feet and four inches (47'4") for Lot GH-11 subject to the development of the home being in substantial conformance to what was approved by the Design Review Board".

/jjm



Town of Mountain Village DRB and Town Council

February 20th, 2018

Subject: Horwath Residence - Lot GH-11, Cabins Lane

DRB Staff and Town Council Members,

The included proposal is for a new home on GH - 11 for Jason and Natalie Horwath. This is a resubmitted proposal of a previous design that was approved (Dated May 15,2018) with a height variance to accommodate the steep & complicated site and other conditions addressed in the E Cummings Architect Required Submittal Packet.

Our approach to the redesign involved working with the clients' needs and simplifying the basic form of the structure. The design has been carefully considered to incorporate the Development Covenants of Cabins Lane as well as the CDC of the Mountain Village. The intent of the design is to allow the home to sit seamlessly within the neighborhood while addressing the challenge of developing on a steep and unique site. As seen in the drawings, the lot slopes away from the exiting Cabins Lane R.O.W. to Prospect Creek beyond. Because of the steep site, the Entry of the home is located to limit slope from the existing R.O.W. to the entry and allows the unseen mass of the house to extend toward the open space beyond. This creates pedestrian scale at the front of the house, allowing it to fit within the existing scale of other homes along the street. We are requesting a height variance due to the hardship of the pie shape and steeply graded Lot.

The proposed structure is 3,400 square feet (with ~2980 square feet livable space) and 3 stories tall. It consists of 4 bedrooms, 3 1/2 bathrooms and a 2 car garage. The footprint (<2,000 s.f.) has been kept minimal to reduce the amount of excavation on the steeply sloped lot. Decks extend off the back of the house and are not seen from the Cabins Lane approach. These decks provide direct contact to nature on the open space to the North side of the lot.

The clients have spent a lot of time living and traveling through Switzerland which is where we draw much of the architectural form and detailing. Thick overhanging eaves/ reclaimed square log construction and roof brackets take their roots from Swiss chalet construction, but have a refinement found on other homes within the Mountain Village. The Swiss chalet originated in the late 18th century, it became highly appreciated in Europe by noble landowners who were impressed by the 'simple life' of people living in the mountains. We hope the attached proposal offers that simplicity as well as the authentic texture and scale of traditional Chalet styles, yet relevant to the Telluride / Mountain Village area.

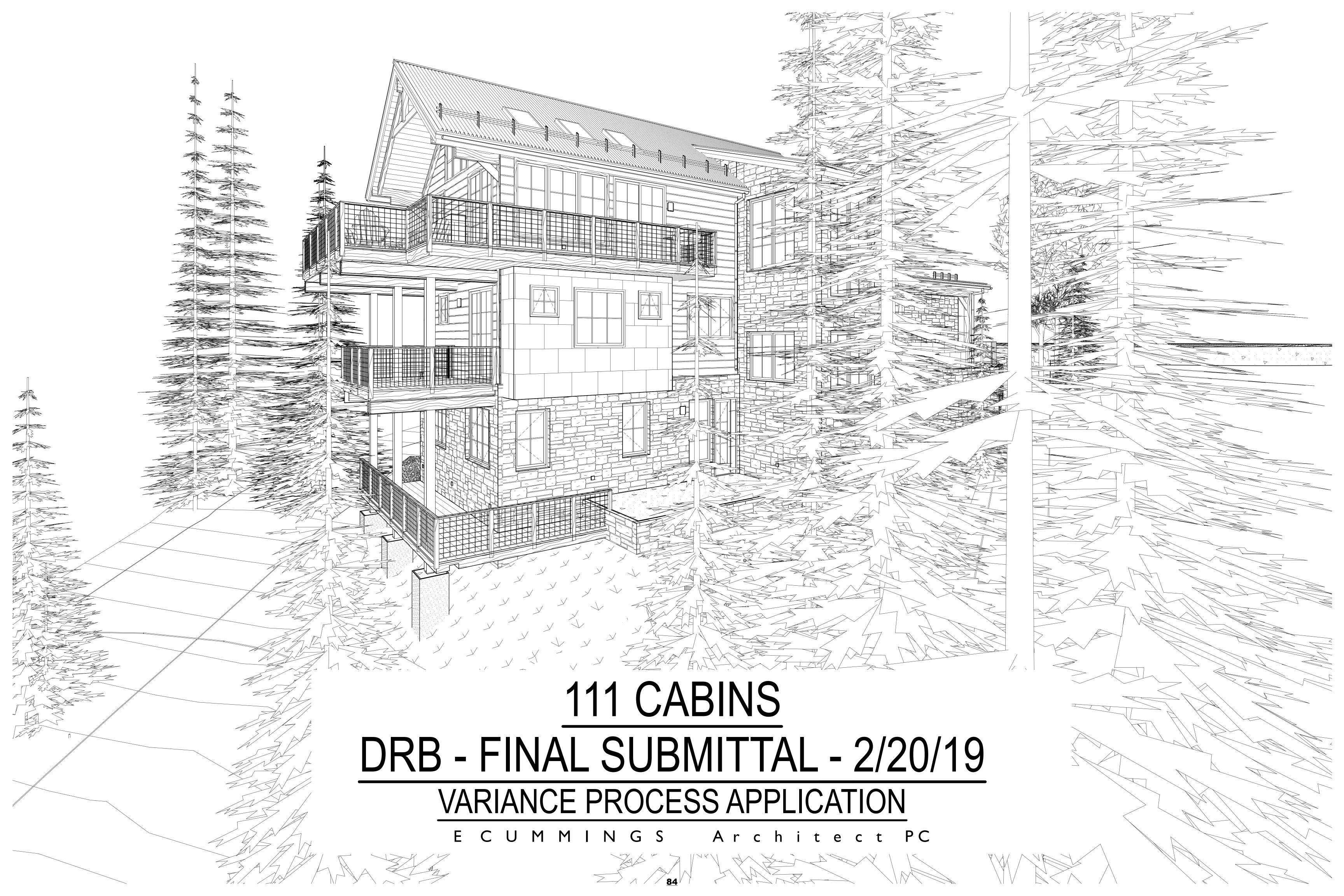
In concluding with the design theme, the base of the house is anchored to the site with a dry stack stone base comprised of locally sourced stone. The majority of the structure is clad with 4 sided square log wood siding with chinking and exposed timber beams. The two extended bays of the structure will be clad with rusted flat metal panels to add architectural interest to the proposed simple wooden box form. The gable and shed roofs will be covered with a rusted corrugated metal for its durability and keeping the material constant with other homes in the neighborhood. Material calculations have been included in the Architectural Drawing Set for reference.

Thank you,

Scott Landefeld/ Eric Cummings (Owner agents of Jason and Natalie Horwath)

E Cummings Architect. phone: 970.728.8177

email: jslandefeld@gmail.com/ eric@ecummingsarchitect.com



STREETSCAPE PERSPECTIVE VIEW



SCALE: 1:1.25

DRB REQUIRED SUBMITTAL CONDITIONS

At the February 7, 2019 Design Review Board (DRB) meeting the board voted to approve the Initial Architecture and Site Review application for a new single-family home on Lot GH-11, 111 Cabins Lane. The development application was recommended to proceed to Final Architectural Approval with the following

1) This approval is subject to the Town Council approving the variance to the height requirement. If denied, the applicant must resubmit for approval of the project by the Design Review Board. APPLICATION HAS BEEN SUBMITTED FOR VARIENCE

2) The applicant shall be required to submit an updated grading and erosion control plan reflecting accurate conditions on the site in conformance with the proposed site plan. CIVIL DRAWINGS HAVE BEEN UPDATED

3) The applicant shall revise the plans to indicate that all metal beams are a minimum of 8" in width. BEAMS HAVE BEEN DIMENSIONED TO SHOW 8" WIDTH

4) The applicant shall revise the lighting plan to address compliance for all sources of illumination on the exterior of the structure. FIXTURE SPEC HAS BEEN UPDATED - SHEET AS-103

5) The applicant shall revise the architectural site plans to demonstrate an upper deck plan that does not encroach into the general easement, in addition to the deck plan as shown within the Initial Architectural review.

UPPER DECK HAS BEEN MODIFIED TO ELIMINATE ENCROACHMENT OF GE AND REDUCED TO MINIMALLY EXTEND OVER NO BUILD ZONE

6) The applicant may provide address monument numbering on the main façade of the house as so long as the address monument location and design is approved by the Town Fire Department. JIM BOECKEL HAS APPROVED ADDRESS NUMBERS ON HOUSE AT 26' FROM R.O.W.

7) The applicant shall provide a streetscape analysis in order to demonstrate general massing of the structure in comparison to the adjacent houses along Cabins Lane. NORTH AND SOUTH STREETSCAPE DRAWINGS ARE INCLUDED IN THIS SET

8) A ridge height survey prepared by a Colorado certified land surveyor will be provided during the framing inspection to determine the maximum building height is in compliance with the approval.9) A monumented land survey by a Colorado certified land surveyor of the footers will be provided prior to pouring concrete to determine there are no encroachments into the General Easements or NOTED

10) The contractor shall meet with employees of Community Services (Police Department) as well as the HOA regarding the parking of construction vehicles at the site prior to the commencement of construction. NOTED

11) Prior to the issuance of a building permit, the applicant shall field verify all utilities and submit a revised utility plan to the public works director identifying the location of utilities and connection NOTED

12) An updated landscaping plan will be provided demonstrating Zone 1 Fire Mitigation areas as well as planting schedules including but not limited to tree/shrub size and species proposed for the

ZONE 1 FIRE MITIGATION HAS BEEN NOTED ON AS-101

13) Prior to issuance of a CO the property owner will enter in to a General Easement Encroachment Agreement with the Town of Mountain Village for the utilities and vertical plane encroachments of the upper deck located within the General Easement and setbacks on the property. DECK'NO LONGER EXTENDS OVER GE

14) Prior to issuance of a CO the property owner will enter into an access agreement with Telluride Ski and Golf for ski/trail access from Lot GH-11.

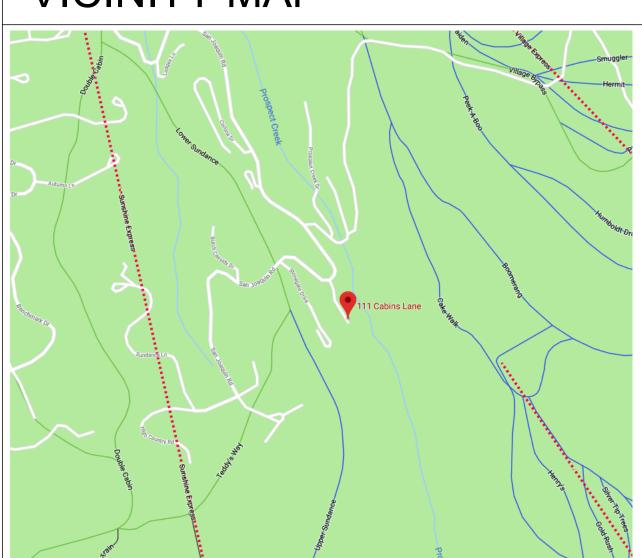
ZONE/ CODE SUMMARY

LOT GH 11 THE CABINS AT GOLD HILL FILING 31 TELLURIDE MOUNTAIN VILLAGE ACC TO FINAL AMENDMENT REC 4 16 97 BK 1 PG 2228 CONT .23 AC 16 G.E. ENVELOPE

SINGLE FAMILY RESIDENTIAL

- International Building Code (2012)
- National Electrical Code (2017)
- International Fuel Gas Code (2012) International Energy Conservation Code (2012)
- International Existing Building Code (2012)
 International Fire Code (2012)
- International Mechanical Code (2012)
- International Plumbing Code (2012)
- International Residential Code (2012)

VICINITY MAP



GENERAL NOTES

HOA APPROVAL

Cabins at Gold Hill Lot 11, AKA Cabins Lane 111

approval and binding to DRB approval of this project.

PLANS DATED 11/15/2018: "CABINS LANE - CD BID SET HOA.PDF"

DESIGN REVIEW PROCESS

APPLICATION

HOA APPROVAL LETTER

written approval of the plans dated and further specified below, which have been submitted to the Town of Mountain Village Planning & Development Services Department for the proposed improvements to be

EXTERIOR MATERIAL / PALETTE CLARIFICATION DATED 11/29/2018: "gh11 board supplement v2.pdf" The HOA considers the exterior material and palette clarification integral to the plans submitted for DRB

MOUNTAIN VILLAGE

(Signature)

(Printed name)

1. ANY DISCREPANCIES FOUND ON THESE PLANS AND WHERE THEY EXIST ON THESE CONSTRUCTION DOCUMENTS MUST BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO COMMENCEMENT OF WORK

2. ALL WORK SHALL CONFORM TO THE APPLICABLE SECTIONS OF THE SAN MIGUEL COUNTY BUILDING CODE GUIDELINES AND INTERNATIONAL RESIDENTIAL CODE 2012.

3. SALVAGABLE MATERIALS ARE TO BE STORED FOR POSSIBLE RE-USE.

4. ALL INSULATION TO BE INSTALLED IN ACCORDANCE WITH SECTION 3 16 - TYPICAL AND IECC 2012..

5. GENERAL HANDRAIL NOTE: HANDRAILS MUST RUN FULL LENGTH OF STAIR BE LOCATED 36" ABV STAIR NOSING. ALL HANDRAILS TO BE 1 1/2" O.D AND 1 1/2" AWAY FROM WALL. PER IRC 2012 - TYPICAL ALL STAIRS INCLUDING PATIO LANDING

6. OPEN SIDES OF STAIRS GREATER THAN 30" ABOVE ADJACENT SURFACE SHALL HAVE GUARDRAIL PER IRC 2012

7. SAFTEY GLAZING IS TO BE PER IRC SECTION 208 IN ALL REQUIRED LOCATIONS. GC TO SUBMIT CONFIRMATION OF SAFTEY GLASS LOCATIONS

8. INTERIOR WALL FINISHES ARE TO BE IN ACCORDANCE WITH IRC TABLE R701. GC TO SUBMIT PRODUCT INFORMATION SHEETS CONFIRMING

9. NO GAS FIRED APPLIANCES ARE TO BE INSTALLED WHERE THE EXTERIOR GRADE LESS THAN 2'

10. ALL HANDRAILS TO BE PER IRC SECTION R3 1 1.7.8

11. ALL STAIRS RISERS TO BE A MAXIMUM OF 7 3/4". MINIMUM TREAD IS TO BE 10". THE LARGEST TREAD SHALL NOT EXCEED THE SMALLEST BY 3/8". IRC 2012, R311

12. ALL SHEETROCK IN WET AREAS TO BE WATER RESISTIVE.

13. SHOWER STALL WALLS ARE TO BE FINISHED W/ HARD NON-ABSORBANT SURFACE TO A HEIGHT OF TO" ABOVE DRAIN INLET.

14. MECHANICAL VENTS IN BATHROOMS SHALL PROVIDE 5 AIR EXCHANGES PER HOUR DIRECTLY TO THE OUTSIDE.

15, INSTALL SMOKE DETECTORS IN EACH SLEEPING ROOM AND OUTSIDE EACH SLEEPING AREA. WIRE TO BUILDING PRIMARY POWER WITH BATTERY BACKUP. IRC 2012, R314

PROJECT DIRECTORY

OWNER

Jason & Natalie Horwath 3547 19th Street San Francisco, CA 94110

STRUCTURAL

DEAN N. BOSWORTH, PE 150 ROCKPOINT DRIVE UNIT B DURANGO, CO 81301

PHONE: 970-729-1431

ARCHITECT

ERIC CUMMINGS ARCHITECT PC 232 E Pacific Ave. TELLURIDE, CO. 81435

PHONE: 970-728-8177

CIVIL

ALPINE LAND CONSULTING, LLC C/O GREGG ANDERSON PO BOX 234 RICO, CO 81332

PHONE: 970-708-0326

CONTRACTOR

PHONE:

SURVEY

SAN JUAN SURVEY C/O CHRIS KENNEDY 160D SOCIETY DRIVE TELLURIDE, CO 81435

PHONE: 970-728-1128

DRAWING LIST

ARCHITECTURAL

455 Mountain Village Blvd. Suite A

Mountain Village, CO 81435

970-728-4342 Fax

, the HOA president of property located at

	AR	CH SET	
ID	Name	ALTERNATES	DATE OF REISSUE
AG-101	PROJECT INFORMATION		
AG-102	PROJECT AXONS		
AG-103	FLOOR AREA/ STREET HEIGHT		
AG-104	MATERIAL CALCS		
AS-100	SURVEY - BY OTHERS		
AS-101	CONSTRUCTION MITIGATION PLAN		
AS-102	ARCHITECTURAL SITE		
AS-103	LANDSCAPE PLAN		
A-101	LOWER LEVEL		
A-102	MAIN LEVEL		
A-103	UPPER LEVEL		
A-104	ROOF PLAN		
A-200	EXTERIOR ELEVATIONS		
A-201	EXTERIOR ELEVATIONS		
A-202	EXTERIOR ELEVATIONS		

CIVIL

CIVIL/ OWS CIVIL/ OWS				
ID	Name	ALTERNATES	DATE OF REISSUE	
	COVER SHEET			
C.1	GRADING PLAN			
C.2	UTILITY PLAN			
C.3	DRAINAGE AND EROSION CONTROL			

 $\mathbf{\Omega}$

S

PROJECT ADDRESS: **III CABINS LANE**

MOUNTAIN VILLAGE, CO

ISSUED FOR: DRB - REQUIRED SUBMITTAL DRB REQUIRED SUBMITTAL UPDATE **DRB - FINAL SUBMITTAL**

VARIANCE PROCESS APPLICATION

NOT FOR CONSTRUCTION

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WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BEVERIFIED AT THE IOB SITE. ANY DIMENSIONAL DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO COMMENCEMENT OF THE WORK.

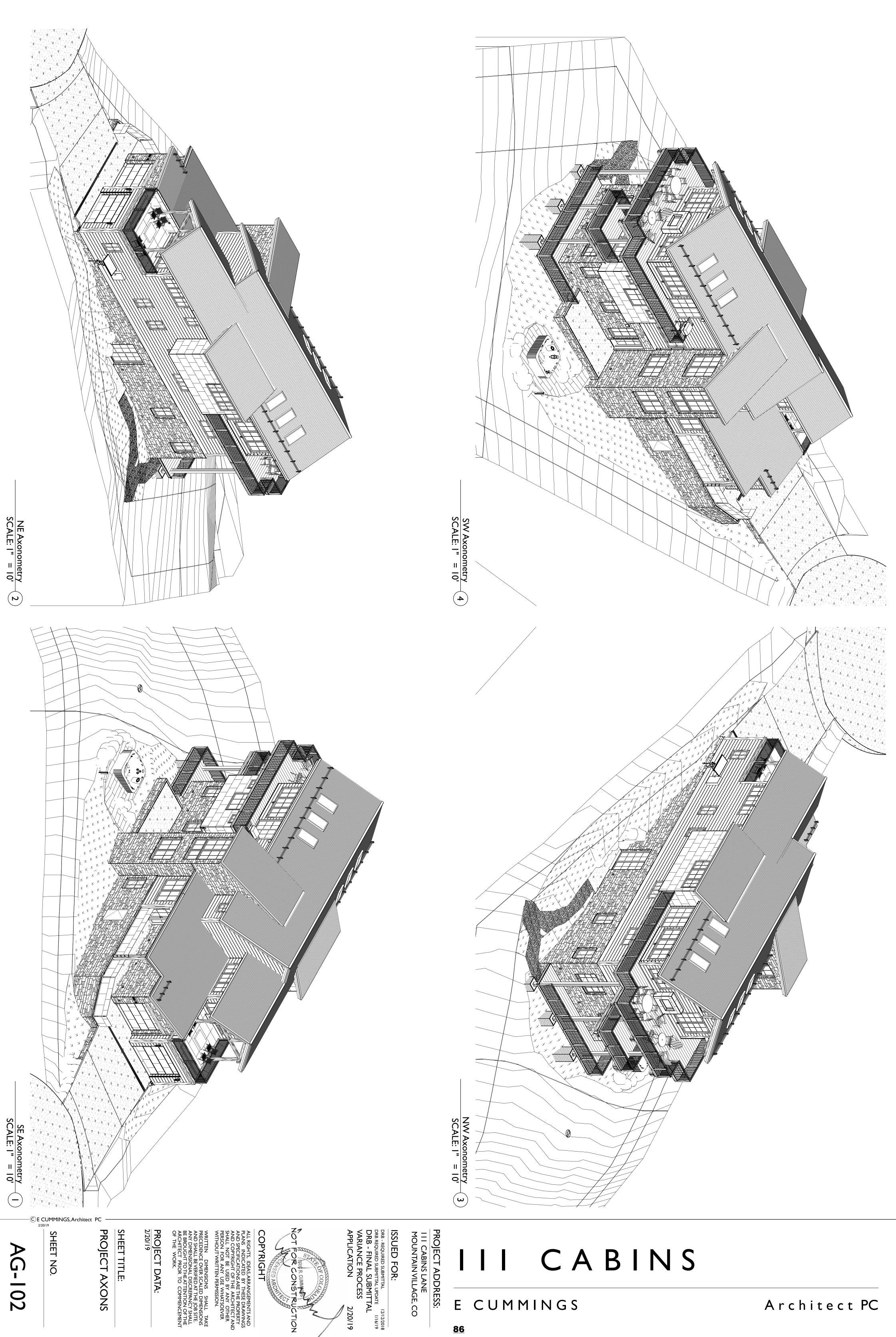
PROJECT DATA: 2/20/19

SHEET TITLE:

PROJECT INFORMATION

SHEET NO.

AG-101



<u>86</u>



S $\mathbf{\Omega}$

NET CALCULATION

Zone Name

BED #1

BED #2

GROSS FLOOR AREA CALCULATION

LOWER LEVEL

MAIN LEVEL

ML GARAGE UPPER LEVEL Area

1,135

1,072

1,200

3,968 sq ft

561

LOWER BATH

LOWER BAR

Measured Area

153

149

Zone Number

002

004

PROJECT ADDRESS: III CABINS LANE

MOUNTAIN VILLAGE, CO **ISSUED FOR:**

DRB - REQUIRED SUBMITTAL 12/12/2018
DRB REQUIRED SUBMITTAL UPDATE 1/16/19 DRB - FINAL SUBMITTAL

VARIANCE PROCESS APPLICATION



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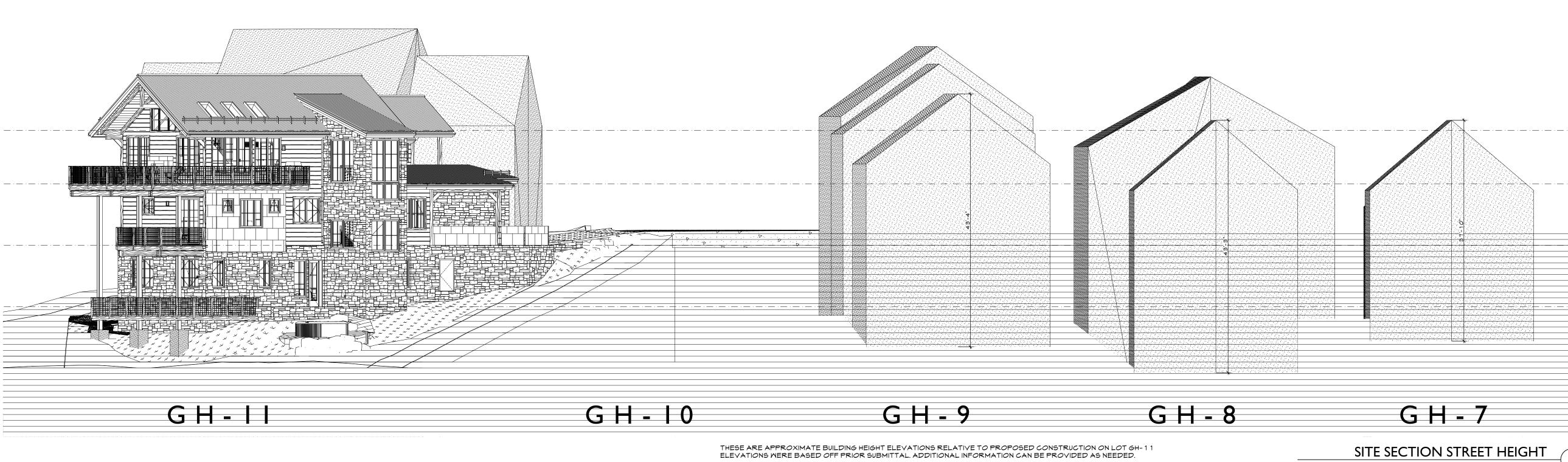
PROJECT DATA: 2/20/19

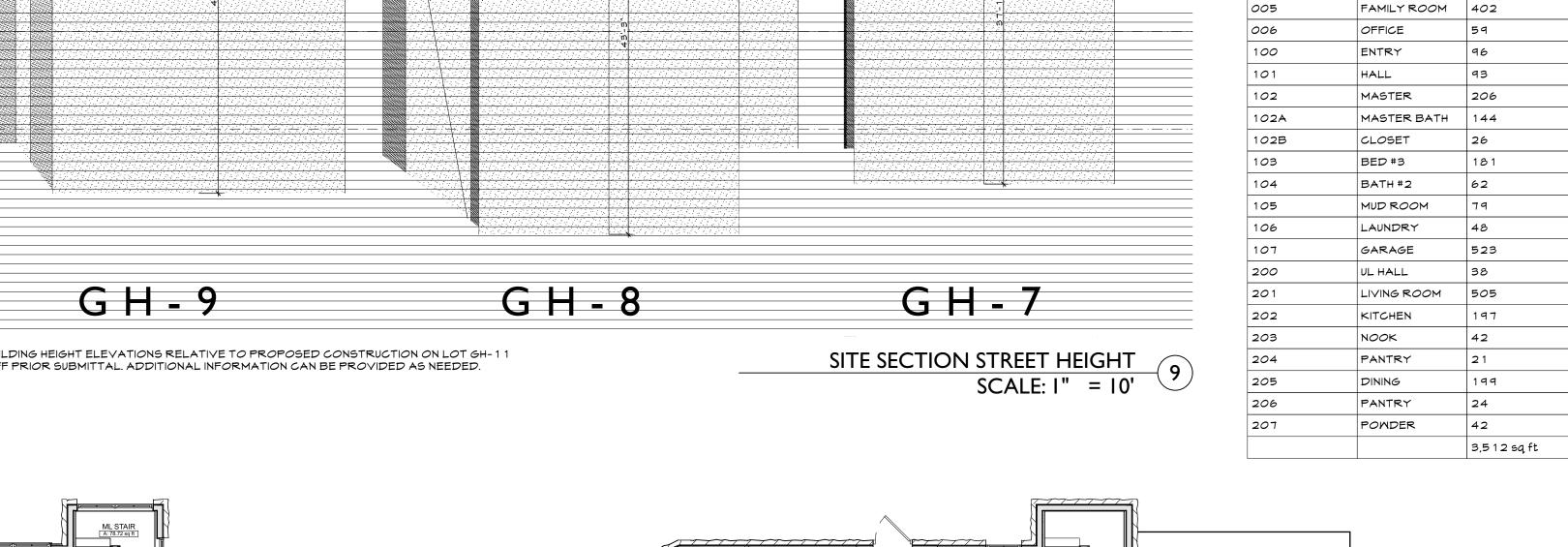
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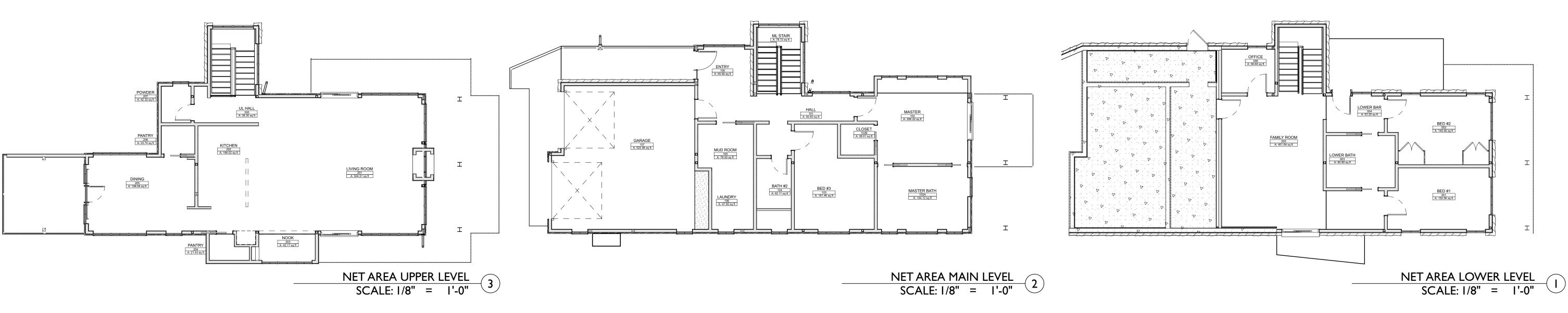
FLOOR AREA/ STREET HEIGHT

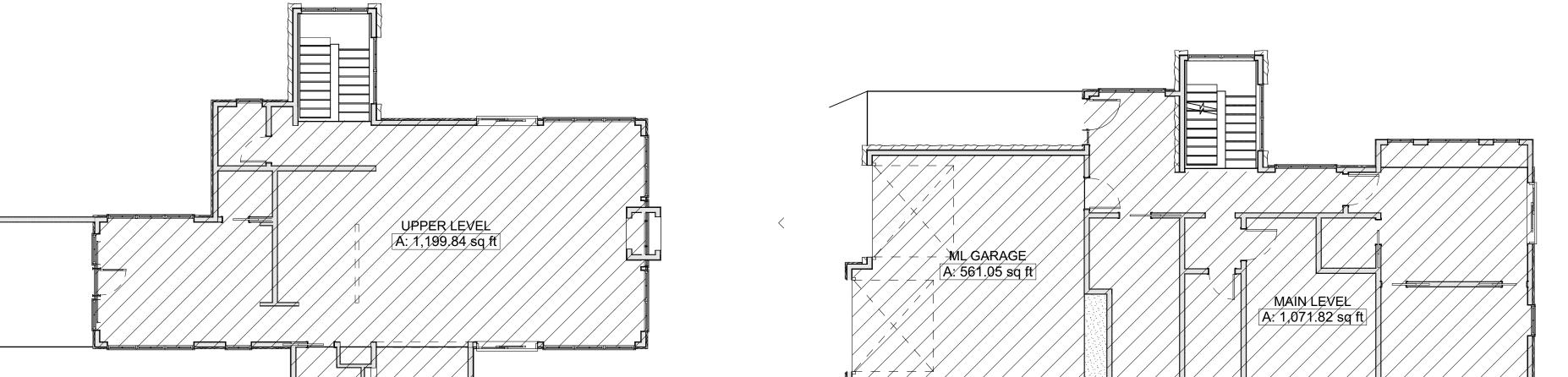
SHEET NO.

AG-103



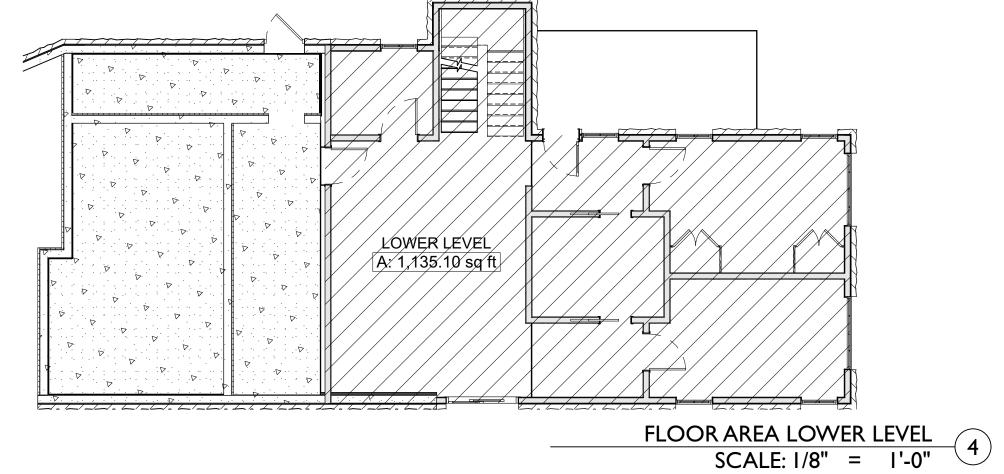






FLOOR AREA UPPER LEVEL

SCALE: I/8" = I'-0"



FLOOR AREA MAIN LEVEL

SCALE: I/8" = I'-0" 5



\Box

TOTAL AREA = 869.48 sq ft STONE VENEER = 274.69 sq ft

MOOD SIDING = 263.81 sq ft METAL VENEER = 49.53 sq ft

+119'-8^{1/4"} 3 ROOF PLAN

-0+110'-6"
2 UPPER LEVEL

+ 100'-0"
1 MAIN LEVEL

+89'-6" -1 LOWER LEVEL

WEST MATERIAL ELEVATION

SCALE: I/8" = I'-0"

21.55 sq ft 72.52 sq ft 72.52 sq ft

S

PROJECT ADDRESS:

III CABINS LANE MOUNTAIN VILLAGE, CO

ISSUED FOR:

DRB - REQUIRED SUBMITTAL 12/12/2018
DRB REQUIRED SUBMITTAL UPDATE 1/16/19 DRB - FINAL SUBMITTAL VARIANCE PROCESS APPLICATION

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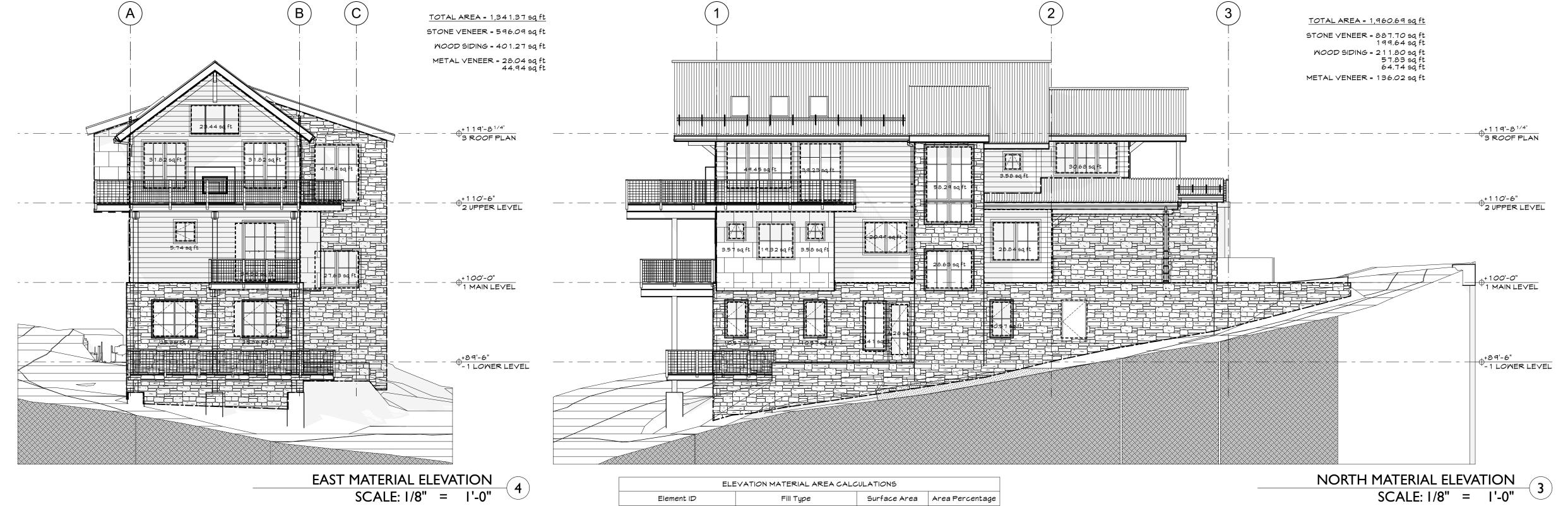
WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED AT THE JOB SITE. ANY DIMENSIONAL DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO COMMENCEMENT OF THE WORK.

PROJECT DATA: 2/20/19

SHEET TITLE:

MATERIAL CALCS

SHEET NO. AG-104





WINDOW COLOR - BURGANDY

Firebrick

Element ID	Fill Type	Surface Area	Area Percentag
EAST AREA			
	TOTAL AREA	1,341	
	GLAZING	253	18.86%
	METAL SIDING	73	5.44%
	STONE VENEER	596	44.44%
	MOOD SIDING	401	29.90%
NORTH AREA	<u>'</u>		
	TOTAL AREA	1,961	
	GLAZING	349	17.80%
	METAL SIDING	136	6.94%
	STONE VENEER	1,088	55.48%
	MOOD SIDING	335	17.08%
SOUTH AREA	'		
	TOTAL AREA	1,652	
	GLAZING	278	16.82%
	METAL SIDING	160	9.68%
	STONE VENEER	440	26.63%
	MOOD SIDING	765	46.31%
MEST AREA			
	TOTAL AREA	869	
	GLAZING	107	12.31%
	METAL SIDING	218	25.09%
	STONE VENEER	275	31.65%
	MOOD SIDING	264	30.38%

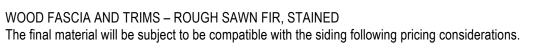
MATERIAL AREA CALCULATION				
Fill Type	Area	Percentage of Area		
TOTAL AREA	5,823			
GLAZING	987	16.95%		
METAL SIDING	587	10.08%		
STONE VENEER	2,399	41.20%		
MOOD SIDING	1,765	30.31%		





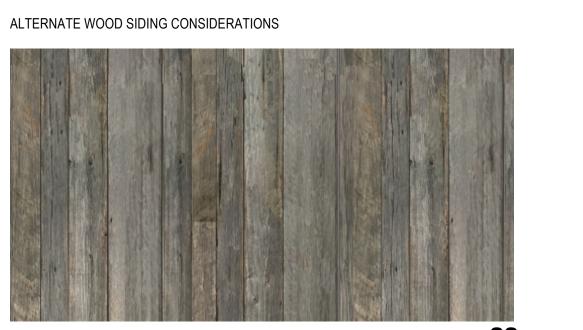


TAN/BROWN – Grout will be flush as shown below or drystack.









SOUTH MATERIAL ELEVATION

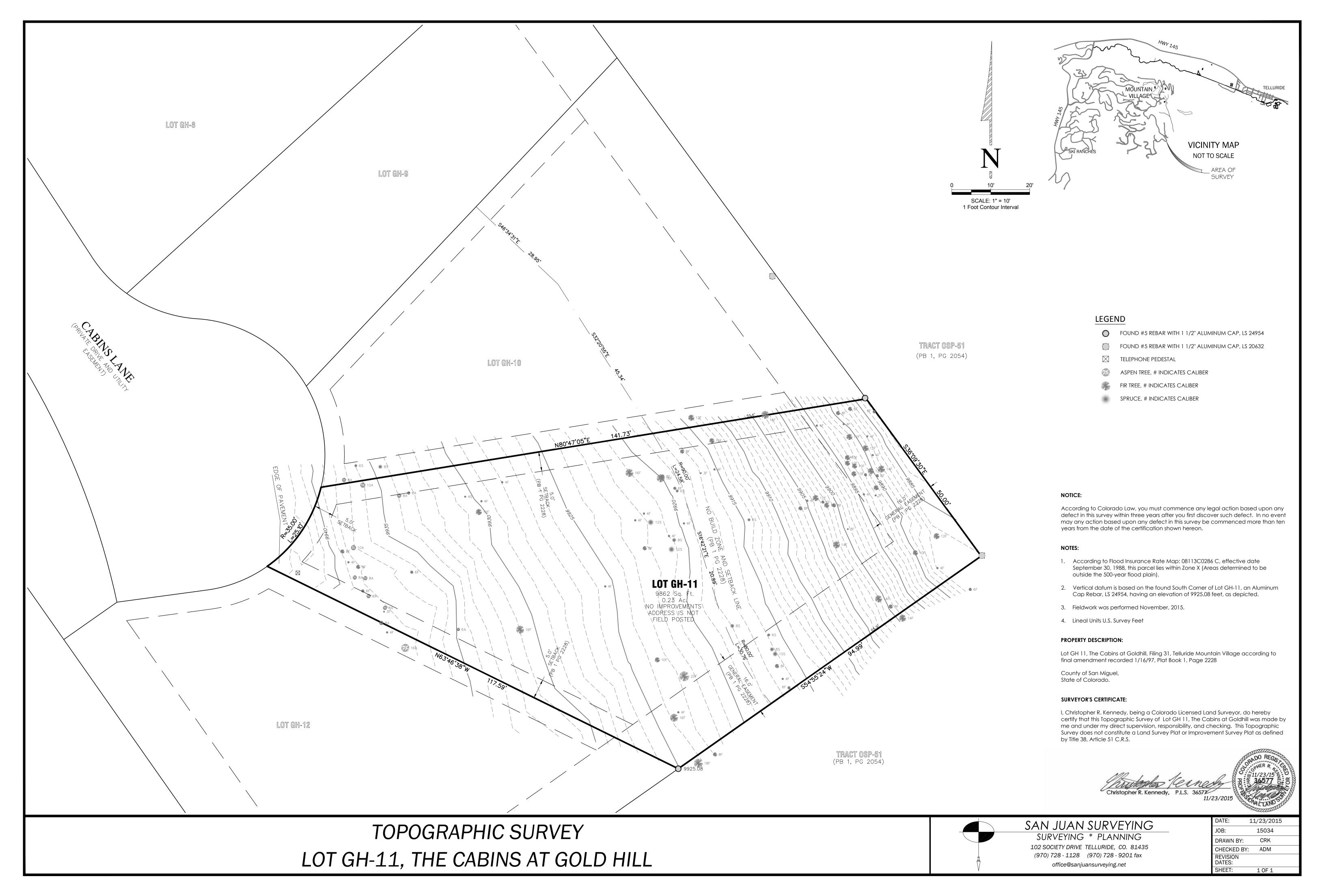
SCALE: I/8" = I'-0"

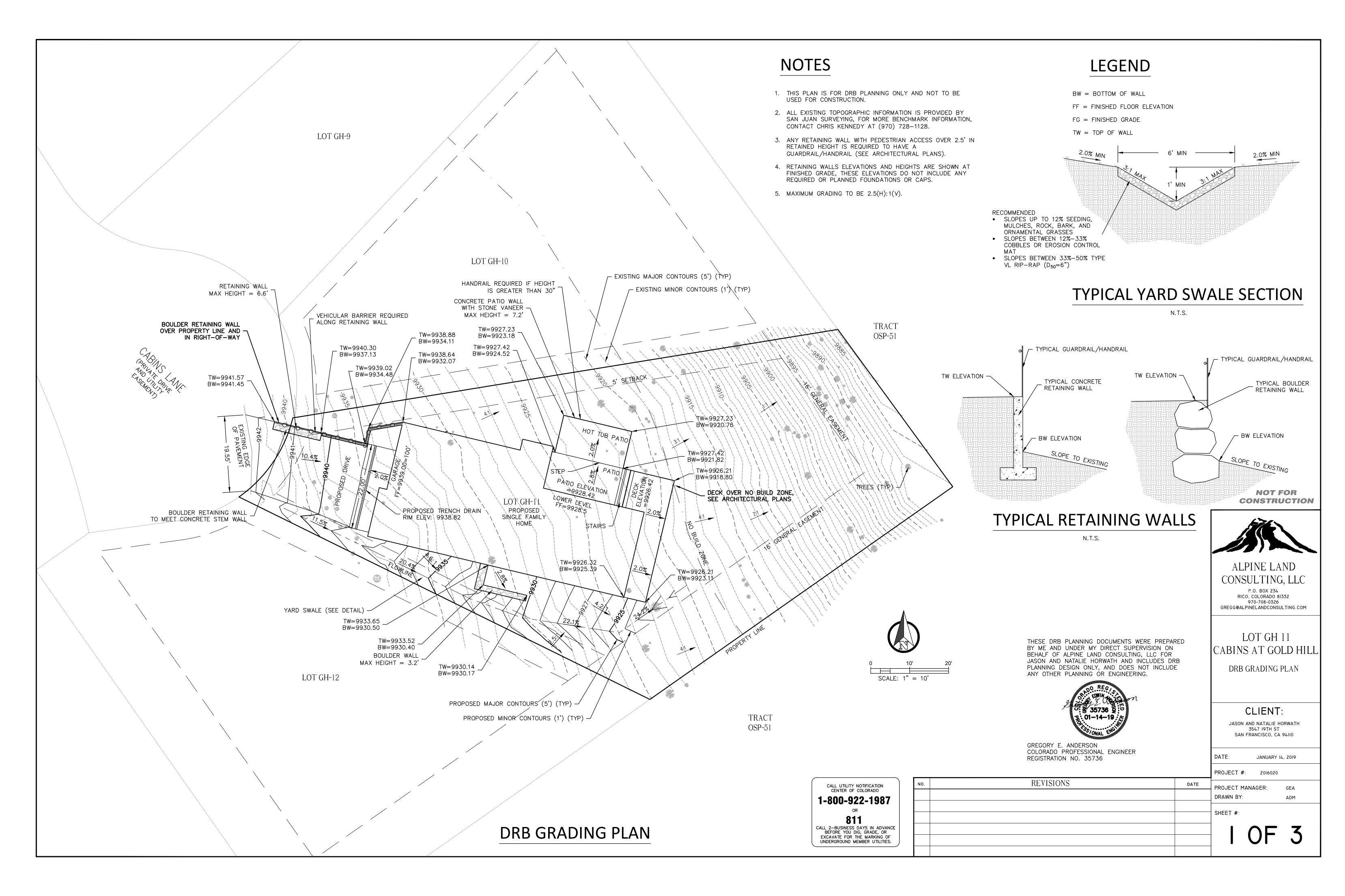
stained boards.

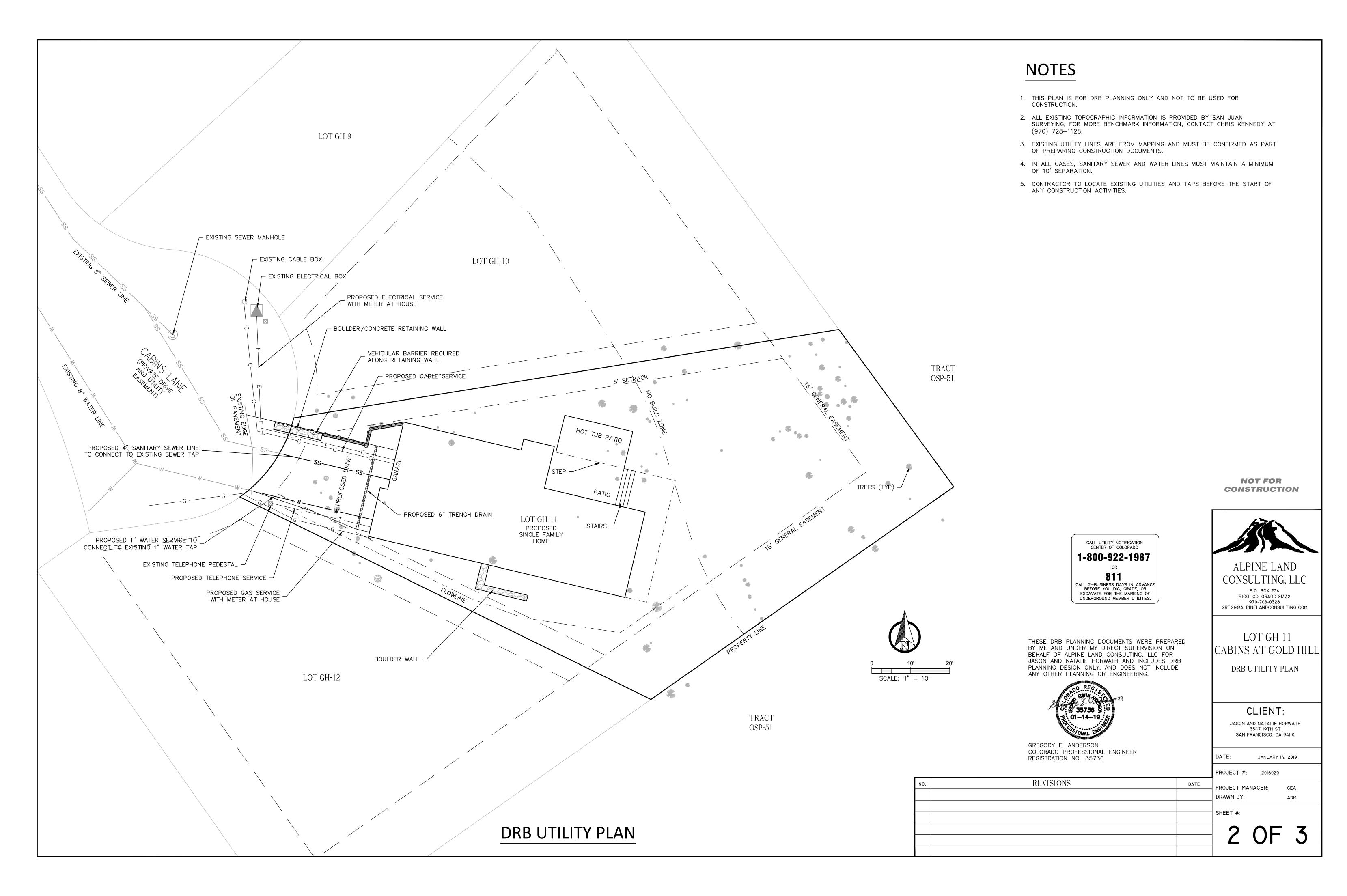
WOOD SIDING – Options are being considered ranging from recycled barn wood to rough sawn nom.8"

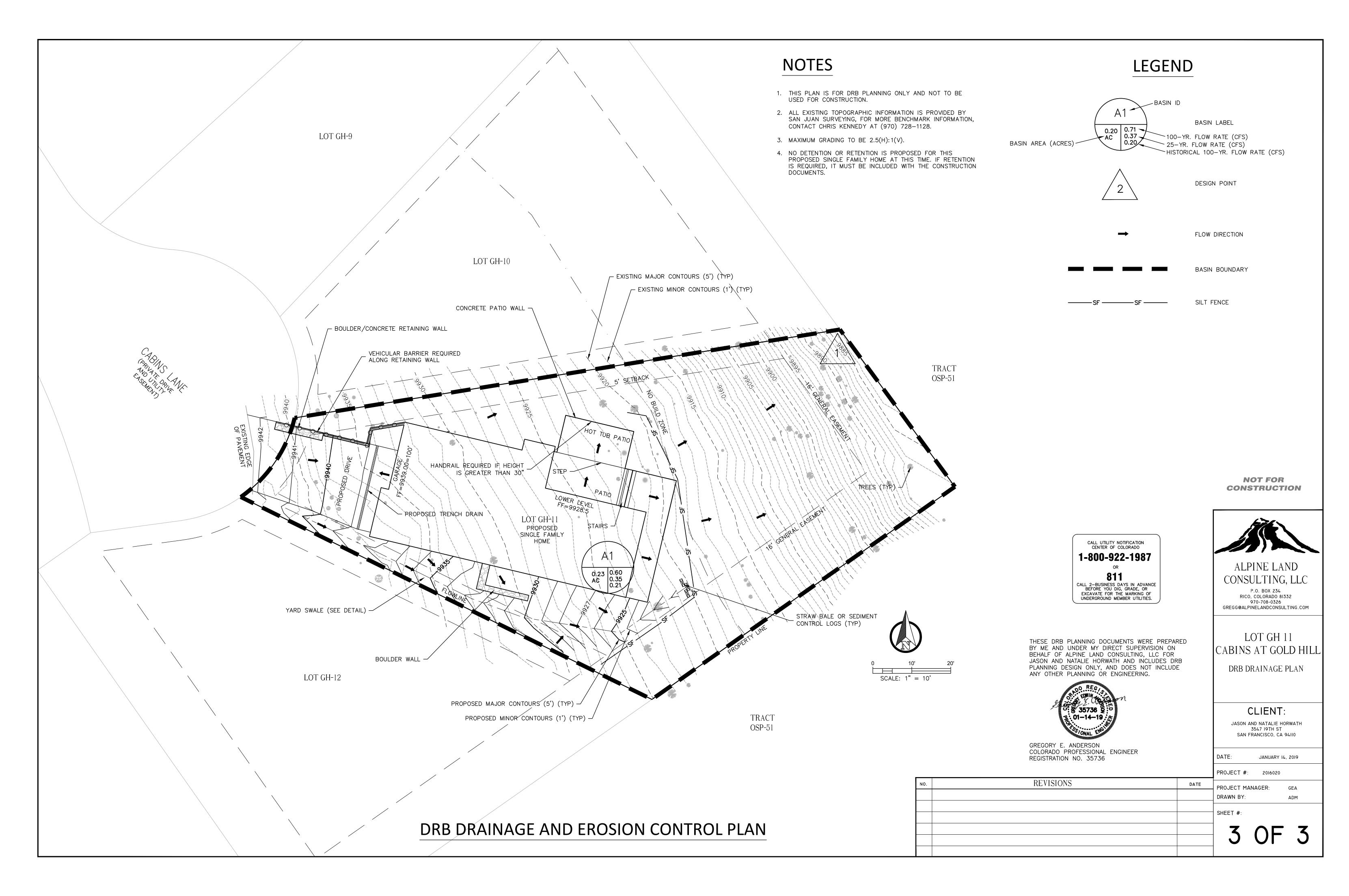


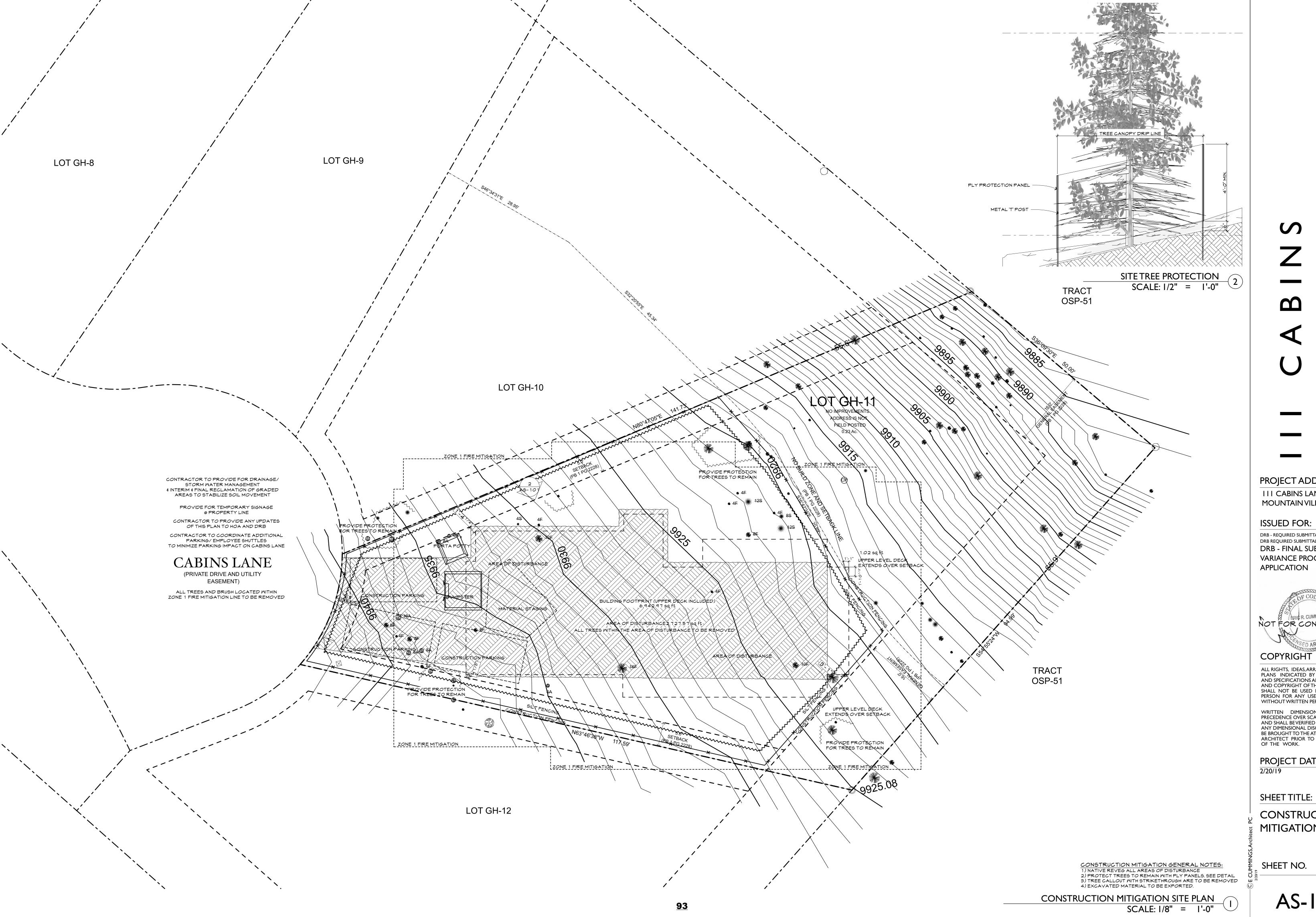












S \Box

PROJECT ADDRESS:

III CABINS LANE MOUNTAIN VILLAGE, CO

ISSUED FOR:

DRB - REQUIRED SUBMITTAL 12/12/2018 DRB REQUIRED SUBMITTAL UPDATE 1/16/19 DRB - FINAL SUBMITTAL VARIANCE PROCESS

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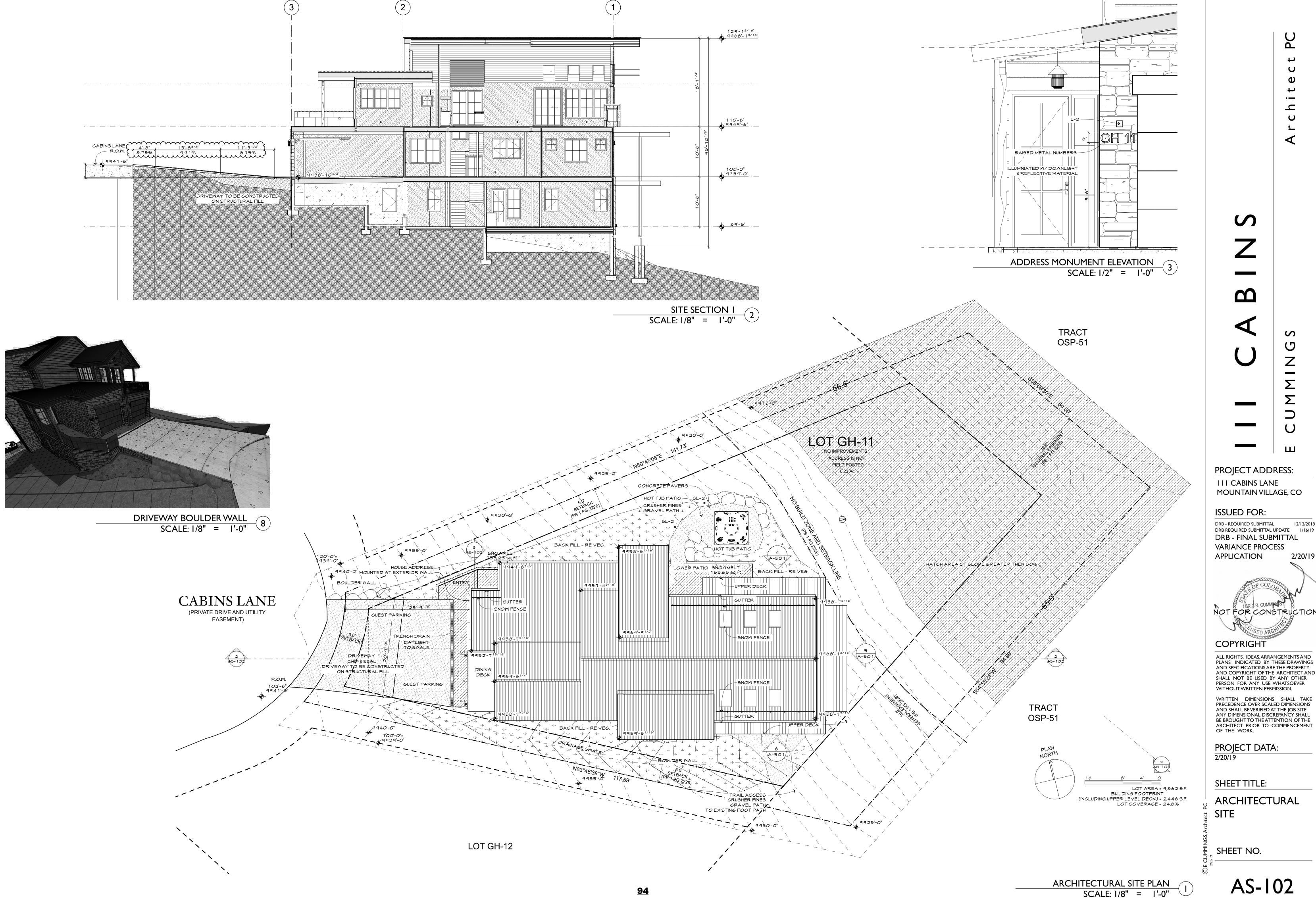
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PROJECT DATA:

CONSTRUCTION MITIGATION PLAN

SHEET NO.

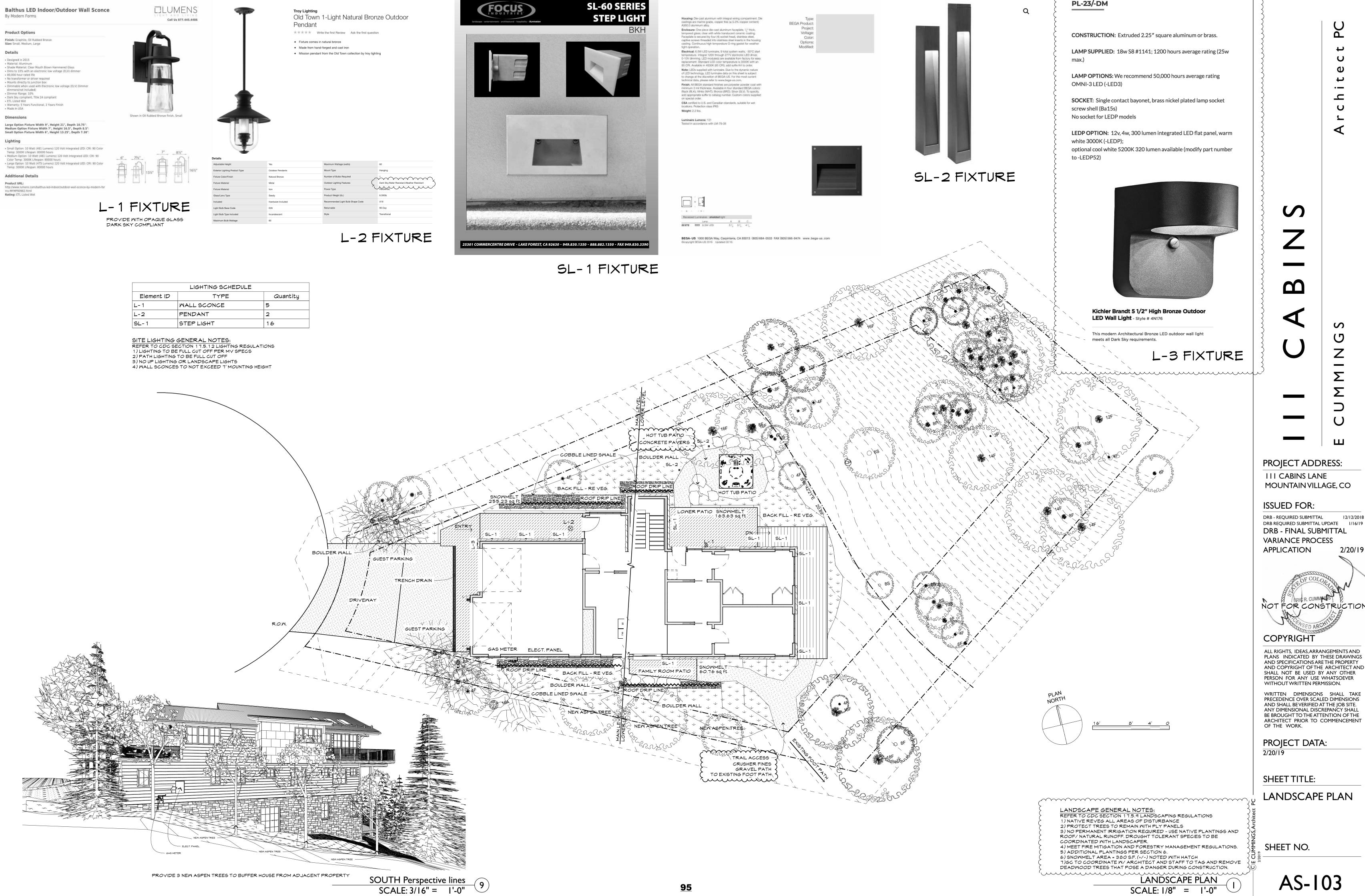
AS-101



DRB - REQUIRED SUBMITTAL 12/12/2018
DRB REQUIRED SUBMITTAL UPDATE 1/16/19 DRB - FINAL SUBMITTAL

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Recessed wall luminaires · shielded

S **M**

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PROJECT DATA:

LANDSCAPE PLAN

SHEET NO.

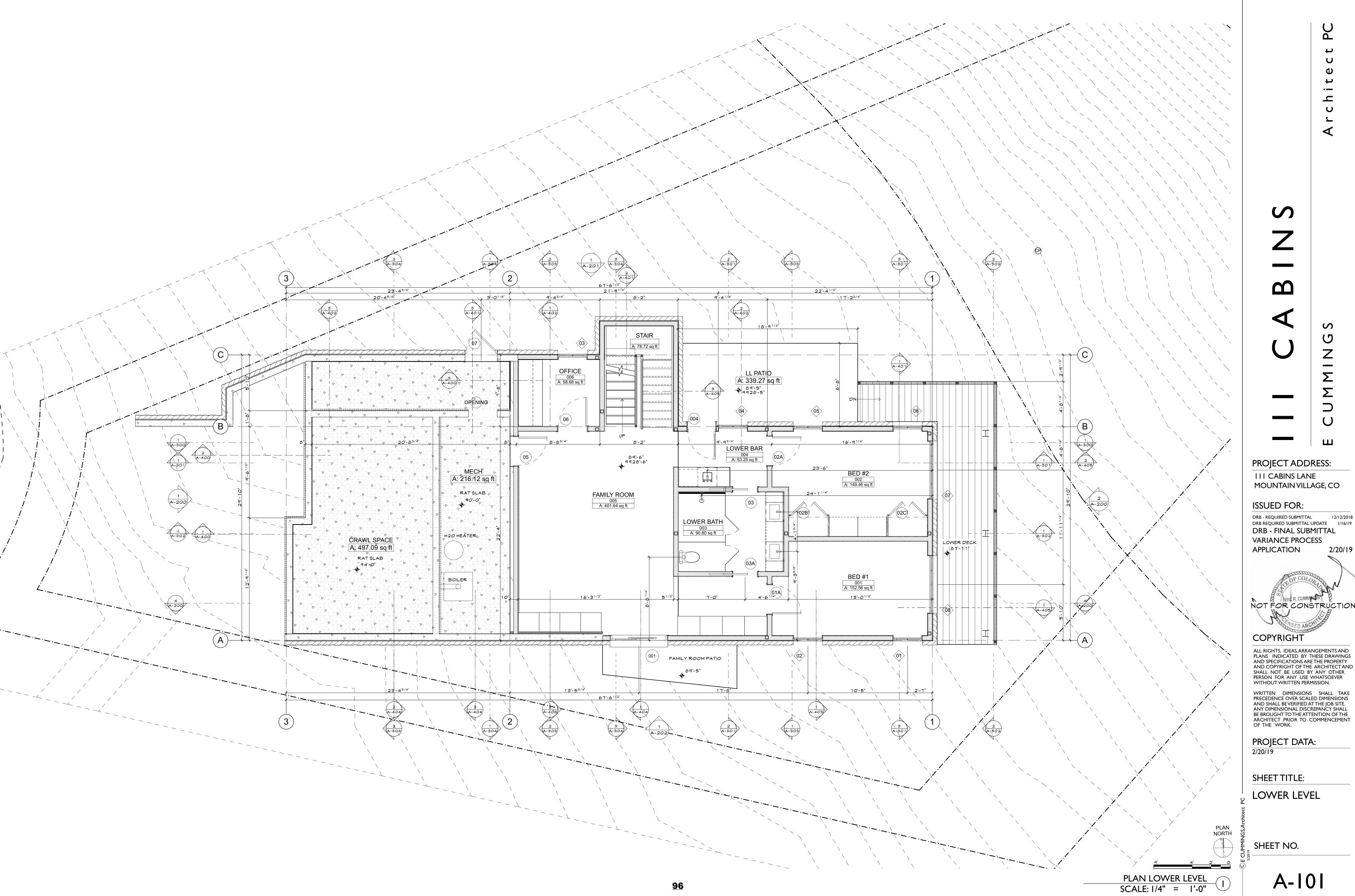
AS-103

<u>95</u>

PROVIDE 3 NEW ASPEN TREES TO BUFFER HOUSE FROM ADJACENT PROPERTY

SOUTH Perspective lines
SCALE: 3/16" = 1'-0"

9

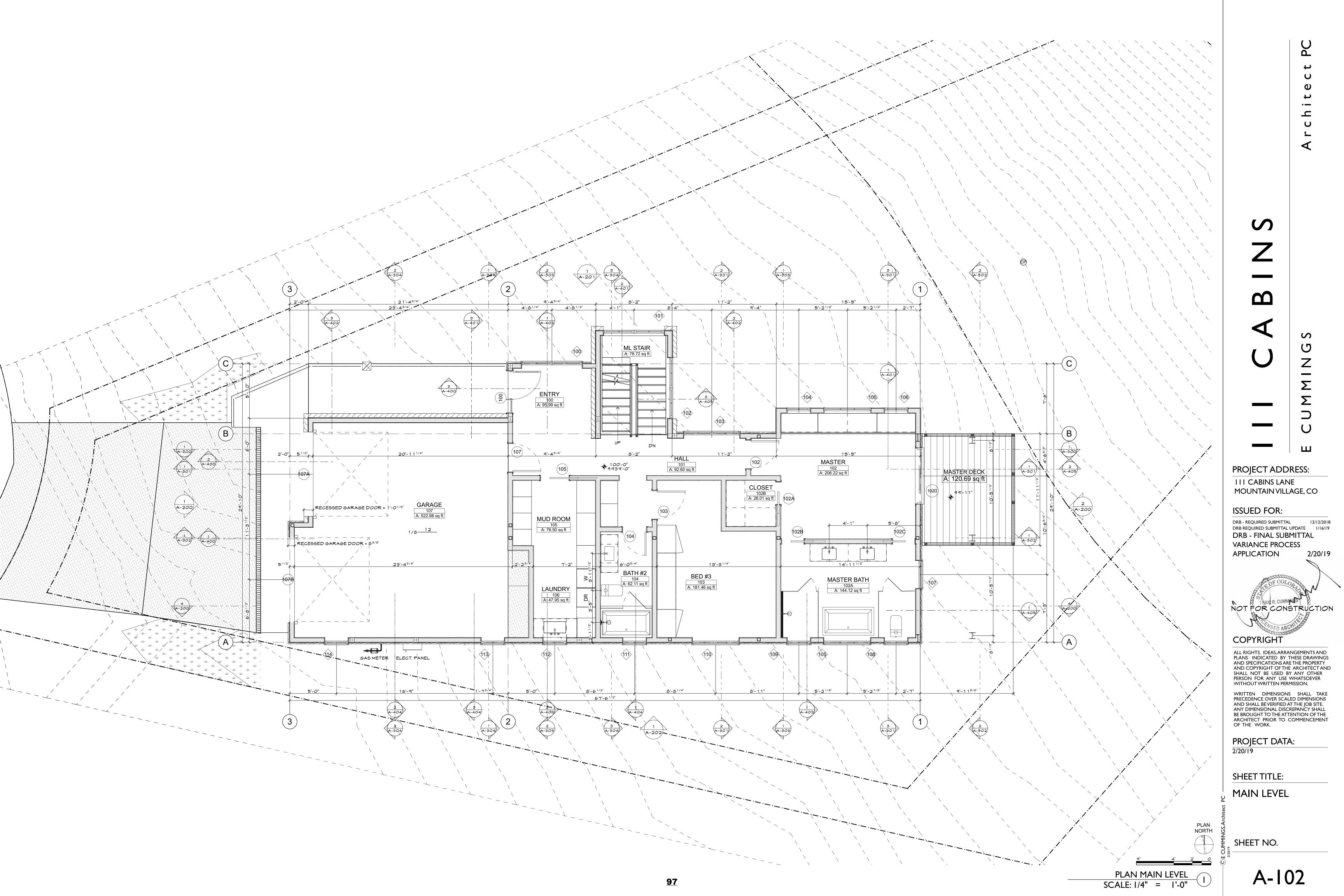


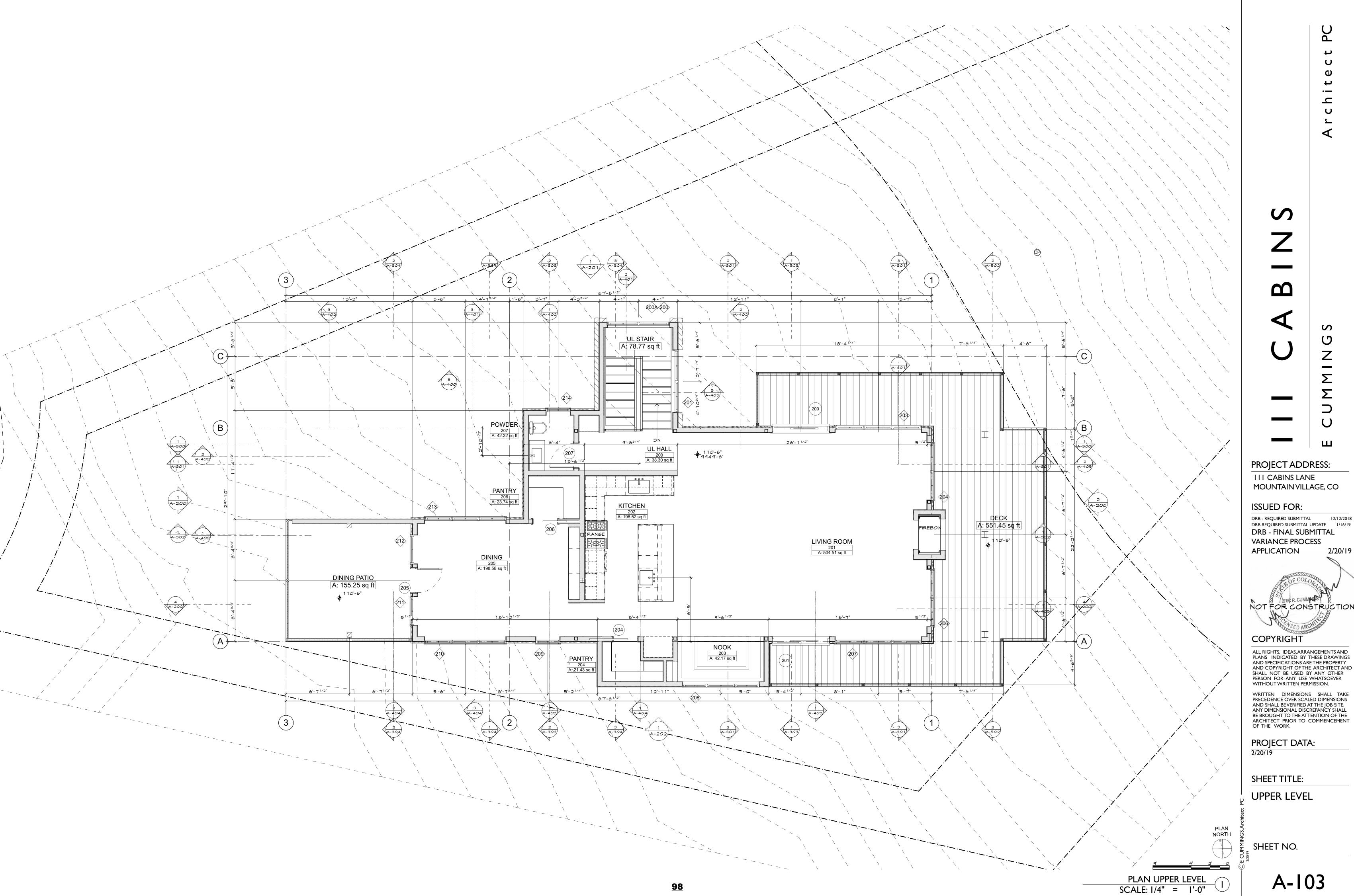
MOUNTAIN VILLAGE, CO

DRB - REQUIRED SUBMITTAL 12/12/2018
DRB REQUIRED SUBMITTAL UPDATE 1/16/19 DRB - FINAL SUBMITTAL

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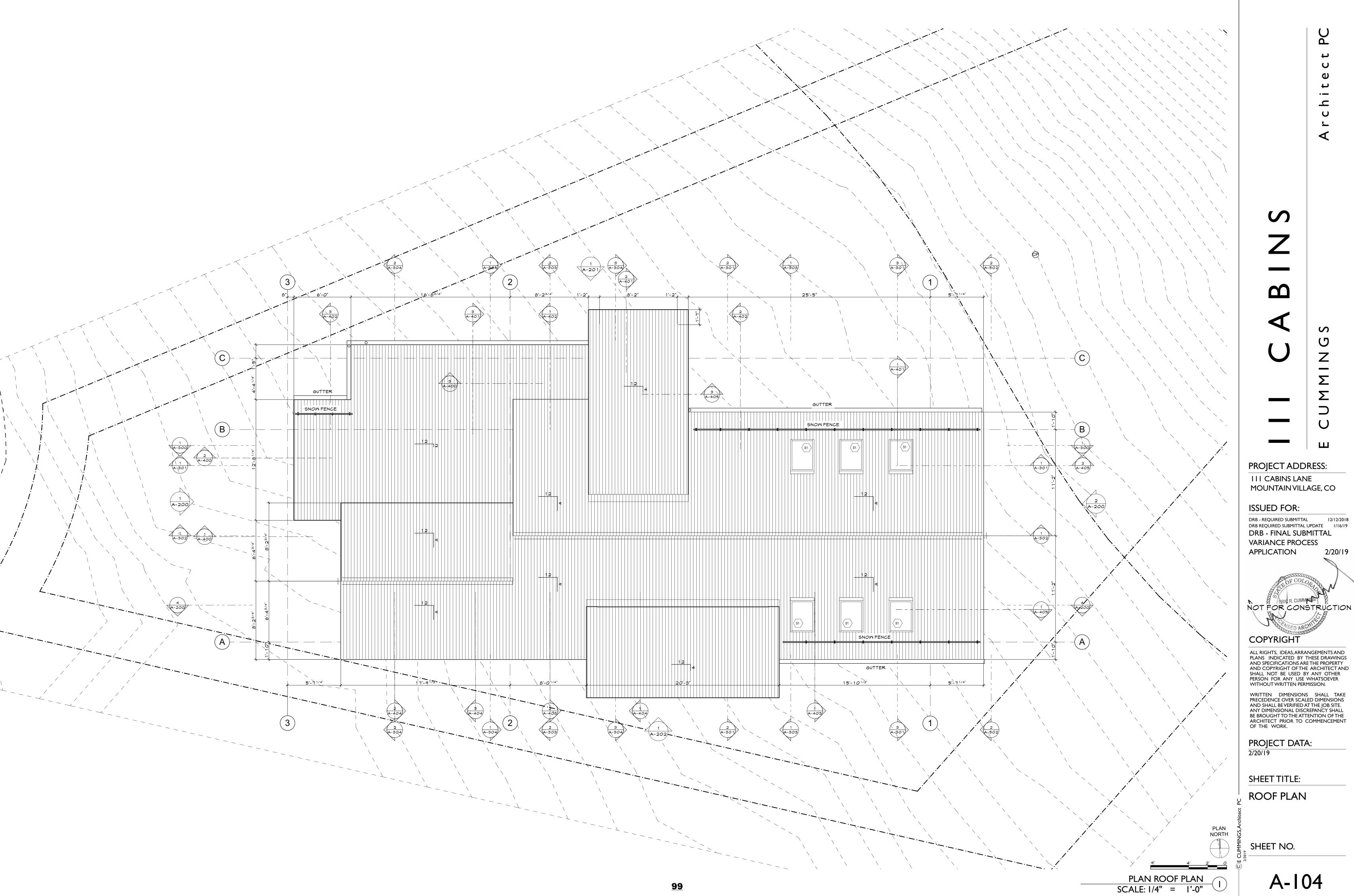




DRB - REQUIRED SUBMITTAL 12/12/2018
DRB REQUIRED SUBMITTAL UPDATE 1/16/19

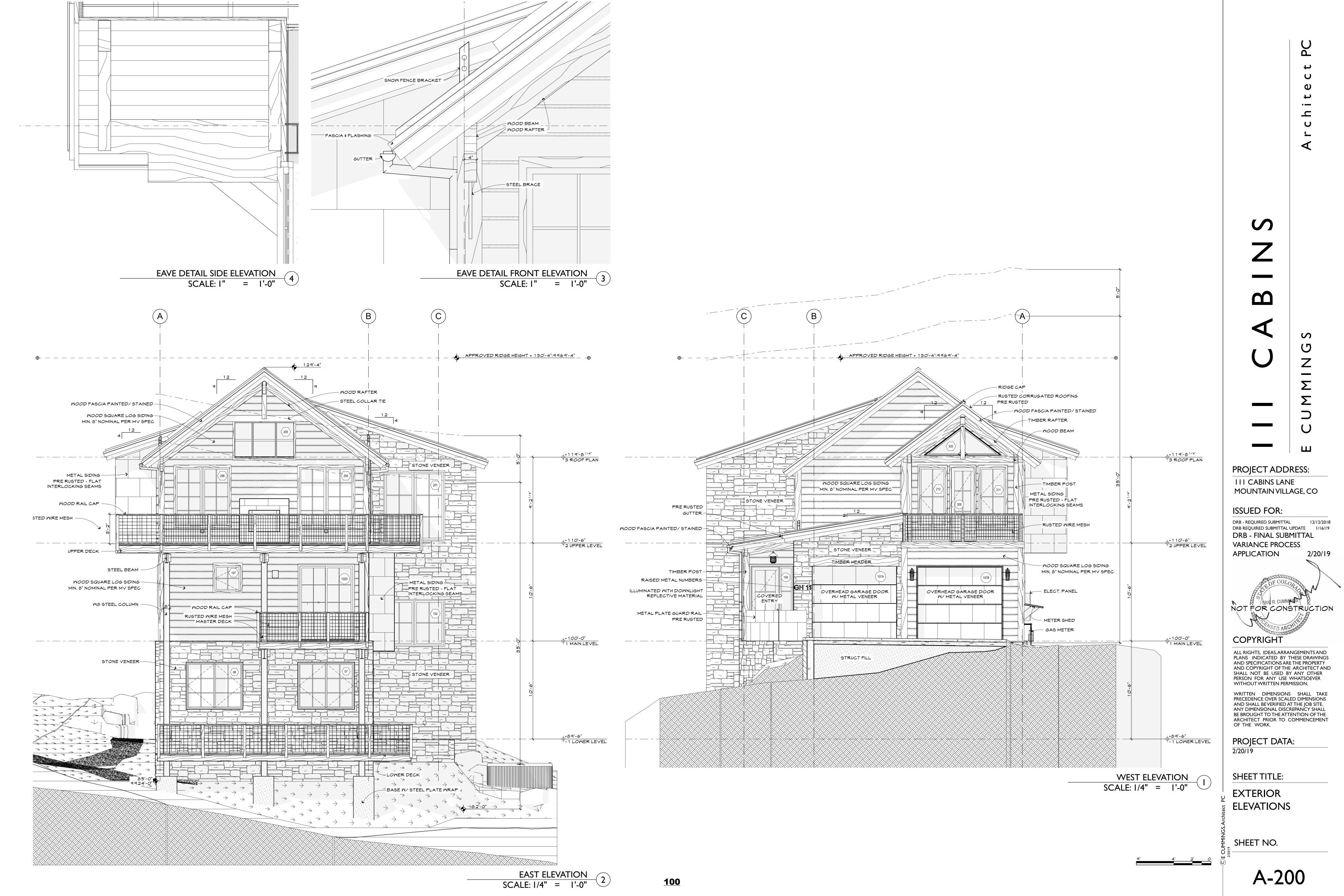


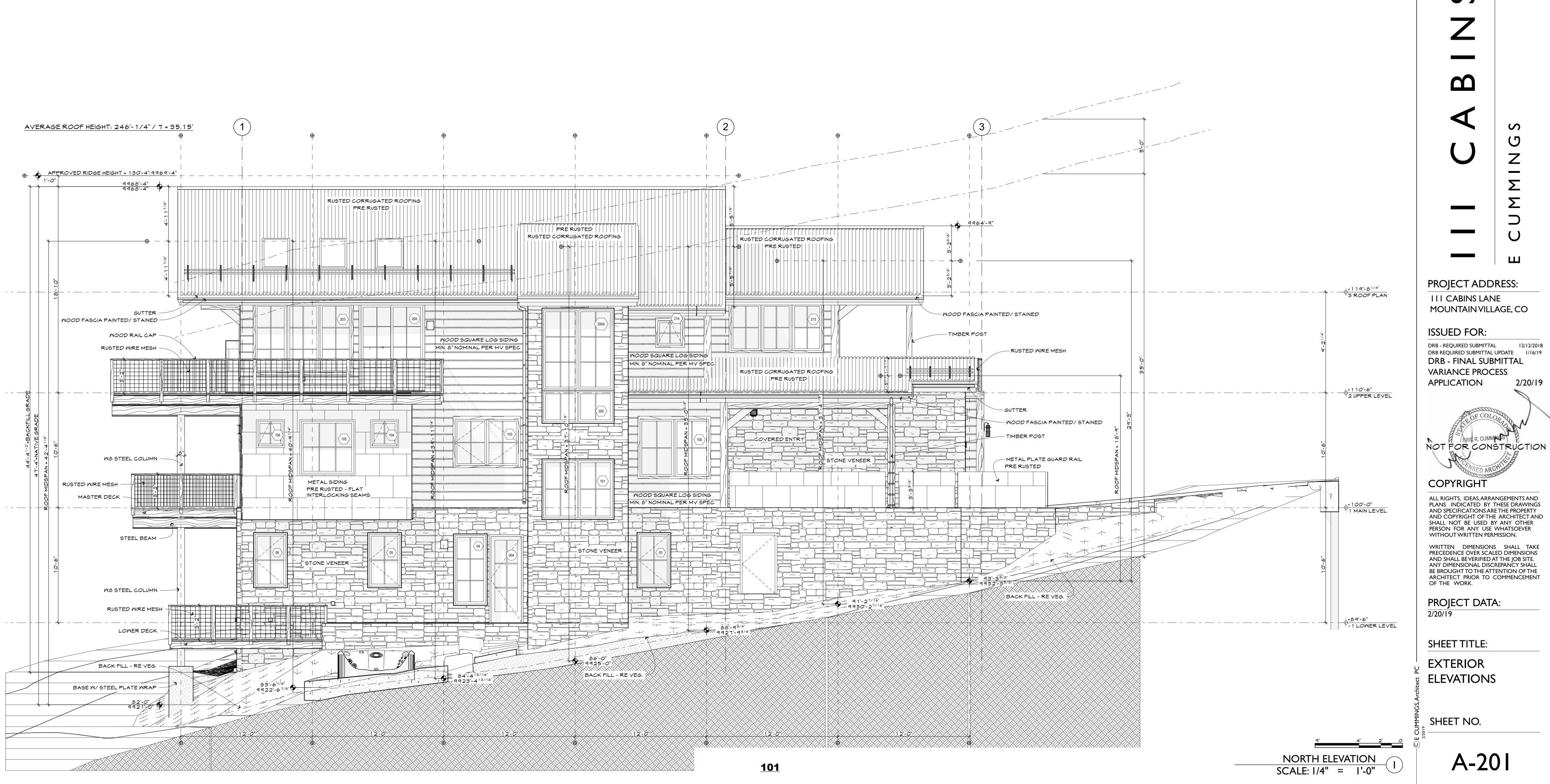
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DRB - REQUIRED SUBMITTAL 12/12/2018
DRB REQUIRED SUBMITTAL UPDATE 1/16/19

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PROJECT ADDRESS:

DRB - REQUIRED SUBMITTAL 12/12/2018 DRB REQUIRED SUBMITTAL UPDATE 1/16/19 DRB - FINAL SUBMITTAL VARIANCE PROCESS

APPLICATION

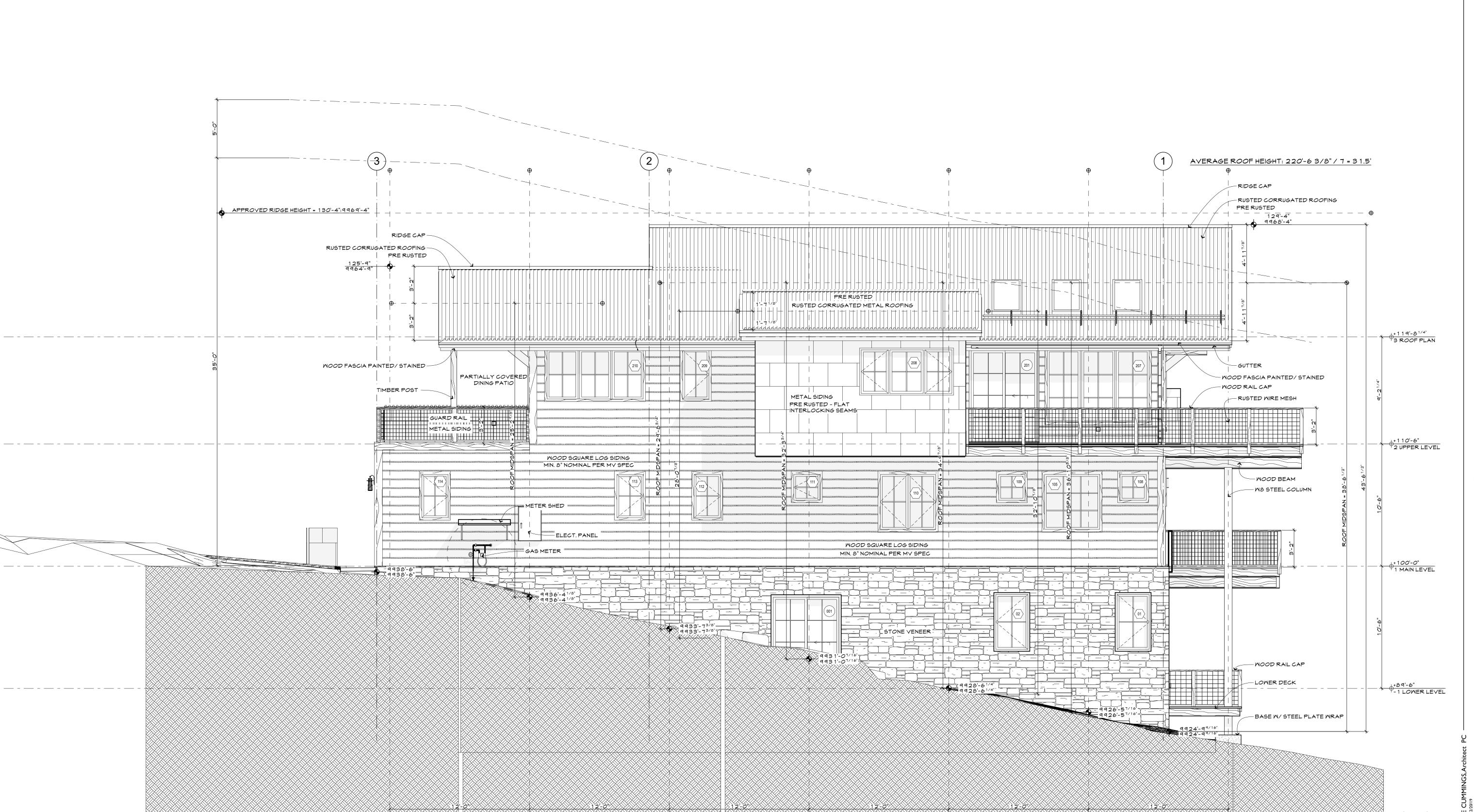
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PROJECT DATA:

EXTERIOR ELEVATIONS

SHEET NO.



<u>102</u>

C A B C

PROJECT ADDRESS:

111 CABINS LANE MOUNTAIN VILLAGE, CO

ISSUED FOR:

DRB - REQUIRED SUBMITTAL 12/12/2018
DRB REQUIRED SUBMITTAL UPDATE 1/16/19
DRB - FINAL SUBMITTAL
VARIANCE PROCESS
APPLICATION 2/20/19



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PROJECT DATA: 2/20/19

SHEET TITLE:

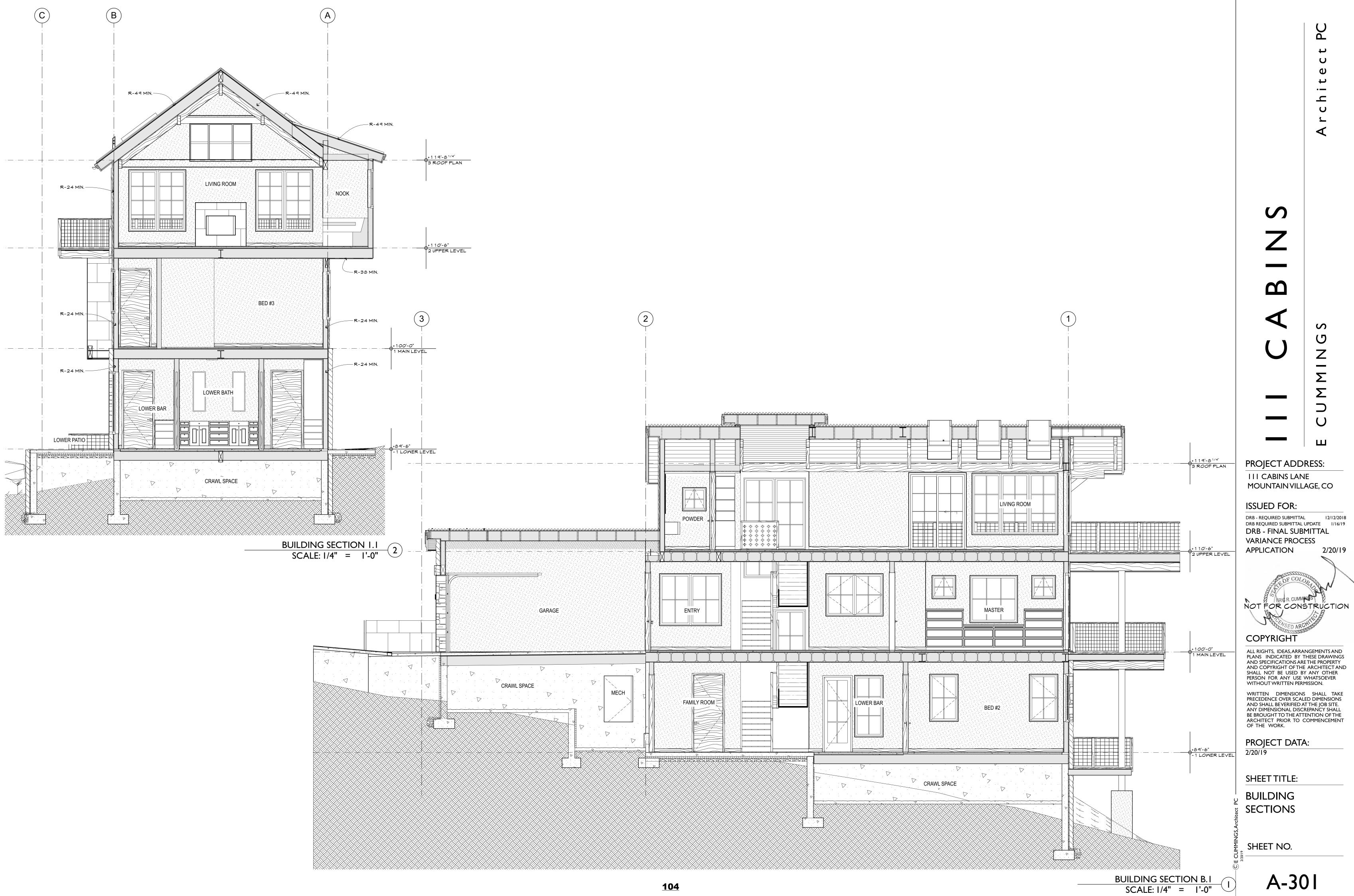
EXTERIOR

ELEVATIONS

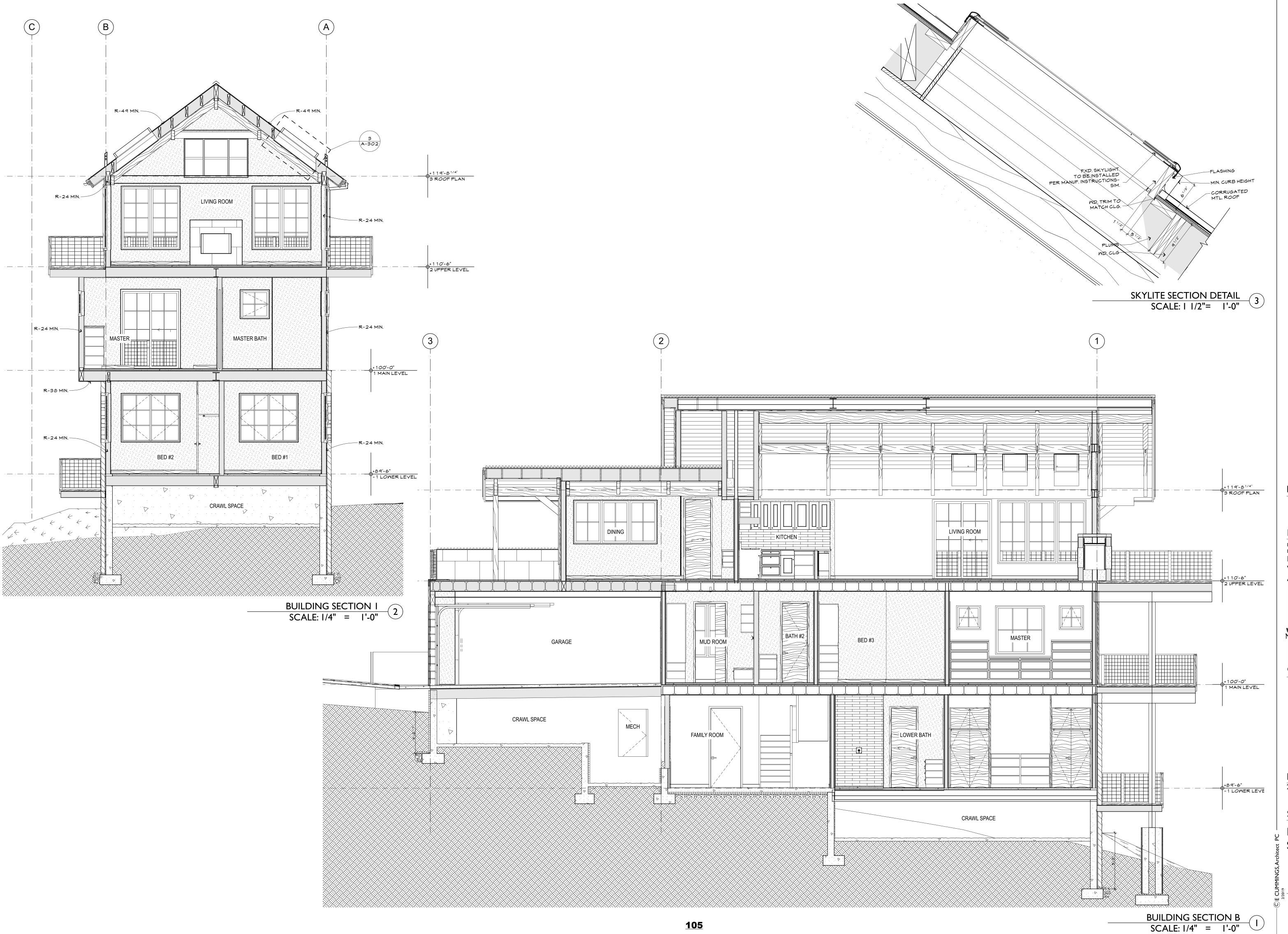
SHEET NO.

A-202





A-301



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PROJECT ADDRESS:

III CABINS LANE MOUNTAIN VILLAGE, CO

ISSUED FOR: DRB - REQUIRED SUBMITTAL 12/12/2018 DRB REQUIRED SUBMITTAL UPDATE 1/16/19 DRB - FINAL SUBMITTAL VARIANCE PROCESS APPLICATION

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PROJECT DATA: 2/20/19

SHEET TITLE: BUILDING **SECTIONS**

SHEET NO.

A-302

DRB - FINAL SUBMITTAL VARIANCE PROCESS APPLICATION 2/20/19

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PROJECT DATA: 2/20/19

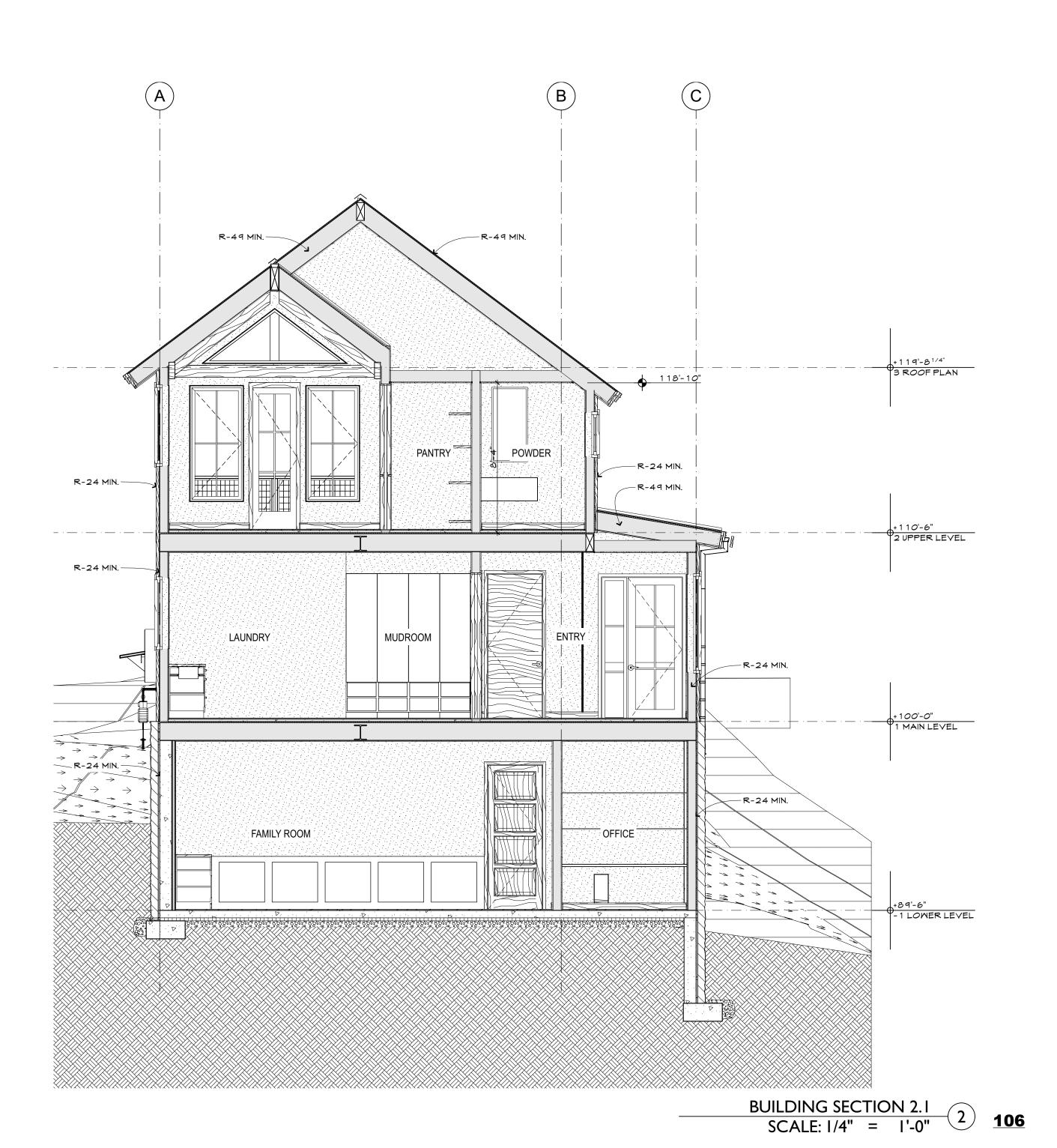
SHEET TITLE: BUILDING

SHEET NO.

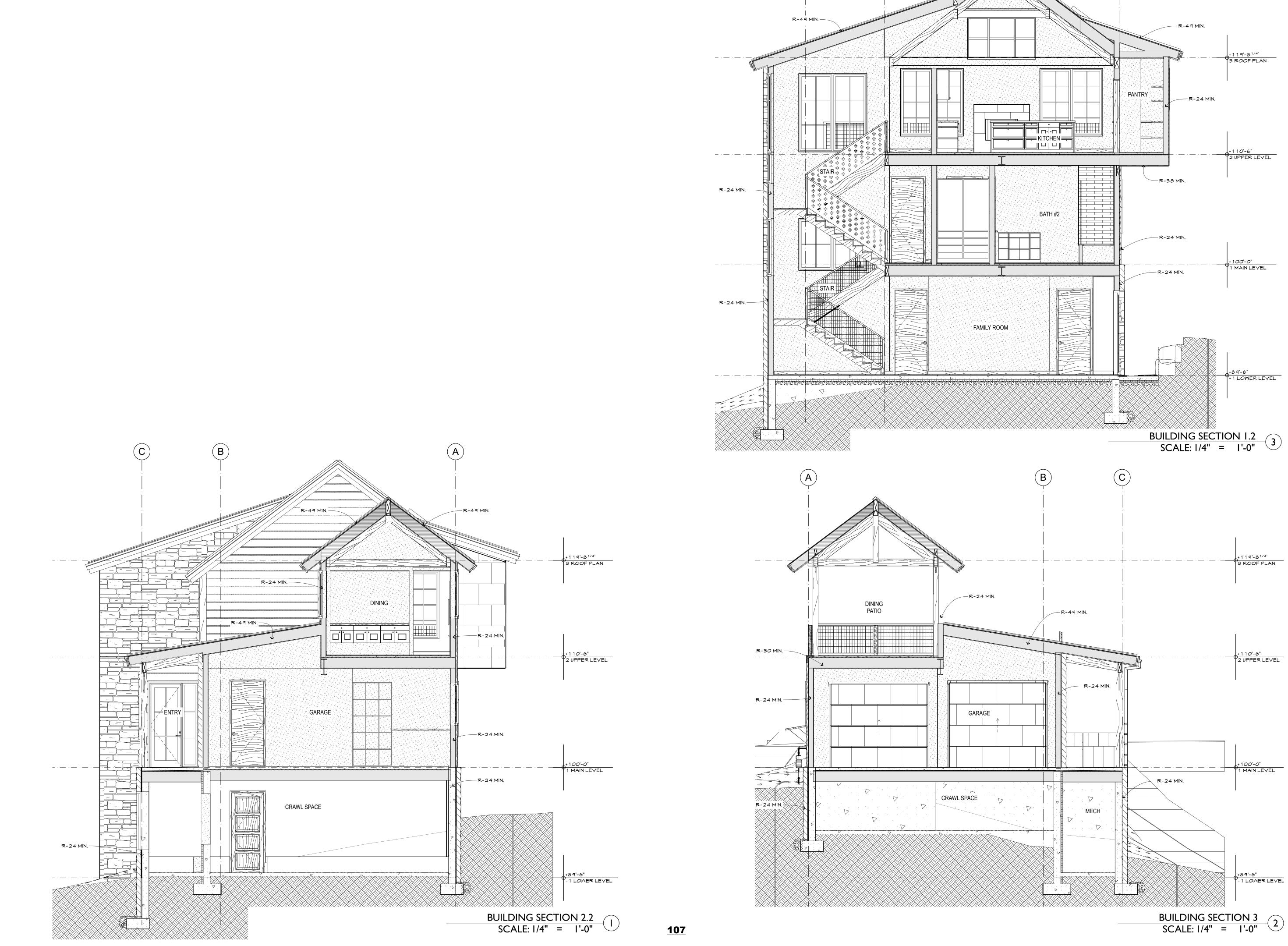
A-303

BUILDING SECTION 2

SCALE: I/4" = I'-0"







S N B N S

-R-49 MIN.

PROJECT ADDRESS:

III CABINS LANE MOUNTAIN VILLAGE, CO

DRB - REQUIRED SUBMITTAL 12/12/2018
DRB REQUIRED SUBMITTAL UPDATE 1/16/19
DRB - FINAL SUBMITTAL
VARIANCE PROCESS

APPLICATION 2/20/19

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PROJECT DATA: 2/20/19

SHEET TITLE:

BUILDING SECTIONS

SHEET NO.

Δ_304

John A. Miller

From: Finn KJome

Sent: Wednesday, January 9, 2019 4:32 PM

To: John A. Miller

Subject: RE: Referral for Lot GH-11; Initial Architecture and Site Plan / Height Variance

John

Cabins Lane is a private drive, any ROW encroachment is an HOA issue. Fire Department might chime in about it. All the of the lots on Cabins Lane have existing utilities provided to the lots. There is no need to connect the water and sewer to the main lines as drawn. The existing water tap is a 1" tap. If they truly need a 2" line they will need to go to the water main as they have drawn. Per our water and sewer regulations they must abandon the existing 1" line when they install the new 2" line.

I don't see the tree survey for Lot GH-10? Do they own this lot as well?

Finn

From: John A. Miller

Sent: Wednesday, January 09, 2019 3:50 PM

To: Finn KJome <FKJome@mtnvillage.org>; Steven LeHane <SLeHane@mtnvillage.org>; Jim Loebe

<JLoebe@mtnvillage.org>; Chris Broady <CBroady@mtnvillage.org>; jim.telfire@montrose.net; jeremy@smpa.com;

brien.gardner@blackhillscorp.com; kirby.bryant@centurylink.com; jim@telfire.com

Cc: Michelle Haynes < MHaynes@mtnvillage.org>

Subject: Referral for Lot GH-11; Initial Architecture and Site Plan / Height Variance

Afternoon All,

You may have seen a previous version of this house located at GH-11 but that have gone back to the drawing board with a new design. Attached you will find the plan set. I am hoping for any feedback related to the project by 1.30.19.

Finn: Just wanted to specifically call out the driveway retaining wall encroachment into the ROW and town platted roadway.

Thanks everyone,

John A Miller III, CFM Senior Planner

Planning & Development Services
Town of Mountain Village

455 Mountain Village Blvd, Suite A

Mountain Village, CO 81435 O :: 970.369.8203

C :: 970.417.1789

RESOLUTION APPROVING A VARIANCE TO THE COMMUNITY DEVELOPMENT CODE REQUIREMENTS FOR LOT GH-11 TO ALLOW THE MAXIMUM HEIGHT TO INCREASE FROM 40 FEET TO 47.4" AND THE MAXIMUM AVERAGE HEIGHT TO INCREASE FROM 35 FEET TO 35.15 FEET.

- A. Jason and Natalie Horwath as Joint Tenants ("Owner") is the owner of record of real property described as Lot GH-11 ("Property").
- B. The Owner has authorized Eric Cummings, Principal of Eric Cummings Architecture, to submit application for a Class 4 Variance to allow the Maximum Height to increase from 40 feet to 47.4" and the Maximum Average Height to increase from 35 feet to 35.15 feet (Application 1).
- C. Application 1 was submitted in compliance with the provisions of section 17.4.16 of the Community Development Code ("CDC").
- D. The Owner has authorized Eric Cummings, Principal of Eric Cummings Architecture, to submit a Class 3 Design Review application for a new home on Lot GH-11 for approval by the Design Review Board (Application 2).
- E. Application 2 was submitted in compliance with the provisions of section 17.4.11 of the CDC.
- F. The Design Review Board ("DRB") considered Application 1, along with evidence and testimony, at a public meeting held on March 7, 2019. Upon concluding their review, the DRB recommended approval of Application 1 by a unanimous vote of 5 to 0 to the Town Council.
- G. The DRB considered Application 2, along with evidence and testimony, at a public meeting held on March 7, 2019. Upon concluding their review, the DRB approved Application 2 by a unanimous vote of 5 to 0, subject to conditions including the Town Council's approval of Application 1.
- H. The Town Council considered and approved Application 1, along with evidence and testimony, at a public hearing on March 21, 2019.
- I. The public hearings referred to above were preceded by publication of public notice of such hearings on such dates and/or dates from which such hearings were continued on the Town website, and by mailing of public notice to property owners within four hundred feet (400') of the Property, as required by the public hearing noticing requirements of the CDC.
- J. After the public hearings referred to above, the DRB and the Town Council each individually considered the Applications' submittal materials, and all other relevant materials, public letters and public testimony, and approved the Applications with conditions as set forth in this Resolution.
- K. The Owner has addressed, or agreed to address, all conditions of approval of the Applications imposed by Town Council and Design Review Board.
- L. The Town Council finds the Applications meets the variance criteria for decision contained in CDC Section 17.4.16(D) as follows:

Variance Findings:

- 1. The strict application of the CDC building height regulations would result in exceptional and undue hardship upon the property owner in the development of the property because an antenna must have adequate height to clear surrounding trees, provide adequate cellular coverage and meet the Town's colocation requirement;
- 2. The variance can be granted without substantial detriment to the public health, safety and welfare due to visual mitigation, and will actually will help protect the public health, safety and welfare by ensuring the provision of critically needed cellular infrastructure;
- 3. The variance can be granted without substantial impairment of the intent of the CDC, with the proposed use meeting the Telecommunication Antenna Regulations;
- 4. Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners in the same zoning district;
- 5. Reasonable use of the property for a telecommunications antenna is not otherwise available without granting of a variance, and the variance being granted is the minimum necessary to allow for reasonable use;
- 6. The lot for which the variance is being granted was not created in violation of Town regulations or Colorado State Statutes in effect at the time the lot was created;
- 7. The variance is not solely based on economic hardship alone; and
- 8. The proposed variance meets all applicable Town regulations and standards unless a variance is sought for such regulations or standards.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES A VARIANCE TO THE COMMUNITY DEVELOPMENT CODE REQUIREMENTS FOR LOT GH-11 TO ALLOW THE MAXIMUM HEIGHT TO INCREASE FROM 40 FEET TO 47.4" AND THE MAXIMUM AVERAGE HEIGHT TO INCREASE FROM 35 FEET TO 35.15 FEET AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO DEVELOPMENT OF THE HOME BEING IN SUBSTANTIAL CONFORMANCE TO THE APPROVAL OF APPLICATION 2 BY THE DESIGN REVIEW BOARD.

Be It Further Resolved that GH-11 may be developed as submitted in accordance with Resolution NO. 2019-

Section 1. Resolution Effect

- **A.** This Resolution shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the resolutions repealed or amended as herein provided and the same shall be construed and concluded under such prior resolutions.
- **B.** All resolutions, of the Town, or parts thereof, inconsistent or in conflict with this Resolution, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 2. Severability

The provisions of this Resolution are severable and the invalidity of any section, phrase, clause or portion of this Resolution as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Resolution.

Section 3. Effective Date

This Resolution shall become effective on March 21, 2019 (the "Effective Date") as herein referenced

	throughout	this	Reso	lution.
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Section 4. Public Hearing

A public meeting on this Resolution was held on the 21st day of March 2019 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Town Council at a public hearing held on March 21, 2019.

	Town of Mountain Village, Town Council
	By:
	Laila Benitez, Mayor
Attest:	
By:	
Jackie Kennefick, Town Clerk	
Approved as to Form:	
Jim Mahoney, Town Attorney	



AGENDA ITEM 17 PLANNING & DEVELOPMENT SERVICE PLANNING DIVISON

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 728-1392

TO: Mountain Village Town Council

FROM: John Miller, Senior Planner

FOR: March 21, 2019

DATE: February 20, 2019

RE: CDC Amendment for Lighting Regulations, Town Council Work Session

PART I. Introduction and Background

The purpose of this agenda item is to propose possible amendments to the Community Development Code (CDC) and its associated provisions related to lighting throughout Mountain Village. The goal is to evaluate and potentially modify lighting standards to bring the town's regulations in line with current lighting technology and community needs. This proposal is based on the idea that lighting technology will change, in turn necessitating changes to lighting regulations. Mountain Village currently has existing exterior lighting regulations, but the goal of this discussion relates to determining the effectiveness of the existing provisions given the ever-changing nature of light fixture design as well as the overall needs of residents looking to enjoy their outdoor living spaces. This project aims to identify a more holistic approach for lighting regulations within the Town of Mountain Village - quantifying appropriate lighting levels, clearly defining terms associated with lighting, allowing some limited use of exterior lighting, and preventing off-site impacts to neighbors, wildlife and the region from light pollution and reduced night sky visibility. This report also attempts to document current research on the topic of light pollution as well as best management practices for limiting light pollution based on examples from other communities throughout the Inter-Rocky Mountain West.

PART II. The Dark Sky Concept

Preservation of the Night Sky

Light pollution was first raised as an issue in the 1970s by scientists and astronomers who noticed increasing degradation of the night sky. Since then, light pollution from growing communities and excessive exterior lighting has continued to diminish the view of the stars in and around developed areas. Because of this relatively rapid change in light intensity, many jurisdictions have adopted regulations to combat light pollution – commonly referred to as Dark Sky Lighting Regulations. While excessive exterior lighting may create a nuisance to neighbors, it also wastes electricity resulting in unnecessary emissions of greenhouse gases, decreases the quality of ambient lighting and overall community safety, and can have documented negative effects of the health of humans and wildlife.

To combat the above issues, the model ordinance from the International Dark Sky Association promotes a thoughtful approach to exterior lighting design that doesn't necessarily limit use of exterior light fixtures but rather limits the design to a manner that is more effective in lighting outdoor spaces. The primary method for prevention of light pollution and limiting energy waste is the full shielding of lighting fixtures, limiting the total light output (lumens) per property, and utilization of lighting curfews which requires properties turn off all non-security lighting between 10pm and 6am, including illuminated signs, parking lot lighting and lighting not required for building entry points.

Better Lighting means Better Neighbors

Exterior lighting, when appropriately shielded and directed, can improve visibility and safety while minimizing energy use, operating costs, and glare. In contrast, improperly shielded lights can shine into adjacent properties and create conflict with neighbors, drivers, and pedestrians. A general rule of thumb is if the bulb is visible from the property line, its contributing to glare and light pollution; with dark sky rated lighting, only the intended area is illuminated. Due to the unique outdoor amenities and quality of life experienced by Mountain Village residents, there is an increasing desire to spend more time in dedicated outdoor living spaces. This is especially true during summer months, and this dynamic has increasingly led to conflicts between existing / proposed lighting and the regulations governing lighting in the town. To better understand this conflict, it may be helpful to better understand the typical lighting requests that have been received in the past and the evolving nature of outdoor space and its utilization within the town.

Generally speaking, most conflicts initially arise during the Design Review process and largely deal with issues such as lighting locations, number of fixtures and intensity, address monument illumination, conflicts with adjacent uses, and landscape/architectural lighting requests. It appears that the current process for new homes has been effective in providing a high standards of dark sky compliance, but there are some questions about the overall effectiveness of the non-conforming fixtures within the Town. These proposed changes do not affect the existing fixtures within the Town, only new proposed fixtures and allowances.

Impacts on Human Health

Excessive light at night negatively impacts many areas of human health. Bright points of light from poorly designed lighting can produce a condition known as "disability glare", which temporarily impairs vision and can cause us to avert our eyes from the veil of light being scattered across our retinas – a potentially dangerous condition for the numerous vehicle and pedestrian interfaces throughout Mountain Village. More concerning from a biological perspective are the effects of ambient lighting on the 24-hour day/night cycle, known as the circadian clock, which affect physiologic processes in almost all organisms. Studies show disruption of the rhythms can result in insomnia, depression and cardiovascular disease. In June 2009, the American Medical Association adopted resolutions that support reducing light pollution and glare – advocating for the use of fully shielded exterior lighting because of the negative health effects caused by light pollution.

Impacts on Wildlife

Studies suggest that artificial night lighting has negative effects on a wide range of wildlife, including amphibians, birds, mammals, insects and even plants. Light pollution disorients migratory birds, disrupts mating behavior of frogs, and interferes with predator/prey relationships. Since the eyes of nocturnal animals have evolved for foraging in low-light conditions, small changes in ambient lighting conditions can alter their relationship with prey species. Light fixation and subsequent collisions are estimated to kill between 100 million and one billion birds annually within the United States – mainly due to collisions

with buildings and windows¹. Small adjustments in our current lighting regulations such as the potential to create wetland lighting buffers may help to remedy some of these issues described above. Other issues such as bird/window collisions may be more complicated due to the fact that many windows are illuminated internally and not regulated under the CDC or Design Review Process.

Safety

Brighter light does not necessarily mean a safer environment. Bright, glaring lights that illuminate night time events or locations can decrease the security of the sites. Excessively bright lights can create a sharp contrast between light and darkness – making the area outside the light nearly impossible to see. It should be noted that most property crime offenses are committed during the day, or inside illuminated buildings. Although possibly counter-intuitive, a safer environment involves shielded lighting for roadways, parking lots, homes, businesses and landscapes; increasing visibility and decreasing distractions, such as glare and contrasts between dark and illuminated areas. In addition to security, lighting needs for pedestrian safety and ingress/egress purposes can be accomplished with similar principles of "less if more", especially if the fixtures are properly shielded and directed to the area intended for illumination. There have been discussions related to The Comprehensive Plan and overall vibrancy within the core and with that, the need for more pedestrian lighting. Any pedestrian lighting within the core would be governed under the CDC – and should be potentially reviewed for conflicts moving forward.

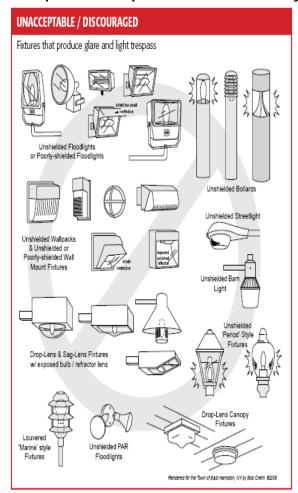
An Economic Case for Proper Exterior Lighting

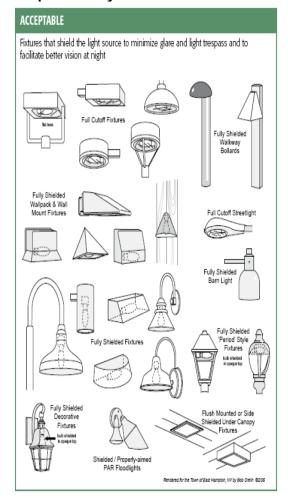
According to the International Dark Sky Association, inadequately sized and shielded exterior lighting in the US results in wasted energy amounting to over three billion dollars a year. This equates to 21 million tons of carbon dioxide, which for comparison would be offset by planting 875 million trees annually. Unshielded fixtures typically waste about 30% of their energy. When lighting is used only where needed, money that would otherwise be spent on energy costs can instead be spent on other things; a tradeoff which is beneficial to both property owners and the local economy. There are other economic benefits related to preservation of the night sky – typically dealing with tourism related to star gazing and the outdoor industry. Notably, light pollution from a community can travel over 100 miles from the source and application of the Dark Sky Concept regionally can provide surprisingly widespread benefits and sustainable economic growth.

It should be noted that there are currently several non-compliant light fixtures within the Town. The Community Development Code (CDC) requires that all new fixtures comply with current regulations but does not required retroactive replacement of non-compliant fixtures unless the redevelopment or remodel is valued at \$50,000.00 or more, or if 25% or more of the exterior lighting is replaced. Staff is not proposing to modify any provisions related to non-conforming fixtures at this time. It may be worthwhile to explore possible options to establish an incentive program that would allow homeowners with existing non-conforming lights to receive a financial rebate for the cost of retro-fitting existing lights that no longer meet Town Standards. This would allow for better implementation of the lighting code, and an overall reduction in energy consumption in the Town for existing homes and business.

¹ Loss, S. R., Will, T., Loss, S. S., & Marra, P. P. (2014). Bird–building collisions in the United States: Estimates of annual mortality and species vulnerability. The Condor, 116(1), 8-23. doi:10.1650/condor-13-090.1

Examples of Acceptable Exterior Dark Sky Compliant Fully Shielded Fixtures





PART III. Proposed Amendment Discussion

This report addresses the following topics and includes detailed discussion of each.

- Light Intensity Measurements (Lumens, Bulb Temperature)
- Outdoor Living Space Allowances
- Landscaping/Architectural Lighting
- Wildlife Buffers
- Lighting Plan Requirements
- Lighting Curfews
- Explore feasibility of provisions to restrict amount of total lighting and overlighting
- Addition of Specific Lighting Terms within Definition Section

The following formatting styles are used for the proposed code language:

Regular Text = Existing code language to remain

Underline = Proposed new language

Strikethrough = Language proposed for removal

(***) = Portion of existing code removed (skipping to another code section to reduce report length)

Section 3.1: Amending Section 17.5.12 Lighting Regulations

17.5.12 LIGHTING REGULATIONS

A. Purpose and Intent

The purpose of the Lighting Regulations is to establish standards for minimizing the unintended and undesirable side effects of residential exterior lighting while encouraging the intended and desirable safety and aesthetic purposes of such lighting. It is the purpose of the Lighting Regulations to allow illumination that provides the minimum and safe amount of lighting that is needed for the lot on which the light sources are located. In addition, the purpose of this section is to protect the privacy of neighboring residents by controlling the intensity of the light source. All exterior lighting shall conform to the standards set forth below.

B. Limited Exterior Lighting

The basic guideline for exterior lighting is for it to be subdued, understated and indirect to minimize the negative impacts to surrounding lots and public rights-of-way. The location of exterior lighting that meets the requirements of this section shall only be allowed at:

- 1. Buildings where Building Codes require building ingress and egress doors;
- 2. Pedestrian walkways or stairs;
- 3. Plaza areas and other public areas where lighting is required;
- 4. Deck or patio areas;
- 5. Surface parking lots;
- 6. Signs:
- 7. Address identification or address monuments;
- 8. Flags;
- 9. Public art;
- 10. Driveways;
- 11. Street lights; and/or
- 12. Swimming pools, spas and water features.; and
- 13. Outdoor living spaces.

C. Prohibited Lighting. The following exterior lighting is prohibited:

- 1. Architectural lighting;
- 2. Landscape lighting:
- 3. Up lit lighting fixtures;
- 4. 3. Flood lighting;
- 5. 4. Other lighting not outlined above as permitted or exempt lighting;
- 6. <u>Lighting that causes glare from a site or lot to any designated wetlands or other environmentally sensitive areas;</u>

- 7. 5. Lighting that causes glare from a site or lot to adjoining property; and
- 8. 6. Lighting that produces glare to vehicles within a public right-of-way or access tract.
- **D. Exemptions.** The following types of exterior lighting shall be exempt from the Lighting Regulations:
 - Seasonal lighting and/or other types of festoon lighting, providing individual lamps are less than ten (10) watts and seventy (70) lumens per linear foot of lighting;
 - a. Seasonal lighting and/or other types of festoon lighting shall not detrimentally affect adjacent neighbors. If the Town determines that seasonal such lighting detrimentally affects adjacent neighbors, it may determine such lighting to be a nuisance and require the lighting to be removed.

Staff note – The International Dark Sky Association Model Code recommends exempting temporary seasonal lighting if individual lamps produce less than 70 lumens. For context, a small individual Christmas tree bulb on a string typically generates 3-4 lumens whereas a large Christmas tree bulb generates 20-30 lumens. In comparison, a 60-watt incandescent household bulb typically generates 800 lumens. Lumens measure light output as opposed to watts, for example, which measure how much energy a certain lightbulb uses. Lumen output is commonly reported on bulb marketing and product materials and appears to be the most common metric used for LED bulbs, which are becoming increasingly popular for their low energy use and are required by the current CDC regulations.

- 2. Temporary lighting that is used for theatrical, television, performance area and construction sites;
- 3. Emergency lighting; and
- 4. Special event lighting approved by the Town as a part of the required development application-;
- 5. Swimming pool and water feature lighting when it is established that no off-site glare shall occur;
- 6. <u>Lighting of the United States Flag when there is no other down-light option to prevent upward glare;</u>
- 7. <u>Lighting within public right-of-way for the principle purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right-of-way when the purpose is to illuminate areas outside the public right-of-way; and,</u>
- 8. <u>Lighting required by the ski resort operator for the ordinary operation of the ski area snow making installation and operation.</u>

E. Lighting Design Regulations.

- 1. **Full Cut-Off Fixture Design**. All exterior lighting shall be designed as eighty-five degrees (85°) full cut-off fixtures that direct the light downward without any off-site glare, except as exempted in Section 17.5.12(D).
 - a. Opaque glass may be used to achieve this requirement if the fixture does not permit light distribution above a horizontal plane located at the bottom of the fixture.
 - b. Each exterior light fixture shall be directed downward and shall not exceed 850 lumens, with the exception of residential outdoor pathway and recessed stairway lighting which shall not exceed 300 lumens per fixture.
 - b. Exemptions:
 - i. Swimming pool and water feature lighting when it is established that no off-site glare shall occur; and
 - ii. Lighting of the United States flag when there is no other down-light option to prevent the upward glare.
 - c. Approved surface parking lots lighting shall be screened to direct the light onto the parking lots and to ensure lower elevation development is protected from glare.
- 2. **Required Exterior Lighting Type.** LED lighting or other equivalent energy saving high efficiency lighting compliant with this section, shall be used for all exterior lighting.
- 3. **Maximum Temperature.** The maximum temperature for differing all proposed lighting types regardless of bulb type, shall be not exceed 3,000 degrees Kelvin, or may employ amber light sources, filtered LED light sources, or a suitable alternative with the goal of having a warmer light source.
 - a. 3,500 degrees Kelvin for incandescent, halogen lighting, HID and other lighting not specified herein.
 - b. 4,500 degrees Kelvin for LED lighting provided the degrees Kelvin is reduced closer to 3,500 to the extent practical given current LED technologies, with the goal of having warmer, less bluish toned LED lights.
- 4. **Lighting for Parking Areas.** Lighting shall be provided for surface parking areas and underground parking garages.
 - a. Surface parking lot lighting shall be located in landscaped areas to the extent practical.
 - b. <u>Parking area lights are encouraged to be greater in number, lower in height</u> and lower in light level.
 - c. Approved surface parking lots lighting shall direct the light onto the parking lot areas only and ensure lower elevation development is protected from glare.

- 5. **Maximum Height Limit for Lights.** The following light fixture height limits shall be met. The review authority may approve other heights based on site-specific considerations.
 - a. The maximum height for a pole-mounted light fixture shall be twelve feet (12'). Pole-mounted light fixtures shall be measured from the immediately adjacent grade and are not permitted or intended to be placed on buildings or structures to artificially increase the height allowance or circumvent maximum height allowances.
 - b. The maximum height for a wall-mounted light fixture shall be seven feet (7') above the directly adjacent walking surface or pathway, except for sign lighting that may be higher as reviewed and approved by the review authority to allow for proper illumination of the sign.

6. Lighting on Upper Floors.

- a. Exterior lighting on second or higher stories shall be provided by fixtures, or by recessed wall, ceiling or lighting that is louvered or otherwise designed to prevent off-site glare.
- b. Decks on second and upper floors that do not have stairs shall have only recessed wall or ceiling, in-rail or in-wall, louvered or concealed lighting that is directed towards the building or the deck/patio surface and not to the exterior.
- c. All lighting on upper floors shall require either a timer or sensor to reduce usage and energy loss during times of inactivity.
- 7. Lighting Curfew: All exterior lighting shall be extinguished by 1:00 a.m. or when people are no longer present in exterior areas, whichever is later, except for lighting activated by motion sensor which extinguishes 10 minutes after activation and lighting at building entrances, parking areas and driveways.
- 8. <u>Levels of Illumination:</u> During hours of darkness, the minimum and average maintained foot-candles of light shall be consistent with the provisions listed below. A point-by-point photometric calculation listing the number, type, height, and level of illumination of all exterior lighting fixtures shall be required prior to Design Review Board approval or site improvement to ensure compliance with these provisions.
 - a. Parking lots, driveways, trash enclosures/areas, public phones, and group mailboxes shall be illuminated with a minimum maintained one (1 fc) footcandle of light and an average not to exceed four (4 fc) foot-candles of light.
 - b. Pedestrian walkways shall be illuminated with a minimum maintained one-half (0.5 fc) foot-candle of light and an average not to exceed two (2 fc) foot-candles of light.
 - c. Exterior doors of nonresidential structures shall be illuminated during the hours of darkness with a minimum maintained one (1 fc) foot-candle of light, measured within a five (5' 0") foot radius on each side of the door at ground level.

- d. In order to minimize light trespass on abutting residential property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed the moon's potential ambient illumination of one-tenth (0.1 fc) foot-candle
- 9. Lighting Designer Required. In the case of new development or remodeling subject to the Lighting Regulations, a Lighting Certified professional, a Certified Lighting Efficiency professional, an International Association of Lighting Designers member or similarly certified professional, or a licensed architect shall design all exterior lighting.
- 10. **Lighting Plan Required.** A detailed exterior lighting plan, separate from other required plans, shall be submitted with development application detailing the location and specifications of all lighting to be installed.
 - a. The exterior lighting plan shall describe the location, height above grade, type of illumination (such as incandescent, halogen, high pressure sodium, etc.), source, and temperature for each light source being proposed.
 - b. An isofootcandle diagram prepared by a certified lighting professional as outlined above shall be provided to indicate the level and extent of the proposed lighting.
 - c. An environmental impact statement may be required as to the impact of the exterior lighting proposed on flora, fauna, and the night sky. Location of species sensitive to light at night or the proximity to wetlands shall be indicated.
- 11. Additional Lighting Requirements for the Village Center. Provisions for seasonal and holiday lighting and/or other types of festoon lighting shall be incorporated into the exterior lighting plan for all projects located within the Village Center.
 - a. Additional lighting requirements for the Village Center are found within the Commercial, Ground Level and Plaza Area Design Regulations.
- 12. **Application.** All newly installed exterior lighting shall comply with the Lighting Regulations.
 - a. A redevelopment or remodel valued at fifty thousand dollars (\$50,000) or more shall retrofit all existing exterior lighting to comply with the then current Lighting Regulations.
 - b. Notwithstanding the value of the redevelopment or remodel, if twenty-five percent (25%) or more of the exterior lights are to be replaced, all existing exterior lighting shall be retrofitted to comply with the then current Lighting

Section 3.2: Amending Section 17.5.15: Commercial, Ground Level and Plaza Area Design Regulations to better align Standards for Commercial storefront lighting.

(***)

(B)(4): Lighting

Page | 9

- a. In general, lighting within commercial areas shall originate within the storefront windows and not be dependent on freestanding light fixtures. Direct light sources should be used only for accent of architecture, landscape, artwork or for the definition of entries and walkways consistent with the Lighting Regulations.
- b. Window displays within storefront windows shall be <u>illuminated</u> <u>lighted</u> so as to provide an indirect glow of light onto adjacent pedestrian walkways and plazas. Harsh light and glare from storefront windows or interiors shall be avoided.
- c. Interior fluorescent lights shall be baffled so that the light source shall not be seen from pedestrian areas.
- d. White, yellow or other Town-approved LED lights with a maximum temperature of less than 3,000K shall be used to light storefronts. With all lighting types, extreme care shall be taken to avoid glare and color distortion. Flashing, blinking or moving lights shall not be used in storefronts. Colored lighting and projector lighting of the interior of a storefront may be used for storefronts and displays with specific approval from the review authority.

<u>Section 3.3:</u> Amending definitions to include related lighting terms – to be inserted in alphabetical order of the existing definitions.

Chapter 17.8 Definitions (***)

Exterior Lighting: Artificial outdoor illumination as well as outdoor illuminating devices or fixtures, whether permanent or temporary, including, but not limited to, illumination and illuminating devices or fixtures emanating from or attached to: the exterior of buildings, including under canopies and overhangs, within railings or stairs; structures, such as poles, fences, or decks; the interior or exterior of open-air structures or buildings such as gazebos, pergolas, and breezeways; and the ground, a tree, or other natural features.

Festoon Lighting: A string of exterior lighting that is suspended between two points.

Foot-Candle: ("FC") The basic unit of illuminance (the amount of light falling on a surface). Foot-candle measurement is taken with a hand-held light meter. One foot-candle is equivalent to the illuminance produced on one square foot of surface area by a source of one candle at a distance of one foot. Horizontal foot-candles measure the illumination striking a horizontal plane.

Glare: Light entering the eye directly from a light fixture or indirectly from reflective surfaces that cause visual discomfort or reduced visibility to a reasonable person.

Kelvin: The measure of color temperature of a light source. Temperature is measured in degrees with warmer temperatures having a lower number and cooler temperatures having a higher number.

<u>Lamp:</u> A source of optical radiation (i.e., "light"), often called a "bulb" or "tube." Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low-pressure

sodium (LPS) lamps, as well as light emitting diode (LED) modules and arrays.

<u>Light Pollution: The material adverse effect of artificial light, including but not limited to, glare, light trespass, energy waste, compromised safety and security, and impacts on the nocturnal environment.</u>

<u>Light Trespass: An undesirable condition in which exterior light is cast across property lines to areas that are unwarranted or unwanted.</u>

<u>Lumen:</u> A unit of measure used to quantify the amount of visible light produced by a lamp or emitted by a light fixture (as distinct from "watt", a measure of power consumption).

Outdoor Living Space: an area that extends the usable living area of the home and includes indoor elements such as furniture, kitchen areas, walls or enclosures, overhead cover or canopy, fireplaces, or other entertainment elements that are typically found indoors.

<u>Seasonal Lighting: Lighting installed and operated in connection with the holidays or other seasonal traditions.</u>

PART III. Conclusion

The purpose of Dark Sky Lighting standards is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property – while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

The Planning Division would like to move this project forward by providing the board with proposed amendments to the Town's CDC Lighting regulations at a later date.

/jjm



Town of Mountain Village

Residential Outdoor Lighting Workshop - 2019

Content: IDA in Partnership with NOAO, NSF and IYA Dark Skies Awareness







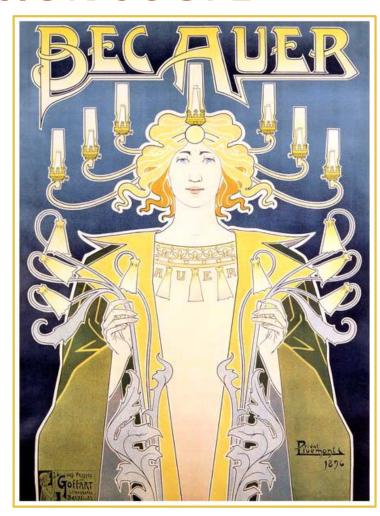






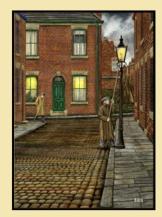
PROJECT AND DISCUSSION SCOPE

- History and Purpose of Outdoor Lighting
- Types of Lamps
- Fundamentals of Lighting Design
- •
- Dangers of Over-Illumination
- Examples of Proper Lighting
- Proposed Code Amendments

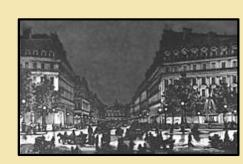


History of Lighting

- Street lighting was first recorded in the ancient Greek city of Antioch – 4th Century
 - Consisted of oil and candle lighting
- Coal Gas Lanterns began approx. 300 years ago
 - First widespread system of street lighting used piped coal gas as fuel
- Electric Lamps came into wide use by the 20th century
 - Arc Lamps or "Yablochkov candle" and later Incandescent lightbulbs, HID, and LED









MODERN OUTDOOR LIGHTING



- Street and roadway lighting
- Parks
- Parking Lots and Parking Decks
- Landscaping
- Residential
- Commercial Buildings
- Pedestrian and Bike Pathways

Lighting types above work to provide safe environment at night, extend use of parks and walkways, enhance historic/notable features, and enhance travel on roadways and at intersections.



Types of Lamps

- There are four basic types:
 - Incandescent
 - Fluorescent
 - High-intensity discharge
 - Including: Mercury Vapor, Metal Halide, High Pressure Sodium and Low Pressure sodium
 - Light Emitting Diode (LED)
 - LED technology is still relatively new







Light Pollution

The inappropriate or excessive use of artificial light – known as light pollution – can have serious environmental consequences for humans, wildlife, and our climate. Components of light pollution include:

- •Glare excessive brightness that causes visual discomfort
- •Skyglow brightening of the night sky over inhabited areas
- •Light trespass light falling where it is not intended or needed
- •Clutter bright, confusing and excessive groupings of light sources
- https://www.darksky.org/light-pollution/



The Dark Sky Concept

BASIC DARK-SKY LIGHTING STANDARDS

SHIELDING OF FIXTURES Downward pointing, fully shielded lighting keeps unwanted light from escaping into surrounding areas and the sky above. They direct the light onto the desired areas and limit glare. Outdoor lighting should be "fully shielded," meaning no light emitted above a 90 degree angle. The more directed towards the intended subject, the better. Fully shielded lighting can be purchased or retrofitted.

UNSHIELDED

PARTIALLY SHIELDED

FULLY SHIELDED







LIGHTING COLOR The color of the light is important as well. Blue-rich lighting brightens the night sky more than warm colored lighting and researchers are beginning to connect blue light emission to negative health effects in people and greater problems for wildlife. The IDA recommends using long-wavelength lighting with a color temperature of 3000 Kelvin or less.



following dark-sky lighting practices can have multiple benefits.

HEALTH AND SLEEP

According to the International Dark-Sky Association,



Exposure to certain types of light pollution hinders the human body's ability to produce melatonin, the hormone that allows the body achieve restful sleep.



SAFETY

DARK SKY BENEFITS

Reducing glare from streetlight and other outdoor fixtures can lead to better vision at night, increasing awareness when walking or driving and potentially reducing crime.



ENERGY

Correctly shielding light and setting lights to activate using a timer or motion sensor can more efficiently brighten a desired area and save a homeowner or community money.



NATURE

Exposure to unnatural light sources can disrupt the feeding, migration and reproductive habits of native animals and plants.



STARGAZING

Light pollution limits the visibility of stars and planets in the sky.

AMOUNT OF LIGHT Outdoor

lighting can easily become

excessive. Limiting the total

amount of installed lighting

can help reduce light pollution. Designing for appropriate lighting

levels includes shining lights down

instead of up, directing light only

onto desired areas, and using the

Timers, motion sensors, dimmer switches, and turning lights off

when not in use can all contribute

to darker skies, and in many cases,

reduce municipal and property

owner electrical costs.

lowest adequate bulb intensity.



Shielded Luminaires











Importance of Shielding Light

- Unshielded lights produce
 - Sky Glow
 - Glare

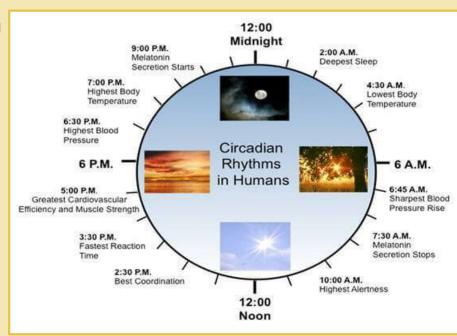






Negative Impact on Human Health

- Disruption of Circadian rhythms can result in insomnia, depression and cardiovascular disease.
- Glare in our eyes can be blinding and reduce our night vision.
- 2009: American Medical Association adopted resolutions that support reducing light pollution and glare – advocating for the use of fully shielded outdoor lighting because of the negative health effects caused by light pollution





Negative Impact on Wildlife

- Animals and plants live by a rhythm based on a 24 hour cycle. Wildlife and fish can become disoriented by too much artificial light at night.
- It interferes with migration, mating, foraging for food, and sleep.
- Light fixation / collisions are estimated to kill between 100 million and one billion birds annually within the United States - mainly due to collisions with buildings and windows





Negative Impact on Astronomy

- Light pollution negatively affects one of our greatest natural resources, the night skies.
- Astronomy has given us
 - Cell phone technology
 - X-rays, MRI's, and medical imaging
 - Satellite communications
- Tourism
- https://www.lonelyplanet.com/travel-tips-and-articles/travel-trends-for-2019-dark skies/40625c8c-8a11-5710-a052-1479d27547aa





Safety

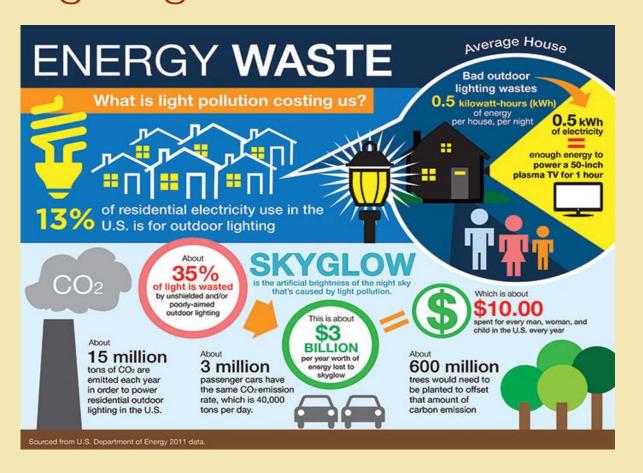




Can you see the student standing in both photos?

This light was meant to make the campus safer, but the lighting has only made the shadows easier to hide in. Now we have created the shadows in which to lurk.

An Economic Case for Proper Outdoor Lighting

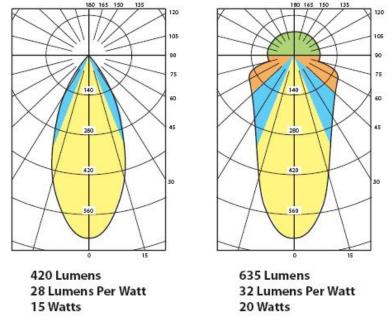


To power an incandescent bulb used overnight for one year equates to the energy generated from burning ½ Ton of coal.

Light that spills out, away from the task it needs to be used for is wasted energy, and wasted money. Environmentally responsible outdoor lighting reduces

Unshielded Luminaires Waste Energy

this waste and costs no more than earlier manufactured light fixtures.





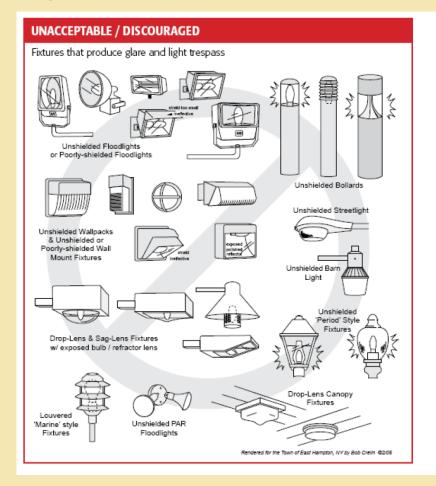
Solutions

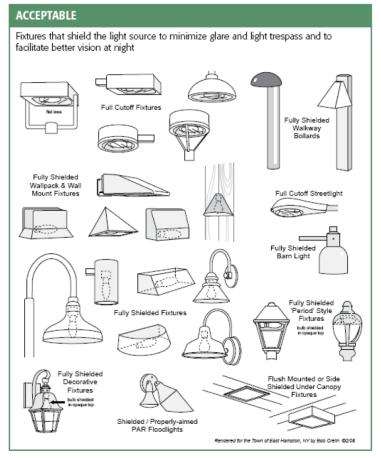
- Outdoor lights should be "full cut-off" or "fully shielded." That means no light above the 90 degree angle.
- Fully shielded lighting can be purchased or retrofitted
- Use timers, dimmers, and motions sensors.
- Motion sensors in a parking lot or on a house provide an alert to after hours activity that a dusk to dawn sensor does not.





Types of Allowable Luminaires







PROPOSED CDC AMENDMENTS AND DISCUSSION

- Light Intensity Measurements (Lumens, Bulb Temperature)
- Outdoor Living Space Allowances
- Landscaping/Architectural Lighting
- Riparian area lighting and design standards
- Lighting Plan Requirements
- Lighting Curfews
- Explore feasibility of provisions to restrict amount of total lighting and overlighting
- Addition of Specific Lighting Terms within Definition Section



This amendment allows applicants to propose lighting for outdoor living spaces, as defined below.

§17.5.12 (B): Limited Exterior Lighting

The basic guideline for exterior lighting is for it to be subdued, understated and indirect to minimize the negative impacts to surrounding lots and public rights-of-way. The location of exterior lighting that meets the requirements of this section shall only be allowed at:

- 1. Buildings where Building Codes require building ingress and egress doors;
- Pedestrian walkways or stairs;
- 3. Plaza areas and other public areas where lighting is required;
- 4. Deck or patio areas;
- Surface parking lots;
- 6. Signs;
- 7. Address identification or address monuments;
- Flags;
- Public art;
- 10. Driveways;
- 11. Street lights; and/or
- 12. Swimming pools, spas and water features.; and
- 13. Outdoor living spaces.

Outdoor Living Space: an area that extends the usable living area of the home and includes indoor elements such as furniture, kitchen areas, walls or enclosures, overhead cover or canopy, fireplaces, or other entertainment elements that are typically found indoors.



This amendment adds prohibitions to lighting that causes glare to riparian or other sensitive areas.

• §17.5.12 (C): Prohibited Lighting

- Architectural lighting;
- Landscape lighting;
- 3. Up lit lighting fixtures;
- Flood lighting;
- 5. Other lighting not outlined above as permitted or exempt lighting;
- 6. <u>Lighting that causes glare from a site or lot to any designated riparian area or other environmentally sensitive areas;</u>
- 7. Lighting that causes glare from a site or lot to adjoining property; and
- Lighting that produces glare to vehicles within a public right-of-way or access tract.



This amendment combines exemptions found in other sections and adds an exemption for Ski Resort Operator snow making.

- §17.5.12 (D): Exemptions
- Seasonal lighting <u>and/or other types of festoon lighting</u>, providing individual lamps are less than ten (10) watts and seventy (70) lumens <u>per linear foot of lighting</u>;
 - Seasonal lighting <u>and/or other types of festoon lighting</u> shall not detrimentally affect adjacent neighbors. If the Town determines that <u>seasonal</u> <u>such</u> lighting detrimentally affects adjacent neighbors, it may determine such lighting to be a nuisance <u>and require the lighting to be removed</u>.
- 2. Temporary lighting that is used for theatrical, television, performance area and construction sites;
- Emergency lighting; and
- Special event lighting approved by the Town as a part of the required development application-:
- 5. <u>Swimming pool and water feature lighting when it is established that no off-site glare shall occur;</u>
- 6. <u>Lighting of the United States flag when there is no other down-light option to prevent upward glare;</u>
- Lighting within public right-of-way for the principle purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right-of-way when the purpose is to illuminate areas outside the public right-of-way; and,
- 8. <u>Lighting required by the ski resort operator for the ordinary operation of the ski area snow making installation and operation.</u>



This amendment clarifies Full-Cutoff Design – Lumen Caps, and outdoor pathway allowances

- §17.5.12 (E): Lighting Design Regulations
- 1. **Full Cut-Off Fixture Design**. All exterior lighting shall be designed as eighty-five degrees (85°) full cut-off fixtures that direct the light downward without any off-site glare, except as exempted in Section 17.5.12(D).
 - a. Opaque glass may be used to achieve this requirement if the fixture does not permit light distribution above a horizontal plane located at the bottom of the fixture.
 - b. <u>Each outdoor light fixture shall be directed downward and shall not exceed 850 lumens, with the exception of residential outdoor pathway and recessed stairway lighting which shall not exceed 300 lumens per fixture</u>.
- Exemptions:
- Swimming pool and water feature lighting when it is established that no off-site glare shall occur; and
- Lighting of the United States flag when there is no other down light option to prevent the upward glare.
- Approved surface parking lots lighting shall be screened to direct the light onto the parking lots and to ensure lower elevation development is protected from glare.

.



This amendment requires that light be max of 3K degrees Kelvin

§17.5.12 (E): Lighting Design Regulations

- 3. **Maximum Temperature.** The maximum temperature for differing all proposed lighting types regardless of bulb type, shall be not exceed 3,000 degrees Kelvin, or may employ amber light sources, filtered LED light sources, or a suitable alternative with the goal of having a warmer, less bluish toned light source. ÷
 - 3,500 degrees Kelvin for incandescent, halogen lighting, HID and other lighting not specified herein.
 - 4,500 degrees Kelvin for LED lighting provided the degrees Kelvin is reduced closer to 3,500 to the extent practical given current LED technologies, with the goal of having warmer, less bluish toned LED lights.

Staff Note - Staff recommends modifying the Maximum Temperature (MT) requirement to better align with (E)(2) requiring that the maximum temperature for all lighting in the Town. The goal of this modification is to provide for warmer light sources that have less impact on wildlife and human's circadian clock. Warmer light sources are shown to be less impactful than blueish toned light.





This amendment clarifies parking lot requirements and provides a measure to calculate height based on a specific reference.

- 4. Lighting for Parking Areas. Lighting shall be provided for surface parking areas and underground parking garages.
 - a. Surface parking lot lighting shall be located in landscaped areas to the extent practical.
 - b. <u>Parking area lights are encouraged to be greater in number, lower in height and lower in light level.</u>
 - c. <u>Approved surface parking lots lighting shall be screened to direct the light onto the parking lots and to ensure lower elevation development is protected from glare</u>
- 5. Maximum Height Limit for Lights. The following light fixture height limits shall be met to the extent practicable. The review authority may approve other heights based on site-specific considerations.
 - The maximum height for a pole-mounted light fixture shall be twelve feet (12'). Pole-mounted light fixtures shall be measured from the immediately adjacent natural grade and are not permitted or intended to be placed on buildings or structures to artificially increase the height allowance or circumvent maximum height allowances.
 - The maximum height for a wall-mounted light fixture shall be seven feet (7') above the directly adjacent walking surface or pathway, except for sign lighting that may be higher as reviewed and approved by the review authority to allow for proper illumination of the sign.



This amendment clarifies upper deck lighting requirement and adds a requirement for sensors or timers.

- 6. Lighting on Upper Floors.
 - a. Exterior lighting on second or higher stories shall be provided by fixtures, or by recessed wall, ceiling or lighting that is louvered or otherwise designed to prevent off-site glare.
 - b. Decks on second and upper floors that do not have stairs shall have only <u>recessed wall or ceiling</u>, inrail or in-wall, louvered or concealed lighting that is directed towards the building or the deck/patio surface and not to the exterior.
 - c. All lighting on upper floors shall require either a timer or sensor to reduce usage and energy loss during times of inactivity.



This amendment creates a lighting curfew.

§17.5.12 (E): Lighting Design Regulations

7. Lighting Curfew: All exterior lighting shall be extinguished by 1:00 a.m. or when people are no longer present in exterior areas, whichever is later, except for lighting activated by motion sensor which extinguishes 10 minutes after activation and lighting at building entrances, parking areas and driveways.



This amendment creates standards for levels of illumination at different areas on individual properties.

§17.5.12 (E): Lighting Design Regulations

8. Levels of Illumination: During hours of darkness, the minimum and average maintained foot-candles of light shall be consistent with the provisions listed below. A point-by-point photometric calculation listing the number, type, height, and level of illumination of all exterior lighting fixtures shall be required prior to Design Review Board approval or site improvement to ensure compliance with these provisions.

- a. Parking lots, driveways, trash enclosures/areas, public phones, and group mailboxes shall be illuminated with a minimum maintained one (1 fc) foot-candle of light and an average not to exceed four (4 fc) foot-candles of light.
- b. <u>Pedestrian walkways shall be illuminated with a minimum maintained one-half (0.5 fc) foot-candle of light and an average not to exceed two (2 fc) foot-candles of light.</u>
- c. Exterior doors of nonresidential structures shall be illuminated during the hours of darkness with a minimum maintained one (1 fc) foot-candle of light, measured within a five (5' 0") foot radius on each side of the door at ground level.
- d. In order to minimize light trespass on abutting residential property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed the moon's potential ambient illumination of one-tenth (0.1 fc) foot-candle



This amendment allows Planning Staff to request and EIS dependent on impacts to adjacent sensitive lands.

- 10. Lighting Plan Required. A detailed exterior lighting plan, separate from other required plans, shall be submitted with development application detailing the location and specifications of all lighting to be installed.
 - a. The exterior lighting plan shall describe the location, height above grade, type of illumination (such as incandescent, halogen, high pressure sodium, etc.), source, and temperature for each light source being proposed.
 - b. An isofootcandle diagram prepared by a certified lighting professional as outlined above shall be provided to indicate the level and extent of the proposed lighting.
 - c. An environmental impact statement may be required as to the impact of the exterior lighting proposed on flora, fauna, and the night sky. Location of species sensitive to light at night or the proximity to wetlands shall be indicated.

Textual Alignment

- 11. Additional Lighting Requirements for the Village Center. Provisions for seasonal and holiday lighting and/or other types of festoon lighting shall be incorporated into the exterior lighting plan for all projects located within the Village Center.
 - a. Additional lighting requirements for the Village Center are found within the Commercial, Ground Level and Plaza Area Design Regulations.



Amendment 5

This amendment aligns commercial Kelvin standards

§17.5.15(B)(4): Commercial, Ground Level and Plaza Area Design Regulations to better align Standards for Commercial storefront lighting

- (B)(4): Lighting
 - a. In general, lighting within commercial areas shall originate within the storefront windows and not be dependent on freestanding light fixtures. Direct light sources should be used only for accent of architecture, landscape, artwork or for the definition of entries and walkways consistent with the Lighting Regulations.
 - b. Window displays within storefront windows shall be <u>illuminated</u> lighted so as to provide an indirect glow of light onto adjacent pedestrian walkways and plazas. Harsh light and glare from storefront windows or interiors shall be avoided.
 - c. Interior fluorescent lights shall be baffled so that the light source shall not be seen from pedestrian areas.
 - d. White, yellow or other Town-approved LED lights with a maximum temperature of less than 3,000K shall be used to light storefronts. With all lighting types, extreme care shall be taken to avoid glare and color distortion. Flashing, blinking or moving lights shall not be used in storefronts. Colored lighting and projector lighting of the interior of a storefront may be used for storefronts and displays with specific approval from the review authority.



Amendment 6

This amendment defines specific terms related to lighting

Chapter 17.8: Definitions

To be inserted alphabetically into existing definitions:

- Exterior Lighting: Artificial outdoor illumination as well as outdoor illuminating devices or fixtures, whether permanent or temporary, including, but not limited to, illumination and illuminating devices or fixtures emanating from or attached to: the exterior of buildings, including under canopies and overhangs, within railings or stairs; structures, such as poles, fences, or decks; the interior or exterior of open-air structures or buildings such as gazebos, pergolas, and breezeways; and the ground, a tree, or other natural features.
- Festoon Lighting: A string of exterior lighting that is suspended between two points and measured in linear feet.
- Foot-Candle: ("FC") The basic unit of illuminance (the amount of light falling on a surface). Foot-candle measurement
 is taken with a hand-held light meter. One foot-candle is equivalent to the illuminance produced on one square foot
 of surface area by a source of one candle at a distance of one foot. Horizontal foot-candles measure the illumination
 striking a horizontal plane.
- Glare: Light entering the eye directly from a light fixture or indirectly from reflective surfaces that cause visual discomfort or reduced visibility to a reasonable person.
- Kelvin: The measure of color temperature of a light source. Temperature is measured in degrees with warmer temperatures having a lower number and cooler temperatures having a higher number.



This amendment defines specific terms related to lighting

Chapter 17.8: Definitions

To be inserted alphabetically into existing definitions:

- Lamp: A source of optical radiation (i.e., "light"), often called a "bulb" or "tube." Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low-pressure sodium (LPS) lamps, as well as light emitting diode (LED) modules and arrays.
- <u>Light Pollution: The material adverse effect of artificial light, including but not limited to, glare, light trespass, energy waste, compromised safety and security, and impacts on the nocturnal environment.</u>
- <u>Light Trespass: An undesirable condition in which exterior light is cast across property lines to areas that are unwarranted or unwanted.</u>
- Lumen: A unit of measure used to quantify the amount of visible light produced by a lamp or emitted by a light fixture (as distinct from "watt", a measure of power consumption).
- Outdoor Living Space: an area that extends the usable living area of the home and includes indoor elements such as
 furniture, kitchen areas, walls or enclosures, overhead cover or canopy, fireplaces, or other entertainment elements
 that are typically found indoors.
- Seasonal Lighting: Lighting installed and operated in connection with the holidays or other seasonal traditions.

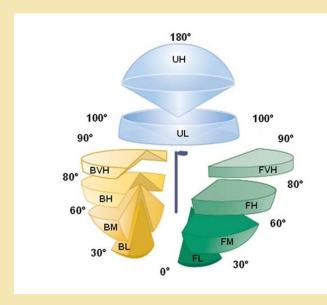


Additional Discussion Items:

- Design interior lighting so that it does not illuminate the outdoors. Provide interior lighting photometrics for the building's perimeter areas, demonstrating that the interior lighting falls substantially within the building and not through the windows. After closing, interior lighting that extends outdoors needs to be extinguished by the use of shut off timers.
- Curfew: All outdoor lighting shall be extinguished by 1:00 a.m. or when people are no longer present in exterior areas, whichever is later, except for lighting activated by motion sensor which extinguishes 10 minutes after activation and lighting at building entrances, parking areas and driveways.
- Possible inclusion of a BUG Rating System



BUG Rating System



Zones

Backlight Sub-Zones

- BVH: Backlight Very High (80-90 degrees)
- BH: Back light High (60-80 degrees)
- BM: Back light Mid (30-60 degrees)
- BL: Back light Low (0-30 degrees)

Uplight Sub-Zones

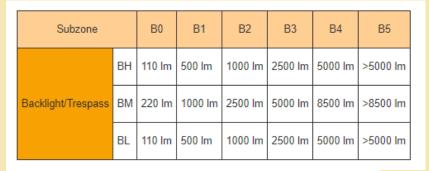
- UH: Uplight High (100-180 degrees)
- UL: Uplight Low (90-100 degrees)

Glare (Front Light) Sub-Zones

- FVH: Forward light Very High (80-90 degrees)
- FH: Forward light High (60-80 degrees)
- FM: Forward light Mid (30-60 degrees)
- FL: Forward light Low (0-30 degrees)



BUG Rating System



Secondary Solid A	Angle	U0	U1	U2	U3	U4	U5
Unlight/Shyglow	UH	0 lm	10 lm	50 lm	500 lm	1000 lm	>1000 lm
Uplight/Skyglow	UL	0 lm	10 lm	50 lm	500 lm	1000 lm	>1000 lm

Secondary Solid An	igle	G0	G1	G2	G3	G4	G5
Glare/Offensive Light	FVH	10 lm	100 lm	225 lm	500 lm	750 lm	>750 lm
	BVH	10 lm	100 lm	225 lm	500 lm	750 lm	>750 lm
	FH	660 lm	1800 lm	5000 lm	7500 lm	12000 lm	>12000 lm
	ВН	110 lm	500 lm	1000 lm	2500 lm	5000 lm	>5000 lm

Section	Lumens	Value
Backlight		
BH: (60-80 degrees)	136	B1
BM: (30-60 degrees)	930	B1
BL: (0-30 degrees)	985	B2
Uplight		
UH: (100-100 degrees)	0	U0
UL: (90-100 degrees)	0	U0
Glare		
FVH: (80-90 degrees)	27	G1
FH: (60-80 degrees)	3748	G2
BVH: (80-90 degrees)	16	G1
BH: (60-80 degrees)	136	G0



Questions?

Prepared by John Miller Senior Planner Town of Mountain Village





PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 728-1392

Item No. 18

TO: Town Council

FROM: Michelle Haynes, Planning and Development Services Director and Sarah Abbott,

Attorney, the law offices of J. David Reed

DATE: March 21, 2019

RE: Efficiency Lodge and Short-Term Accommodations Discussion regarding

potential Community Development Code Amendments to clarify unit use

restrictions

INTRODUCTION

In recent years, the community has recognized a shift in marketing, sales and use of condominium units in the Mountain Village. This shift has raised concern that the community views all condominium units as residential condominium units. In fact, there are six types of condominium zoning designations listed below, with a variety of use limitations, parking, building, planning and person equivalent requirements. Maintaining the integrity of the Town's zoning designations is a Town Council priority. The purpose of this memo is to raise points for discussion in furtherance of this priority.

As referenced above, condominium units may appear to be equal, however the Town of Mountain Village has specific zoning designations with attributable person equivalents per our settlement agreement with the county, and these zoning designations have various unit configuration, use and parking requirements.

Condominium Units that may look the same carry the following types of possible unit designations:

Unit Designation	Person Equivalent	Parking Requirement	Parking Requirement Note
Condominium	3	1.5	1 parking space if in Village Center
Lodge	.75	.5	
Efficiency Lodge	.5	.5	
Hotel	1.5	.5	
Hotel Efficiency	2	.5	
Employee	3	1.5	1 parking space if in
Condominium			the Village Center

If there were any confusion about a condominium unit's zoning designation, you can see how it would affect the overall person equivalent for the town, building, parking, planning, value and uses. The specific Efficiency Lodge unit limitations are discussed below.

The Town Council expressly directed staff to begin an education and compliance work plan specific to Efficiency Lodge condominium units, which is one of the accommodations zoning designations. The specific observed issues are that Efficiency Lodge units are:

- not rented for short term accommodations purposes;
- used as a primary residence;
- used for long term rentals (more than 30 consecutive days);
- modified through remodels absent Town approvals that are not consistent with accommodations use (adding full kitchens, removing beds when connected to other units, adding appliances that may add to the load calculations for the unit or building); and/or
- being marketed and sold (at a higher price) as residential condominium units.

EFFICIENCY LODGE DISCUSSION

The community has a total of 401 built Efficiency Lodge units. Those units are listed in the table below.

Lot	Name of Property	Eff Lodge No.
28	Lot 28 Condominiums	11
43	Inn at Lost Creek	24
128	Peaks	142
1006R	Mountain Lodge	57
159R	Bear Creek Lodge	36
38-50- 51R	Madeline	101
42B	Blue Mesa	28
60RAB	La Chamonix	2

Efficiency Lodge units pursuant to the Community Development Code (CDC) are defined as a one room space with a separate bath and limited kitchen facility used primarily for short-term accommodations. Limited kitchen facilities may include a sink, microwave, two-element burner, and six (6) cubic foot (maximum) refrigerator.

Efficiency Lodge units are restricted in their use, would typically demand a lesser value on the open real estate market due to their use limitations, have lesser parking requirements due to their use, and have different building code compliance issues because they are classified as hotel rooms, not residences. The CDC prohibits a rezone and density transfer from Efficiency Lodge to Condominium to further emphasize the importance of the preservation of our accommodation units and use in the Mountain Village.

SHORT TERM ACCOMMODATIONS DEFINITION

The CDC notes that Efficiency Lodge units are, "primarily for short-term accommodations," but does not specifically define "short term." Pursuant to the Town's business license and sales tax requirements, short-term accommodations use is defined as less than 30 consecutive days. The Town has also defined at a policy level that short-term accommodations use means less than 30 consecutive days and no more than a total of 60 days in a calendar year. Even so, short-term

accommodation use appears to be misunderstood as it relates to use of Efficiency Lodge units by property managers, unit owners and guests.

COMPARATIVE ANALYSIS

Pursuant to Town Council direction, the legal department and the planning staff put together a comparative analysis of similar communities relative to short term accommodations definition and practice. (See attachment)

As you will see in the attached Memo, other resort communities manage short-term accommodations in various ways, from vacation designations, zoning regulations, tax regulations and use limitations. Although it is difficult to compare the Town to other communities because the nature of the regulations is not the exactly equivalent, our survey shows that even within the various contexts "short-term" is usually defined as "less than 30 consecutive days." Few other communities have a total calendar year limitation; however, we believe the limitation is useful to ensure the integrity of the regulation is maintained.

DISCUSSION

Staff recommends Town Council consider a few recommended additions or clarifications in the CDC as follows:

- 1) Amend the Efficiency Lodge unit definition to replace the word "primarily" to "exclusively" so that the short-term accommodations use is clearly the only approved use.
- 2) Add a definition of "short-term accommodation." The Town standard is less than 30 consecutive days and no more than 60 days in a calendar year.

ANALYSIS

The Town's commitment to zoning and unit designations is a community priority. Educating and bringing properties into compliance illustrates the Town's long-term commitment to our settlement agreement with the County, managing investment and homeowner expectations, and ensuring that units have the appropriate building, safety and parking requirements satisfied.

DIRECTION

Staff asks for direction from Council regarding a possible CDC amendment to clarify and conform short term accommodations unit and use requirements.

Attachment:

- A. Memo: Survey of Short Term Accommodations Regulations in Resort Communities, Abbott, dated March 11, 2019
- B. Colorado Association of Ski Towns (CAST) Short Term Rental Ordinance Matrix, provided by CAST, dated March 2019

/mbh

Memo

To: Mayor Laila Benitez and Town Council

From: Sarah H. Abbott

CC: Kim Montgomery and Michelle Haynes

Date: March 14, 2019

Re: Survey of Short Term Accommodation Regulation in Resort Communities

In response to your direction at the February 2019 Town Council meeting, this Memo provides an analysis of what other resort communities in our area consider to be "short term" accommodations.

Summary of Regional Definitions and Regulation¹

Resort Community	Summary of Definitions/Regulations
Aspen	Aspen collects sales and lodging tax on rentals for periods less than thirty (30) days. It also requires business licenses for all vacation rentals.
Breckenridge	Breckenridge collects sales tax on rentals for periods less than thirty (30) days. It also requires business licenses for "accommodation units," which are defined as rentals for less than thirty (30) days, with no limitation on the number of days per year. The license contains a variety of requirements.
Crested Butte	Crested Butte collects sales tax and requires a business license for vacation rentals. It does not define vacation rentals by the number of days rented, but allows two types of licenses: an unlimited license and a primary residence license. The unlimited license is available only to 30% of the eligible residential units in town (subject to zoning restrictions). The primary residence license is limited to not more than 60 nights of rental use per year and is available in any zone district that allows for primary residences.

¹ Attached to this Memo are specific Code citations for reference. These provide quite a bit more detail of each municipality's nuanced regulations concerning types of units, rentals, occupancy restrictions, zoning restrictions, licenses and taxes. For the purpose of this Memo, this section only summarizes the definitions of "short term."

	Because of the zoning restrictions, vacation rentals are not allowed for certain units.
Mt. Crested Butte	Mt. Crested Butte collects sales tax on short term rentals, which are defined as periods of less than thirty (30) days. It also requires a business license.
Jackson Hole	Jackson Hole collects sales and lodging taxes on short-term rentals, which are defined as those for a period of less than one calendar month. It also requires a business license for short term rentals.
	Certain types of affordable and employee housing are considered restricted and are not allowed to be rented without approval. Owners of these units are also required to occupy their units full-time at least 10 months per year and may not permit adult guests for over 30 cumulative days per calendar year.
Park City	Park City requires a business license for nightly rentals, which are rentals for any period less than thirty (30) days, without limitation in a calendar year. These units must also meet zoning requirements.
Pagosa Springs	Pagosa Springs collects lodging tax on rentals for less than thirty (30) consecutive days per rental. Business licenses are required for vacation rentals.
	Lodging tax is also collected if a purchaser of a unit is not a resident of the unit for at least thirty (30) consecutive days or does not lease the unit for at least thirty (30) consecutive days.
Steamboat Springs	Steamboat Springs collects sales tax on short term rentals, defined as those for periods less than thirty (30) consecutive days.
Telluride	Telluride collects sales tax and requires a business license for short term rentals, which are accommodation units, units in lodging establishments or rental houses that are rented for period of less than thirty (30) days.
	Telluride also maintains deed restricted units. Under the Land Use Code, a "short term dwelling unit" is a permanent building or portion thereof consisting of a room or suite of two (2) or more rooms used as a dwelling by 1 family, excluding lodging and overnight accommodations, which is deed restricted such that no person shall be allowed to reside in or occupy such unit for a period greater than thirty (30) consecutive days, or a total of sixty days in any single calendar year.
	The deed restriction must also contain provisions that (i) the unit is registered through a property management company for short-term

	rental uses to guarantee availability for short-term rental, (ii) certain submissions to the Planning Director, and (iii) penalties for violations. The Land Use Code also defines "Condominium-Hotel Units" which cannot be used as the primary residence of an owner and are subject to certain deed restrictions but do not have any restrictions on the number of days per month or year that an owner can use the unit.
Vail	Vail collects sales tax and requires a business license for short term rentals, defined as those for a period of less than thirty (30) consecutive days. Vail's Zoning Regulations define certain types of units as appropriate for short term rentals. In this context, short term rentals are defined as those not exceeding a period of thirty (30) days.

Analysis and Recommendation

Interestingly, some communities regulate only rentals while others regulate both rentals and occupancy by the owner. Despite the variety of regulation above, it is clear that "short-term" commonly is considered "less than thirty (30) days."

Our office previously suggested to Council that the Community Development Code could be amended to define "short term accommodations" as occupancy of a unit for less than thirty (30) days and not to exceed sixty (60) days in a calendar year by the same person or entity. Based on the data above, we believe this would be in line with other communities in our region.

The one variation to our previous recommendation that you may consider is removing the sixty (60) day limitation; however, this limitation prevents a situation where an owner could effectively reside in a unit full time by occupying it for 29 days, spending one night in a hotel or with a friend, then occupying it for another 29 days, and so on, thereby circumventing the intent of the regulation. Therefore, we recommend that the overall limitation be retained.

In the Town, Efficiency Lodge Units are defined as used for "primarily" short term accommodations rather than "exclusively." While some communities have vague language regarding the "intended" use of certain types of units (leaving open to interpretation whether an owner could opt out of an intended use), we noted that no other communities have this subjective distinction and recommend amending this definition to change "primarily" to "exclusively."

Cited Code Sections:

Location	Code Section	<u>Text</u>
City of Aspen	Sec. 23.32.100(27)(c)	"Lodging services are exempt [from sales tax] when they apply to: (c) All sales to any occupant who is a permanent resident of a hotel, apartment hotel, lodging house, motel, guest house, guest ranch, or any other place which provides sleeping rooms or facilities and who enters into or has entered into a written agreement for occupancy of a room or rooms or accommodations for a period of at least thirty (30) consecutive days."
Town of Breckenridge	Sec. 3-1-2	"LODGING SERVICES: The furnishing, for a consideration, of a room or other accommodation in a hotel, inn, bed and breakfast establishment, apartment hotel, lodging house, condominium, condominium hotel, motor hotel, guesthouse, guest ranch, trailer coach, mobile home, auto camp, trailer court or trailer park, for a period less than thirty (30) consecutive days, under any rental agreement, concession, permit, right of access, license to use or other agreement, or otherwise, whereby any person uses, possesses or has the right to use or possess any such room or accommodation."
	Sec. 3-1-3(G)	Tax shall be collected on the "entire amount charged to any person or persons for lodging services."
	Sec. 4-1-2	"Accommodation Unit: A separate and distinct living unit including condominium, townhome, house, trailer, studio unit, condominium unit, or any such other similar unit which is rented to any person, who, for consideration, uses, possesses or has the right to use or possess such accommodation unit for a period of less than thirty (30) consecutive days, regardless of the number of days during a license year such unit is rented."
	Sec. 4-1-8-1(A)(6)	At the time of the issuance of the license the licensee shall also provide to the Finance Director the name, address and telephone number of a responsible agent who is authorized by the licensee to receive communications from the Town concerning the accommodation unit, and who agrees in writing to comply with the requirements of subsection A7 of this section. The responsible agent may be the same person designated by licensee pursuant to subsection

	A5 of this section. The designated responsible agent may be changed by the licensee from time to time throughout the term of the license. To effect such change, the licensee shall notify the Finance Director of the change in writing and shall, at the same time, provide the Finance Director with the name, address and telephone number of the licensee's replacement responsible agent.
Sec. 4-1-8-10	A)(7) A licensee's responsible agent, or such person's employee or designee, shall be available twenty four (24) hours per day, seven (7) days per week, to respond (as defined in the administrative rules and regulations) to any complaint filed with or through the Town, or a website provided by the Town for such purpose, about the operation or condition of the licensee's accommodation unit. Such responsible agent shall respond to a complaint within sixty (60) minutes of receiving notice of such complaint. The responsible agent's failure to respond to a complaint as required by this section is chargeable to the owner pursuant to subsection B of this section.
Sec. 4-1-8-1(Because accommodation units are, by their nature, intended to be occupied by numerous guests for short periods of occupancy, it is determined that the Town's ability to inspect accommodation units is in the interest of public safety. Therefore, whenever it is necessary or desirable to make an inspection to enforce the special requirements of this subsection A, an authorized public inspector may enter such accommodation unit at all reasonable times to inspect the same for the purpose of enforcing such special conditions; provided, however, that except as provided below with respect to an emergency involving the potential loss of property or human life, prior to entering an accommodation unit to conduct an inspection the public inspector shall first attempt to contact the owner of the accommodation unit, or the responsible agent for such owner, and arrange for a mutually agreeable date and time for the inspection. If permission to enter the accommodation unit to inspect cannot be obtained within fourteen (14) days from the date the public inspector first requests permission to enter the accommodation unit from the unit owner

	or the responsible agent, the authorized public inspector shall have recourse to every remedy provided by law to secure entry. When an authorized public inspector has obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant, or any other persons having charge, care, or control of any accommodation unit shall fail or refuse, after proper request is made as herein provided, to promptly permit entry therein by the authorized public inspector for the purpose of inspection of the accommodation unit. No inspection warrant or permission shall be required for an authorized public inspector to enter and inspect an accommodation unit in the case of an emergency involving the potential loss of property or human life.
Sec. 4-1-8-1(A)(10)	Because accommodation units are, by their nature, intended to be occupied by numerous guests for short periods of occupancy, it is determined that the Town's ability to inspect accommodation units is in the interest of public safety. Therefore, whenever it is necessary or desirable to make an inspection to enforce the special requirements of this subsection A, an authorized public inspector may enter such accommodation unit at all reasonable times to inspect the same for the purpose of enforcing such special conditions. Provided, that if such accommodation unit is occupied, the authorized public inspector shall first present proper credentials and request entry, and if such accommodation unit is unoccupied, shall first make a reasonable effort to locate the owner, the local responsible agent, or other person having charge or control of the accommodation unit and request entry. If such entry is refused, or if the accommodation unit is locked, the authorized public inspector shall have recourse to every remedy provided by law to secure entry. When an authorized public inspector has obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant, or any other persons having charge, care, or control of any accommodation unit shall fail or refuse, after proper request is made as herein provided, to promptly permit entry therein by the authorized public inspector for the purpose of inspection of the accommodation

		unit. No inspection warrant or permission shall be required for an authorized public inspector to enter and inspect an accommodation unit in the case of an emergency involving the potential loss of property or human life.
	Sec. 4-1-8-1(B)	Owner Liable: Compliance with the special conditions set forth in subsection A of this section shall be the nondelegable responsibility of the owner of an accommodation unit; and each owner of an accommodation unit shall be strictly liable for complying with the conditions set forth in subsection A of this section.
	Sec. 4-1-8-1(G)	Exemptions: Condominiums, condominium/hotels, and hotels/lodgings/inns as defined in section <u>9-1-5</u> of this Code are exempt from the provisions of this section if they have: 1) a twenty four (24) hour front desk; 2) a twenty four (24) hour telephone system; and 3) twenty four (24) hour on site private security; chalet houses as defined in section <u>9-1-5</u> of this Code are exempt from the provisions of this section.
	Sec. 9-1-5	Condominium: A multi-unit structure in which units may be individually owned and which provides on the site of the development recreation and leisure amenities.
Crasted Dutte	Soc. 6.6.10	Condominium/Hotel: A multi-unit structure in which units may be individually owned and which provides on the site of the development a centralized management structure incorporating the following features: a) a twenty four (24) hour front desk check in operation, b) a central phone system to individual rental units, c) meeting rooms or recreation and leisure amenities, and d) food services. Hotel/Lodging/Inn: A multi-unit structure owned by a single owner which provides a centralized management structure incorporating the following features or standards: limited kitchens in the units, a twenty four (24) hour front desk check in operation, a central phone system to individual rental units, meeting rooms, food services, and recreational or leisure amenities.
Crested Butte	Sec. 6-6-10.	Purpose. The purpose of this Article shall be to require the licensing of vacation rentals. Such licensing shall provide the Town with necessary information relating to the operation of vacation rentals in order to protect the health, safety and

	welfare of the residents and visitors of Crested Butte.
Sec. 16-14-90.	Limitation on vacation rentals. (a) Intent. The use of property as a vacation rental has impacts on the neighborhoods not unlike that of bed and breakfasts, hotel or lodges and motels. The impacts of vacation rentals on neighboring uses can be significant when the vacation rental property is occupied by multiple tenants in consecutive tenancies throughout the year. The commercial aspects of vacation rentals can have detrimental effects on the quiet, dignity and neighborliness of adjacent residential uses and therefore should be regulated to protect the health, safety and welfare of Crested Butte.
	(b) Limitations. There shall be imposed limitations on vacation rentals as follows:
	(1) Vacation rentals are not allowed in bed and breakfasts, condo hotels, hotels or lodges, motels or short-term residential accommodations uses as defined in the Code, as amended.
	(2) Vacation rentals are not allowed in any property that is subject to a deed restriction, covenant or other Town restriction or requirement regarding occupancy where the use as a vacation rental is inconsistent with the intent of such deed restriction, covenant or other Town restriction or requirement.
	(3) Vacation rentals are permitted in the "R1," "R1A," "R1C," "R1D," "R1E," "R2," "R2C," "R3C," "B3," and "B4" Districts, provided that the number of vacation rentals shall at all times be limited to thirty (30) percent of the total free market residential units in such Districts cumulatively. Vacation rentals beyond the thirty (30) percent limit will be issued if the vacation rental also serves as a primary residence of the vested title property owner. Vacation rentals that
	are licensed in primary residences shall be limited to no more than sixty (60) nights of use per year. Primary residences may apply for a

		non-primary residence license in which case they will be subject to the thirty (30) percent of free market residential unit limitation. (4) Vacation rentals are not permitted in the "R1B," "R4," "R2A," "B1," "B2," "M," "T," "C," "AO," and "P" Districts unless the vacation rental also serves as a primary residence of the vested title property owner in which case they will be limited to no more than sixty (60) nights of use per year. (5) Any property for which a Business Occupation License for a Short Term Rental as of June 14, 2017 has been approved in 2017 in any zone may continue to operate as a vacation rental where such property owner has and maintains a vacation rental license as required by Chapter 6, Article 6, until such time as the property is no longer licensed and used as a vacation rental for a period of one year or the title to the property has
		period of one year or the title to the property has been transferred to a new entity and the transfer
Toolsoon	Sac 5 (0 020 A	is subject to the "Land Transfer Excise Tax."
Jackson, Wyoming	Sec. 5.60.020.A.	"Residential Short-Term Rental" means the rental of all or a portion of a residential unit such that occupancy is limited to less than one calendar month. One calendar month is the period of time from a day of one month to the corresponding day of the next month if such exists; or if not, to the last day of the next month. One calendar month shall be computed by excluding the first and including the last day (as from January 4 to February 3 or from January 31 to February 29).
	Sec. 5.60.050.C.	Lodging and Sales Taxes: Residential Short-Term Rental unit owners are subject to and responsible for collecting and remitting all applicable taxes, specifically including the sales and lodging taxes.
	Sec. 16.10.000.B.	Summary of Housing Programs. The general goal of all housing programs covered by the Housing Department Rules and Regulations is to provide and maintain housing affordable to persons and families who make a living primarily from employment located in Teton County, Wyoming. The housing programs addressed in the Housing Department Rules and Regulations are: Affordable Ownership, Affordable Rental, Workforce Ownership, and

	I	
		Workforce Rental. Legacy programs (including
		Accessory Residential Units, Attainable units,
		Employee units, and Employment-based units) are
		referenced in some properties' restrictions, so these
		Housing Department Rules and Regulations also
		contain the rules that pertain to these programs.
	Sec. 16.10.005	Tenancy and Rental Standards and Procedures - To
	366. 10.10.002	maintain the character of neighborhoods and respect
		the nature of the community, restricted ownership
		units are not allowed to be rented without prior
		approval from the Housing Department. This includes
		renting any portion of the dwelling, any room within
		the dwelling or the garage.
		1. Primary Residence - Owners of restricted housing
		units shall maintain the home as their primary
		residence.
		a. Occupancy Requirement - Households shall occupy
		their home full-time at least 10 months out of each
		calendar year.
		b. Business Activity Restricted - Households who rent
		a restricted housing unit shall not engage in any
		business activity in such dwelling, other than any
		home occupation use permitted in that zoning district
		and as permitted in the Lease Agreement.
		c. No Guests for an Extended Period - Households
		who own restricted housing units shall not permit any
		adult guests over the age of 18 for periods in excess of
		thirty (30) cumulative days per calendar year.
Town of Mt.	Sec. 19-20(a)(14)	The tax levied by section 19-18(a) shall apply to the
Crested Butte		price of the following: (14) Lodging services.
C105000 B 0000	Sec. 19-17	Lodging services means the furnishing of rooms or
	566. 19 17	accommodations by any person, partnership,
		association, corporation, estate, representative
		capacity, or any other combination of individuals by
		whatever name known to a person who for a
		consideration uses, possesses, or has the right to use or
		possess any room in a hotel, inn, bed and breakfast
		residence, apartment hotel, lodging house, motor
		, , , , , , , , , , , , , , , , , , , ,
		hotel, guesthouse, guest ranch, trailer coach, mobile
		home, auto camp or trailer court and park,
		condominium, single or multiple-family residential
		unit, or similar establishment for a period of less then
		thirty (30) days under any concession, permit, right of
		access, license to use, or other agreement, or
		otherwise.

Sec. 11-5	Persons subject to license. A license is required for the maintenance, operation or conduct of any business or establishment, or for doing business or engaging in any activity or occupation, and a person shall be subject to the requirement if by him or herself or through an agent, employee or partner he or she holds him or herself forth as being engaged in such business or occupation; or solicits patronage therefor, or performs or attempts to perform any part of such business or occupation in the town, including the delivery of goods or services within the town which are purchased or contracted for outside of the corporate limits of the town. Advertisement of an accommodation unit that is located within the town is considered engaging in a business activity within the town. It shall be unlawful for any person to conduct business within the town without having first obtained a business and occupational license under this article.
Sec. 11-1	Accommodation unit shall mean any room or group of rooms with or without full kitchen facilities, not intended or designed for permanent occupancy as a housekeeping unit, designed for or adapted to occupancy by guests, available for short-term rental by an individual or group of individuals, and accessible from common corridors, walks or balconies, without passing through another accommodation unit or dwelling unit and which is intended to be rented on a short-term basis.
Sec. 21-1	Accommodations shall mean any hotel, motel, lodge, townhome or condominium project with an on-premises front desk and centrally-managed room cleaning service, that offers rooms or groups of rooms designed for or adapted to occupancy by guests, available for short-term rental of less than thirty (30) days, and accessible from common areas without having to pass through another accommodation unit or residential unit. Accommodations room or unit shall mean a room or the smallest combination of a group of rooms with or without full kitchen facilities, not intended

		or designed for permanent occupancy, that can be rented on a short-term basis as an accommodation and that contains at least one (1) sleeping area. Lock-off rooms are to be considered a separate accommodations room. Rental, long-term shall mean occupancy of a building or portion thereof for a period of at least thirty (30) consecutive days in return for payment in a fixed amount. Rental, short-term shall mean occupancy of a furnished room or group of rooms for a period of less than thirty (30) days in return for payment. Short-term rentals are subject to the town's sales tax ordinances, Chapter 19, Article II of this Code. Short-term rentals are also subject to the town's business license ordinances, Chapter 11, Article I of this Code.
Park City	Sec. 4-1-1.29	NIGHTLY LODGING FACILITY. Any place where any portion is rented or otherwise made available to Persons for transient lodging purposes for a period less than thirty (30) days including, without limitation, a hotel, motel, lodge, condominium project, single family residence, or timeshare project.
	Sec. 15-15-1	NIGHTLY RENTAL. The rental of a Dwelling Unit or any portion thereof, including a Lockout Unit for less than thirty (30) days to a single entity or Person. Nightly Rental does not include the Use of Dwelling Units for Commercial Uses. DWELLING UNIT. A Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.
		HOTEL/MOTEL. A Building containing sleeping rooms for the occupancy of guests for compensation on a nightly basis that includes accessory facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or other facilities and activities

		customarily associated with Hotels, such as concierge services, shuttle services, room service, and daily maid service. Hotel/Motel does not include Nightly Rental Condominium projects without restaurants, bars, spas, and on-site check-in lobbies. Lockout Units or Bed and Breakfast Inns and Boarding Houses are not Hotels. Hotels are considered a lodging Use and ownership of units may be by a condominium or timeshare instrument Hotel rooms may include a Lockout as part of the Unit.
Town of Pagosa Springs	Sec. 6.7.2	Vacation rental means a lodging use of a furnished dwelling unit, or portion thereof, for less than thirty (30) consecutive days per rental. Meals are not provided, although guests may have full access to kitchen facilities. Hotel, motel, or lodge rooms and B&Bs and inns are not considered a vacation rental. Offering the use of one's property where no fee is charged or collected is not considered a vacation rental.
	Sec. 16.4.2	Lodging accommodation means a hotel, motel, motor hotel, lodge, townhome, condominium building, time share building, guest house, bed and breakfast, vacation rental, guest ranch, mobile home, auto camp, trailer court, trailer park, or campground.
	Sec. 16.4.5 Exemptions.	The tax imposed in this Article shall not apply to the following individuals or entities and under the following specific circumstances: (1) If a purchaser is a resident of the lodging accommodation for a period of at least thirty (30) consecutive days; (2) If the purchaser enters into or has entered into a written agreement for lodging at the lodging accommodation for a period of at least thirty (30) consecutive days;
Steamboat Springs	Sec. 22-183(d)(11)(a)	Other deductions. Monthly rentals of rooms. The Sales and Purchases of commodities and services under the provisions of section 22-182(c)(5) hereof to any occupant who is a permanent Resident of any hotel, apartment hotel, lodging house, motor hotel, guest house, guest ranch, mobile home, auto camp, trailer court or park, or any other place and who enters into or has entered into a

		written agreement for occupancy of a room or rooms or Accommodations for a period of at least thirty (30) consecutive days during the calendar year or preceding year.
Town of Telluride	Sec. 4-2-20	Lodging services means the furnishing of rooms or accommodations by any person, who for a consideration uses, possesses or has the right to use or possess any room in a hotel, inn, bed and breakfast residence, apartment hotel, lodging house, motor hotel, guesthouse, guest ranch, trailer coach, mobile home, auto camp and campground, trailer court and park, condominium, single- or multiple-family residential unit or similar establishment for a period of less than thirty (30) days under any concession, permit, right of access, license to use or other agreement, or otherwise.
	Sec. 6-1-10	Accommodations unit means any separately owned condominium or condominium-hotel unit with one (1) or more sleeping rooms which is rented or leased for increments of less than thirty days (1-29 days). Lodging establishment means any hotel, motel, boardinghouse, roominghouse or lodge owned by a single entity and having an on-site lobby. Rental House means a single family home or duplex offered for rental, rented or leased for less than thirty days (1-29 days). Short Term Rental Unit means an accommodations unit, unit in a lodging establishment, or a rental house which is rented for increments of less than thirty days (1-29 days).
	Sec. 2-229	"Short-term Dwelling Unit" means a Dwelling Unit as defined in Section 2-140, which is deed restricted such that no person shall be allowed to reside in or occupy such unit for a period greater than thirty (30) consecutive days, or a total of sixty days in any single calendar year. The deed restriction for such unit shall also, at a minimum: 2-229.A. require the unit be registered through a property management company for short-term rental

	uses or an alternative technique to guarantee availability of the unit for short-term rental;
	2-229.B. require submission to the Planning Director on a semi-annual basis a report consisting of: i) evidence such unit is available for short-term uses, and at reasonable rates relative to the Town short-term rental market, ii) the occupancy rate of such unit, and iii) evidence that the occupancy level for short-term uses is generally consistent with similar type units available for short-term rental in Town; and
	2-229.C. provide that in the event of a violation the Town may require compliance with Land Use Code provisions applicable to non-deed restricted units (including but not limited to, parking, water and sewer tap fees, and dimensional variations) as well as pursue any and all other remedies available to the Town for Land Use Code violations.
	Such deed restriction may be transferred to another unit upon the approval of P&Z.
Sec. 2-130	"Condominium-hotel room" shall mean a hotel-styled room, constructed, managed and operated in accordance with Section 6-412 that is designed to operate as a condominium-hotel project. Each condominium-hotel room will be managed, maintained and available for use and occupancy in connection with an actual hotel operation. A "condominium-hotel room" may also be designated as a unit on the condominium documents and be available separate sale and ownership, subject to the restrictions contained in Section 6-412 et seq. of the Land Use Code.
Sec. 6-412.G.	outlines the restrictions for condominium-hotels, including, but not limited, to the following:
	e. Each condominium-hotel units in the condominium-hotel project must be included in the Management and Marketing Program and managed by the Property Management Company. A separate unit management agreement for each unit must be executed at the time of closing on a condominium-

		hotel unit, consistent with this section of the LUC, the condominium documents and the management contract. When not in use by the owner of a condominium-hotel unit, each condominium-hotel unit must be included in and available for rental occupancy and accommodations by guests. f. With respect to each condominium-hotel unit, the restrictions set forth in this section shall be reflected in a separate deed restriction for each condominium-hotel unit so that the owner of each unit is affirmatively stating that their unit(s) will be available to paying guests when not in use by the owner, in accordance with this requirement. m. For conversions of hotels into condominiums, each of the original hotel rooms shall be accessible from the common hallways, requiring that such units shall have their own room number and a separate locking system than the other condo-hotel rooms in a suite.
		 q. The condominium-hotel units shall not be the primary residence of the owner. s. The owner shall provide lead-time on notice of occupancy; with February 28th the deadline for providing intended summer occupancy dates, and September 30 for winter occupancy dates. The owner may use the condominium-hotel unit at other times without any lead-time notice if the unit is not reserved for lodging purposes.
Town of Vail	Sec. 4-14-2	SHORT-TERM RENTAL PROPERTY: A residential dwelling unit, or any room therein, available for lease for a term of less than thirty (30) consecutive days.
	Sec. 4-3-3-1.F.	There is levied, and there shall be collected and paid a sales tax in the amount stated in section <u>4-3-3-3</u> of this chapter as follows: F. Lodging Services: "Lodging services" as defined in section <u>4-3-1-2</u> of this chapter."

Sec. 4-3-1-2	LODGING SERVICES: The furnishing of rooms or accommodations by any person, partnership, association, corporation, estate, representative capacity or any other combination of individuals by whatever name known to a person who for a consideration uses, possesses, or has the right to use or possess any room in a hotel, apartment hotel, lodging house, motor hotel, guesthouse, guest ranch, trailer coach, mobile home, auto camp, or trailer court and park, for a period of less than thirty (30) consecutive days under any concession, permit, right of access, license to use, or other agreement, or otherwise.
Sec. 12-2-2	ACCOMMODATION UNIT: Any room or group of rooms without "kitchen facilities", as defined herein, which are designed for temporary occupancy by visitors, guests, individuals, or families on a short term rental basis, and accessible from common corridors, walks, or balconies without passing through another accommodation unit, limited service lodge unit, fractional fee club unit or dwelling unit. An accommodation unit is not intended for permanent residency and shall not be subdivided into an individual condominium unit, pursuant to title 13, "Subdivision Regulations", of this code. LODGE DWELLING UNIT: A small dwelling unit with limited kitchen and floor area and which
	contains six hundred fifty (650) square feet or less of floor area and is intended to be rented on a short term basis. LODGE UNIT, LIMITED SERVICE: Any room or group of rooms with "kitchen facilities", as defined herein, in a limited service lodge which are designed for temporary occupancy by visitors, guests,
	individuals, or families on a short term rental basis, and accessible from common corridors, walks, or balconies without passing through another accommodation unit, limited service lodge unit, fractional fee club unit or dwelling unit. A limited service lodge unit is not intended for permanent residency and shall not be subdivided into an individual condominium unit, pursuant to title 13, "Subdivision Regulations", of this Code.

		SHORT TERM RENTAL: Shall be deemed to be a rental for a period not exceeding thirty (30) days.
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Short-Term Rental Property	Ordinance Matrix-March 2019	
Condito: Colomata Association	of Chi Tauma CMI City of East Calling	

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City	Primary Residence Allowed	Non-Primary Residence Allowed	Which Taxes Required	Tax Collected: By municipality or listing agency	License Required	Neighbor Notification	Concentration Limit	Zoning Limitations	Fees	Occupancy Requirement	Require a "local responsibility" to take complaints?	le Mandatory response time for the responsible party to address the complaint?	Utilize a 24 hour call center for complaints?	Compliance Efforts? (Compliance monitoring company, municipal staff, software, other)	Weblink to STR ordinace/regulations	Number of listings (Approx.)	Other
Avon	yes	yes	yes	yes	yes, non-transferrable	no	no	Short Term Overlay Districts - primarily town core	Annual Business License fee is \$75	none	No	No	No	MuniRevs	http://www.avon.org/str	135	
Aurora	yes	no	8% lodging tax	municipality	yes	no	no	yes, accessory to primary residence, no external evidence of busines activity	\$39 fee	no other than regular building and zoning code	No	No	No	STR Helper	Aurora STR FAQ	300	require license number in online ads, no limit on number of days or amount of premisis used in the activity, however, limit to a singular listing as part of being accessory to primary residence
Basalt	yes	May only be rented on a short-term basis with the	l yes		yes, annually renewable	no	no on single-family, max. of 6 short-term rental allowed in multi-	no	\$35 annually, plus a \$150 safety inspecation charge on initial license	none							Not permitted in employee housing units, Requires local representative
Beaver Creek	no	primary residence yes	yes	by BCRC	yes, annual Business License	no	family buildings no	no	\$200 annually	no	Yes	30 days	No	We are utilizing Host Compliance to find owners renting on their own who have not paid appropriate tax/assessment		1200	BCRC collects 5.35% Civic Assessment and .0096% Lodging Assessment for all STR
Blue River	yes	yes	yes	Municipality	yes, non-transferrable	no	No	no	\$200 first time; \$75	none	No	No	No	We utilize Hamari	www.colorado.gov/townofblueriver	148	
Boulder	yes	no	7.5% lodging tax	their listings. Taxes remitted directly to the City by owner/manage in other cases.	yes, non-transferrable	no	no	yes, determine occupancy limits	business license; \$105 for 4 year license renewal	determined by zoning				1 dedicated FTE compliance officer, Host Compliance software beginning 2019		12/31/2018	require license number in online ads, no advertising before obtaining license, must be principle residence, new ordinance to require annual certification being considered by council
Breckenridge	yes	yes	yes	municipality	yes, non-transferrable	no	no	none- unless deed restricted workforce housing, then prohibited	annually/Admin Fee:	none	Yes	60 minutes	Yes, STR Helper (970)-368 2044		www.townofbreckenridge.com/shortt erm		All properties - Special Conditions of License/BOLT License - Location Card posting requirement/Advertisement Requirements
Crested Butte	Yes	Yes	4.5% Lodging Sales Tax & 5% Vacation Rental Excise Tax The excise tax collectes is used to fund affordable housing projects.	remitting taxes through the Town's on-line licensing and sales tax software program.	required		No. The number of unlimited vacation renta licenses is limited to 30% of the total number of freemarket residentia units in town located in the permitted zone districts. Currently 213 unlimited vacation renta licenses can be issued.	ı	Residence License fee: \$200/year with a maximum of 60 nights o rental per year	occupancy of 10 people. Occupancy over 10 people if requires an additional parking space be provided on site for every four additional people or part thereof.		1 Hour		properties.	https://www.crethedbutte- co.gov/index.asp?SEC=0DA56E89- 36E1-4A3A-8001- 6F16483DEFGD&Type=B_BASIC		Site safety inspection and on-site parking verification required.
Denver	yes	no	54/month business personal property tax and/or sales tax if	their listings. Taxes remitted directly to the City in other cases.	yes, lodger's tax id license and non-transferrable business license required		по	Yes. Allowed wherever residential uses are permitted, but additional limitations apply. See sections 11.7.1, 11.8.10, and 11.12.7.7 of the Denver Zoning Code.	\$50 biannually Business License application fee - \$25 upon application Business License - \$25 annually	guests per night. No simultaneous rental to more than one party under	Yes. LRP must be in City and County of Deriver during the entire length of the STR period, must have access to the licensed premises, and must be authorized to make decisions regarding the licensed premises.	f No	Yes. Complaints may be filed at any time by calling 311; however, response wi likely only come during business hours (except for emergency situations	-	STR Business Licensing Homepage		
Dillon	Yes	Yes	applicable yes	State collected sales tax but lodgling tax remitted to Town		no	no	no	\$50 annually	no	yes	no	yes	yes, STR Helper	yes, https://www.townofdillon.com/busine ss-resources/dillon-short-term-rental str	113	requires license number in ads, must submit parking and trash/redycing plans
Durango	yes	yes	sales/lodging	remitted to Town AirBnB collects for their listings. Taxes remitted directly to the City by owner/manage in other cases.		yes, 300 foot radius	yes, by zone including total number and by block face	yes, only allowed in certain zones	\$750 first time and annual business license fees of approx. \$100		Yes		No	HostCompliance, since 2017	urango-co/doc-viewer.aspx#secid- 273		Staff will be coordinating a public process and going to City Council to propose eliminating vacation rentals as a permitted use in additional zone districts.
Estes Park	no	yes	yes		yes for in town with fee, operating permit for county with no fee	yes y	no	no		2 per bedroom, plus 2 up to 8 total Large vacation home application can be applied for homes larger than 3 bedroom	Yes	30 Minutes - May be change to 1 hours	i Yes	Host Compliance	www.estes.org/businesslicensing	588 residential and 190 commercially zoned. The Town's cap for residential was met in May 2011 and the waiting list is at 37	New regulations were adopted December 2016 and modified in March 2017. Additional modifications are being proposed for 2019.
Estes Park - outside Town, inside Estes Vall	Same as Town	Same	Same		no; however, an operating permit is required per the land use code (Estes Valley Development Code)	Same	Same	yes, in all residential zones, A-1 Accommodations/Low Intensity and CD - Downtown Commercial	none	Same						u. 57	
Fort Collins	yes	yes	3.85% sales tax 3% lodging tax	municipality	tax license, STR license	no	no	yes, primary only in zones that allow B&Bs up to 6 beds/non-primary only in zones that allow B&B, motels	\$100	no	yes	Yes - 4 hours	no	Host Compliance	https://www.fcgov.com/shorttermrent als/faqs.php	: 643	parking requirements, owners only - not tenants, fee waiver for accessibility standards, self-certify, unit meets rental habitability standards
Fraser Frisco	no yes		yes yes		registration yes	no no	no none	no none	\$150 \$75 business license	no none							Program implementation late 2017 None, we are working on a new ordinance to address notification, occupancy, and several other
Georgetown	yes	yes	sales/lodging		yes, non-transferrable	yes	7% per town ward	no	\$500 first time; \$250 renewal	based on sq footage, must be posted	Yes, within Clear Creek County				Georgetown STR Code		nasuka.
Golden	yes- must be owner occupied to be licensed in residential zones	homes" no owner occupancy requires	Sales and Use Tax	k municipality	yes- \$200 for two years	No	Must meet regular occupancy restrictions- no more than 4 unrelated per unit.	Allowed in all, residential zoning districts must be owner occupied	\$25 Sales and Use Tax		County Yes, must provide emergenc contact local	у	Yes, through STR Helper Consultant		www.cityofgolden.net/shorttermrentals	100 ish	New regulations adopted in 2018, enforcement in January 2019
Grand Lake Silverthome	resucernal zones yes yes	yes yes	lodging tax to the town.	Listing Agency Owners are responsible for collection/remittee of taxe except for listings with AirBnb. VCA with Airbnb (effective 11/1/18) Sales & lodgling tax due monthly te the Town of Silverthorne (Prior to 11/1/19 had beet qthy. Collection)		yes Only in case of duplex	No.	no No.	\$800 Armushy Tiered fee Sudio \$100.1 BR \$150, 2BR \$200, 3BR \$250 4BR+ \$300	none Max advertised occupancy =2/Bedroom +2	yes Yes	15 min 7am -11pm (60 minutes) 11pm -7am (30 minutes)	no Yes	STR Helper Yes. STR Helper	https://www.silverthome.org/lown- services/finance.administrative- services/business-liquor-licenses	100	STR license is required to be posted in online abs. God Neighbor Guidelines must be posted prominerly in entel properly. STR license is required to be visitly displayed in rental properly (address, license & properly concern rame & control info for responsible agent). STR prohibited in deed restricted & workforce housing units.
Snowmass Villag	e Yes	Yes	Yes		yes, non-transferrable	No	No	No	No	Yes, under the building code							Not permitted in employee housing units without prior approval.
Steamboat Springs	yes	yes	Yes (Sales & Lodging)	Municipality	Sales Tax License Required; VHR permit required for single family homes and duplexes in most zone districts	yes for VHR permits	no	no	\$50 Sales Tax Fee (one time); \$500 VHR permit fee, \$75 annual renewal fee	1 per 200 sf; max 16	no	no	no	no	CDC Section 302.E.4 (http://steamboatsprings.net/246/Community-Development-Code)	171 active permits. Approx 2386 listings in area.	prior approval. We only require a VHR permit for single family and duplex units OUTSIDE of the resort area (RR and G) zone districts. Multiple family units and all units in RR and G are allowed by right.
Telluride	yes	yes	yes		yes visiticts	no	no	yes, restrictions in residential zone	\$165 base fee plus \$22 per bedroom								Restrictions in Residential Zone: no more than 3 rentals per year, w aggregate not to exceed 29 days; implemented in 2011; will revisit in 2017
Vail	Yes	Yes	Yes sales/lodging	Prop. Owner or representative / booking agency remits taxes	yes Effective 3/1/19 STR Registration required per unit.	No	No	No	tiered fee structure- \$150 per unit for unmanaged properties, \$10 per unit for managed units, \$5 per unit for condote! managed units (24x7 front desk)	Not permitted in employee housing units; local contact required; more than three validated complaints in one year could cause revocation of registration for 2 years	Yes - Local contact within 60 minute distance required	60 min response time unless between 11pm and 7am, the 30 minute response time	Yes, contracted with STR n Helper	STR Helper software helps internal staff manage compliance monitoring	https://www.vailgov.com/short-term- rentals	1650	Notorized affidavit required as part of the application for acknowledgement of life safety, noise, trash and parking regulations

Winter		yes	yes	yes	Municipality	yes, non-transferrable	no	no	no	Annual business license fee o \$60	d none	no	no	no	LodgingRevs	no		We require a business license. We have contracted with LodgingRev's that tracks various sites for nerials that have not obtained a business license. The Town does not have other limits or restrictions for short term rentals excluding any regular zoning restrictions.
Eagle	County	No county-wide restriction; short- term rentals not allowed in price- capped deed- restricted units		If assessors's office is aware a unit is a rental, it is taxed as such		No, counties can not inititate business licenses	No county wide restriction	No county wide restriction	No county wide restriction	none	Eagle County Land use code: state no more than one person per every 300 square feet; this limit is not enforced							No county wide restriction
Summ	nit County	yes	yes	sales tax, mass transit and affordable housing tax. A sales tax license is obtained	the State; Personal property tax on short term rental properties is assessed and collected by the		neighbors only in cases where changes are proposed to the exterior of the property or building.		Zoning regulations are included in Section 28°L of the Sourmet County Lan- cetter of the Sourmet County Lan- requirements for permitting, responsible agent, health a Selfy standards, sing- ports, suprage, advertising, and pett, suprage, advertising, and permitted in deed restricted workforce and the section of the Sourmet County and permitted in deed restricted workforce expressly prohibit the use.	Administrative Conditional Use Permit (CUP) required for higher occupancy and parking requests Initial CUP fee - \$350 (this is the full fee charged; not charged both the STR permit fee and the CUP fee);	additional occupants, or 1 person per 200 square feet of living area, whichever allows for a greater occupancy. Condominium buildings with interior egress corridors less than 44 inches wide and without a sprinkler system are further limited to 2 persons per bedroom plus 2 additions occupants, or 1 person per 200 square feet of living area whichever allows for a greater whichever allows for a greater and the person of the person per bedroom plus 2 additions occupants, or 1 person per 200 square feet of living area whichever allows for a greater and person person per person per 200 square feet of living area whichever allows for a greater and person per	Responsible agent must be available 24 hours per day, 7 days per week, and must respond to complaints within 1 hour.	within 1 hour	yes, STR Helper 24-hour call center is utilized in conjunction with the towns in Summit County (Breckenridge, Dilton, Frisco and Silverthorne)	yes, STR Helper	www.SummitCountyCO.gov/STR		County STR regulations were adopted 12/19/18; The permitting years and compilant the permitting years and compilant permitted of the permitting of the permitting of the development with STR Helper. The articipated implementation timeline is as follows: Later February years Merch 2019; STR permitting system will go then and the County will begin accepting and processing permit applications. In Permitting STR Permitting permitting system will be processing permit applications. In Permitting STR Permitting applications to be accepted on the STR Permit applications. In Permitting STR Permitting STR Pe
	cipalities																	
Park (Sity, UT	yes	yes	COMDEV does not have any enforcement. All applicants need to provide state sales tax number	Owner remits tax to State Tax Commission.	yes, non-transferrable, annual business license	duplexes or if shared common			\$28.74 per bedroom fee, \$17.00 Yearly renewal admin fee plus \$28.74/bedroom	least 50sq ft of floor space pe occupant (if more than 1)		must be 1 hour or less away	no, just police dispatch	(Host Compliance)	www.parkciy.org/MunicipalCode	2150	Site visit and safety inspection prior to application
Jacks	on, WY	yes	yes	yes	Collected by state and by AirBnB	yes , a permit	Yes, to neighbors within 300 ft.	s no	yes, only allowed within the Lodging Overlay District or the Snow King Resort District	yes, \$100 for each residential short-term unit being permitted	Limited to less than one calendar month	no	no	yes	Host Compliance	yes	164	
Ketch	um, ID	yes	yes	yes	As of Jan '18 tax collected by listing agency and remitted to City	yes, business license	no	no	No, State Legislature pre-empted local control of STR's	no	Max 30 days/guest							no
Moab	UT	no	no	yes	County and Airbnb	Yes, for each property owner	no	no	yes, only allowed in certain commercial zones	Business license fee - \$45 plus \$4 per room	no	no	no	no	no	https://moab.municipal.codes/Code .67.010	5	Not permitted in any residential zones. Only permitted in certain commercial zones. Building,



PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 728-1392

Item No. 19

TO: Town Council

FROM: Michelle Haynes, Planning and Development Services Director

DATE: March 21, 2019

RE: Incentive Program Check-In, Regarding the Wildfire Mitigation Defensible Space

Rebate Program and the Cedar Shake Fire Mitigation Initiative Program for 2019.

INTRODUCTION

Provided are updates regarding two important incentive programs: The Cedar Shake Fire Mitigation Incentive Program and Wildfire Mitigation Defensible Space Rebate Program.

In 2019 the Town of Mountain Village (TMV) and Telluride Mountain Village Homeowners Association (TMVOA) have each equally committed the following contribution:

- Cedar Shake \$50,000 total, split between the TMV and TMVOA
- Defensible Space \$50,000 total, split between the TMV and TMVOA

The TMVOA received a lot of questions and concerns about wildfire mitigation, the ability to insure a cedar shake roof home and preventative community measures at their most recent owners meeting. This spurred a meeting between staff and the TMVOA to better address community member concerns and enhance community understanding of our programs and participation. We are outlining ways to address many of these concerns by way of this update to Council. Staff asks for Council direction regarding modifications to the Cedar Shake Incentive Fire Mitigation Program to enhance participation in 2019.

CEDAR SHAKE INCENTIVE FIRE MITIGATION PROGRAM

Staff has spoke with the WRWC along with our funding partner the TMVOA and we jointly endeavor to enhance the Cedar Shake Program with specific recommendations.

The West Region Wildfire Council indicated that,

"The biggest forest fire risk in the Mountain Village is not the ignition of the forest but of structures, particularly those with existing cedar shake shingle roofs. The greatest impact you can have to reducing forest fire risk to you structure is to replace your cedar shake shingle roof."

Combustible Roofs

- 4% survival in homes with flammable roof, no treatment and no defensive action
- 20% survival of homes with flammable roof with defensive action
- 70% survival of homes with non-flammable roof
 - 90% survival if 10 metre (Zone 1) or more of vegetation treated
 - 99% survival if defensive actions taken



A spark from a forest fire has a high probability of igniting a cedar shake roof, a much greater hazard to an existing home or building than the adjacent forest fire. As noted previously combining a non-flammable roof and defensible space is the optimal means to protect a home in the event of a forest fire.

Structural Ignitability

Home ignition is another studied topic. Statistics indicate that homes 30 feet or less apart from each other can ignite the adjacent home if the siding is flammable for example due to radiant heat. If a flammable roof is adjacent to another flammable roof, the embers will ignite the adjacent building's roof. See attachment B with key structural ignitability slides.

The Town, the WRWC and TMVOA agree that we would like greater participation in the Cedar Shake program and agree to enhance marketing efforts. We discussed increasing the incentive from \$5,000 to \$7,500. At this juncture, staff recommends three modifications listed below, but otherwise, not increasing the incentive amount until we evaluate whether the recommended changes listed below increase participation on their own. Staff recommends the following modifications to the program.

- a) Change the program from a rebate to a fee waiver. Staff recommends that the building permit fee be waived at the time of application for the permit, rather than a rebate be provided after the work is completed. Then the waiver is the building permit value up to \$5,000. This eliminates the unresolved issue of a homeowner being 1099's for income associated with a rebate from the Town.
- b) Coordinate and enhance marketing efforts between TMVOA and the TMV. Both parties agree this is important.
- c) Provide greater flexibility regarding the defensible space requirement. Staff understand the defensible space requirement is a barrier to the success of this program. Although it is important that both defensible space and changing a flammable roof to a non-flammable roof is important, Council can determine whether to uncouple the requirements in an effort to increase participation.

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UPDATE INFORMATION

Forest Management and Fire Mitigation 2018/2017 Overview of Participation and Activity Defensible Space Rebate Program. The defensible space rebate program had 8 (eight) projects completed in 2018 totaling \$26,900 reimbursed to homeowners. This is compared to 7 (seven) total projects completed in 2017 totaling \$20,485.

Tree Permits. 114 tree permits were issued in 2018 compared to 137 tree permits issued in 2017. Planning staff, along with the help of Finn Kjome in 2018, issued all tree permits.

Cedar Shake Rebate Program. The cedar shake rebate program had 2 (two) participants in 2018 total homeowner reimbursement of \$5,148.69. This is compared to 3 (three) cedar shake rebates completed in 2017 totaling \$10,894.37.

WILDFIRE MITIGATION DEFENSIBLE SPACE UPDATE

Defensible Space Rebate Program Administration with the West Region Wildfire Council (WRWC). In 2018, the Town contract with the West Region Wildfire Council to facilitate administration of the defensible space rebate program. The WRWC specifically schedules and performs the site walks, site analysis and summary report. The report includes ways the property owner needs to thin or remove trees in the zones around the home, as well as home hardening recommendations. The town issues the tree removal permit, performs the follow up site walk once the work is completed, and manages the rebate paperwork. The final inspection can be performed by the town or the WRWC. The WRWC has brought a level of professionalism and expertise to the Town of Mountain Village that is important as we no longer have a forester on staff.

Although the town administered 8 rebates in 2018, the WRFC also performed an additional five defensible space site walks and site summaries that the owner did not execute in the same season. An additional 5 (five) defensible space projects were logged into our system but the owners have yet to complete the onsite tree removal work.

2019 Recommended Changes to the Wildfire Mitigation Defensible Space Incentive Program contract with WRWC.

The WRWC has recommended a few modifications to the contract in 2019. There will be a variable fee structure based upon the lot size. Larger lots take additional time to assess. Project fees will be classified in the following manner:

- Projects Less than 3 acres
- Projects between 3.1 and 7 acres
- Projects greater than 7 acres

Most projects fall in the less than 3-acre category.

The town has scheduled target marketing to begin in March for this program. Staff has discussed greater coordination in messaging and marketing the program with TMVOA. Both entities are on board to roll out communications in March.

Property Owner Rapid Risk Assessment Rating

The town will partner with the WRWC and TMVOA to make available the property risk assessment analysis for each property that is available online and each property has a unique login and URL. The last direct mailing of the rapid risk assessment to owners occurred in 2017. Staff is discussing

with TMVOA and the WRWC cost and timing of another mailing as another means to bolster education and provide homeowners with valuable property specific risk assessment data.

RECOMMENDATION

Staff recommends Town Council provide direction specifically to modify the Cedar Shake Program with the following recommended modifications:

- a) Change from a rebate to a fee waiver of the building permit fee.
- b) Coordinate and enhance marketing efforts with TMVOA.
- c) Uncouple the defensible space requirement from the Cedar Shake Rebate Program.

Attachments: A. Structural Ignitability, Key Points, TOMV, WRWC

- B. Additional WRWC Resource and TMV specific efforts and links
- C. September 21, 2017 Cedar Shake Memo for background data and information.

/mbh

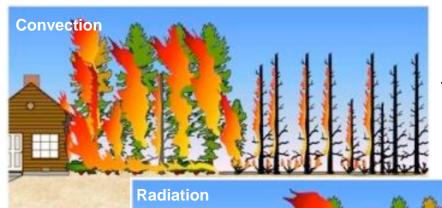
Structural Ignitability

key points for TOMV memo



FULL presentation available **HERE**

Heat Transfer Processes



Rising convective heat column and flames are pushed down wind or upslope towards new fuels.



Burning embers produced by the fire are lofted into the airstream by convection and deposited downwind on new fuels.

How Do Structures Ignite?

- Radiation least common unless burning fuels are within 30 feet of a structure
- Convection more common; associated with high winds or steep terrain and direct flame contact
- **Embers** most common; typically associated with burning fuel & wind
- Structure to structure (aka 'conflagration') most common in high density communities where homes are near one another. Once on fire, each home is a large fuel source that can create nearby home ignitions through any and all of the above mechanisms.





Radiant Heat/ Convective Heat

- Burning fuels (wildland or built) within 30ft of a structure may cause ignition from RADIATION.
- Crown fire within 100 ft where a structure is exposed to CONVECTIVE heat may cause ignition.
- Mitigation: Ensure that a home has adequate defensible space in both Zones 1 and Zone 2.



Defensible Space? It takes 5 sec to produce second degree burns under same conditions it takes 27 mins to ignite a wood wall (16 Kw/m2)

ICFME Key Observation: Thermal Radiation & Convective Heat And Walls

Mitigation:

- Create 30 ft of space between the structure and continuous forested vegetation. (D-Space Zone 1)
- Thin trees, prune trees and reduce surface fuels 30 to 100 ft to prevent crown fire. (D-Space Zone 2)
- Topography, climate and forest type may require mitigation beyond 100 ft. CSFS recommends 150 feet of Zone 2 mitigation in Colorado.

Key Observations: Roofing

- 4% survival in homes with flammable roof, no treatment and no defensive action
- 20% survival of homes with flammable roof with defensive action
- 70% survival of homes with non-flammable roof
 - 90% survival if 10 metre (Zone 1) or more of vegetation treated
 - 99% survival if defensive actions taken



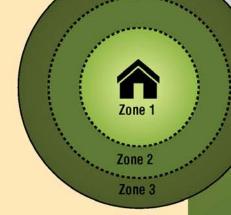
Structure & Attachments:

Fire-resistant materials and maintenance are key. What to look for in a structure:

- Fire-resistant materials for roof, siding, and attachments provide the best protection.
 Examples: Class A fire-rated roof covering (such as asphalt shingles) and stucco siding.
- · Properly-screened vents
- Clean roof and gutters; free from needles and other debris
- · Double-pane windows

A Well - Prepared HOME IGNITION ZONE





3 ZONES

Zone 1: encircles the structure and its attachments, extends 30 feet on all sides

Zone 2: 30 - 100 feet **Zone 3:** 100 - 200+ feet

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Zone 1:

Very limited and well-trimmed vegetation; properly mitigated attachments and accessory structures.

- A noncombustible 5 ft, border surrounding the structure
- No conifer or juniper trees
- Very limited number of sage, shrubs or tall grasses
- Trimmed grasses and/or xeriscaped lawn
- Wooden attachments such as fences are not directly connected to the house
- Outbuildings mitigated to the main structure standards

Zone 2:

Healthy Landscaping

- Firewood stored at least 30 ft away from structure (outside Zone 1)
- Pruned and thinned or clustered trees
- No sign of shrubs or other vegetation underneath taller trees

Zone 3:

Significant landscaping features, such as steep slopes and adjacent forests, play a role in wildfire risk. If present, property owner should work with a qualified wildfire and forestry professional.



Key Messages: Structure Vulnerabilities to Wildfire

- Homes ignite in different ways
- Homes are concentrated stacks of well ventilated firewood wrapped in gasoline that we choose to live in.
- Structure hardening combined with vegetation management can significantly reduce structure ignitions during a wildfire.

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Attachment B.

Attachment B. Additional WRWC Resources and TMV specific efforts and links

2014 Rapid Wildfire Risk Assessment. In partnership with TFPD, we physically drove around to 718 homes in Mountain Village and rapidly assessed wildfire risk for each home. <u>Overview-click HERE</u>

2014 Homeowner Survey. Every home in TOMV that was assessed as part of the rapid wildfire risk assessment received a concurrent survey in the mail. This is part of our research project with the Wildfire Research Team (WiRe). Click-->

HERE for more info on the survey.

<u>HERE</u> for a copy of the survey that was sent to TOMV residents so you can see the kind of information we looked at.

<u>HERE</u> for the 2016 data report that distills specifically for TOMV the results from the homeowner survey. Pretty easy read and interesting info about your constituents.

2016 Winter- numerous meetings with Deanna Drew about design and development of the TOMV dspace incentive program.

March 2016- presentation on the Rapid Wildfire Risk Assessment Results to Town Council (live streamed). Click here for a PDF of the presentation.

2016: Creation of /Myhome pages where homeowners could access their individual wildfire risk websites. www.COwildfire.org/myhome CODE: TEST01

April 2016: Post-card mailing to TOMV- Click HERE to view post-card

- invitation to June 3 TOMV Wildfire Information Forum- (live streamed presentation).
- Customized information about each homes risk assessment results and access to their individual URL for more info.

June 2016: TOMV Wildfire Information Forum. Click HERE to view presentation.

<u>THIS infographic</u> talks about TOMV residents' willingness to cut trees and perception of barriers for completing mitigation- based on TOMV survey results.

<u>THIS infographic</u> talks about TOMV residents' general thoughts on wildfire risk and mitigation-based on TOMV survey results.

2017, **Spring-** mailing to TOMV residents. Click HERE to view letter.

- customized information about that home's risk assessment results and access to individualized URL via unique code. *please note variable data (individual risk information) isn't displayed on this example, but was printed as part of the final letter sent.

2018, Spring- mailing to TOMV residents- Click HERE to view letter.

- customized information about that home's risk assessment results and access to individualized URL via unique code. *please note variable data (individual risk information) isn't displayed on this example, but was printed as part of the final letter sent.

2018, Summer--> current- contract with TOMV to provide technical services related to the dspace incentive program.

Attachment C



PLANNING & DEVELOPMENT SERVICE PLANNING DIVISON

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 728-1392

Agenda Item No. 12

TO: Mountain Village Town Council

FROM: Michelle Haynes, Planning and Development Services Director and

Dave Bangert, Senior Planner/Forester

FOR: Town Council meeting on September 21, 2017

DATE: September 6, 2017

RE: Consideration of a Cedar Shake Roof Replacement Rebate Fire Mitigation

Program

INTRODUCTION

The planning department received a complaint regarding payment of a building permit fee for a re-roof application from cedar shake to standing seam metal. The complaint initiated a greater internal dialogue regarding existing cedar shake roofs and fire hazard mitigation. Staff has been directed to provide you with information to consider a rebate program that would reimburse the building permit fee associated with re-roof applications from cedar shake to a Community Development Code (CDC) approved fire resistant roof material. The cedar shake rebate program would be modeled similarly to the Defensible Space Incentive Program implemented in 2016. The Telluride Mountain Village Owner's Association (TMVOA) has preliminarily committed \$25,000 to the cedar shake program with a final decision on September 20, 2017 by the TMVOA board, with the understanding that the Town contributes the same level of funding. The TMVOA also has matched contributions to the Defensible Space Incentive Program since 2016.

HISTORY

The original Design Regulations for the Town of Mountain Village (TMV) allowed roof materials for residential buildings to be any of the following: unglazed concrete roof tile, hand split cedar shakes, slate, or corten metal [steel]. In 2010 the TMV prohibited the installation of cedar roof shakes consistent with then town adopted building codes and the recommendations found in the 2008 San Miguel County Community Wildfire Protection Plan (2008 Plan). Pursuant to the CDC today, new construction cannot proposed a cedar shake roof; however, an existing cedar shake roof can be repaired and maintained because it is considered existing nonconforming.

CEDAR SHAKE ROOFS

Over 334 buildings in the TMV have cedar shake roofs comprising roughly 50-60% of all buildings. Under ideal circumstances a cedar shake roof has a lifespan of 20 to 30 years, and considering that home construction began in the 1990's, we will see an increase in cedar shake roof replacements in the coming years. I also understand that insurance companies may not insure homes in the TMV with cedar shake roofs from anecdotal discussions with two members of the community.

2016 DEFENSIBLE SPACE INCENTIVE PROGRAM

As referenced above, the 2008 Plan created greater awareness regarding wildfire hazards. The 2008 Plan recommended, "the prohibition of shake shingle roofs and also that adequate defensible space be maintained for all homes and structures." (staff memo for the Town Council meeting of July 7, 2010). Both recommendations have been implemented by the TMV. At the time of implementation, the Town Council discussed whether implementation should be mandatory or voluntary, opting for voluntary. With greater community awareness around forest fire issues and mitigation, the TMV updated the Forest Health and Fire Mitigation Regulations and later in 2014, a Forest Management Plan.

Similarly, the Mountain Village Defensible Space Incentive Program was launched in June of 2016 with funding from the TMV Village and the TMVOA with each entity contributing \$50,000.00. This program is designed to encourage existing homeowners to create defensible space around their homes; it is not for new construction or vacant lots. If the homeowner is interested in taking advantage of the Defensive Space Incentive Program, they contact the Town for site visit and our town forester meets them onsite for a defensible space consultation. Included in the discussion is home construction including roofing materials, creating adequate buffer zones around a building free of combustible materials, and general best practices. Creating defensible space around existing homes means removing combustible materials (trees, shrubs and pine needles and other combustible) away from the foundation of the home as well as cleared from roofs and decks.

The program will reimburse 50% of the cost of the tree removal up to \$5,000.00. In 2016 a total of 25 properties participated in the program with \$68,090 rebated to homeowners with the average rebate of \$2,724. TMVOA was refunded \$30,000.00 in unused funds for 2016.

For 2017 The Town of Mountain Village has budgeted \$50,000.00 for the program with an additional \$30,000.00 contributed by TMVOA. Year to date for 2017, 6 properties have completed defensible space and been reimbursed to a total of \$19,384. There are another 7 potential projects for 2017 still pending with an anticipated conservative reimbursement value of \$25,000.

DISCUSSION

If the Town Council approves of a second rebate/incentive program related to fire mitigation, it would be premised on the 2008 Plan recommendations regarding 1) prohibiting shake shingle roofs and 2) that adequate defensible space be maintained for all homes and structures.

There is one primary distinction between the two rebate programs however, the first is that defensible space is an educational tool for property owners and the incentive was determined to be necessary in order to encourage homeowners to protect existing homes in the community. Re-roofing a home is otherwise considered maintenance and necessary between every 15-30 years. We understand that both the creation of defensible space, and changing roof materials to the appropriate fire rated and approved material, should occur for optimal fire mitigation on a property.

NUTS AND BOLTS

There have been seven (7) re-roof building permit applications from cedar shake to another roofing material in 2017 ranging in valuation from \$14,000-\$128,000 dollars with an average valuation of \$60,000 dollars. I understand our department will receive an addition two

applications this month. The building permit fee for the re-roof applications range from \$803 dollars to \$5,333 dollars with an average building permit fee of \$2,800.00

STAFF RECOMMENDATION

If Town Council considers a cedar shake rebate program, staff recommends the following criteria and/or discussion points.

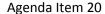
- 1) It is a separately funded program from the Defensible Space Incentive Program.
- 2) The homeowner is reimbursed 100% of the building permit fee associated with only the re-roof valuation portion of the permit. Town Council can consider any percentage of reimbursement.
- 3) The rebate is capped at a maximum rebate of \$5,000 dollars.
- 4) The rebates have an effective date. If Town Council considers an effective date of January 1, 2017, then the town would reimburse approximately \$20-25,000 to homeowners who already have been issued, have completed, or are pending a building permit to change their roof from cedar shake to a CDC approved roofing material.
- 5) The TMVOA and the TMV will each commit \$25,000 in 2017.
- 6) The owner pays for the building permit in full, then the TMV reimburses out of the rebate fund.
- 7) The rebate program is associated with an educational outreach campaign.

Additional discussion points:

- 8) Require a homeowner to first meet with the town forester and create defensible space on the property prior to eligibility for the cedar shake rebate.
- 9) Town Council considers budgeting money now for the 2018 budget cycle or otherwise adjust the budget at a later date. Staff could provide a progress report in December of 2017 so that Town Council can better evaluate the program.

RECOMMENDED MOTION

move to direct staff to implement a Cedar Shake Roof Replacement Rebate Fire Mitigation Program and include criteria numbers 1-7(or 1-9) as listed above or as modified below e.g.:									
4) The rebate will have an effective date of	_ (if different from above)								
/mbh/db									





To: Mayor and Town Council

From: Jim Loebe

For: March 21st, 2019 Town Council Meeting

Date: March 11th, 2019

Re: Consideration of a Funding Agreement with SMART to Regional Transportation Services

In your packets under agenda item 20 you will find an updated intergovernmental agreement between the Town and the San Miguel Authority for Regional Transportation (SMART) for funding of 2019 regional transportation services. This proposed agreement brings the Town's hourly charge for service in-line with other transit service providers in the area. It also backfills shoulder season bus routes formerly operated by the Town of Telluride. The draft agreement has already been approved by SMART.

Proposed Motion:

I move to approve the 2019 SMART Funding Agreement as drafted.

OR

I move to approve the SMART Funding Agreement conditioned upon the following changes:

FUNDING AGREEMENT BETWEEN THE TOWN OF MOUNTAIN VILLAGE AND

THE SAN MIGUEL AUTHORITY FOR REGIONAL TRANSPORTATION

THIS FUNDING AGREEMENT ("**Agreement**") is entered into as of the date set forth below between the Town of Mountain Village, Colorado, home rule municipality and political subdivision of the State of Colorado (the "**Town**") and the San Miguel Authority for Regional Transportation, a political subdivision of the State of Colorado created pursuant to title 43, article 4, part 6, Colorado Revised Statutes ("**SMART**").

RECITALS

WHEREAS, pursuant to title 43, article 4, part 6, Colorado Revised Statutes, as amended, Colorado counties and municipalities are authorized to establish, by contract, regional transportation authorities, which are authorized to finance, construct, operate and maintain regional transportation systems; and

WHEREAS, the Town, the Town of Telluride and San Miguel County approved an Intergovernmental Agreement dated November 9, 2016 providing for the creation of SMART as a regional transportation authority pursuant to Colorado Regional Transportation Authority Law, Title 43, Article 4, Part 6, C.R.S., as amended, which IGA was entered into following the approval of the establishment and funding of SMART by the registered electors of the Town, Town of Telluride and San Miguel County, respectively, at the general election conducted on November 9, 2016 (hereinafter referred to as the "SMART IGA"); and

WHEREAS, the process leading to the formation of SMART originally began with the San Miguel County Transit Advisory Committee formed in July of 2010 to provide regional transit coordination and planning, and was pursued in various forms after that time until the formation of SMART; and

WHEREAS, the members of SMART each currently operate their own inter-transit services; and

WHEREAS, the goal of SMART is to provide cost-effective and efficient transportation service to the region by centralizing resources and funding; and

WHEREAS, SMART eventually plans to own and operate vehicles for transportation purposes, employ drivers and other staff to operate such vehicles and manage SMART, and establish short-term and long-term service plans and levels for the region; and

WHEREAS, although SMART has begun collecting tax revenue, it does not yet have any staff or own any vehicles, but desires to begin supporting regional transportation by providing initial funding to the Town while continuing to pursue the goals outlined above; and

- **WHEREAS**, it is expected that the Town of Telluride and San Miguel County will be entering into similar intergovernmental agreements with SMART to provide for funding on a temporary basis; and
- **WHEREAS**, pursuant to title 29, article 1, part 2, C.R.S., as amended, and article XIV, section 18 of the Colorado Constitution, governments may contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service or facility, including the establishment of a separate legal entity to do so; and
- **WHEREAS** Section 6.02(b) of the SMART IGA states "The Authority may enter into contracts with any Member or other person or entity for the provision of transit services in the manner and subject to the terms of the contracts;" and
- **WHEREAS** Section 6.02(a) of the SMART IGA states that "The Authority shall coordinate and may operate and fund Regional Transit Services as described in Appendix D, the Initial Service Plan, as may be amended from time to time per Article XI herein;"
- **WHEREAS**, Section 6.04 of the SMART IGA states that "The Authority shall not assume responsibility for the operation, funding or maintenance of any transit services provided by a member as set forth in Appendix D without the approval of that Member and of the Authority;"
- **WHEREAS**, SMART and the Town entered into an agreement dated October 19, 2018 which provided for SMART funding certain regional transit services provided by the Town, as approved by the Town (the October 19, 2017 Funding Agreement) which provided for a term of January 1, 2018 through December 31, 2018 which could be annually renewed based on mutual consent.
- **WHEREAS**, SMART and the Town desire to replace and supersede the October 19, 2017 Funding Agreement with this Agreement effective as of January 1, 2019, which terms and conditions are set forth below.

AGREEMENT

NOW, THEREFORE, for and in consideration of the mutual covenants set forth below, SMART and the Town hereby agree as follows:

I. <u>Scope of Services</u>. SMART and the Town agree that the Town will continue to provide regional transit services along established routes prescribed by the Town. The Town transit services shall operate in accordance with the levels of service set forth on the Service Schedules attached hereto and made a part hereof as <u>Exhibit A</u> (collectively, the "Services"). During the Term (as defined below in Section VII), such Service Schedule and Route Map may be amended by written agreement of the Executive Director of SMART and the Town Manager of the Town. The Town agrees to notify SMART in writing of any change in the Services.

- II. <u>Vehicles</u>. During the Term (as defined below) of this Agreement, the Town will continue to own and operate any and all equipment used in connection with providing the Services. Town employees shall serve as the drivers of Town vehicles for the purpose of providing the Services. The Town will license and maintain such equipment, and shall ensure such equipment is kept in a good quality, attractive, and safe condition at all times. The Town will generally use the vehicles set forth on <u>Exhibit B</u> attached hereto and incorporated herein by reference.
- III. <u>Insurance</u>. The Town shall insure the equipment listed on <u>Exhibit B</u>. In the event of an accident involving any of the equipment listed on Exhibit B, the Town's general liability insurance shall be primary. The Town further agrees to maintain worker's compensation and/or employer's liability insurance as required under applicable law to cover all of its employees performing the Services under this Agreement. SMART and the Town understand and agree that each relies on and does not waive or intend to waive by any provision of this Agreement the monetary limitation or any other rights, immunities, and protection provided by the Colorado Governmental Immunity Act § 24-10-101, *et seq.*, C.R.S., as from time to time amended, or otherwise available to the Town and SMART and their respective officers, agents, or employees.

IV. Costs for Service.

- A. SMART shall reimburse to the Town for all costs and expenses associated with providing the Services (including, but not limited to, those associated with maintenance and repair of equipment, operational costs, wear and tear on equipment, administrative costs, marketing expenses, proportionate employee costs, insurance, fuel, and any other costs incurred by the Town in connection with providing such Services), less any amounts the Town receives in user fares and other contributions that are specifically reserved for transportation.
- B. The Town shall calculate the amount expended for the Services, the amount of user fares received and the amount of other contributions received on a quarterly basis and shall invoice SMART for such net balance (the "SMART Contribution") no later than thirty (30) days following the end of the applicable quarter. SMART shall pay such invoices within thirty (30) days of receipt of invoice. During the initial year of the Term, the SMART Contribution shall not exceed Two Hundred and Seventy-two Thousand One Hundred Seventy and 00/100 Dollars (\$272,170.00).
- C. The Town shall have the sole discretion to establish, change, charge and collect fares for the Services.
- V. <u>Passenger Complaints</u>. SMART shall provide the Town with copies of all communications received by users on a monthly basis, by the 15th of the month following the month in which they occurred. Every complaint, concern or suggestion concerning the Services received by the Town shall be responded to as promptly as practicable by the Town. The parties agree to meet on an as-needed basis to discuss complaint or other feedback received by either party.
- VI. <u>Notice of Accidents and Legal Action</u>. Each party shall notify the other party of any accident concerning the Services provided pursuant to this Agreement as promptly as

practicable. Each party shall give the other party prompt notice of any suit or action filed and prompt notice of any claim made against either party arising out of the performance of this Agreement.

- VII. <u>Term.</u> The term of this agreement shall be effective as of January 1, 2019 and terminate December 31, 2019. To the extent SMART and the Town desire to extend this Agreement, the term shall be automatically renewed for successive one-year terms on the effective date hereof, subject to the provisions of Section IX.K below. Additionally, either party may terminate this Agreement upon ninety (90) days written notice.
- VIII. <u>Expanding Services and/or Equipment</u>. The parties agree to meet annually, in the first quarter of each calendar year, to discuss expansion of the Services and/or equipment used in providing the Services.

IX. Miscellaneous Provisions.

- A. <u>Amendment</u>. This Agreement may only be amended by a written agreement signed by the parties hereto. This Agreement may be amended from time to time by written agreement duly authorized and signed by representatives of the parties hereto.
- B. <u>Successors</u>. This Agreement shall be binding upon and shall inure to the benefit of any successors to or assigns of the parties.
- C. <u>Severability</u>. Should any part, term, portion or provision of this Agreement be finally decided to be in conflict with any law of the United States or of the State of Colorado, or otherwise be unenforceable or ineffectual, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to constitute the agreement that the parties intended to enter into in the first instance.
- D. <u>Adoption</u>. This Agreement shall be effective on the approval of both the Town Council of the Town and the Board of Directors of SMART.
- E. <u>Notices</u>. All notices, demands, statements, and requests required or permitted to be given under this Agreement shall be served in writing and shall be deemed to have been properly given or served in any event upon actual receipt, whether received or not, three (3) working days following the depositing of the same in the United States mail, addressed to a party, first class, postage prepaid, by registered or certified mail, return receipt requested, at the address set forth below or at such other address as may be designated in accordance herewith:

Town: Town of Mountain Village c/o Town Manager 455 Mountain Village Blvd

Mountain Village, CO 81435

SMART: San Miguel Authority for Regional Transportation c/o Executive Director/Administrator P.O. Box 3140 Telluride, Colorado 81435

- F. <u>Conformance with Laws</u>. Each party hereto agrees to abide by and to conform to all applicable laws of the federal government, the state, and any body corporate and politic having any jurisdiction over the subject matter of this Agreement. Nothing in this section contained, however, shall require any party hereto to comply with any law, the validity or applicability of which shall be contested in good faith and by appropriate legal proceedings.
- G. <u>Execution of Documents; Counterparts</u>. This Agreement shall be executed in two (2) counterparts, either of which shall be regarded for all purposes as one original. Each party agrees that it will execute any and all deeds, instruments, documents, and resolutions or ordinances necessary to give effect to the terms of this Agreement.
- H. <u>Waiver</u>. No waiver by either party of any term or condition of this Agreement shall be deemed or construed as any waiver of any other term or condition, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether the same or of a different provision of this Agreement. Nothing in this Agreement shall be construed as a waiver of any defense or limitation available to either party through the Colorado Governmental Immunity Act (Colorado Revised Statutes § 24-10-101, *et.seq.*, as amended).
- I. <u>Enforcement</u>. Every obligation assumed by or imposed upon either party by this Agreement shall be enforceable by the other party by appropriate action, suit, or proceeding at law or equity.
- J. <u>Captions</u>. The captions of the paragraphs of this Agreement are for convenience only and shall not be deemed to be relevant in resolving any question or interpretation or construction of any section of this Agreement.
- K. <u>TABOR Compliance</u>. Notwithstanding anything to the contrary contained in this Agreement, neither the Town nor SMART shall have any obligations under this Agreement, nor shall any payments be made in respect of any period after any December 31 of each calendar year during the term of this Agreement, without an appropriation therefore by the Board of Directors of SMART or the Town Council of the Town in accordance with a budget adopted by the SMART Board of Directors or the Town's Town Council, whichever is applicable, in compliance with the provisions of the Local Government Budget law (C.R.S. §29-1-101 *et seq.*), and the TABOR Amendment (Colorado Constitution, Article X, Sec. 20).

[Signatures on following page]

IN WITNESS WHEREOF , the Town and SMART have caused this Agreement to be executed this day of January, 2019.
TOWN OF MOUNTAIN VILLAGE:
BY:, Mayor
Approved as to Form:
Jim Mahoney, Assistant Town Attorney
ATTEST:
,
SAN MIGUEL AUTHORITY FOR REGIONAL TRANSPORTATION:
BY:
ATTEST:

EXHIBIT A 2019 SERVICE SCHEDULES

TMV Commuter Shuttle Schedule Winter 2018-2019

0 - - (n : -

Cortez/Rico	
To Mountain Village	To Cortez

Time Place Operating Days Time Place Contact

 D 3:30 AM
 Walmart
 Sun - Wed
 D 3:30 PM
 Town Hall
 Rayland Begay 970.560.4115

 A 5:15 AM
 Town Hall
 A 5:15 PM
 Walmart
 Gondola Ops Sup 970.729.3435

Montrose	e/Ridgway						
To Mounta	in Village		To Montrose				
Time	Place O	perating Days	Time	Place	Contact		
D 3:45 AM D 4:10 AM A 5:00 AM	Ridgeway Fair Gds	Wed - Sat	D 4:00 PM A 4:50 PM A 5:10 PM	Town Hall Ridgeway Fair Go Safeway	Gleason, Dan 970.729.3404 Is		
D 4:00 AM D 4:25 AM A 5:30 AM	. 3	Wed - Sat	D 3:30 PM A 4:20 PM A 5:00 PM	Town Hall Ridgeway Fair Go Safeway	Gondola Ops Supe. 970.729.3435 ls		
D 5:35 AM D 5:45 AM A 7:00 AM	Colona Ridgway Fair Gds Town Hall	Mon - Thu	D 5:15 PM A 6:15 PM A 6:25 PM	Town Hall Ridgway Fair Gds Colona	Hector Delgado 970.729.3415		
D 6:15 AM D 6:40 AM A 8:00 AM	Safeway Ridgway Fair Gds Town Hall	Mon - Fri	D 5:05 PM A 6:05 PM A 6:30 PM	Town Hall Ridgway Fair Gds Safeway	Kate Burns 970.369.6410		

Norwood	Norwood/Nucla/Naturita									
To Mounta	ain Village		To Norwo	To Norwood/Redvale						
Time	Place	Operating Days	Time	Place	Contact Person					
D 4:00 AM D 4:15 AM A 5:30 AM	Redvale Norwood FGds Town Hall	Sun - Wed	D 4:00 PM A 5:00 PM A 5:15 PM	Town Hall Norwood FGds Redvale	Nolan Merrill 970.729.3420					
D 5:55 AM A 7:00 AM	Norwood FGds Fire House	Mon - Thu	D 5:10 PM A 6:10 PM	Town Hall Norwood FGds	Finn Kjome 970.729.3441					
D 5:55 AM A 7:00 AM	Norwood FGds Fire House	Fri	D 5:10 PM A 6:10 PM	Town Hall Norwood FGds	George Davis 970.729.1847					
D 6:45 AM A 7:45 AM	Norwood FGds Town Hall	Mon - Fri	D 4:45 PM A 5:45 PM	Town Hall Norwood FGds	Kathy Smith 970.369.6405					

FAQ's

Price: \$2.00 each-way (rates subject to change)

Tickets: Purchase Tickets from Nicholas Cepeda at Town Hall Monday-Friday.

Arrival/Departure Time: Confirm Arrival & Departure Times with route's contact person before 5pm the day prior

Arrival/Departure Place: Confirm Arrival & Departure Place with route's contact person before 5pm the day prior

Space AvailableConfirm space available with route's contact person before 5pm the day prior
Information:
Call TMV Transit Operations Manager, Rob Johnson, at 970 729.3433 for information

regarding reservations, tickets and routes.

Telluride Service: Shuttles depart/arrive in MV. Telluride commuters must connect with the Gondola

or Transit Bus service in MV for Service to Telluride.

The Town will make every reasonable effort to operate each route based on applicable Town Commuter Shuttle policies. Minimum ridership and available seat restrictions apply. Actual operating days and arrival/departure times may vary. Please confirm with Contact person.



TELLURIDE/MOUNTAIN VILLAGE

April 8 - May 23 8 de Abril hasta el 23 de Mayo

MONDAY - FRIDAY

el lunes al viernes



DEPART:	DEPART:	DEPART:	DEPART:	DEPART:	DEPART:	DEPART:	DEPART:	DEPART:	DEPART:
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SHANDOKA	TELLURIDE POST OFFICE	TELLURIDE COURTHOUSE	LAWSON HILL	MEADOWS POST OFFICE	TOWN HALL PLAZA	BLUE MESA BUS STOP	TOWN HALL PLAZA	MEADOWS POST OFFICE	LAWSON HIL
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9:45 PM	Route ends La ruta termina								
10:30 PM	10:35 PM	10:45 PM	10:55 PM	11:05 PM	11:15 PM	11:20 PM	Route ends La ruta termina		

	SATURDAY & SUNDAY										
	el sábado y el domingo										
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Route operated by Mountain Village - Busses are Silver ph. 970-369-6444 operada por Mountain Village - autobus es plata - numero telefonico 970-369-6444

Route operated by the Town of Telluride - Busses are Gold ph. 728-5700

La ruta operada por Telluride - autobus es oro - numero telefonico 728-5701

GENERAL INFORMATION / Información general

1. Watches are seldom in agreement - be at your stop early.

Los relojes no son siempre de acuerdo - sea temprano. 2. Please wait for passengers to disembark before boarding.

Por favor, espere a los pasajeros a desembarcar antes de embarcar.

3. Smoking or the consumption of alcoholic beverages on bus is prohibited.

El fumar o el consumo de bebidas alcohólicas en el autobús está prohibida.

4. Loading and unloading bicycles is the responsibility of passengers. Town of Telluride and Town of Mountain Village are not liable for any damage to bicycles. Carga y descarga de las bicicletas es la responsabilidad de los pasajeros. Ciudad de Telluride y de Ciudad de Mountain Village no son responsables por

cualquier daño a las bicicletas.

5. Road and weather conditions may cause delays; your patience is appreciated. / Las condiciones del camino pueden causar demoras; su paciencia es apreciada.

Las condiciones del camino pueden causar demoras; su paciencia es apreciada.



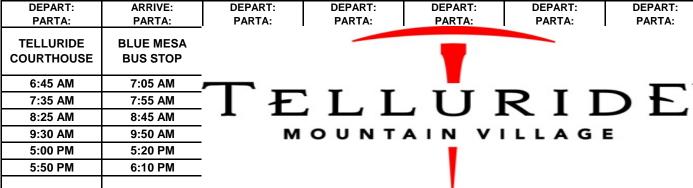
TELLURIDE/MOUNTAIN VILLAGE EXPRESS ROUTE

April 8 - May 23

8 de Abril hasta el 23 de Mayo

MONDAY - FRIDAY

el lunes al viernes



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	PARTA:	PARTA:	PARTA:
	BLUE MESA BUS STOP	TOWN HALL	TELLURIDE COURTHOUSE
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Telluride

Route operated by the Town of Telluride - Busses are Gold ph. 728-5700 La ruta operada por Telluride - autobus es oro - numero telefonico 728-5701

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Las condiciones del camino pueden causar demoras; su paciencia es apreciada.



TELLURIDE/MOUNTAIN VILLAGE

October 21 - November 21 21 de Octobre hasta el 21 de Novembre

MONDAY - FRIDAY

el lunes al viernes



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9:45 PM	Route ends La ruta termina								
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	SATURDAY & SUNDAY									
	el sábado y el domingo									
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SHANDOKA	TELLURIDE POST OFFICE	TELLURIDE COURTHOUSE	LAWSON HILL	MEADOWS POST OFFICE	MARKET PLAZA	BLUE MESA BUS STOP	MARKET PLAZA	MEADOWS POST OFFICE	LAWSON HILL	
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9:00 AM	9:05 AM	9:15 AM	9:25 AM	9:35 AM	9:45 AM	9:50 AM	10:00 AM	10:10 AM	10:20 AM	
10:30 AM	10:35 AM	10:45 AM	10:55 AM	11:05 AM	11:15 AM	11:20 AM	11:30 AM	11:40 AM	11:50 AM	
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10:30 PM	10:35 PM	10:45 PM	10:55 PM	11:05 PM	11:15 PM	11:20 PM	Route ends La ruta termina			

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El fumar o el consumo de bebidas alcohólicas en el autobús está prohibida.

4. Loading and unloading bicycles is the responsibility of passengers. Town of Telluride and Town of Mountain Village are not liable for any damage to bicycles.

Carga y descarga de las bicicletas es la responsabilidad de los pasajeros. Ciudad de Telluride y de Ciudad de Mountain Village no son responsables por cualquier daño a las bicicletas.

5. Road and weather conditions may cause delays; your patience is appreciated. / Las condiciones del camino pueden causar demoras; su paciencia es apreciada.

Las condiciones del camino pueden causar demoras; su paciencia es apreciada.



TELLURIDE/MOUNTAIN VILLAGE EXPRESS ROUTE

October 21 - November 21 21 de Octobre hasta el 21 de Novembre

MONDAY - FRIDAY el lunes al viernes





	ı		1		
	DEPART:	DEPART:	DEPART:		
	PARTA:	PARTA:	PARTA:		
	BLUE MESA BUS STOP	MARKET PLAZA	TELLURIDE COURTHOUSE		
ТМ	7:10 AM	7:12 AM	7:30 AM		
_	8:00 AM	8:02 AM	8:20 AM		
•	8:50 AM	8:52 AM	9:10 AM		
	9:55 AM	9:57 AM	10:15 AM		
	5:25 PM	5:27 PM	5:45 PM		
	6:15 PM	6:17 PM	6:35 PM		
700			·		

Route operated by the Town of Telluride - Busses are Gold ph. 728-5700 La ruta operada por Telluride - autobus es oro - numero telefonico 728-5701

GENERAL INFORMATION / Información general

- 1. Watches are seldom in agreement be at your stop early.
- Los relojes no son siempre de acuerdo sea temprano.
- 2. Please wait for passengers to disembark before boarding.
 - Por favor, espere a los pasajeros a desembarcar antes de embarcar.
- 3. Smoking or the consumption of alcoholic beverages on bus is prohibited.
 - El fumar o el consumo de bebidas alcohólicas en el autobús está prohibida.
- 4. Loading and unloading bicycles is the responsibility of passengers. Town of Telluride and Town of Mountain Village are not liable for any damage to bicycles.

Carga y descarga de las bicicletas es la responsabilidad de los pasajeros. Ciudad de Telluride y de Ciudad de Mountain Village no son responsables por

cualquier daño a las bicicletas.

- 5. Road and weather conditions may cause delays; your patience is appreciated. / Las condiciones del camino pueden causar demoras; su paciencia es apreciada.
 - Las condiciones del camino pueden causar demoras; su paciencia es apreciada.

EXHIBIT B EQUIPMENT

TMV Employee Shuttles Vehicle & Municipal Bus Equipment Inventory

Veh #	TITLE	Year	Make	Model	Vin #	Dept	NAME	License #
5512-08	50E071154	2006	TOYOTA	HIGHLANDER LTD HYBRID	JTEEW214060012208	ES	CREW	646JJO
5512-15	50E077221	2008	CHEVY	C10 VAN	1GAHG35K381192880	ES	CREW	661JJO
5512-16	50E079961	2009	FORD	E350 SD 12 PASSENGER VAN	1FBNE31L69DA90071	ES	CREW	685JJO
5512-17	50E079962	2009	FORD	E350 SD 12 PASSENGER VAN	1FBNE31L69DA90072	ES	CREW	686JJO
5512-18	50E071153	2006	TOYOTA	HIGHLANDER HYBRID	JTEEW21A760013324	ES	CREW	647JJO
5512-20	5EE075186	2007	GMC	YUKON XL	1GKFK16317J315491	ES	CREW	547IWD
5512-21	50E088583	2015	CHEVROLET	EXPRESS VAN	1GAZGZFF4F1104988	ES	CREW	196OSQ
5512-22	50E088587	2015	CHEVROLET	EXPRESS VAN	1GAZGZFFOF1104924	ES	CREW	200OSQ
5512-23	50E088586	2015	CHEVROLET	EXPRESS VAN	1GAZGZFF4F1102867	ES	CREW	199OSQ
5512-24	50E088584	2015	CHEVROLET	EXPRESS VAN	1GAZGZFF6F1104975	ES	CREW	197OSQ
5512-25	50E088585	2015	CHEVROLET	EXPRESS VAN	1GAZGZFF1F1102499	ES	CREW	198OSQ
5512-26	50E088585	2017	FORD	TRANSIT CONNECT	NM0GS9F74H1299156	ES	CREW	396UQV
5512-27	50E093388	2017	FORD	TRANSIT CONNECT	NM0GS9F7XH1299162	ES	CREW	CQH257
5512-28		2018	TOYOTA	PRIUS PRIM	JTDKARFP1J3084375	ES	CREW	WUO581
5511-14	50E075194	2007	GOSHEN	GCII BUS	1FDWE35S57DA59079	TRANSIT	CREW	551IWD
5511-15	50E090169	2016	STARTRANS	SENATOR II	1FDFE4FS3GDC03992	TRANSIT	CREW	212OSQ
5511-16	50E091234	2016	STARTRANS	SENATOR II	1FDFE4FS6GDC26179	TRANSIT	CREW	
5511-17	50E093799	2017	STARTRANS	SENATOR II	1FDFE4FS9HDC41664	TRANSIT	CREW	CQH258

EXHIBIT C 2019 TMV SHUTTLE AND BUS HOURLY RATES

2019 Shuttle and Bus Hourly Rates

	2019		2019
	Adopted		TMV
	Budget Plus		Adopted
Commuter Shuttles	Additional Costs	Municipal Bus Service	Budget
	W/O Depreciation		With SMART
Gross Expenditures GL	88,032	Employee Costs	245,312
Shop Labor	6,576	Non-Employee Costs	65,703
Operating Costs	94,608	Total Budgeted Costs	311,015
Van Rider Fees	-29,654		
TMVOA	-11,500		
Revenues	-41,154		
		Additional Costs	
		-Agency Compliance	600
Net Expenditures Less Adm	53,454	-Recruiting	1,500
Estimated Admin (14% net costs)	6,316	-Insurance	2,164
Estimated Admin (14% Net costs)	720	-Administration	31,738
Depreciation	0	-Administration	31,730
Net Expenditures	60,490	Total Budgeted Costs	347,017
Net Experialtures	00,430	Total Budgeted Costs	347,017
Estimated Hours	4,554	Projected Revenue Hours	5,958
		Budgeted Cost Per Revenue Hr	58.24
		Depreciation Per Hour	3.98
Fully Loaded Costs Per Hour	13.28	Fully Loaded Costs Per Hour	62.22
		Shoulder Season Operating Days	84
		Offseason Operating Hours/Day	40.50
		Total Operating Hours	3,402
Projected Shuttle Cost 2019	\$ 60,490	Projected Shoulder Season Cost 2019	\$ 211,681
Total SMART Costs 2019			\$ 272,170
Total Maximum SMART Costs 2018			120,000
Difference			\$ 152,170

Memo

To: Mayor and Town Council From: Dawn Katz, Director

Date: March 2019

Re: Mountain Munchkins Semi-Annual Staff Report

Agenda Item 22a

SUMMARY

- 1. The third annual Family Date Night/Polar Express fundraiser held in December 2018, brought in approximately \$15,000. With the help of staff and parent volunteers, the event went well. Attendance was a little lower this year due to weather. Mountain Munchkins staff and parent advisory board have already started planning for the event on December 6, 2019.
- 2. Mountain Munchkins Preschool is in the fifth year of implementing the Pyramid Model site wide. This tool focuses on the social and emotional development of all children while creating a positive learning environment that strengthens communication, friendship skills, and calming strategies. Certification in this nationally recognized program will not only serve to improve our program(s), but also increase leverage when applying for grants.
 - a. During this 18-month training, requirements include two full day trainings, three half day mini trainings, and working with a coach monthly to help implement this tool. Before each coaching session begins, the teacher is assessed using the Teaching Pyramid Observation Tool (TPOT). The goal is to reach "high-fidelity" in teaching the Pyramid Model. Three teachers have reached high-fidelity and have begun peer coaching the assistant teachers.
 - b. A leadership team comprised of the coach, teachers and a parent has been formed to review our assessment and help create an action plan with strategies and goals.
 - c. Three staff members are qualified, reliable raters on the TPOT tool and can conduct these observations at different organizations and preschools. These staff members are also qualified to conduct peer to peer coaching with other staff members.
- 3. Dawn Katz became a Professional Development Specialist through the CDA (Child Development Associate) Council. This means that Dawn can go to other programs and facilities to coach and evaluate early childhood professionals working toward their credential. After the observation and assessment, a recommendation is sent to the CDA Council.
- 4. Dawn has also joined the ECE (Early Childhood Education) advisory council for the Technical College of the Rockies located in Delta. The first meeting took place in October 2018. The goal of this council is to provide direction on courses and availability through regional feedback.
- 5. Two preschool staff members (Chambers Squier and Dawn Katz) have started a five-month course to become a Registered Behavior Technician. An RBT is a paraprofessional primarily responsible for the direct implementation of behavior-analytic services. With the number of children currently on Special Education services, this will surely be an invaluable certification.
- 6. In June 2018, Mountain Munchkins received a level **FOUR** (out of 5) rating through the *Colorado Shines* program. *Colorado Shines* is a quality rating and improvement system used to assess, improve and communicate the level of quality in early care and education programs.
- 7. The Infant Program is not currently full. We have cut a staff member in this classroom but look to be at full capacity again by July 2019. Six infants per day is our maximum enrollment. Three days per week, we are at four with one staff member which is the State ratio.
- 8. The Toddler Program is projected to be full at 15 toddlers per day by spring 2019. We are currently 95% full.

- 9. The Preschool Program is completely full. Graduation will happen May 30, 2019. At that time, we will graduate 7 of the 21 students enrolled.
- 10. The preschool classroom was repainted in November 2018. This really helped to brighten it up. It looks great.
- 11. Mountain Munchkins was awarded \$5000 to be an ECHO (Early Childhood Health Opportunity) seed grant site. Munchkins is the first program on the Western Slope to receive this opportunity. The ECHO program has sent initial designs and will help us raise funds for this playground project.
- 12. Mountain Munchkins increased tuition rates by two dollars per day in each classroom as of January 1, 2019.

DEPARTMENT GOALS

- 1. Assure facility operates within licensing guidelines.
- 2. All daycare operations are properly supervised.
- 3. Assure staff completes all continuing education requirements to ensure excellence of the programs.
- 4. Operate within the annual budget.
- 5. Continue grant funding and fund-raising efforts to offset the Town subsidy.
- 6. Assess and evaluate each child's development in the toddler and preschool programs.
- 7. Create and maintain strong family partnerships within the program.
- 8. Replace paper towels in each facility with wash cloths to reduce waste.
- 9. Create and manage the wait list. Priority is given to families that live and work in the Town of Mountain Village.

DEPARTMENT PERFORMANCE MEASURES

1. All staff and employee files are current within 60 days of enrollment/employment. Staff to child ratios are maintained 100 percent of the time. Fire, Health and State inspections are current and on file; any violations are corrected within five business days.

All files are current, and ratios are maintained. Mountain Munchkins had the annual inspection in May 2018. There were a few minor violations that have been corrected.

Play areas and equipment are inspected daily; unsafe materials discarded immediately. Fire/Evacuation drills are conducted monthly. All policies and procedures are current with the State of Colorado Rules Regulating Child Care Centers.

Both playgrounds are inspected daily. All issues are corrected immediately. All staff are informed on changes to policies and procedures as changes occur.

Fire/evacuation drills are practiced monthly.

3. All staff is current on required training, continuing education and formal education courses. Through grants, staff shall seek and successfully complete formal early childhood college courses.

The new early childhood teacher requirements state that all lead teachers must be ECE qualified. All four lead teachers in the program are qualified. One of them is director qualified and two others are working toward that qualification. One staff member is working toward her BA in Early Childhood Education.

4. Offset payroll expenses by staffing according to ratios and daily enrollment. Offset operational expenses through parent donated snacks, supplies, and equipment, grants, and fund raising. Department year end expenditure totals do not exceed the adopted budget. Dawn Katz continues to monitor the revenue vs. expense report monthly. Again, the infant room is not full, so we are adjusting staff as needed.

Dawn Katz is researching new grant opportunities. Dawn just submitted a letter of inquiry to The Anschutz Family Foundation to see if Mountain Munchkins would meet the requirements to submit a grant application.

5. Pursue all grant opportunities to offset operational costs. Pursue and coordinate fund raising opportunities to offset operational costs.

Requested grants and fundraiser revenue for 2019:

Telluride Foundation \$25,000
Temple Hoyne Buell: \$25,000
Just for Kids Grant: \$4,250
CCAASE Grant: \$10,000
ECHO Seed Grant \$5,000

Strong Start (Mill Levy) \$30,000 (requested)
Red Ball Fundraiser: \$800 (projected)
Family Date Night \$10,000 (projected)

TOTAL: <u>\$110,050 (possible)</u>

The Anschutz Family Foundation \$10,000 (sent letter of inquiry)

Mountain Munchkins received a total of \$66,705 in grant funding for 2018. With the addition of the fundraisers, total raised revenue was \$83,000. This is the highest amount the program has ever received. Between the grant monies and fundraising efforts, Mountain Munchkins is hoping to bring in approximately \$100,000 this year to help the scholarship program and to offset the town subsidy.

6. Toddlers and preschoolers will be observed and assessed in all areas of development. Staff will conduct parent-teacher conferences to discuss child's progress and pursue additional services if needed.

Mountain Munchkins is required to assess all preschool children receiving assistance through the Colorado Preschool Program or that may qualify for special education services (using Teaching Strategies Gold) that will attend kindergarten in the fall of 2019. The Teaching Strategies Gold is a research-based, in-depth look into every developmental domain. This assessment tool guides instruction, measures growth over time and pin-points areas in a child's development that need more attention.

Conferences are offered twice a year in the preschool. The infant and toddler room supervisor has completed developmental checklists on all the children enrolled. Conferences were held in November 2018 and are scheduled for May 2019.

7. Serve as a community resource for families in our community. Offer families opportunities to be part of their child's early learning experience. Communicate with families about their child's development and how the program operates. Be available for conferences on an as needed basis. Forward all parenting education opportunities to our families. Utilize child development professionals to observe and access our program and make improvements based on their assessments.

Through our Pyramid Plus trainings we will offer helpful parent newsletters and informational meetings to encourage and support our Pyramid efforts. Mountain Munchkins' goal is to host four parent nights per year.

Mountain Munchkins has also hosted eight Pyramid trainings for the early childhood providers in the community. These trainings are held once a month at the Mountain Village Fire Station.

Dawn Katz continues to advocate for early childhood education regionally. She is the board chair of the Colorado Preschool Program Council. The Council assures that at-risk children in our community have access to high quality pre-school programs.

Programs who offer Colorado Preschool Program (CPP) spots to at-risk children must meet a set of criteria set forth by the Colorado Department of Education regarding class size and quality standards. 35 percent of preschoolers enrolled at Munchkins are considered "at-risk" and are receiving CPP and Special Education services.

8. Replace paper towels in each facility with wash cloths to reduce waste.

Mountain Munchkins has replaced paper towels with wash cloths in both centers. The State has also approved the use of environmentally friendly cleaning products. Recycling bins have been placed in each classroom and staff and children are encouraged to recycle whenever possible. Mountain Munchkins preschool teachers just completed a Creative Curriculum Reduce, Reuse, Recycle study.

The program goal is to go 80% paperless by the end of 2019. The State Rules and Regs for childcare

9. Create and manage the wait list.

Dawn Katz will create and manage the wait list for the program. Priority is given to families that live and work in the Town of Mountain Village. Other families will be considered based on availability.

The wait list will be reviewed and updated monthly by Dawn.

Town of Mountain Village 2019 Adopted, 2018 Revised, and 2020-2023 Long Term Projections

<u>Child Development Fund</u>

Worksheet	Account Name	Actuals 2016	Actuals 2017	2018 Original	2018 Revised	2018 Adjustments	2019 Adopted	2019 Adjustments	2020 Long Term Projection	2021 Long Term Projection	2022 Long Term Projection	2023 Long Term Projection
Daycare Revenues	Daycare Fees	279,530	269.022	272,736	272,736	2	272,736		272,736	272 726	272.726	
Daycare Revenues	Enrollment Fees	2,700	2,560	1,760	1,760		1,760		1,760	272,736 1,760	272,736	272,736
Daycare Revenues	NSF Fees	25	-		2,7.00	_	1,700		1,760	1,760	1,760	1,760
Daycare Revenues	Late Payment Fees	920	800	900	900		900		900	900	900	000
Daycare Revenues	Daycare Grant Proceeds	1,202	10,450	27,500	7,455	(20,045)	7,455		7,455	7,455	7.455	900
Daycare Revenues	Daycare Scholarship Grant Proceeds	31,152	15,200	7,500	26,550	19,050	26,550	_	26,550	26,550	26.550	7,455 26,550
Daycare Revenues	Daycare Fund Raising Revenues	14,857	16,768	8,500	13,000	4,500	13,000		13.000	13.000	13.000	13,000
Total Daycare Revenue	25	330,386	314,800	318,896	322,401	3,505	322,401		322,401	322,401	322,401	322,401
Preschool Revenues	Preschool Tuition Fees											
Preschool Revenues		175,291	159,738	175,292	175,292	100	175,292	-	175,292	175,292	175,292	175,292
Preschool Revenues	Preschool Enrollment Fees	1,100	1,920	975	975	-	975	- 1	975	975	975	975
Preschool Revenues	Preschool Late Fees Preschool Grants	740	780	900	900		900		900	900	900	900
Preschool Revenues		3,700	3,000	8,000	8,000	573	8,000		8,000	8,000	8,000	8,000
Preschool Revenues	Preschool Scholarship Grants Preschool Fundraising Revenues	10,468	10,000	7,000	17,700	10,700	17,700	5	17,700	17,700	17,700	17,700
Total Preschool Reven		2,880	3,075	3,500	5,000	1,500	5,000	-	5,000	5,000	5,000	5,000
Total Preschool Reven	ues	194,179	178,513	195,667	207,867	12,200	207,867	-	207,867	207,867	207,867	207,867
Total Revenues		524,564	493,313	514,563	530,268	15,705	530,268	-	530,268	530,268	530,268	530,268
Daycare Expense		402,665	415,238	482,640	438,659	(43,981)	481,531	42,872	462,540	466,205	470,034	474.033
Preschool Expense		189,360	198,478	223,964	224,407	443	240,586	16,179	237,603	239,195	240,866	
Total Expenses		592,024	613,716	706,604	663,066	(43,538)	722,117	59,051	700,142	705,400	710,900	716,654
CDF Other Sources/Uses	Transfer (To)/From General Fund	67,460	120,404	192.041	132,798	(59,243)	191,849	50.054	440.074		EX.	
Total Other Sources/U		67,460	120,404	192,041	132,798	(59,243)	191,849	59,051	169,874	175,132	180,632	186,386
		37,400	220,404	132,041	132,730	(33,243)	191,849	59,051	169,874	175,132	180,632	186,386

Surplus (Deficit)

Daycare Rate Increases Preschool Rate Increases Resident Toddler - Resident Infant - Non-resident Toddler - Non-resident Infant - Resident Rate - Non-resident Rate

Town of Mountain Village 2019 Adopted, 2018 Revised, and 2020-2023 Long Term Projections

<u>Child Development Fund</u>

Worksheet	Account Name	Actuals 2016	Actuals 2017	2018 Original	2018 Revised	2018 Adjustments	2019 Adopted	2019 Adjustments	2020 Long Term Projection	2021 Long Term Projection	2022 Long Term Projection	2023 Long Term Projection
				Da	ycare Expens	<u>e</u>					,	,
Daycare Expense	Salaries & Wages	245,839	251,086	270,830	270,830	-	279,497	8,667	279,497	279,497	279,497	279,497
Daycare Expense	Group Insurance	40,634	48,520	61,810	58,750	(3,060)	57,459	(1,291)	60,396	63,481	66,719	70,120
Daycare Expense	Dependent Health Reimbursement	(2,897)	(3,692)	(6,567)	(6,567)	151.00	(6,567)	-	(6,567)	(6,567)	(6,567)	(6,567)
Daycare Expense	PERA & Payroll Taxes	38,322	38,316	41,654	41,654		42,987	1,333	42,987	42.987	42.987	42,987
Daycare Expense	PERA 401K	1,598	2,303	3,114	3,114		3,114		3,114	3,114	3,114	3,114
Daycare Expense	Workers Compensation	4,056	3,246	3,277	3,277	9	3,441	164	3,613	3,794	3,983	4.182
Daycare Expense	Other Employee Benefits	4,421	4,944	8,376	5,417	(2,959)	5,590	173	5,590	5,590	5,590	5,590
Daycare Expense	Employee Appreciation	447	404	800	800		800	.,,,	800	800	800	800
Daycare Expense	EE Screening	409	173	300	300	_	300		300	300	300	300
Daycare Expense	Bad Debt Expense	1,604	4,227	500	500		500		500	500	500	
Daycare Expense	Janitorial/Trash Removal	7,800	7,800	7,800	7,800		7,800		7,800	7,800	7.800	500
Daycare Expense	Laundry - Daycare	988	674	1,291		(1,291)	7,000		7,000	7,800	7,800	7,800
Daycare Expense	Rental-Facility	18,768	18,768	18.984	18,984	(1,201)	18,984		18,984	18,984	10.004	
Daycare Expense	Facility Expense	178	5,946	150			10,504		10,304	18,984	18,984	18,984
Daycare Expense	Communications	876	688	1,000	1.000		1.000		1,000	1.000	4.000	
Daycare Expense	Internet Services	1,383	1,378	1,458	1,458	2	1,458	1	1,458	1,000	1,000	1,000
Daycare Expense	Marketing Expense			2,000	2,130	(2,000)	1,438		1,458	1,458	1,458	1,458
Daycare Expense	Dues, Fees & Licenses	175	629	100	500	400	900	400	1,300	1 700	2.400	
Daycare Expense	Travel & Education (1)	1,736	1,656	1,600	3,000	1,400	3,000	400	3,000	1,700	2,100	2,500
Daycare Expense	Contract Labor (2)	31	2,000	20,000	3,000	(20,000)	20,000	20,000		3,000	3,000	3,000
Daycare Expense	Nurse Consultant	410	450	450	450	(20,000)	450	20,000	450	450		-
Daycare Expense	Postage & Freight	42	-	100	100		100		100	450	450	450
Daycare Expense	General Supplies & Materials	3,159	2,600	3,200	3,200		3,200	- 1		100	100	100
Daycare Expense	Office Supplies	433	918	1,490	1,000	(490)	1,000	5	3,200	3,200	3,200	3,200
Daycare Expense	Fundraising Expenses	1,917	2,020	1,200	2,000	800	2,000	5	1,000	1,000	1,000	1,000
Daycare Expense	Business Meals (3)	368	2,020	105	300	195	300	1	2,000	2,000	2,000	2,000
Daycare Expense	Employee Appreciation	14	90	100	300	193	300		300	300	300	300
Daycare Expense	Food/Snacks (4)	205	203	400	300	(100)	300	1	-	7000		(50)
Daycare Expense	Utilities- Electricity	4,368	4.368	4,368	4,368	(100)	4,368	1	300	300	300	300
Daycare Expense	Scholarship Program	24,701	16,982	27,500	15,624	(11,876)		10.005	4,368	4,368	4,368	4,368
Daycare Expense	Toys / Learning Tools	680	468	500	500	(11,876)	26,550 500	10,926	26,550	26,550	26,550	26,550
Daycare Expense	Playground And Landscaping	500	74	5,000	300	(5,000)	2,500	2.500	500	500	500	500
Total Daycare Expense		402,665	415,238	482,640	438.659	(43,981)	481,531	2,500 42,872	462 E40	466.305	470.02	474.005
		102,000	.23,230	102,040	730,033	(43,301)	401,551	42,872	462,540	466,205	470,034	474,033

⁽¹⁾ Current qualifications require additional schooling for teachers

^{(2) 2018 -} No consultation this year

⁽³⁾ Staff nightly trainings are more frequent - meals provided

⁽⁴⁾ Parent donations help with the cost

Town of Mountain Village 2019 Adopted, 2018 Revised, and 2020-2023 Long Term Projections

<u>Child Development Fund</u>

Worksheet	Account Name	Actuals 2016	Actuals 2017	2018 Original	2018 Pavisod	2018	2019	2019	2020 Long Term	2021 Long Term	2022 Long Term	2023 Long Term
	The state of the s	Actuals 2010	Actuals 2017				Adopted	Adjustments	Projection	Projection	Projection	Projection
				Pre.	school Expens	<u>se</u>						
Preschool Expense	Salaries & Wages	111,830	117,850	123,213	122,333	(880)	126,248	3,915	126,248	126,248	126,248	126,248
Preschool Expense	Group Insurance (5)	14,630	17,047	28,219	16,246	(11,973)	29,000	12,754	30,450	31.973	33,571	35,250
Preschool Expense	Dependent Health Reimbursement	(719)	(3,065)	(719)	(719)	-	(719)	12,754	(719)	(719)	(719)	(719)
Preschool Expense	PERA & Payroll Taxes	16,315	17,691	18,950	18,815	(135)	19,417	602	19,417	19,417	19,417	19,417
Preschool Expense	PERA 401K	4,468	5,032	7,387	6,116	(1,271)	6,312	196	6,312	6,312	6,312	500000000000000000000000000000000000000
Preschool Expense	Workers Compensation	907	1,642	1,260	1,260	(-//	1,323	63	1,389	1,459	1,532	6,312 1,608
Preschool Expense	Other Employee Benefits	2,412	2,848	2,944	3,000	56	3,000	05	3,000	3,000		
Preschool Expense	Employee Appreciation	127	37	300	300	-	300		300	300	3,000	3,000
Preschool Expense	EE Screening	175	104	300	300		300		300	300	300	300
Preschool Expense	Bad Debt Expense		1=	600	600		600		600	600	300	300 600
Preschool Expense	Janitorial/Trash Removal	6,240	6,240	6.240	6.240		6,240		6,240	6,240	600	
Preschool Expense	Laundry - Preschool (6)	587	563	707	5,2.15	(707)	0,240		5.0000000000000000000000000000000000000	6,240	6,240	6,240
Preschool Expense	Vehicle Repair & Maintenance (7)	2	_	1,500	500	(1,000)	1,500	1,000	1,500	1.500	4 500	
Preschool Expense	Rental-Facility	9,720	9,720	9,920	9,920	(1,000)	9,920	1,000		1,500	1,500	1,500
Preschool Expense	Facility Expense (8)	-	18	3,520	3,320		2,000	2.000	9,920	9,920	9,920	9,920
Preschool Expense	Communications	1.078	1,078	1,078	1,078		1,078	2,000		1.070	4 070	
Preschool Expense	Internet Services	1,383	1,378	1,458	1,458		1,458	2	1,078 1,458	1,078	1,078	1,078
Preschool Expense	Utilities-Gasoline	194	7,57	500	500	100	500		A	1,458	1,458	1,458
Preschool Expense	Dues, Fees & Licenses	55	188	1,020	220	(800)	220		500 220	500	500	500
Preschool Expense	Travel & Education	976	663	1,400	2,000	600	2,000	1		220	220	220
Preschool Expense	Contract Labor	200	_	200	2,000	(200)	200	200	2,000	2,000	2,000	2,000
Preschool Expense	Nurse Consultant	712	450	480	480	(200)	480	200	480	200	200	200
Preschool Expense	Enrichment Activities	2,788	2.309	3,500	3,000	(500)	3,000			480	480	480
Preschool Expense	General Supplies & Materials	1,712	1,603	1.972	1,972	(500)	1,972		3,000	3,000	3,000	3,000
Preschool Expense	Office Supplies	24	98	500	250	(250)	250		1,972	1,972	1,972	1,972
Preschool Expense	Fundraising Expenses	230	908	-	1,000	1,000	1,000		250	250	250	250
Preschool Expense	Business Meals	36	-	5	200	200	200		1,000	1,000	1,000	1,000
Preschool Expense	Food/Snacks (4)	307	143	747	300	(447)	300		200	200	200	200
Preschool Expense	Utilities- Electricity	1,788	1,788	1.788	1,788	(447)	1,788		300	300	300	300
Preschool Expense	Scholarship Program (9)	10,469	12,019	8,000	25,000	17,000		(7.200)	1,788	1,788	1,788	1,788
Preschool Expense	Toys / Learning Tools	666	118	500	25,000	(250)	17,700	(7,300)	17,700	17,700	17,700	17,700
Preschool Expense	Playground Equip/Improvements	53	6	300	230	(250)	500	250	500	500	500	500
Total Preschool Expens		189,360	198,478	223,964	224,407	443	2,500	2,500	227 602	-		
		103,300	130,470	223,904	224,407	443	240,586	16,179	237,603	239,195	240,866	242,621

⁽⁴⁾ Parent donations help with the cost

⁽⁵⁾ We are saving on this expense (this year) as the lead teacher does not take the insurance benefit

⁽⁶⁾ New laundry machine in house

⁽⁷⁾ No big issues this year. Moved back up in 2019

⁽⁸⁾ Interior preschool needs to be repainted

⁽⁹⁾ Received more grant funding and it was needed more in the preschool this year

TOWN OF MOUNTAINVILLAGE 2019 BUDGET CHILD DEVELOPMENT FUND PROGRAM NARRATIVE

Mountain Munchkins' mission is to provide affordable, high quality child care and preschool to families who live and work in the Telluride and Mountain Village region. Mountain Munchkins strives to offer the highest quality of care by providing a consistent, developmentally appropriate and emotionally supportive environment in which children can learn and grow.

DEPARTMENT GOALS

- 1. Assure facility operates within licensing guidelines.
- 2. All childcare operations are properly supervised. Wait lists and enrollment processes are handled professionally and
- Assure staff completes all continuing education requirements to ensure excellence of the programs.
- Operate within the annual budget.
- Operate within the annual budget.
 Continue grant funding and fund-raising efforts to offset the Town subsidy.
- 6. Assess and evaluate each child's development in the toddler and preschool programs.
- Create and maintain strong family partnerships within the program.
- 8. Continue to work toward reducing the carbon footprint at Mountain Munchkins.

DEPARTMENT PERFORMANCE MEASURES

- 1. All staff and employee files are current within 60 days of enrollment/employment. Staff to child ratios are maintained 100% of the time. Fire, Health and State inspections are current and on file; any violations are corrected within 15 business days.
- 2. Play areas and equipment are inspected daily; unsafe materials discarded immediately. Fire/Evacuation drills are conducted monthly. All policies and procedures are current with the State of Colorado Rules Regulating Child Care Centers. The waitlist is monitored and updated monthly.
- 3. All full-time staff members are current on qualification requirements and continuing education courses. Staff shall seek and successfully complete formal early childhood college courses.
- 4. Offset payroll expenses by staffing according to ratios and daily enrollment. Offset operational expenses through parent snack, supplies, and equipment donations, grants, and fund raising. Department year end expenditure totals do not exceed the adopted budget.
- Pursue all grant opportunities to offset operational costs. Pursue and coordinate fund raising opportunities to offset operational costs.
- 100% of toddlers and preschoolers enrolled will be observed and assessed in all areas of development. Staff will conduct parent teacher conferences to discuss child's progress and pursue additional services if needed.
- Serve as a community resource for families in our community. Offer families opportunities to be part of their child's early learning experience. Communicate with families about their child's development and how the program operates. Be available for conferences on an as needed basis. Forward all parenting education opportunities to our families. Utilize child development professionals to observe and access our program and make improvements based on their
- 8. All children use wash cloths instead of paper towels each time they wash hands. Recycling bins have been placed in each classroom.

Department Achievements 2018

- 1. All files and required documentation up to date.
- 2. The recent health and fire inspections were completed in 2017. No major violations cited. The state inspector visited in May 2018. Minor violations have been addressed.
- All staff is current on required training, continuing education and formal education courses. Brooke Napier (infant/toddler room supervisor) is enrolled in school working on an Associate degree in Early Childhood Education.
- Monitored revenues closely and adjusted staffing and purchasing accordingly to not exceed projected expenses. Department year end expenditure totals do not exceed the adopted budget.
- 2017 Grants and fundraisers:

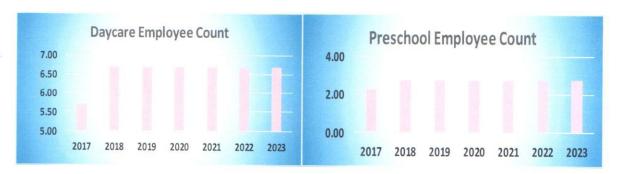
Telluride Foundation \$30,000 (received) Temple Hoyne Buell Foundation: \$25,000 (received) Just for Kids Grant: \$4.250 (received) CCAASE Grant: \$7,455 (received)

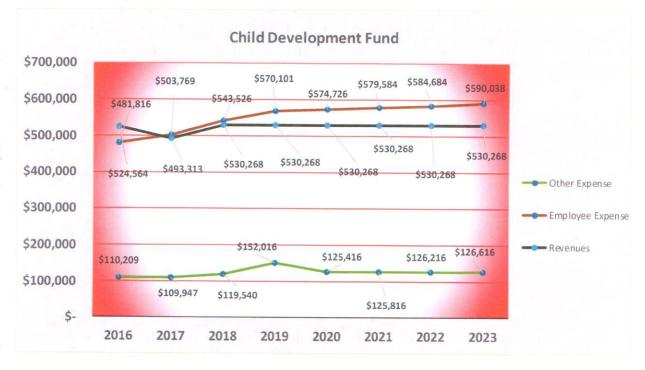
Red Ball Fundraiser: Family Date Night \$400 (received) \$15,000(projected)

TOTAL:

\$82,105

- 6. The preschool will begin working on the first (of three) checkpoint for the school year using Teaching Strategies Gold. Parent/teacher conferences were held at mid-December. The infant and toddler staff completed their bi-annual Ages and Stages Questionnaires on each child. Theses assessments are used to monitor developmental progress and to guide parent/teacher conferences. These conferences were completed in November 2017.
- 7. Director is an advocate for early childhood education regionally. Director is the board president for Bright Futures for Early Childhood and Families, and sits on the Colorado Preschool Program Council. The Council assures that at-risk children in our community have access to high quality pre-school programs. Mountain Munchkins also continues to offer parental support through newsletters, conferences and family nights.
- 8. In our efforts to stay green, Mountain Munchkins has replaced paper towels with wash cloths in both centers and continues to use reusable serving ware. Recycling bins have been placed in each room and the cleaning staff has been asked to help us in recycling. The preschool has incorporated recycling in to their curriculum.





Percentage Change in Expenditures - Year to Year 2016-2017 2017-2018 2018-2019 2019-2020 2020-2021 2021-2022 2022-2023 3.66% 8.04% 8.91% -3.04% 0.75% 0.78% 0.81%



Percentage Change in Expenditures - Year to Year

2016-2017 2017-2018 2018-2019 2019-2020 2020-2021 2021-2022 2022-2023

3.12% 5.64% 9.77% -3.94% 0.79% 0.82% 0.85%



2016-2017 2017-2018 2018-2019 2019-2020 2020-2021 2021-2022 2022-2023 4.82% 13.06% 7.21% -1.24% 0.67% 0.70% 0.73%



AGENDA ITEM #22.b

TOWN OF MOUNTAIN VILLAGE TOWN MANAGER CURRENT ISSUES AND STATUS REPORT MARCH 2019

1. Great Services Award Program

- Great Services Award February
 - Luke Adamson, VCA Tenant Manager, nominated by Cecilia Curry. He really saved VCA the month of February. When we came in to lots of snow (lots & lots) on 2/15 and with only one maintenance staff person on site, Luke sprang into action and shoveled and shoveled all day to make sure VCA got cleared and safe for residents.
 - Reza Askari, Road Bridge Equipment Operator, nominated by Matthew a guest staying in a Mountain Village rental home WINNER FOR FEBRUARY!

Feb 16, 2019, at 4:03 PM, Matthew wrote: Hi Kim.

I'm currently staying in a rental house in Mountain Village on Lawson Point. I dropped my phone this morning while I was out walking my dog. **The plow driver** who was working Lawson Point today noticed my phone out on the street when he came through and took the time to jump out and grab it. The phone was dead when he found it so it wasn't particularly easy for him to determine who the owner was, but after he completed his shift he came back over to the neighborhood and was able to track me down and return the phone.

This is just a quick note to acknowledge this Mountain Village employee for going the extra mile and providing excellent customer service to your community. I didn't catch the driver's name, but I hope you can forward this on to your Road and Bridge team so that word gets back to him that I truly appreciate his effort. Thanks!! Regards,
Matthew

2. CTO/Broadband/IT Update

- Our CTO, Jim Soukup began his first day of work with the Town on March 4. Directors participated in a welcome breakfast/meet and greet the morning of the 4th
- Broadband
 - The core public wifi has been completed with all access points (APs) connected via fiber for a seamless wifi experience. We set up 18 AP's from the 7 original
 - We received the results from our RFP for Fiber to the Home (FTTH) equipment and are
 evaluating the bids with staff and Uptown. Once a recommendation has been prepared,
 the Broadband committee will meet to evaluate recommendations and decide upon a
 vendor
 - We received the results from our RFP for VoIP phone service Currently the contract is under review with Jim Mahoney and will be executed once review is complete
 - We received the results from our RFP for a bandwidth service provider. They are being evaluated by Staff and Uptown and recommendations are being prepared. Once evaluation is complete, the broadband committee will review recommendations
- IT
 - Cybersecurity
 - Evaluating current systems security posture

- As security vulnerabilities are discovered, IT is prioritizing changes that need to be made
- Security changes have begun with frictionless changes in mind
- Continue to research on-going cybersecurity vulnerabilities and alerting staff accordingly
- System Administration
 - o Currently evaluating existing system and prioritizing what comes first
 - o Introduced an encrypted password system for IT. This same system will be offered to other TMV staff when time permits
 - Currently reviewing backup system. Again, prioritizing what changes need to be made
- Network Administration
 - Currently reviewing routers, switches, and other network devices for design and security
 - Prioritizing what network changes need to occur in conjunction with cybersecurity and efficiency
 - Additional security measures have commenced
- Training
 - Began meeting with staff about training and what goals are attainable
 - Began designing potential IT work benches at both the Firehouse and Town Hall
- Desktop Support
 - Continue to upgrade machines accordingly
 - o Continue to provide technical help as needed
- Facilities
 - o Began looking at what improvements need to happen to support future Broadband and IT infrastructure endeavors
 - Began contemplating moving essential computer equipment to a centralized area
- Emergency Management and Continuity of Operations (COOP)
 - Focused on cybersecurity
 - Contacted San Miguel County Emergency Manager about TMV interest in Homeland Security's national cybersecurity assessments and technical services (NCATS)
 - Enrolled into FBI Infragard and MS-ISAC

3. VCA Update

- Michelle Haynes and I met with the San Miguel County Commissioners to request a reimbursement of the 1% use tax on materials for the VCA expansion. The Commissioners unanimously granted this reimbursement which will save the project approximately \$52,000. Thanks to the Commissioners for their support in moving this affordable housing development forward
- The town executed phase I of II contract with Bauen group regarding the modular feasibility, cost estimating and construction timeline
- The VCA subcommittee will meet on Wednesday March 20th to evaluate the modular and stick frame analysis. The VCA subcommittee will also discuss the design development timeline
- The additional modular versus stick frame decision making has affected our design schedule by three weeks
- Finally the subcommittee will also be apprised of staff's evaluation of whether to relocate the sewer line or extend any additional utilities in advance of the construction project. We do not have enough information to make a cost,

efficiency and timing evaluation yet, but are considering all options should they save time, money or site convenience during construction

4. Miscellaneous

- Attended the Community that Cares (CTC) Youth presentation to the Town of Telluride for "The Hangout" including additional monetary support. The CTC Youth will be presenting to MV Town Council at the March meeting
- Attended the CTC Key Leader and Community Board Meeting
- Attended the Gondola Subcommittee Meeting. Updates will be provided by Council representatives at the Council meeting
- Met with Michelle Haynes and David Reed to continue to work on solutions and compliance with the Peaks and other lodging properties
- Met with the Mayor, Finn Kjome and Senior Planner John Miller to strategize about the San Miguel County Planning Commission Meeting for San Miguel Valley Corporation to modify the recommended uses for their Society Turn parcel planned for March 13th that includes contemplated public benefits of land for the Sewer Plant, Medical Center and affordable housing. Attended the County Planning Commission meeting on March 13th
- Zoe Dohnal with Bill Kight's support, will be reaching out to the merchants to receive input and suggestions on a voluntary singe use plastics reduction initiative for the Town. The Green Team will then move forward with a recommendation for a resolution to adopt this initiative

TOWN OF MOUNTAIN VILLAGE Town Council Meeting March 21, 2019 8:30 a.m.

During Mountain Village government meetings and forums, there will be an opportunity for the public to speak. If you would like to address the board(s), we ask that you approach the podium, state your name and affiliation, and speak into the microphone. Meetings are filmed and archived and the audio is recorded, so it is necessary to speak loud and clear for the listening audience. If you provide your email address below, we will add you to our distribution list ensuring you will receive timely and important news and information about the Town of Mountain Village. Thank you for your cooperation.

NAME: (PLEASE PRINT!!)		
Sam Starr	EMAIL:	
John Miller	EMAIL:	
Bill Kight	EMAIL:	
Mike Follen	EMAIL:	•
David Ausencio	EMAIL:	
JOHN DRUGAN	EMAIL:	
Justin Criack	EMAIL:	
Penelope Placect	LUSSNEMAIL:	penglea@gmail.com
STUART SUNDER NORM	EMAIL:	STUS @ BOST DETON & LOM
Shirley Garan	EMAIL:	SMRHA
fecilia Carry	EMAIL:	VCA
Sophia Wathins	EMAIL:	
Marganx Lovery	EMAIL:	
Vicale Borland	EMAIL:	
Den Mashall	EMAIL:	
Khys Chambers	EMAIL:	
Scott Landsteld	EMAIL:	
ERIC CUMINGS	EMAIL:	EXICE + CUMINGS BROTHERETE COM
Tolana Vance	EMAIL:	on fol
NANCY MINAMARIA	EMAIL:	
DENNIS WROBLEWSK!	EMAIL:	
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Town OF MOUNTAIN VILLAGE Town Council Meeting March 21, 2019 8:30 a.m.

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NAME: (PLEASE I	PRINT!!)
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NAME: (PLEASE PRINT:)	<u></u>
Kim Montgomery	EMAIL:	
Jim mahioney	EMAIL:	
Dan Jansen	EMAIL:	
Jaen Gilbride	EMAIL:	
Natable Binder	EMAIL:	Ĭ.
Laila Benitez	EMAIL:	
Dan Caton	EMAIL:	
Panick Berry	EMAIL:	
Some MacIntire	EMAIL:	
lacuie Kennefick	EMAIL:	
Susan Jahnston	EMAIL:	ÿ
Christing Lambert	EMAIL:	
Doe Dohnal	EMAIL:	
Michelle Hayros	EMAIL:	
Tim Johnson	EMAIL:	
JOEL "BB" BURK	EMAIL:	
Sue Kunz	EMAIL:	
KIVIN SWAIN	EMAIL:	
Jim Soukup	EMAIL:	
112 CATON	EMAIL:	W
Greer Garner	EMAIL:	
EVEN KRAMER	EMAIL:	
CANY JETT	EMAIL:	7
tean Valler	EMAIL:	
HATON BOOK	EMAIL:	

JERY PROTERIN

Town OF MOUNTAIN VILLAGE Town Council Meeting March 21, 2019 8:30 a.m.

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NAME: (PLEASE PRINT!!) ossola Egmail, com EMAIL: EMAIL:



J. David Reed | James D. Mahoney | Bo James Nerlin | Sarah H. Abbott

MONTROSE • RIDGWAY • TELLURIDE

Memo

Agenda Item #13

To: Mayor and Town Council

From: James Mahoney
Date: March 19, 2019

Re: Approving Reinstatement and Extension Resolution 2018-0719-14 and Resolution 2019-

0117-02

The Town previously approved resolution granted alternative parking requirements to the Ridge which was tied to the execution of a settlement agreement regarding the Ridge and Lot 161C-R and a subsequent extension to that initial resolution giving a deadline of February 28th, 2019 to execute the Settlement Agreement. This was not accomplished, and the parties would like additional time; thus, another extension resolution is before you for consideration of extending the deadline to May 18th, 2019.

Proposed Motion:

Approval: I move to approve the Resolution of the Town Council of Mountain Village Amending and Restating Resolutions 2018-0719-14 and Resolution 2019-0117-02.

Denial: I move to deny the Resolution of the Town Council of Mountain Village Amending and Restating Resolutions 2018-0719-14 and Resolution 2019-0117-02

RESOLUTION OF THE TOWN COUNCIL

OF MOUNTAIN VILLAGE AMENDING AND RESTATING, RESOLUTION 2018-0719-14 AND 2019-0117-02 APPROVING ALTERNATIVE PARKING REQUIREMENTS FOR LOTS 161A-1R, 161A-2, 161A-3, 161A-4, 161D-1 AND 161D-2

RESOLUTION NO. 2019

- A. The Ridge At Telluride Homeowners Association, Inc. ("The Ridge HOA"), a Colorado nonprofit corporation has applied for an Alternative Parking Requirement pursuant to the Town's Community Development Code ("CDC") on behalf of the following owners of The Ridge Development: Coonskin Ridge Cabin Lot, LLC, a Michigan limited liability company ("Coonskin"); Ironhorse Land Company, LLC, a Nevada limited liability company ("Ironhorse"); CO Ridge Lots 3 & 11, LLC, a Delaware limited liability company ("CO Ridge Lots"); Jonathan H. and Tiffany L. Horton Living Trust ("Horton Trust"); Life @ 10,500 Ft LLC, a Colorado limited liability company ("Life @ 10,500"); Telluride Longview, LLC, a Colorado limited liability company ("Longview"); See Forever Holdings, LLC, a Tennessee limited liability company ("See Forever"); Eenhoorn Ridge, LLC, a Michigan limited liability company ("Eenhoorn"); Leonard Conway ("Conway"); SSS Ranch, LLC, a Colorado limited liability company ("SSS Ranch"); Ridge Cabin Holdings, LLC, a Colorado limited liability company ("Ridge Cabin"); Lakshmana R. Madala ("L. Madala"); Manjula Madala ("M. Madala"); Lot 20, LLC, a Michigan limited liability company ("Lot 20"); Lot 16 The Ridge, LLC, a Michigan limited liability company ("Lot 16") (collectively excluding the Ridge HOA, the "Ridge Owners").
- B. The Ridge consists of 35 detached condominiums, 15 condominiums, 1 lodge unit, 5 efficiency lodge units, commercial and associated amenity space ("The Ridge Development") that is located on Lots 161A-1R, 161A-2, 161A-3, 161A-4, 161D-1 AND 161D-2 ("THE RIDGE Lots")
- C. The Ridge HOA has authorized Alpine Planning LLC to pursue the approval of Alternative Parking Requirement which Alpine Planning LLC has submitted to the Town ("Application").
- D. The Ridge Development has previous approvals relating to the parking requirements of The Ridge Development which allow for off-premise parking on Lot 161C-R ("Lot 161C-R"), including but not limited to Resolution Number 2003-0610-10, The Ridge Development Parking Performance Agreement as recorded at Reception Number 363808, Resolution Number 2003-0610-10 approving off-site parking on Lot 161C-R or a payment in-lieu, and the Lot 161C-R "Parking Assurance Covenant" with the Town as recorded at Reception Number 363809 (collectively the "Ridge Parking Agreements").
- E. The Ridge Parking Agreements allow for, among other things, the satisfaction of parking requirements for The Ridge Development and the Ridge Lots through off-site parking on Lot 161C-R or through a payment of a parking payment in lieu fee to the Town or a combination thereof. The Town, The Ridge HOA, The Ridge Owners, CO Lot 161C-R, Mountain Village, LLC, the owner of Lot 161C-R ("CO Lot") and the Town are parties to the "Lawsuit" (defined below), which involve among other things The Ridge Parking Agreements.
- F. On or about April 26, 2018, The Town, The Ridge HOA, The Ridge Owners and CO Lot entered into a Settlement Term Sheet ("Term Sheet") which sets out the basis for resolving the Lawsuit and identifies the key terms to a Settlement Agreement to be prepared and entered into by the Parties to the Term Sheet. One requirement of the Term Sheet is that The Ridge Owners and The

Ridge HOA submit an application to the Town to establish Alternative Parking Requirements consistent with the terms of the Term Sheet.

- G. The Application is consistent with the Term Sheet.
- H. The Ridge HOA, The Ridge Owners and the Town all acknowledge and rely upon the fact that The Ridge Development has limited vehicular access as outlined in the Non-Gondola Access Easement Agreement as recorded at Reception Number 335491 and as amended at Reception Number 342408 (collectively referred to as "The Ridge Access Agreements"). Therefore, the limited vehicular access pursuant to The Ridge Access Agreements will suppress the number of vehicles associated with The Ridge Development is one of the primary factors supporting approval of the Alternative Parking Requirement, which is a reduction in the required parking at The Ridge Development.
- I. The Application provided a parking study which shows lower parking utilization numbers for similar developments within the Town.
- J. The Alternative Parking Requirement is generally the same parking as required for the Village Center with one space per condominium unit, with The Ridge development designed and planned integral to the Village Center and with limited vehicular access. Therefore, the parking approved herein for The Ridge generally conforms to the parking required for Village Center Development.
- K. The Owners have addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council.
- L. The Ridge Development currently has 56 total units of density with 50 condominium units of density, 1 lodge unit, and 5 efficiency lodge units along with commercial. The Parking Requirements per the CDC are shown in the table below:

Zoning Designation	Actual Units	Parking Space Per	Total Parking
		Unit	Requirement
Detached	35	2	70
Condominium			
Condominium	15	2	30
Lodge	1	.5	.5
Efficiency Lodge	5	.5	2.5
Totals	56		103

M. The proposed and approved Alternative Parking Requirements consistent with this approval are shown in Table 2 below:

Zoning Designation	Actual Units	Alternate Parking	Total Parking
		Space Per Unit	Requirement
Detached	35	1	35
Condominium			
Condominium	15	1	15
Lodge and Efficiency	6	.33	2
Lodge			
Totals	56		52

- N. The Town Council finds that the Alternative Parking Requirement meets the criteria for decision set forth in Section 17.5.8.A.6 of the CDC as follows:
 - 1. The Alternative Parking Requirements shall be sufficient to meet the parking demand for the proposed uses; and
 - 2. The Alternative Parking Requirements are not detrimental to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES THE ALTERNATIVE PARKING REQUIREMENT AS SHOWN IN EXHIBIT A AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) This Resolution shall not be valid, take effect, nor be binding and recorded in the records of the San Miguel County Clerk and Recorder unless and until the Town, The Ridge Owners, The Ridge HOA, CO Lot 161C-R, LLC, and St. Sophia Partners, LLLP enter into a legally binding "Settlement Agreement" consistent with the Term Sheet resolving civil action No. 2015CV30031, San Miguel County District Court (the "Lawsuit") as between the Parties to the Term Sheet.
- 2) This Resolution shall become null and void if the Settlement Agreement has not been finalized and executed by all Parties to the Term Sheet and St. Sophia Partners, LLLP, by May 18, 2019.
- 3) Upon satisfaction of all conditions of this Resolution it shall thereupon become effective, at which point it shall then supersede and replace The Ridge Parking Agreements upon the terms and conditions set forth in the Settlement Agreement, and this Resolution shall then also supersede and replace any provision of any other document related to parking approvals for The Ridge Development. Upon satisfaction of all conditions of this Resolution and thereupon becoming effective, this Resolution shall be recorded, along with the Settlement Agreement recorded at Reception Number ______, in the records of the San Miguel County Clerk and Recorder, at which point this Resolution shall be the sole Town approval governing the parking requirements for The Ridge Development.
- 4) Any change in location of parking from Lot 161C-R, or any change of zoning at The Ridge that increases the actual unit density will be required to concurrently amend this Alternative Parking Requirement.
- 5) In the event the Ridge Development becomes a vehicularly accessed community beyond those rights as set forth in the Ridge Access Agreements at any time in the future, all units of condominium density for which a building permit has been issued and parking satisfied pursuant to this Resolution and the Settlement Agreement, which choose to access the Ridge Development by vehicle under such expanded vehicular access shall be required to construct one additional covered onsite parking space (pursuant to the CDC design standards for parking) or make a parking payment in lieu to the Town at the then current payment in lieu rate for one additional parking space. All units of condominium density which have not been constructed prior to any expanded vehicular access shall be required to provide two parking spaces per unit, of which one can be satisfied in the manner set forth in this Resolution and the Settlement Agreement and at least one

must be satisfied by providing a covered parking space with the condominium unit on site at the Ridge Development with such design standards as set forth in the CDC.

Section 1. Resolution Effect

- **A.** This Resolution shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the resolutions repealed or amended as herein provided and the same shall be construed and concluded under such prior resolutions.
- **B.** All resolutions, of the Town, or parts thereof, inconsistent or in conflict with this Resolution, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 2. Severability

The provisions of this Resolution are severable and the invalidity of any section, phrase, clause or portion of this Resolution as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Resolution.

Section 3. Effective Date

This Resolution, with its stated conditions and contingencies, shall become initially effective on March 21, 2019 (the "Effective Date") as herein referenced throughout this Resolution.

Section 4. Public Meeting

A public meeting on this Resolution was held on the 21st day of March 2019 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Town Council at a public meeting held on March 21, 2019.

Town of Mountain Village, Town Council

	Ву:		
		Laila Benitez, Mayor	
Attest:			
By:			
Jackie Kennefick, Town Clerk			
Approved as to Form:			
James Mahoney, Assistant Town Attorney			

EXHBIT A

The Alternative Parking Requirements for The Ridge Development shall be as follows:

1. The number of parking spaces per unit of density shall be as follows for all units in The Ridge Development:

Zoning Designation	Actual Units	Alternate Parking	Total Parking
		Space Per Unit	Requirement
Detached	35	1	35
Condominium			
Condominium	15	1	15
Lodge and Efficiency	6	.33	2
Lodge			
Totals	56		52

- 2. The Alternative Parking Requirements for units which have not been constructed at The Ridge Development shall be required to be satisfied in the manner set forth below prior to the pulling of a building permit for a unit at The Ridge Development.
- 3. The Alternative Parking Requirements for units which have been constructed prior to the date of this Resolution had promissory notes issued by the original developer St. Sophia Partners, LLLP to Town for parking payment-in-lieu fees in the total principal amount of \$234,000.00 as follows:
 - a. Principal amount of \$78,000 for three parking spaces for Unit 2, Lot 161A-1R Building;
 - b. Principal amount of \$52,000 for two parking spaces for Unit 7, Lot 161A-1R Building;
 - c. Principal amount of \$52,000 for two parking spaces for Unit C-3, The Ridge; and
 - d. Principal amount of \$52,000 for two parking spaces for Unit 21, The Ridge.

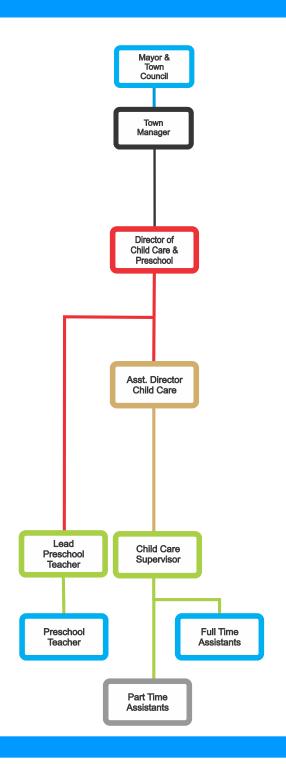
The Settlement Agreement shall require that replacement promissory be issued by The Ridge Owners of the same units and parking spaces identified above and for the same amounts as provided for in the St. Sophia promissory notes as follows (the "Promissory Note Owners"):

- a. Coonskin Principal amount of \$78,000 for three parking spaces for Unit 2, Lot 161A-1R Building;
- b. Coonskin Principal amount of \$52,000 for two parking spaces for Unit 7, Lot 161A-1R Building;
- c. SSS Ranch Principal amount of \$52,000 for two parking spaces for Unit C-3, The Ridge;
- d. Eenhoorn Principal amount of \$52,000 for two parking spaces for Unit 21, The Ridge.

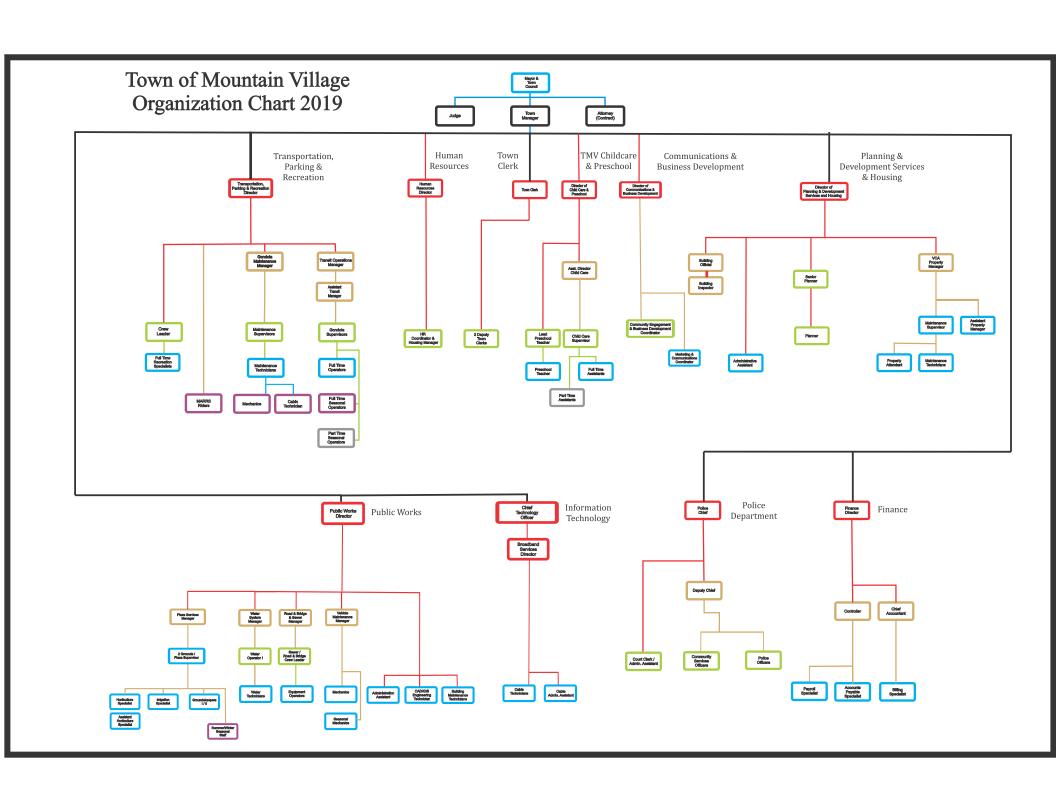
The Promissory Note Owners shall be required to pay their respective Promissory Notes or provide the Town with an executed "Reservation Agreement" which demonstrates

their commitment to purchase a deed parking space at Lot 161C-R within 60 days of execution of the Settlement Agreement along with proof of deposit of the escrowed funds related to the Reservation Agreement.

- 4. The Town approves the manner of satisfying the Alternative Parking Requirements for The Ridge Development as follows:
 - a. Purchasing a deeded parking space at Lot 161C-R, which has a deed restriction, restricting said parking space to the particular Ridge unit owned by the applicable Ridge Unit Owner; or
 - b. Paying to the Town a payment in lieu fee at the then current rate as established by the Town Council multiplied by the number of parking spaces required by this approval.
- 5. The purchasing of a deeded parking space at Lot 161C-R shall be evidenced by either (a) presenting a deed to a parking space at Lot 161C-R deed restricted to the particular Ridge Unit; or (b) presenting a fully executed Reservation Agreement, which demonstrates the commitment to purchase a deeded parking space at Lot 161C-R which contains language which requires release of the then current amount of the payment in lieu fee from the escrow guaranteeing the Reservation Agreement to the Town and proof of deposit of the related escrowed funds.



TMV Childcare & Preschool







March 21, 2019

State Historical Fund History Colorado 1200 N. Broadway Denver, CO 80203

Dear State Historical Fund Staff and Grant Reviewers:

You recently received a letter from Jonna Wensel, Historic Preservation Director, Town of Telluride

supporting a grant application to restore the siding and perform historic paint analysis on the Telluride Elks Lodge Building. The Mountain Village Town Council would also like to add our support for this important project to preserve part of the heritage of the Telluride/Mountain Village Community.

In her letter Ms. Wensel pointed out that this project was recently granted a Certificate of Appropriateness by the Telluride Historic and Architectural Review Commission (HARC). She also provided the following history of the building, importance of the building and the importance of the grant.

"The building was constructed as the Swede Finn Temperance Hall in 1899 and has long served

as a gathering place for the community. It continues to serve that role as the Elks Lodge and stands as a monument to Telluride's immigrants and miners who built this town. It is rated a Contributing structure to the Telluride National Historic Landmark District and is significant as an excellent example of a wood frame building with a false front, as is traditionally found in mining towns. The building retains a high standard of integrity, and a State Historical Fund Grant to support its preservation will ensure it will retain its integrity for many years to come."

We join the Town of Telluride in expressing our appreciation for your consideration of this grant application.

Sincerely,

Laila Benitez Mayor, Town of Mountain Village

Dear Community,

It's important you know about two important developments on the State level with respect to public school funding. Recently State Senator Bob Rankin has held out Telluride as a school district in Colorado that should not be classified as rural and, therefore, should lose state funding associated with that classification. This would reduce state funds by approximately \$330,000 per year, which compares to about 30% of the dollars raised from our local mill levy override voters passed this Fall.

State legislatures are singling out Telluride on the national stage as well, juxtaposing our perceived wealth in a recent Washington Post article to that of rural Districts in SE Colorado that have crumbling walls and decaying infrastructure, which sets up a scenario for a "Robin Hood-like" proposal that would theoretically redistribute dollars more equally among the 178 districts in Colorado. This second proposal would set a uniform local mill levy requirement for all districts across the State. In practical terms, this means that school districts would be required to raise more money locally through mill revenue. For Telluride, such a new state requirement would shift the burden onto our community to raise roughly \$6 million more per year locally. This is a 60% increase to our total current mill revenue, adding another 7 mills for school funding.

This legislation shifts the burden of school funding almost entirely onto local property owners. By increasing local funding, the State keeps more in its coffers, ostensibly to help districts in desperate circumstances. While local voters would be required to approve any such a mill increase, in those districts that don't pass such increases, the proposal allows the State to consider "certain district characteristics" for reprieves. And although those characteristics have not identified, our guess is that "rural" could be one such characteristic. Therefore, by stripping us of our rural classification, the State may be trying to hit us twice.

According to the Department of Education, this is the definition of rural: "A Colorado school district is determined to be rural giving consideration to the size of the district, the distance from the nearest large urban/urbanized area, and having a student enrollment of 6,500 students or less. Small rural districts are those districts meeting these same criteria and having a student population of less than 1,000 students."

What could be more true of Telluride? We are 65 miles from the closest urban area (45 miles from the nearest stop light) and we regularly travel great distances to Montrose, Grand Junction, Durango and even Denver for specialized services that are only offered in large urban areas. Families in our community work extremely hard to survive in our remote, seasonal resort economy because we do not have a diverse economy or employment opportunities that are found in urban areas. Many parents have two to three jobs and commute great distances to make a living and support their family's basic needs. It is also difficult for us to recruit and hire teachers, staff, substitutes, and bus drivers because of our remote location and high cost of living.

The real truth is that Colorado remains among the least funded public school systems in the U.S. This sad state of education funding has led to a teacher hiring crisis across the State, with Colorado ranking last for teacher wages. However, since the Great Recession Colorado is one of the fastest rebounding States in the Nation, boasting job growth that is third highest, and one of the lowest unemployment rates. The State has the money to spend, "[t]hey just don't," says a Rutgers Graduate School of

Education professor. These two new proposals are evidence of just that. Without fixing TABOR and Gallagher, the State is not solving the real problem: State funding of our public education system.

Our district has lost \$10 million dollars in State funding over the last ten years, and now the State is considering cutting \$6 million more EVERY YEAR. How does this make any sense?

The State is mid-way through its legislative session. Please reach out to your representatives on both these school funding issues and ask them to maintain Telluride's rural designation and support greater State funding of Colorado schools.

Joint Budget Committee:

- Sen. Dominick Moreno (D Adams Co), JBC Chair 303-866-4857 dominick.moreno.senate@state.co.us
- Rep. Daneya Esgar (D- Pueblo), JBC Vice-Chair 303-866-2968 daneya.esgar.house@state.co.us
- Rep. Chris Hansen (D- Denver) 303-866-2967 chris.hansen.house@state.co.us
- Sen. Rachel Zenzinger (D Jeffco) 303-866-4840 senatorrachelz@gmail.com
- Sen. Bob Rankin (R NW Colorado) 303-866-2949 bob.rankin.senate@state.co.us
- Rep. Kim Ranson (R Douglas Co) 303-866-2933 kim.ransom.house@state.co.us

Our Reps and Governor:

- Don Coram (District 6-San Miguel County) Senator 303-866-4884 don.coram.senate@state.co.us
- Marc Catlin (District 58 San Miguel County) Representative 303-866-2955 marc.catlin.house@state.co.us
- Governor Jared Polis (303) 866-2471
 https://www.facebook.com/jaredpolis/https://www.colorado.gov/governor/share-your-comments

Thank you for your continued support!
Stephanie Hatcher, Telluride School Board President
Mike Gass, Superintendent



COLORADO OUTDOOR RECREATION & ECONOMY ACT

Colorado U.S. Senator Michael Bennet and U.S. Congressman Joe Neguse's *Colorado Outdoor Recreation & Economy (CORE)* Act protects approximately 400,000 acres of public land in Colorado, establishing new wilderness areas and safeguarding existing outdoor recreation opportunities to boost the economy for future generations.

Colorado counties, in close coordination with businesses, recreation groups, sportsmen, and conservationists, helped write each element of the CORE Act over the last decade.

Of the land protected, about 73,000 acres are new wilderness areas, and nearly 80,000 acres are new recreation and conservation management areas that preserve existing outdoor uses, such as hiking and mountain biking. The bill also includes a first-of-its-kind National Historic Landscape to honor Colorado's military legacy and prohibits new oil and gas development in areas important to ranchers and sportsmen.

The CORE Act unites and improves four previously introduced bills:

- 1. Continental Divide Recreation, Wilderness, and Camp Hale Legacy Act
- 2. San Juan Mountains Wilderness Act
- 3. Thompson Divide Withdrawal and Protection Act
- 4. Curecanti National Recreation Area Boundary Establishment Act

Continental Divide Recreation, Wilderness, and Camp Hale Legacy Act

The Continental Divide Recreation, Wilderness, and Camp Hale Legacy Act establishes permanent protections for nearly 100,000 acres of wilderness, recreation, and conservation areas in the White River National Forest along Colorado's Continental Divide. It also designates the first-ever National Historic Landscape around Camp Hale to preserve and promote the 10th Mountain Division's storied legacy. In crafting the bill, Senator Bennet and then-Congressman Jared Polis collaborated with community leaders, veterans, and businesses in Eagle, Summit, and Grand Counties.

San Juan Mountains Wilderness Act

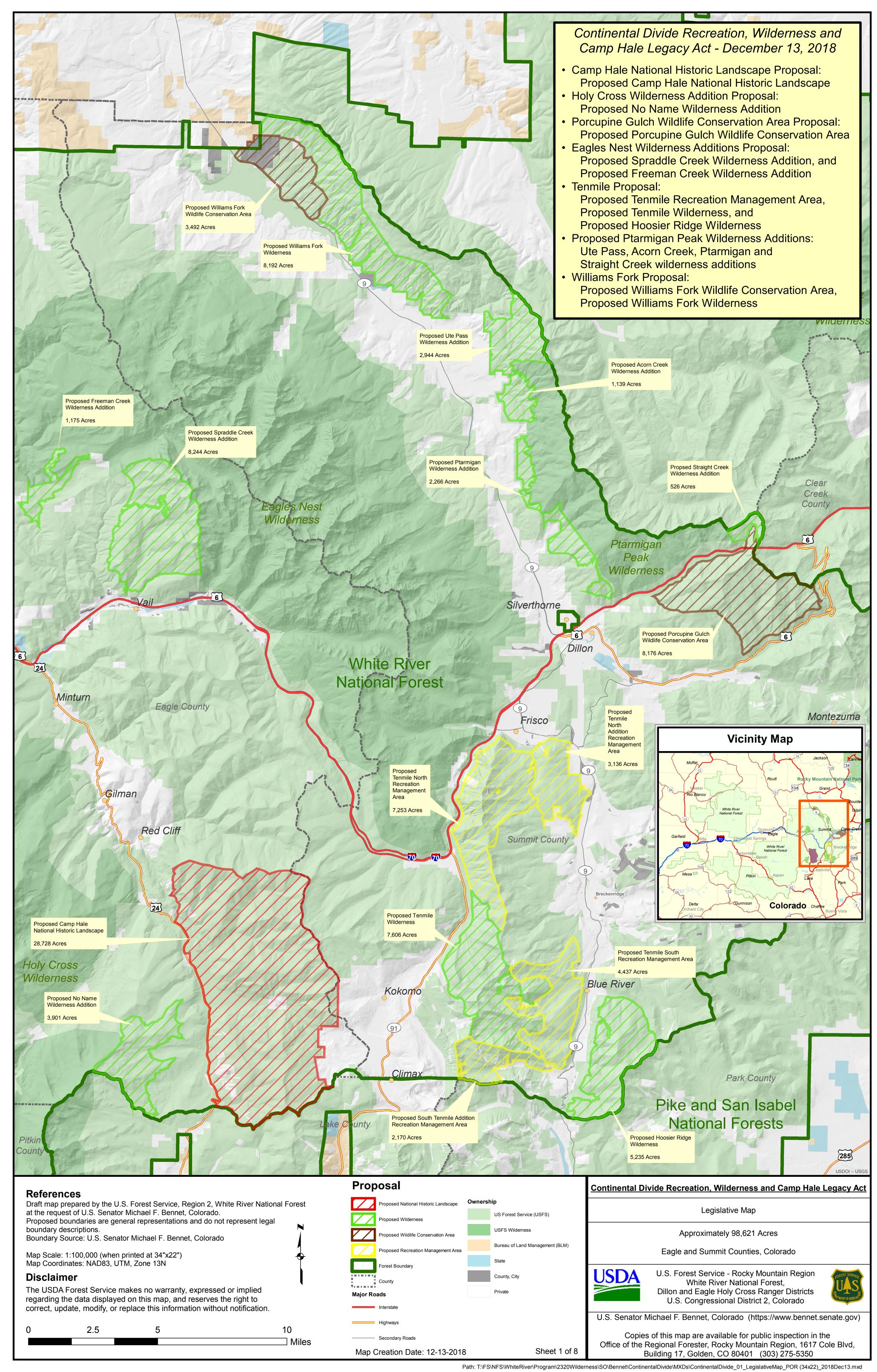
The San Juan Mountains Wilderness Act provides permanent protections for nearly 61,000 acres of land located in the heart of the San Juan Mountains in Southwest Colorado. It designates some of the state's most iconic peaks as wilderness, including two fourteeners: Mount Sneffels and Wilson Peak. The bill is the result of more than 10 years of collaboration among local leaders, businesses, and ranchers in San Miguel, San Juan, and Ouray Counties. It has passed out of both Senate and House committees with bipartisan support.

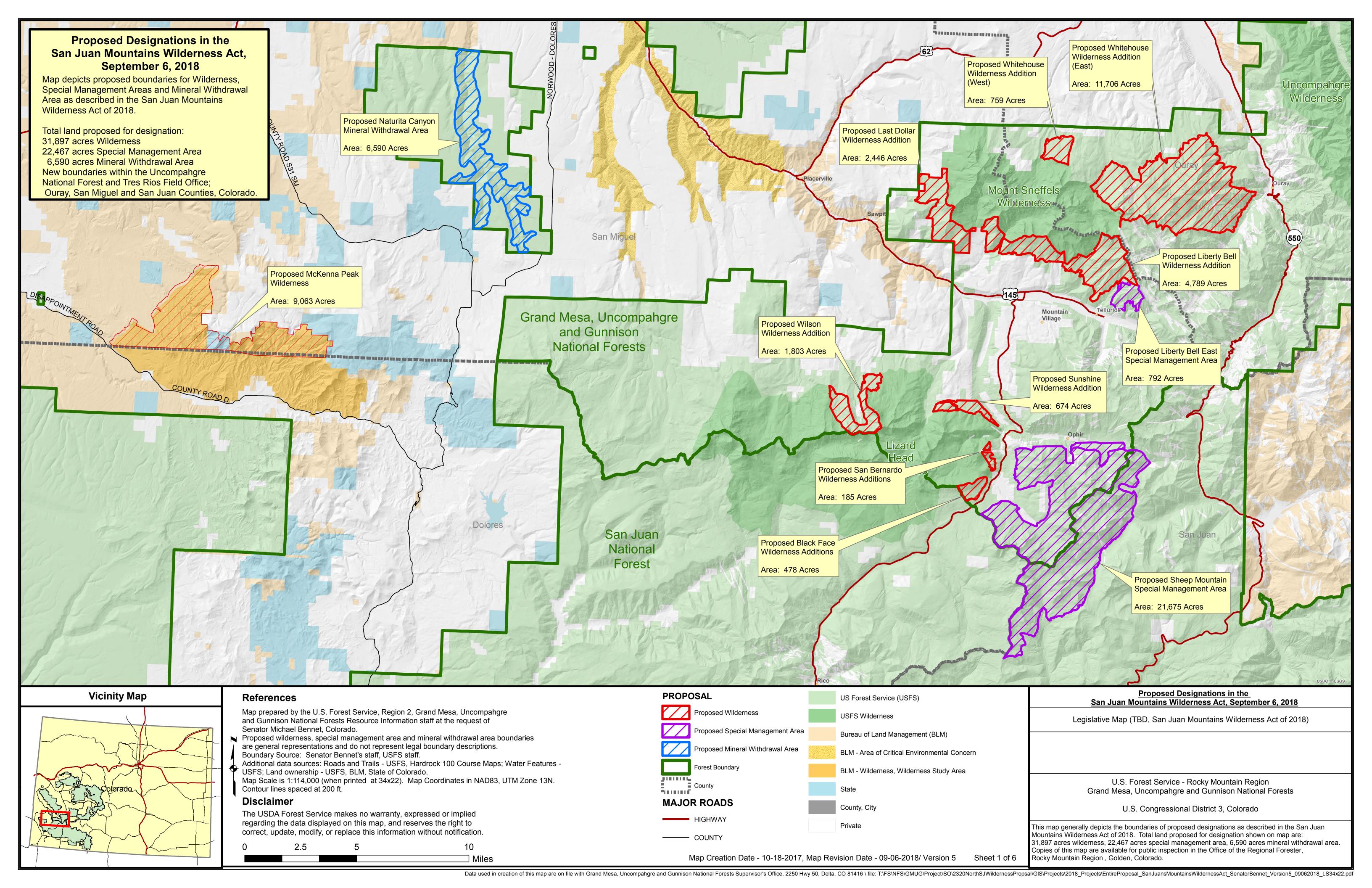
Thompson Divide Withdrawal and Protection Act

The Thompson Divide Withdrawal and Protection Act protects the Thompson Divide—one of Colorado's most treasured landscapes—by withdrawing approximately 200,000 acres from future oil and gas development, while preserving existing private property rights for leaseholders and landowners. It also creates a program to lease excess methane from nearby coal mines, supporting the local economy and addressing climate change. Since joining the Senate, Senator Bennet has worked with ranchers, sportsmen, and elected officials to ensure the bill reflects the wishes of Gunnison, Pitkin, and Garfield Counties and local energy companies.

Curecanti National Recreation Area Boundary Establishment Act

The Curecanti National Recreation Area (NRA) Boundary Establishment Act formally establishes the boundary for the Curecanti NRA. Although created in 1965, the boundary has never been designated by Congress, limiting the ability of the National Park Service to effectively manage the area. The bill improves coordination among land management agencies and ensures the Bureau of Reclamation upholds its commitment to expand public fishing access in the basin. Since 2011, Senator Bennet has worked closely with counties, federal agencies, landowners, and sportsmen to craft the bill.





Greater Thompson Divide Area Map September 22, 2016 This map prepared at the request of Senator Michael Bennet Glenwood T 6S T 6S R 91W R 92W R 93W R 88W T₆S T6S R 87W T6SR T 65 R R 90W R 85W **R86W** 83W T 7S T 7S R 87W R 83W T7S/R _T_7S 93W T 7S T7S R90W R 92W T 75 R 89W R 94W T 7S R 86W T-7S **R88W R 85W T7S** R 84W T8S R 92W Carbondale Garfield County R 85W **Garfield County** Mesa County T₈S R 93W **Eagle County** Pitkin County _T 8S **R 94W** T8SR R 91W T 8S R 88W Pitkin County T8S R 84W **R** 94W **R** 93W T 9S T9S T 95 R T 9S T 98 R **R 92W** R 89W T 9S T 9S R 84W **Hunter-Fryingpan** Wilderness T 10S T 10S **R 94W** Aspen T 10S R 91W R 92W R 93W T 10S R'90W T 10S Snowmass R 88W R 89W Village T10S **R87W** T10S R86W T 10S R 84W R 85W T 11S R 92W Wilderness T11S R86W Collegiate T 11S T 11S R 93W T11S Peaks R 94W T 11S T 11S **R91W** T113 **R90W** Wilderness T11S R87W R 89W R 88W T11S R85W T1118 Marble R 84W Raggeds Wilderness T 12S R 94W T 12S T-12S T 12S R 91W _T_12S_ T 12S R 90W T 12S R 88W R 93W R 92W T 12S R 87W R 89W T12S R86W T12S T 12S R 84W R85W ~T 13S R T-13S-T 13S R-93W T 13S T13S R 92W T13S R 91W T 13S R 89W T 13S R 86W Crested T 13S R 85W R 84W Paonia Crested Butte T-14S T 14S R 94W T 14S R 92W R 93W T14S R91W T14S / R89W T14S R88W T 14S R/87W T 14S R 86W R 90W T.14S T 14S R 84W R 85W T 14S R 83W T 15S T 15S R 94W T 15S R 93W T 15S R T15S R89W T.15S R 90W T15S R88W R 91W T 15S T 15S R 86W T 15S R 85W T 15S R 87W T 15S R West Elk **R 84W** Wilderness **Crawford** Delta County _T.51N R9W Fossil Ridge Montrose County R 7W R 5W R 6W T 51N T 51N T51N R3W T.51N _R 1W._ T 51N-T 51N R 1E T 51N R 2E R 5W R4W Wilderness R 2W County T 50N R 5W T 50N T 50N T 50N R 6W T 50N R 7W R9W T50N R4W R8W T 50N T 50N T 50N R 1W T 50N R 3W R 2W R 5W R₂E 20 Miles Wyoming 1:130,000 MOFFAT JACKSON LARIMER This map is intended to be plotted at 34 x 44 in. Thompson Divide Withdrawal and Bureau of Land Management Interstates RIO BLANCO Denver WASHINGTON Protection Area U.S. Highway Bureau of Reclamation Wolf Creek Storage Agreement State Highway National Park Service County Boundaries CHEYENNE County & Main Roads Other Federal Streams & Rivers State SAN MIGUEL CUSTER PROWERS

State, County, City; Areas

USFS Wilderness Area

US Forest Service

DOLORES

MONTEZUMA

LA PLATA

ARCHULETA

GRANDE ALAMOSA

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LAS ANIMAS

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